

she must have the right to make a choice whether to continue her pregnancy.

The procedure referred to in S. 1692/H.R. 3660 has been used to protect the mother's life but many times these late term abortions are primarily done when the abnormalities of the fetus are so extreme that independent life is not possible.

Many times in the issue of abortion we tend to glorify a potential life but refuse to acknowledge the actual living human being that has conceived that life.

This actual living human being has rights enumerated in the Constitution that can not be infringed upon regardless of what type of abortion is being performed especially if it is to save the life of mother.

If society picks and chooses which type of abortion one should have then once again we are taking away the right of a woman to choose.

If this conference report is supported by the majority, this S. 1692/H.R. 3660 would put the government in the doctor's office and leave the health of women unprotected.

I would be amiss if I did not highlight the fact that the terminology being employed by proponents of this bill is a term with absolutely no medical or scientific meaning.

On the contrary, this term is a being used solely to enrage and misguide the public. In fact, this term was actually adopted from a speech given by an anti-abortion advocate. Hence, the attempt to assuage our concerns that this legislation is not an attempt to circumvent a woman's constitutional right is simply untrue.

Therefore, I will not use this propagandist term "partial birth" abortion, but instead give this bill the title it deserves, the "Abortion Ban of 2000."

S. 1692/H.R. 3660 is another attempt to put politics before women's health. The overwhelming majority of courts have to have ruled on challenges to state so-called "partial-birth abortion" bans have declared those bans unconstitutional.

Despite the passage of abortion bans in state legislatures throughout the country, on election day in both 1998 and 1999, ballot initiatives that would have enacted this type of law were defeated in Washington, Colorado and finally Maine. The people of this country do not support this type of law.

In fact, only 12 states have abortion bans in effect, but 9 of these states have not yet been challenged.

Furthermore, Six federal district courts have issued permanent injunctions against statutes virtually identical to S. 1692/H.R. 3660 and the Supreme Court is set to decide on this issue in *Stenberg v. Carhart*.

I agree with my democratic colleagues that any action by Congress would be premature and even mooted by the Court's decision.

Notwithstanding the potentially mootness of this discussion, proponents of this legislation not only mischaracterize the reasons underlying the use of late term abortions, but they failed to even recognize the constitutional rights espoused by the Supreme Court in *roe* and reaffirmed in *Casey*.

The ambiguity of this legislation further frustrates the rights of women in the Nation and chills legitimately protected rights.

This legislation could essentially ban more one type of procedure because it fails to distinguish between abortions before and after viability.

These are just some of the many problems with S. 1692/H.R. 3660 and these alone should make anyone question the appropriateness of such legislation.

We can not straddle the fence on this issue. It is either to protect the rights of women or take them away completely.

Women have fought hard and long to have autonomy over their bodies and by putting restrictions on what type of abortions she is allowed to receive would put women back in the era of *Pre-Roe v. Wade*.

By banning partial birth abortions not only are we taking the right of women to have autonomy over their bodies and the right of families to determine their future, but we are also taking the right of women to live their lives as healthy American citizens and treating them like prisoners in their own country.

Mr. CONYERS. Mr. Speaker, we have no speakers, and I yield back the balance of my time.

Mr. CANADY of Florida. Mr. Speaker, I have no objection to the motion to instruct conferees, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

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

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. HYDE, CANADY of Florida, GOODLATTE, CONYERS, and WATT of North Carolina.

There was no objection.

□ 1145

RECESS

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 12 of rule I, the Chair declares the House in recess for 10 minutes.

Accordingly (at 11 o'clock and 46 minutes a.m.), the House stood in recess for 10 minutes.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 11 o'clock and 57 minutes a.m.

PROVIDING FOR CONSIDERATION OF H.R. 3916, TELEPHONE EXCISE TAX REPEAL ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 511 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 511

Resolved, That upon the adoption of this resolution it shall be in order without inter-

vention of any point of order to consider in the House the bill (H.R. 3916) to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 511 is a closed rule providing for consideration of H.R. 3916, the Telephone Excise Tax Repeal Act. This bill is designed to amend the Internal Revenue Code to repeal the excise tax on telephone and other communications services.

H. Res. 511 provides for 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted upon adoption of the resolution. Finally, the rule provides one motion to recommit, with or without instructions, as is the right of the minority.

Mr. Speaker, when it comes to unintended consequences in crafting tax policy, the Federal Government has shown a tendency to lead the way. If you remember, in 1991 the U.S. Congress passed a luxury tax on yachts to punish the rich, a tax that subsequently bankrupted American companies, forced sales in that sector to drop 75 percent, and resulted in the loss of about 30,000 jobs. That Congress thought that the luxury tax was a tax on the rich, and the unintended consequences of their actions resulted in a tax on American workers and the loss of their jobs.

□ 1200

Today we are going to discuss the telecommunications tax, a tax that is currently having the unintended consequence of limiting the opportunities of lower- and middle-income Americans to have affordable access to the information superhighway. In effect, it is a tax on talking and on access to the Internet.

This particular telecommunications tax was enacted by Congress in 1898 to help pay for the Spanish-American

War. While the war has been over for 102 years, like most temporary taxes, it is now a permanent tax. In 1990, the same tax-happy Congress that brought you the disastrous luxury boat tax, decided in its wisdom to make the telecommunications tax permanent.

The tax originally consisted of a penny tax on long distance calls costing more than 15 cents. It is important to note that in 1898 there were approximately 1,376 telephones in this entire country, and that, of course, this luxury tax would affect only the very, very rich. However, in the 21st century, 102 years after this temporary tax was initially enacted, this tax hits not just the rich, but all Americans.

In fact, this regressive tax hammers lower-income Americans the hardest. According to the Bureau of Labor Statistics, families earning between \$10,000 and \$30,000 a year spend between 3 and 4 percent of their incomes on telecommunications. Those Americans making \$70,000 or more each year spend about 1 percent of their income on telecommunications.

Nonetheless, the truth is that all Americans must now pay a 3 percent tax on their phone bill, an estimated 252 million business and residential phone lines. The tax can be applied to telecommunications services such as general household phone lines, cellular phones, fax lines, computer modem lines, subscriber line charges, add-on features such as call waiting and caller ID, toll call services and directory assistance. As you may have guessed, all Americans, rich and poor, now have to pay the tax.

Mr. Speaker, this is just one more tax that makes the costs prohibitive for lower-income Americans to go online and participate in the new high-tech economy. As one who supports reducing the overall tax burden on American families, I wholeheartedly support this bill. H.R. 3916, which will reduce the tax to 2 percent beginning 30 days after enactment, reduces the tax to 1 percent on October 1, 2001, and repeals the tax entirely on October 1, 2002.

The high-tech revolution has changed the way that every American works and lives and has provided Americans with more freedom, prosperity, and job opportunities for the future. The foolish and shortsighted tax policies of the 101st Congress should not be permitted to act as an unreasonable toll against low- and middle-income Americans attempting to get on the information superhighway.

This Congress will repeal the telecom tax and ensure that excessive government taxation does not threaten the ability of all Americans to participate in opportunities that will be presented in the high-tech future.

This rule was unanimously approved by the Committee on Rules on Tuesday, and I urge my colleagues to support it so we may proceed with general debate and consideration of this bipartisan bill.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes.

Mr. Speaker, this is a noncontroversial measure that came out of the Committee on Ways and Means unanimously. The measure would repeal over 3 years the 3 percent telephone excise tax imposed originally to finance the Spanish-American War. Under the bill, the 3 percent tax would be reduced to 2 percent 30 days after it becomes law, it will drop to 1 percent October 1, 2001, and would be fully repealed on October 1, 2002.

The tax has been repealed on two previous occasions, but was brought back in different forms to pay for World War I and World War II, and then increased to help fund the Vietnam War. It was made permanent in 1990, with the money going into the general treasury.

Phasing out this excise tax is a worthy objective, as is it is becoming increasingly difficult to administer as technological advances blur the distinction between taxable and nontaxable communications services. I would echo the concerns expressed by the administration, however, that this revision should be enacted as part of an overall budget framework for maintaining fiscal discipline, for paying down the national debt and for extending the solvency of Medicare and Social Security. The administration estimates that Federal receipts would be reduced by \$1.5 billion in fiscal year 2001 and \$20 billion over fiscal years 2000 to 2005.

Mr. Speaker, again, I do not oppose the underlying bill, but the Committee on Rules missed a golden opportunity during consideration of this measure, an opportunity to address what is rapidly becoming a digital divide in our Nation between those who have access to technology and those who do not. Several of my colleagues offered amendments to tackle this divide, but the majority in the Committee on Rules chose to disallow their consideration.

I am going to urge Members to vote no on the previous question, and, if the previous question is defeated, I will offer an amendment to the rule to make in order the Towns-Waters-Dingell substitute and the Wynn substitute. Both of these proposals immediately cut the telephone excise tax from 3 percent to 1 percent, and then eliminate it altogether by September 30, 2002.

The Democratic amendments would use the revenues from the phased-out telecommunications excise tax to fund various programs and grants designed to bridge the digital divide. No one doubts that electronic commerce has the opportunity to dominate our country's economic future, but this will

happen only if electronic commerce is available to everyone in the country. Electronic commerce cannot work if low-income populations in our urban centers, in our rural communities, as well as Native Americans, do not have access to it. The Federal Government has the responsibility for ensuring that our children and adults have the opportunity to acquire the skills needed to succeed in a digital work world.

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

Mr. LINDER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT.)

Mr. BLUNT. Mr. Speaker, here we are to talk about repealing a tax that was put on in 1898 to fight the Spanish-American War. We thought the war lasted 8 months. I used to teach history at high school and then later at college, and I suggested that was one of our quickest wars, only to find out as we look at how many dollars have been collected on this tax over the years that in any measure of dollars, the Spanish-American War turned out to be the most expensive war in the country's history; \$5 billion collected last year in a tax that was put on in 1898 to fight the Spanish-American War.

Of course, it was a tax on only the rich, because in 1898 only the rich had telephones. Now it is a tax on the people whose telephone is the lifeline of their life. It is a tax on people who use the telephone only for the most basic necessity, because it is a tax on the local service only. If you are on a fixed income, if you are a senior citizen, if you have a telephone to call your family, to call the doctor, to make an emergency call, if you never make a long distance call, if you try to pay only the smallest amount you can possibly pay and have a telephone, you pay this tax.

Because we have a surplus, because we have balanced the budget, the old arguments of we need this money, how would we replace it, what program would we cut, no longer work.

This is a reaction to what can happen when you show fiscal responsibility. It is a reaction to what happens when the Congress begins to use the yardstick of common sense. It is a reaction of what can happen when you take a tax that has now been on the books for almost every telephone bill for the last 102 years, occasionally phased out for a brief period of time, but always snatched right back. If we pass this bill, this rule today, which I am for, and if we pass this bill today, within the next few months, Americans that have on their telephone bill the line that says Federal tax or excise tax on their local phone service, will no longer have that. We eliminate this tax on the rich from 1898 that became a tax on those in the most difficult circumstances in the year 2000.

I am pleased that the Committee on Rules has brought this rule to the floor today, and pleased that the Committee

on Commerce is bringing this bill to the floor. I urge passage of both.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Commerce.

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

Mr. DINGELL. Mr. Speaker, I rise to support the repeal of the telephone excise tax, to thank the dear gentlewoman from New York (Ms. SLAUGHTER), but to oppose the rule.

I do not quite understand why my Republican colleagues, who profess to wish to give the consumers a tax cut, have denied us an opportunity to offer an amendment which would give consumers an even bigger tax cut than the bill reported by the Committee on Ways and Means in the amendment which would have been offered by the gentleman from New York (Mr. TOWNS), the gentlewoman from California (Ms. WATERS), and myself.

The interesting thing is the leadership on the majority side seriously miscalculated if they believed that this is a tax reform that most Americans want. I know constituents care about tax cuts, but they want them to put money in the pockets of the citizenry, rather than making Republican Congressmen look good.

The Towns-Waters-Dingell amendment, which is widely supported on this side, would save consumers about \$1.5 billion more than the committee bill over the next 2½ years. During the phase-out period, our amendment also puts revenues from the excise tax into a trust fund to pay for programs that create digital opportunity for Americans who live in underserved rural and urban areas.

Why are my colleagues on the other side of the aisle afraid? Why do they not desire our approach? We give the tax cut earlier on in larger amounts, but we also put the money to work in spending for creating a tax fund which would enable us to begin to provide for access to the Internet and advanced telecommunications services for people of low income in rural and in underserved urban areas. That is what we should be really doing here.

Unfortunately, the need which has to be met cannot be met without active assistance of the Government in terms of opening up these kinds of services by putting revenues collected from this excise tax into funds which will expand opportunity to receive services and to eliminate the digital divide. Without government help, Mr. Speaker, there are major areas of the country, major urban areas, as well as rural communities, where broad band services will simply not be provided. For our children to know how to use on-line services, resources and devices, we have to have this kind of intercession; not to establish any Federal preference, but, rather, to expand opportunities for service and to expand opportunities for

all people involved in delivering this kind of service and an opportunity to compete fairly.

I hope that when the previous question is raised, my colleagues will vote no. I hope that when the question is raised, Members will vote no on the rule, so that we can get down to a proposal which in fact will benefit the country.

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

Mr. Speaker, I would like to point out to the gentleman that in 1993 and 1994 with overwhelming majorities in both bodies and a Democrat President, he could have done anything he wanted with that 3 percent and solved all of those problems.

Mr. Speaker, I yield such time as he might consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend from Atlanta for yielding me time.

Mr. Speaker, I would first like to, since he has entered the Chamber, congratulate my very good friend, the gentleman from Cincinnati, Ohio (Mr. PORTMAN), for having taken the lead on this extremely important issue. He has done a great job in pointing to the importance of it and putting together a coalition that has included my colleague, the gentleman from California (Mr. MATSUI).

Mr. Speaker, creating digital opportunity is the priority that we have. I do not like to call it the digital divide. What we want to do is we want to make sure that we create opportunities for every single American to be able to have access to this information economy.

We have this information-based economy, and we all know that it is tied to virtually everything that goes through some sort of telecommunications area, and the hindrance that is there is a tax. Our great historian, the gentleman from Missouri (Mr. BLUNT), talked about the cost of the Spanish-American War and the fact that last year \$5 billion was collected for that. We are finally going to declare victory; and at the same time, we are going to reduce that one burden that has stood in the way of enhancing digital opportunity.

The fact is, again, telecommunications is the foundation of this information-age economy that we have developed. In my State alone, it is amazing to look at the number of jobs, the number of families that are able to maintain and expand their standard of living because of these opportunities. It is about 800,000 in my State that have been created since 1993; and nationwide it is approaching 5 million, about 4.8 million.

□ 1215

We want to do everything we can to expand that.

Again, in California, 45 percent of small businesses, and the small business sector, as we all know, is the backbone of our economy; 45 percent of those small businesses say that they use the Internet to do business, and anything that stands in the way to expand that, we very much want to repeal and address.

So I believe that we have a great opportunity here to strike a blow for our quest to expand opportunities for every single American, to get in and enjoy this economy, because when we look at a family that has earned \$25,000 or less, they have said that the one thing that stands in the way of their getting into this information-age economy is the cost. So this is one step, a very important step, that we can take towards decreasing that cost and enhancing opportunity.

Mr. Speaker, I urge an aye vote. This will be another wonderful accomplishment when we move this through to the leadership, the Speaker of the House, the gentleman from Illinois (Mr. HASTERT) and this great and very, very, very successful 106th Congress.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise to urge defeat of the previous question, because it undermines our efforts to bridge the digital divide. I want to thank the gentleman from New York (Mr. TOWNS), the gentlewoman from California (Ms. WATERS), and the gentleman from Michigan (Mr. DINGELL) for coming up with an ingenious and innovative approach to providing a response to this very important and very serious problem.

It is good to eliminate the excise tax and reduce telephone bills across the country, but what if one does not have a telephone in the first place, as we found on so many of our Indian reservations around the country where 50 percent of the people did not have telephones at all and, where in so many of our low-income communities, rural and urban, that same problem persists where telephone lines are not available to even begin to think about Internet access.

More and more, America is transforming into a technology-driven nation, with every institution being impacted by the Internet and e-mail. In this new tech-driven economy, computers are becoming the crucial link to education, to defense, to information, and training, and to commerce.

For all Americans, personal and economic success will depend upon having the ability to understand and use these powerful information tools. However, according to the Commerce Department report, Defining the Digital Divide, a large segment of the population have no access to technology at all.

Unless this changes, these poor families in both urban and rural areas will

be left behind. Millions of Americans will not have the tools necessary to compete in the new economy and will become the first second-class citizens of the information age.

But let us not kid ourselves. The digital divide is not just a problem for the residents of these distressed and rural areas and these urban communities. It is a problem for the entire national economy as a whole. If we do not extend technology access to all Americans, our skilled labor force will continue to be depleted, millions of tech jobs will continue to go unfilled, and private industries and the military will continue to have problems recruiting and retaining highly skilled individuals.

H1B visas are not the answer. Hiring foreign workers will not solve our growing, long-term needs for highly skilled workers. Surrendering our Nation's pre-eminence is also not an option. The answer is to eliminate this digital divide and ensure that all Americans are given access to technology and training.

The private and public sector both understand the importance of bridging the digital divide in America and are taking steps to bring technology to schools and libraries across America. I applaud them for their efforts. However, these efforts are not enough.

To truly bridge the digital divide and improve the way our children learn, the Federal Government must step in and help provide funds to bolster these efforts and extend technology access to every home in America. Only then can we assure that all of our children will have the tools necessary to compete in this tech-driven economy.

I and many of my colleagues have numerous bipartisan legislative proposals to address the digital divide and extend technology for access to schools, libraries, computer centers and homes of all Americans. Many of these proposals would require Federal funding.

Mr. Speaker, a defeat of the previous question will allow my colleagues and I to vote on the amendment of the gentleman from New York (Mr. TOWNS) to set aside the phasing out of the telephone excise tax in a separate digital divide fund, a fund that can be used to finance the massive effort needed to extend technology. We cannot and should not let the opportunity to set aside these revenues pass us by. I urge defeat of the previous question.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Cincinnati, Ohio (Mr. PORTMAN), the sponsor of the underlying bill.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Georgia very much for his support of this legislation and for allowing me to speak today on the rule. We are talking about the telephone excise tax. I want to get back to that and then perhaps address a couple of the points that have been made by my friends on the other side.

First of all, to take us back to where we are here, this is a bipartisan effort

that the gentleman from California (Mr. MATSUI) and I started some time ago; it has been bipartisan from the start. It is an attempt to look at our Tax Code in a time of prosperity and budget surpluses and see what makes sense and what does not. It is our sense that this is a perfect candidate for repeal.

The gentleman from California (Mr. DREIER) spoke earlier, the chairman of the Committee on Rules, and he has also been a leader on this and also on the general issue of bringing to the attention of this Congress that telecommunications is indeed, as he said, a foundation of our economic growth. This is one part of that.

This particular tax started back in 1898 at a time when the U.S. was engaged in a war with the Spanish and we wanted to get a little revenue, so we went after a luxury item called a telephone that very few Americans had, only the wealthy; and we said, let us put a tax on this telephone, that very few people have, to help pay for this war. Teddy Roosevelt was just emerging as a national figure, as a war hero, and it was 102 years ago. It has gone up and down over the years.

The history is actually very interesting, including the fact that during the Vietnam War, this tax was increased to 10 percent to help defray the costs of the Vietnam War. In fact, people were burning their phone bills on the street, as well as their draft cards, to try to protest the Vietnam War. But it is also a great example of what seems to me to be a truism, which is once you put a tax in place in this town, it is very difficult to get rid of it. In this case, it was a temporary luxury tax on an item that is no longer a luxury, a telephone.

From a tax policy perspective, it is even worse. First, it is, of course, regressive. Families with lower incomes pay a disproportionate share of their family budget for the phone bill. Practically every family in America has a phone now. Ninety four percent of Americans have telephones. The seniors are particularly hard hit by this. They are on fixed incomes. They rely on the telephone as a lifeline, as a lifeline to the outside world, so their budget is particularly hard hit by this. So it is regressive.

Second, it is not like other Federal excise taxes used for any purpose. It goes into general revenues. It is a revenue-grab, rather than, for example, the gas tax which goes to repair our roads and bridges. It is not even a sin tax, and there are some Federal excise taxes on alcohol and cigarettes. Again, this one goes to no particular purpose. So from a tax policy perspective, at a time when we have the luxury to sit back and look at our Tax Code, what makes sense and what does not, it makes all the sense in the world to repeal this one.

Finally, and most importantly, I think, in addressing the questions that have been raised today, it is a tax on

telecommunications. Mr. Speaker, 96 percent of the Internet goes over phone lines, as we heard earlier today. The gentleman from California (Mr. DREIER) talked about it as the foundation of our economic growth. There is no more important catalyst to the economic growth. We are hearing today about our first quarter results, over 5 percent growth, this is because of technology; and telecommunications as a real driver in our economic growth.

This is a tax on every single Internet user. It is a tax on every small company in America. The large companies often have private lines, they are not paying this tax, but the small companies get hit the hardest. So at a time when we are concerned about the digital divide and access to the Internet, I think this is a great product.

Now, I understand there is another proposal coming from the gentleman from New York (Mr. TOWNS); and he is a friend, a good friend. I have not talked to him about the proposal. It has not been through our committee, I do not think it has been through the Committee on Commerce yet either, nor have there been any hearings on it. So I, frankly, do not know much about it.

Again, we have been at this for several months, and I have not heard of it yet. But I am perfectly willing to sit down with the gentleman and others and talk about this, because I agree that we need to address the digital divide. The gentleman from California (Mr. BECERRA) and I, for instance, have a bill that we have been trying to get through that expands the ability to give a computer to a school. Right now it is a tax deduction, we think it ought to be a tax credit. We think other computers in the current status, which is computers only 2 years old, ought to be eligible. So I am very sympathetic to that general notion.

But the thought of taking this phone tax and getting rid of it and giving those revenues back to those families, particularly those families again on the lower income scale that really pay a disproportionate share to me is what we ought to be doing here today, not taking that money and putting it into a trust fund that the government may use, as the gentleman from Michigan (Mr. DINGELL) said, I understand, for underserved areas, rural areas and so on. Let us look at that another day. Let us let this process proceed.

Mr. Speaker, I hear a lot on this floor about how, gee, we are so partisan in the House of Representatives, and then when we bring a good bipartisan bill to the floor that has been bipartisan from the start, and I see my colleague from Texas who has been part of this from the start, and others, I think we ought to, as a group, come together and actually get something done for the American people and send it to the Senate with a strong bipartisan vote. Let us not slow this down or stop it or make it a confused product by adding new things at this point that are not items

that have been vetted in the process or frankly that have been part of this process. Let us move this on to the Senate with a strong bipartisan vote so that we can actually get it to the President's desk and get it done for our constituents.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. TOWNS).

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

Mr. TOWNS. Mr. Speaker, I rise today to urge my colleagues to defeat the previous question and to allow the House to make in order a substitute that I would like to offer with the gentlewoman from California (Ms. WATERS), the gentleman from Michigan (Mr. DINGELL).

Given the opportunity, I do believe many of my colleagues on both sides of the aisle would enthusiastically support our substitute which would give Americans a bigger tax cut than H.R. 3961 and begin to close the digital divide, with no new costs to taxpayers. We cannot ignore the digital divide issue; we must improve the way our children learn.

Specifically, our proposed amendment would immediately reduce the telecommunications excise tax from 3 percent to 1 percent, and would repeal the tax entirely by September 30, 2002. This tax cut would give Americans over \$1.5 billion, that is B as in boy, more in tax relief than they would get under H.R. 3961.

Mr. Speaker, I think all Americans would benefit from the repeal of this regressive tax on talking, and a vote in support of the previous question is a vote against giving Americans greater tax relief than the bill currently gives. I believe this is an important improvement.

Our proposed amendment would also dedicate the funds collected by this tax to telecommunications projects to help close the digital divide. Just as money collected from the gasoline tax is used to improve our Nation's highway infrastructure, money collected from the telephone excise tax should be devoted to improving our telecommunications infrastructure.

For example, money in our Digital Divide Bridge trust fund could be used to fund grants and loan guarantees to accelerate private sector deployment of broadband networks in rural areas such as California, Louisiana, and the western United States. The projects may also include supporting wireless high-speed Internet development to schools in underserved urban areas like Brooklyn, for instance.

We believe the revenue generated from this telecommunications tax should be earmarked for telecommunications projects, instead of getting lost in the general revenue and allowing the digital divide to continue to go unabated. Therefore, Mr. Speaker, I conclude by urging my colleagues to defeat the previous question and to

make our proposed amendment in order.

Mr. Speaker, I would like to say to my good friend from Ohio that this amendment would really, really move us in the right direction and begin to make certain that people that are left out will now be in. I think he would support that, so I am hoping that he will read it quickly and then join the band.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise to take a strong stand to urge defeat of the previous question. There is a lot of rhetoric about the digital divide, but no one is really doing anything about it. We now have an opportunity to back up our rhetoric with an investment in our future.

Specifically, there are proposals, one by my colleague, the gentleman from New York (Mr. TOWNS), which I support and one which I have introduced which would say that yes, we ought to cut the excise tax, but we ought to take a small portion of the excise tax and make an investment in closing the digital divide.

Is the digital divide real? Absolutely. Consider a family making over \$75,000 is 20 times more likely to have a computer than a poor family.

□ 1230

Consider that in public schools, wealthy school districts have a ratio of seven students to one computer. Poor school districts have a ratio of 16 students to one computer. We can do something about it by taking a small portion of this tax and directing it not to the general fund but to the specific purpose of bringing our young people into the 21st century by providing computers that can be used in schools, in recreation centers, for training programs, for broad-band, for other uses. We are making a sound investment in our future.

It is time that we eliminate the empty rhetoric about the digital divide and really did something about it. This is our opportunity. I hope my colleagues will defeat the previous question, allow the substitute amendments to be considered by this body and allow us to really work toward closing the digital divide that everyone is so happy to talk about.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 3916, the Telephone Excise Tax

Repeal Act of 2000. I am pleased to be an original co-sponsor of this bill.

Mr. Speaker, this is a tax whose time has come and it is time to be repealed. It was started over 100 years ago, during the Spanish-American War, to raise revenues; and it was started as, in effect, a luxury tax when only 2 percent of Americans had telephone service.

I can remember as a boy some years ago being at my grandparents' place up in east Texas, and they still used a party line, and people did not have many phones. Well, today about 97 percent of Americans have phone service in their home or they have cellular service, and also now with the rise in the use of the Internet people are being taxed there.

I think it is a little bit more simplistic than our colleague, the chairman of the Committee on Rules, pointed out, that somehow this is going to leverage an increasing boom in the high-tech market; but I think it is very important that this is one of the first tax breaks that we have seen come to the floor that is not a targeted tax break in one direction or does not just benefit the top 2 percent of the people with higher income. This is going to benefit the broad majority of American citizens out there since most Americans have some form of telephone service, some are on the Internet; but this is something that is going to put money back in the pockets of working American families, and that is why I cosponsored this bill. It is time to get rid of this tax.

I do want to say to my colleague from New York, I think he raises a very important issue, and his approach may well do more in trying to deal with the digital divide, but underlying all of this it is time that we repeal this tax and put some money back in the pockets of working Americans and send this tax back to where it goes. We have dealt with the deficit. We are not in a period of war, and so it is time that we do away with it; and I urge my colleagues at the end of the day, depending on what we do with the rule, to pass this bill.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in opposition to this rule because it allows us to continue the pattern of fiscally irresponsible legislation that will squander the budget surplus drip by drip. Once again, we are being asked to waive the Budget Act in our rush to pass politically popular and, I might add, common sense legislation without regard for the consequences on our promises to retire the national debt and on our ability to strengthen Social Security and Medicare.

I submitted an amendment to the Committee on Rules that would have

added very modest protection to ensure that this legislation does not jeopardize fiscal discipline. My amendment would allow the repeal of the telephone excise tax to take effect so long as Congress and the President maintain our course of fiscal discipline. Specifically, my amendment would have made the implementation of the telephone excise tax repeal contingent upon certification that Congress and the President have taken actions to ensure that we are on a path to eliminate the publicly held debt by 2013 and to protect the integrity of Social Security and Medicare.

This amendment represents a common sense principle that should be supported by Members on both sides of the aisle. In fact, a bipartisan majority of this House has already voted in favor of the provisions of my amendment when we adopted the Shadegg amendment to H.R. 701, the Conservation and Reinvestment Act. I agreed with many of my colleagues on the other side of the aisle when they argued during the debate on CARA that they should make sure that we are on a course to pay off the national debt and protect Social Security and Medicare before we spend the surplus on a new program.

I would ask my colleagues on the other side of the aisle who agreed with me on that principle when it applied to spending bills, why they are not willing to even consider applying this principle to tax cuts? If they believe that repeal of the telephone excise tax is more important than eliminating the national debt and protecting the integrity of Medicare and Social Security, vote for this rule.

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

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

Mr. DOGGETT. Mr. Speaker, I am here to applaud the Committee on Rules for giving us the opportunity today on the floor of this House to have the first, and given the way the Republican leadership runs this place, perhaps the only vote in this new millennium on genuine campaign finance reform. We are going to do that today through the motion to recommit, because what has happened in American politics is more distasteful than ever. It made a little fun of it last year in Roll Call referring to the 527 loophole airbus. It is a giant loophole that has been committed in our campaign finance laws, and now it is being used to hammer people into giving huge contributions to political organizations to conduct character assassination of people with hate ads on the airwaves throughout this country.

One can hammer a person to give \$100,000 or a million dollars after they think they have gotten what they call fair treatment in this House. What they can tell that person they are hammering is that no one will be able to trace the money because they are going to run it through something

called a 527, a giant loophole in the campaign finance laws. Some have referred to this loophole as the political equivalent of a Swiss bank account, and we have already begun to see how these 527 organizations operate. They operate in secret.

Common Cause has referred to them as stealth PACs. One leading reformer in this country has said, this is the latest manifestation of corruption in American politics. That is JOHN MCCAIN, and we are going to put a stop to it today, at least in part, thanks to the Committee on Rules providing for a motion to recommit.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Staten Island, New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me this time.

Mr. Speaker, again, the focus here is 102 years, 102 years of a temporary tax. I do not know about other Members here, but I can say that people back home, when they get that phone bill and they have difficulty understanding all those charges that appear and they ask why, and we are forced to tell them, well, believe it or not 102 years ago Congress passed a temporary tax. Now this Congress, I sense in a bipartisan way, will do the right thing and repeal that unnecessary tax that impacts every American family, and there may be people who have and will come to the floor to defend it and that is their right; but one has to ask themselves, I think, if we are not willing to repeal a 102-year-old temporary tax today, when we are enjoying the surplus generated by the American people, then when will we do it?

So I applaud those who have introduced this legislation.

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

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

Mr. KLECZKA. As I looked over the history of this tax, I thought I read that after the Spanish-American War this tax was repealed, and then at the start of World War I it was put back on; repealed after World War I; then it was put back on for World War II and then broadened to include the entire phone bill and that is where we are today. It is still around. Is that accurate?

Mr. FOSSELLA. The gentleman's point being that we should not repeal it today?

Mr. KLECZKA. No. The point being that it is not 102 years old and around since the Spanish-American War. It was repealed after that war in 1902. So the gentleman is inaccurate on that point.

Mr. FOSSELLA. Reclaiming my time. So much for semantics. The gentleman has every right to cast his vote to keep this tax alive, to say to the American people that he wants to keep

this tax alive. I, in good measure and in good faith, say to the people of America that they deserve a breaker.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the Committee on Rules for allowing this motion to recommit on the issue of section 527 political organizations, because this will be the first vote of the new year, really the first vote of the new millennium, on the issue of campaign finance reform.

Time and time again I hear the Republican leadership state that the only way to fix our campaign finance system is through disclosure, but it is very cynical and hypocritical that they make that claim when at the same time they conduct themselves and their political cronies through the auspices of these section 527 political organizations.

We have seen report after report of the Republican Party structure creating and funding secret political organizations to funnel corporate dollars to further the agenda of the extreme right. To do this, they use section 527 of the Tax Code which allows the right wing to hide the names of their donors and also hide how their money is spent.

What is particularly disturbing about this is that the Republican leadership is allowing this cynicism to pervade the campaigns of their new candidates throughout the country.

In my own reelection campaign in 1998, my Republican opponent used one of these section 527 groups to funnel \$5 million, I stress \$5 million, in undisclosed and unaccountable dollars to malign me and try to defeat me.

My campaign had a lot of success in tracking down the corporate sources given to the group on our own. It was not disclosed, but we were able to find out about some of them, and many of the corporate CEOs whose corporations gave to these groups; and I spoke to them, had no idea how their own dollars were being donated and spent because of the lack of disclosure.

Two years after my campaign now, this same young Republican candidate that I ran against has now moved to a new district in New Jersey and is using these same methods in another run for the House, and here in the Capitol I am reading news reports that Republican leaders of the Congress are publicly pressuring lobbyists to donate to these same secret groups.

Mr. Speaker, it is nice to have a vote on the floor to repeal an antiquated tax provision like the telephone excise tax. I am, in fact, a co-sponsor of H.R. 3916. However, I also think it is equally important to strip our Tax Code of these provisions which undermine our political process and our electoral integrity, and I challenge the Republican leadership, the self-described disciples of disclosure, they keep talking about disclosure, to bring a bill to the floor to end the abuses of section 527.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER), and I thank the ranking member of the Committee on Rules for the opportunity to be able to speak to the legislation and the speed and expeditiousness of the Committee on Rules to bring this to the floor. Let me thank them very much for their hard work, realizing the work we had yesterday, the importance of their meeting to get this done.

This is a great day for Americans, and this is a great day for Texans and a great day for the constituents that I represent in the 18th Congressional District. It is not often that we can come forward in a bipartisan way to say to those who monthly and sometimes weekly, depending on the structure they have for their telephone bill, to try to look in the hidden print and find a small percentage of dollars that are taken out of their hard-earned income; and we are now glad to say today we pronounce with the passage of this legislation the opportunity to return those dollars to them.

The removal of the telephone excise tax is a value to all Americans, and because it was a tax that was indiscriminate and thereby reached those hardest hit Americans who work every day to make ends meet, to provide for their children, work at hourly wage jobs, of which we hope to increase the minimum wage, this is, of course, a bounty and a much appreciated repeal.

The key here is that this tax was even. No matter what one's income was, it was an excise tax that one probably could not track as to what it actually did, and I hope that as we repeal this tax we will also give consideration to the idea of utilizing dollars to end the digital divide. It is an area of interest, as a member of the Committee on Science and Committee on the Judiciary dealing with HIB visas, that I realize is key; but I think that this valuable repeal of the tax is one that helps to give consumers right now a tax cut that they can experience and appreciate, and I would hope that as we do this we would realize that these random, undisclosed taxes, are ones that we can repeal in a bipartisan manner.

I am gratified that this bill is on the floor, and I hope that it will ultimately pass to give relief to all taxpayers in America.

Mr. Speaker, I rise in support of H.R. 3961. This is a good bill that would close the digital divide. I also support the Towns-Dingell amendment that would reduce the telecommunications excise tax from 3% to 1%, and would repeal the tax entirely—effective September 30, 2002. This tax cut would give Americans over \$1.5 billion more in tax relief than they would get under H.R. 3961.

In addition, this amendment would dedicate the funds collected by this tax for tele-

communications projects to close the Digital Divide. See—just as money is collected from gasoline taxes to improve our Nation's highway infrastructure, money collected from the telephone excise tax should be devoted to improving our telecommunications infrastructure. For example, money in the Digital Bridge Trust Fund could be used to fund grants and loan guarantees to accelerate private sector deployment of broadband networks rural areas throughout the United States. In addition, the projects may also include supporting wireless high-speed Internet deployment to schools in underserved urban areas like Houston. See—no matter the specific project, the revenue generated from this telecommunications tax should be earmarked for telecommunications projects and closing the digital divide, instead of getting lost in the general revenue.

As you may know, Houston is home to over 1,000 technology companies and NASA. In fact, there are many technology companies that have developed due to the presence of the Johnson Space Center. Despite the heavy concentration of technology companies in Houston, not all our citizens are reaping the benefits of the digital economy. In fact, to ensure that all in society participate in the 21st century economy, it is imperative that information technology be accessible to all. Access to computers and use of the Internet is necessary for one's full participation in America's economic, political and social life. Today, use of information technology is rapidly becoming a requisite skill for employment, and the technology industry generally pays 80 percent more than the average private sector job.

Like many other locales in our nation, the City of Houston is experiencing a "digital divide"—a gap between those individuals and communities that have access and training in information technology and those who do not. A defeat of the previous question and a vote on the Towns-Dingell-Waters substitute will ensure that in this new millennium, Congress is indeed serious about providing equal access to technologies for all Americans.

In closing and for these reasons, I urge my colleagues to defeat the previous question and to make the Towns-Dingell-Waters amendment in order.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I welcome this reform to the Tax Code, and I am pleased that this motion to recommit will be the first vote on campaign finance reform this year. The shadowy political hit squads being set up under section 527 of the Tax Code should be required to disclose their contributors. I agree with the majority whip, the gentleman from Texas (Mr. DELAY), who during the campaign finance debate last year said, and I quote, "What reform can restore accountability more than an open book?"

□ 1245

So it is baffling why he opposes opening the books on these section 527 groups.

The gentleman from Kansas (Mr. MOORE) and the gentleman from Texas

(Mr. DOGGETT) have legislation to require disclosure of these stealth political groups. Good government demands that we approve that bill.

One section 527 organization is called Citizens for Better Medicare. This is a front group set up by the pharmaceutical industry designed to give the impression that regular citizens want to keep seniors' drug prices as high to maintain the industries profit margins.

Here is how they work. Citizens for Better Medicare gathers the database of names that it claims are concerned citizens and then sends postcards on their behalf, often without their knowledge, to Congress with the message that seniors do not deserve prescription drug discounts.

Then they hire a telemarketing firm to make unsolicited phone calls to these seniors to tell them why their drugs should not be cheaper and then swiftly connect them to Members of Congress. This practice is confusing and deceptive.

The latest telephone scheme by Citizens for Better Medicare is to prey on children. A new web site, callyourgrandma.com, offers children phone cards with 10 free minutes of long distance so they can call their grandmother and explain why she does not deserve cheaper drugs. The catch, the kid has to submit personal information, a name, address, and phone number.

Developing a database of children to exploit and in order to justify their discriminatory pricing practices, that is what the drug companies are doing through Citizens for Better Medicare. I am pleased that we are going to have a chance today to stop that practice.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of the motion to recommit and in support of the base bill. This motion to recommit would add to the pending bill language requiring full disclosure by 527 organizations, these 527 groups that collect secret money and never disclose who gave or how much they gave.

Our system of government is based on openness, disclosure, and accountability. Our system of government is threatened by secret money. Nondisclosure allows special interest groups with unlimited funds to bid for seats in Congress and to buy seats in Congress.

A patriot from Arizona who ran for President of United States this year is a champion and a strong supporter of full disclosure.

This should not be a partisan issue. People on both sides of the aisle should come to the support of this kind of responsive campaign finance reform.

Mr. Speaker, we owe this to the American people.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I want to give one of the examples of what our motion to recommit will address. It is called Shape the Debate. This is the Web page from Shape the Debate, one of these clandestine organizations whose specialty is character assassination.

Shape the Debate advertises to those who might contribute \$100,000, \$1 million or more. It advertises on the World Wide Web, so this can be Iraqi money or Cuban money or Chinese money or just homegrown special interest corporate treasury money, that the good thing about contributing to Shape the Debate is that it will not disclose to anyone who gave how much.

That is the beauty to those who have discovered the 527 loophole, because their idea of shaping the debate is to do something that no one else of any political persuasion is doing in America today, and that is to use a secret stealth attack. The hitman can take the blood money to engage in that character assassination and one never knows, one never is able to trace the money.

That is why our Republican colleagues think they cannot control the House in the future unless they rely on the money passing secretly by stealth to these 527 committees that totally subvert the Federal election laws.

We have called on them. I have called on them. The gentleman from Kansas (Mr. MOORE) has called on them to join us in a bipartisan correction of this loophole. At every opportunity, no matter how much we had pled, they said, no, wait till next year. Wait until we have won the next election by using character assassination with secret money that no one will be able to trace. Wait till that happens, and maybe next year we will think about doing something about it.

I think the American people want reform now. That is what this motion to recommit is all about; it represents the first vote of the new millennium on the floor of this House for campaign finance reform. Despite the efforts of this Committee on Rules at every turn to block us from discussing campaign reform, despite the fact that the use of 527 secretly funded ads has been called another example of corruption in American politics by JOHN MCCAIN, the Republican leadership has blocked us from considering reform. Today, finally we have a tiny opening to do what is right for the American people by beginning to clean up this mess.

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

Mr. Speaker, I will have to confess, when he started talking about all that Chinese money, I thought he was showing us President Clinton's 1996 disclosure.

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

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

Mr. Speaker, I urge Members to vote no on the previous question. If the previous question is defeated, I will offer an amendment to the rule to make in order two substitutes. The Towns substitute phases out the telecommunications excise tax more quickly than the underlying bill and sets aside the proceeds in a Digital Bridge Trust fund.

The Wynn substitute also sets aside the revenues to fund various programs to overcome the digital divide.

If the previous question is defeated, Members will have the opportunity to vote up or down on those proposals.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment to the resolution and extraneous materials into the CONGRESSIONAL RECORD immediately prior to the vote.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge a no vote on the previous question so that we may debate all the issues.

Mr. Speaker, I include the amendment to the resolution and extraneous material that I referred to earlier, as follows:

AMENDMENT TO H. RES. 511, THE RULE PROVIDING FOR CONSIDERATION OF H.R. 3916, TO REPEAL THE TELEPHONE EXCISE TAX

On page 2, line 7, after "Ways and Means;" strike "and (2)" and add the following:

"(2) without intervention of any point of order, one hour of debate on the amendment in the nature of a substitute printed in section 2 of this resolution to be offered by Representative Towns of New York, equally divided and controlled by the proponent and an opponent; (3) without intervention of any point of order, one hour of debate on the amendment in the nature of a substitute printed in section 3 of this resolution to be offered by Representative Wynn of Maryland, equally divided and controlled by the proponent and an opponent; and (4)"

On page 2, after line 8, add the following:
Section 2.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3916, AS REPORTED OFFERED BY MR. TOWNS OF NEW YORK, MS. WATERS OF CALIFORNIA, OR MR. DINGELL OF MICHIGAN

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF FEDERAL COMMUNICATIONS EXCISE TAX.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) PHASE-OUT OF TAX.—Paragraph (2) of section 4251(b) of such Code (defining applicable percentage) is amended to read as follows:

"(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means 1 percent with respect to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this subparagraph and before October 1, 2002."

(c) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking "chapter 32 (other than the taxes imposed by sections 4064 and 4121) and sub-

chapter B of chapter 33," and inserting "and chapter 32 (other than the taxes imposed by sections 4064 and 4121)."

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking "section 4251 or".

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking "imposed by—" and all that follows through "with respect to" and inserting "imposed by section 4261 or 4271 with respect to", and

(ii) by striking "bills rendered or".

(C) The subsection heading for section 6302(e) of such Code is amended by striking "COMMUNICATIONS SERVICES AND".

(3) Section 6415 of such Code is amended by striking "4251, 4261, or 4271" each place it appears and inserting "4261 or 4271".

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting "or" at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(d) EFFECTIVE DATES.—

(1) REPEAL.—The amendments made by subsections (a) and (c) shall apply to amounts paid pursuant to bills first rendered after September 30, 2002.

(2) PHASE-OUT.—The amendment made by subsection (b) shall apply to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this Act.

SEC. 2. DIGITAL BRIDGE TRUST FUND.

(a) IN GENERAL.—The National Telecommunications and Information Administration Organization Act is amended—

(1) by redesignating part C as part D; and

(2) by inserting after part B (47 U.S.C. 921 et seq.) the following new part:

"PART C—DIGITAL BRIDGE TRUST FUND

"SEC. 131. TRUST FUND.

"(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Digital Bridge Trust Fund, consisting of such amounts as may be appropriated or credited pursuant to subsection (b) or (d).

"(b) TRANSFER OF AMOUNTS EQUIVALENT TO CERTAIN TAXES.—There are hereby appropriated to the Digital Bridge Trust Fund amounts equivalent to 100 percent of the taxes received in the Treasury under section 4251 of the Internal Revenue Code of 1986 (relating to tax on communications) pursuant to bills first rendered on or after the 30th day after the date of the enactment of this part.

"(c) EXPENDITURES.—Amounts in the Digital Bridge Trust Fund may be made available only for the benefit of rural and urban areas, and Native Americans, in a manner that targets such assistance for areas, communities, and populations (including low-income families and individuals) that are underserved with respect to information technology needs, employment, and education, and only in accordance with provisions of law enacted after the date of the enactment of this section that provide for the availability of such amounts.

"(d) TREATMENT AS TRUST FUND.—For purposes of subchapter B of chapter 98 of the Internal Revenue Code of 1986, the Digital Bridge Trust Fund shall be considered to be a trust fund established by subchapter A of such chapter."

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3916, AS REPORTED

OFFERED BY MR. WYNN OF MARYLAND

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Computers in Our Community Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) There is a growing gap, commonly referred to as the digital divide, between individuals who have access to computers and the Internet and individuals who do not have such access.

(2) Households with incomes of \$75,000 or greater are more than 20 times more likely to have access to the Internet, and more than 9 times more likely to have a computer at home, than households with the lowest income levels.

(3) Although 58.9 percent of Americans earning over \$75,000 annually frequently use the Internet, only 16 percent of Americans earning between \$5,000 and \$10,000 annually use the Internet.

(4) Black and Hispanic households are $\frac{2}{3}$ as likely to have home Internet access as white households.

(5) The digital divide is an emergency that will detrimentally affect the economy and society of the Nation absent immediate corrective action.

(6) The e-rate program of the Federal Communications Commission ensures that schools and libraries receive telecommunications services at a discounted rate. Although tremendously successful, this program is insufficient because there is twice the demand for funding as there is funding available.

(7) According to statistics by the Department of Education, there is a dire need for additional computers in some schools. Schools with the highest concentrations of poverty had an average of 16 students per instructional computer with Internet access, compared to 7 students for each such computer in schools with the lowest concentrations of poverty.

(8) The computer industry is the fastest growing industry in our country. There is a documented shortage of information technology workers. Increasingly, workers in all fields of employment will need to be computer literate. Ensuring that classrooms have computers that are used effectively to teach students will help meet this need.

SEC. 3. AMENDMENT TO THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION ORGANIZATION ACT.

The National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended—

- (1) by redesignating part C as part D; and
- (2) by inserting after part B the following new part:

"PART C—COMPUTERS IN OUR COMMUNITY PROGRAM

"SEC. 131. PURPOSE.

"It is the purpose of this part to establish programs to advance the computer skills of American workers in the global economy and to use computer technology to advance the general educational performance of American students.

"SEC. 132. STATE EDUCATIONAL AGENCY GRANT PROGRAM.

"(a) PROGRAM AUTHORITY.—From 85 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall make grants to each participating State educational agency for allocation among local educational agencies in such State.

"(b) ALLOCATION OF FUNDS.—

"(1) STATE ALLOCATIONS.—The Secretary shall allocate to each participating State educational agency an amount that bears the same ratio to such 85 percent of the

amount made available under section 137 for a fiscal year as the total amount allocated to such State educational agency under title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the total amount allocated to all such participating State educational agencies under such title I for such fiscal year.

"(2) LOCAL ALLOCATIONS.—Each participating State educational agency shall allocate to each participating local educational agency an amount that bears the same ratio to the amount allocated to such State for a fiscal year as the total amount allocated to such local educational agency under title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the total amount allocated to all such participating local educational agencies in such State under such title I for such fiscal year.

"(c) ELIGIBILITY.—

"(1) PARTICIPATING STATE EDUCATIONAL AGENCIES.—In order to qualify as a participating State educational agency for purposes of this section, a State educational agency shall create or modify and submit to the Secretary a technology plan that—

"(A) identifies the current ratio of students to computers in each school district in the State, and specifies the Internet connectivity of the computer systems in such districts; and

"(B) complies with such other criteria as the Secretary, in conjunction with the Secretary of Education, shall prescribe to assure that the funds provided under this section are being used properly in schools to advance the use of technology to effectively teach students computer skills and improve the general educational performance of students.

"(2) PARTICIPATING LOCAL EDUCATIONAL AGENCIES.—In order to qualify as a participating local educational agency for purposes of this section, a local educational agency shall create or modify and submit to the State educational agency a technology plan that proves such local educational agency is meeting the goals of the technology plan of the State educational agency.

"(d) USE OF FUNDS.—Funds provided under this section may be used for the following:

"(1) The purchase of computers that meet a minimum standard as determined by the Secretary.

"(2) The electrical wiring that schools may require to connect computers to each other and to the Internet.

"(3) Hiring technological assistants to ensure that each school has access to a trained computer professional to provide technology training for teachers and perform maintenance of computer systems. A maximum of 1 technological assistant per 5 elementary schools, 1 technological assistant per 3 middle schools, and 1 technological assistant per 2 high schools may be paid for with such funds.

"SEC. 133. DIGITAL DIVIDE WORKFORCE TRAINING INITIATIVE.

"(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to nonprofit organizations for the establishment of job training programs for preparing individuals for computer and technology related jobs.

"(b) CRITERIA.—The Secretary, after consultation with the Secretary of Labor, shall establish the criteria for administering the grants under this section, which shall include the following:

"(1) Grants under this section shall be for 2 years.

"(2) Grant applicants shall serve low income individuals, as such term is defined in

section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).

"(3) Grant applicants may submit an application under this section only after consulting with the appropriate local workforce investment board under such Act, and obtaining a favorable recommendation of the application by such board.

"(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications that—

"(1) are submitted by nonprofit organizations that have experience in providing technological training;

"(2) propose job training programs that will serve individuals most in need of computer and technology training, as determined by the Secretary; and

"(3) provide flexibility in training in order to accommodate a greater number of individuals.

"(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary, in conjunction with the Secretary of Labor, may reasonably prescribe. Each such application shall provide a system for tracking the employment success of individuals who attend any proposed job training program.

"(e) FOLLOW-UP.—The Secretary shall review the success of the program under this section and submit a report to Congress thereon not later than 2 years after amounts are first available for implementation of the program.

"SEC. 134. COMMUNITY CENTERS AND LIBRARIES TECHNOLOGY ACCESS GRANTS.

"(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to provide assistance to community centers and libraries to provide greater access to, instruction on, and assistance with computers and the Internet

"(b) CRITERIA.—The Secretary shall establish the criteria for administering the grants under this section, which shall include the following:

"(1) Any entity requesting funds under this section shall provide such assurances as the Secretary may require to demonstrate that the entity will provide, from other sources (which may include contributions from State or local government), an equal amount of funds for carrying out the purposes of the grant.

"(2) Eligible recipients of grants under this section shall be community centers that receive Federal, State, or local government funding, public libraries, and nonprofit organizations working in conjunction with such centers and libraries.

"(3) Each recipient of grant funds under this section shall use such funds to establish a program for providing greater access to, instruction on, and assistance with computers and the Internet.

"(4) Grants under this section shall be for 3 years.

"(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications that demonstrate that the program for which funds are sought—

"(1) will be able to sustain funding in the absence of Federal funding; and

"(2) will serve areas with a low rate of access to computers and the Internet.

"(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably prescribe. Each such application shall include—

“(1) a description of the proposed program, including how the program would make technology available to areas with a low rate of access to computers and the Internet;

“(2) a demonstration of the need for computers and access to the Internet in the area to be served; and

“(3) a description of the type technology that will be provided.

“SEC. 135. COMPUTER CURRICULUM PARTNERSHIP.

“(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to institutions of higher education that create successful partnerships between their education and computer departments to create software or Internet applications—

“(1) to train teachers in using computers, and using computers to teach students; or

“(2) to use in the classroom to teach students.

“(b) CRITERIA.—The Secretary, after consultation with the Secretary of Education, shall establish the criteria for administering the grants under this section. Such criteria shall include priorities for awarding funds under this section—

“(1) based on the need of the schools being served and their educational priorities; and

“(2) giving preference to those applicants that will operate their programs in conjunction with local educational agencies.

“(c) CLEARINGHOUSE.—The Secretary shall, in conjunction with the Secretary of Education, develop a clearinghouse to make available information derived from the activities of recipients of funds under this section to other schools throughout the United States.

“(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary, in conjunction with the Secretary of Education, may reasonably prescribe. Each application shall include a description of the format of the software or Internet applications to be created.

“SEC. 136. ADMINISTRATIVE COSTS.

“Of amounts available to carry out a program to award grants under each of sections 133, 134, and 135, the Secretary may not use more than 1 percent to pay administration costs under that section.

“SEC. 137. REGULATIONS.

“The Secretary may prescribe such regulations as may be necessary to carry out this part.

“SEC. 138. APPROPRIATIONS AUTHORIZED.

“There are authorized to be appropriated to carry out this part for any fiscal year an amount not to exceed the amount deposited to the Computers in Our Communities Trust Fund for such fiscal year pursuant to section 9511 of the Internal Revenue Code of 1986.

“SEC. 139. DEFINITIONS.

“As used in this part—

“(1) the terms ‘State educational agency’ and ‘local educational agency’ have the meanings provided such terms in section 14101 of the Elementary and Secondary Education Act of 1965; and

“(2) the term ‘institution of higher education’ has the meaning provided such term in section 102 of the Higher Education Act of 1965.”

SEC. 4. COMPUTERS IN OUR COMMUNITIES TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by inserting after section 9510 the following:

“SEC. 9511. COMPUTERS IN OUR COMMUNITIES TRUST FUND.

“(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ‘Computers in Our Communities Trust Fund’, consisting of such amounts as may be appropriated or credited pursuant to this section or section 9602(b).

“(b) TRANSFER TO COMPUTERS IN OUR COMMUNITIES TRUST FUND AMOUNTS EQUIVALENT TO CERTAIN TAXES.—There are hereby appropriated to the Computers in Our Communities Trust Fund amounts equivalent to 100 percent of the taxes received in the Treasury after September 30, 2000, under section 4251 (relating to tax on communications).

“(c) EXPENDITURES FROM COMPUTERS IN OUR COMMUNITIES TRUST FUND.—Amounts in the Computers in Our Communities Trust Fund shall be available for making appropriations to carry out the provisions of part C of the National Telecommunications and Information Administration Organization Act.”

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter A is amended by adding at the end the following new item:

“Sec. 9511. Computers in Our Communities Trust Fund.”

SEC. 5. REDUCTION OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Section 4251(b)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(2) APPLICABLE PERCENTAGE.—The term ‘applicable percentage’ means 1 percent.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts paid pursuant to bills first rendered after September 30, 2000.

Amend the title so as to read: “To amend the National Telecommunications and Information Administration Organization Act to establish a program to distribute funds to State educational agencies to advance the use of technology to effectively teach our students computer skills and improve the general educational performance of students, and for other purposes.”

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

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution and also on agreeing to House Concurrent Resolution 331 postponed from yesterday on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 201, not voting 12, as follows:

[Roll No. 229]
YEAS—221

Aderholt	Gillmor	Paul
Archer	Gilman	Pease
Armey	Goode	Peterson (PA)
Bachus	Goodlatte	Petri
Baker	Goodling	Pickering
Ballenger	Goss	Pitts
Barr	Graham	Pombo
Barrett (NE)	Granger	Porter
Bartlett	Green (WI)	Portman
Barton	Greenwood	Pryce (OH)
Bass	Gutknecht	Quinn
Bereuter	Hall (TX)	Radanovich
Biggart	Hansen	Ramstad
Bilbray	Hastings (WA)	Regula
Bilirakis	Hayes	Reynolds
Bliley	Hayworth	Riley
Blunt	Hefley	Rogan
Boehlert	Herger	Rogers
Boehner	Hill (MT)	Rohrabacher
Bonilla	Hilleary	Ros-Lehtinen
Bono	Hobson	Roukema
Boswell	Hoekstra	Royce
Brady (TX)	Horn	Ryan (WI)
Bryant	Hostettler	Ryun (KS)
Burr	Houghton	Salmon
Burton	Hulshof	Sanford
Buyer	Hunter	Saxton
Callahan	Hutchinson	Schaffer
Calvert	Hyde	Sensenbrenner
Camp	Isakson	Sessions
Campbell	Istook	Shadegg
Canady	Jenkins	Shaw
Cannon	Johnson (CT)	Shays
Castle	Jones (NC)	Sherwood
Chabot	Kasich	Shimkus
Chambliss	Kelly	Shuster
Chenoweth-Hage	King (NY)	Simpson
Coble	Kingston	Skeen
Collins	Knollenberg	Smith (MI)
Combest	Kolbe	Smith (NJ)
Cook	Kuykendall	Smith (TX)
Cooksey	LaHood	Souder
Cox	Largent	Stearns
Crane	Latham	Stump
Cubin	LaTourrette	Sununu
Cunningham	Lazio	Sweeney
Davis (VA)	Leach	Talent
Deal	Lewis (CA)	Tancredo
DeLay	Lewis (KY)	Tauzin
DeMint	Linder	Taylor (NC)
Diaz-Balart	LoBiondo	Terry
Dickey	Lucas (OK)	Thomas
Doolittle	Manzullo	Thornberry
Dreier	Martinez	Thune
Duncan	McCollum	Tiahrt
Dunn	McCrery	Toomey
Ehlers	McHugh	Traficant
Ehrlich	McIntosh	Upton
Emerson	McKeon	Vitter
English	Metcalf	Walden
Eshoo	Mica	Walsh
Everett	Miller (FL)	Wamp
Ewing	Miller, Gary	Watkins
Fletcher	Moran (KS)	Watts (OK)
Foley	Morella	Weldon (FL)
Fossella	Myrick	Weldon (PA)
Fowler	Nethercutt	Weller
Franks (NJ)	Ney	Whitfield
Frelinghuysen	Northup	Wicker
Gallely	Norwood	Wilson
Ganske	Nussle	Wolf
Gekas	Ose	Young (AK)
Gibbons	Oxley	Young (FL)
Gilchrest	Packard	

NAYS—201

Abercrombie	Boyd	Davis (IL)
Ackerman	Brady (PA)	DeFazio
Allen	Brown (FL)	DeGette
Andrews	Brown (OH)	Delahunt
Baca	Capps	DeLauro
Baird	Capuano	Deutsch
Baldacci	Cardin	Dicks
Baldwin	Carson	Dingell
Barcia	Clay	Dixon
Barrett (WI)	Clayton	Doggett
Bentsen	Clement	Dooley
Berkley	Condit	Doyle
Berman	Conyers	Edwards
Berry	Costello	Engel
Bishop	Coyne	Etheridge
Blagojevich	Cramer	Evans
Blumener	Crowley	Farr
Bonior	Cummings	Fattah
Borski	Danner	Filner
Boucher	Davis (FL)	Forbes

Ford	Maloney (NY)	Rothman	Boswell	Gonzalez	McCrery	Shays	Sununu	Vitter
Frank (MA)	Markey	Royal-Allard	Boucher	Goode	McDermott	Sherman	Sweeney	Walden
Frost	Mascara	Rush	Boyd	Goodlatte	McGovern	Sherwood	Talent	Walsh
Gejdenson	Matsui	Sabo	Brady (PA)	Goodling	McHugh	Shimkus	Tancredo	Wamp
Gephardt	McCarthy (MO)	Sanchez	Brady (TX)	Gordon	McIntosh	Shows	Tanner	Watkins
Gonzalez	McCarthy (NY)	Sanders	Brown (FL)	Goss	McIntyre	Shuster	Tauscher	Watt (NC)
Gordon	McDermott	Sandlin	Brown (OH)	Graham	McKeon	Simpson	Tauzin	Watts (OK)
Green (TX)	McGovern	Sawyer	Bryant	Granger	McKinney	Sisisky	Terry	Waxman
Gutierrez	McIntyre	Schakowsky	Burr	Green (TX)	McNulty	Skeen	Thomas	Weldon (FL)
Hall (OH)	McKinney	Scott	Burton	Green (WI)	Meehan	Skelton	Thompson (CA)	Weldon (PA)
Hastings (FL)	McNulty	Serrano	Buyer	Greenwood	Menendez	Slaughter	Thompson (MS)	Weller
Hill (IN)	Meehan	Sherman	Callahan	Gutierrez	Metcalf	Smith (MI)	Thornberry	Wexler
Hinchee	Meek (FL)	Shows	Calvert	Gutknecht	Mica	Smith (NJ)	Thune	Weygand
Hinojosa	Meeks (NY)	Sisisky	Camp	Hall (OH)	Millender-	Smith (TX)	Thurman	Whitfield
Hoeffel	Menendez	Skelton	Campbell	Hall (TX)	McDonald	Smith (WA)	Tiahrt	Wicker
Holden	Millender-	Slaughter	Canady	Hansen	Miller (FL)	Snyder	Toomey	Wilson
Holt	McDonald	Smith (WA)	Cannon	Hastings (FL)	Miller, Gary	Souder	Trafigant	Wise
Hooley	Miller, George	Snyder	Capps	Hastings (WA)	Miller, George	Spratt	Turner	Wolf
Hoyer	Mink	Spratt	Capuano	Hayes	Mink	Stabenow	Udall (CO)	Woolsey
Inslee	Moakley	Stabenow	Cardin	Hayworth	Moakley	Stark	Udall (NM)	Wu
Jackson (IL)	Mollohan	Stark	Carson	Hefley	Mollohan	Stearns	Upton	Young (AK)
Jackson-Lee	Moore	Stenholm	Castle	Herger	Moore	Strickland	Velazquez	Young (FL)
(TX)	Moran (VA)	Strickland	Chabot	Hill (IN)	Moran (KS)	Stump	Vento	
Jefferson	Murtha	Stupak	Chambliss	Hill (MT)	Moran (VA)	Stupak	Visclosky	
John	Nadler	Tanner	Chenoweth-Hage	Hillery	Morella			
Johnson, E.B.	Napolitano	Tauscher	Clay	Hinojosa	Murtha			
Jones (OH)	Neal	Taylor (MS)	Clayton	Hobson	Myrick			
Kanjorski	Oberstar	Thompson (CA)	Clement	Hoefel	Nadler	Berry	Markey	Taylor (MS)
Kaptur	Obey	Thompson (MS)	Coble	Hoekstra	Napolitano	Dingell	Meeks (NY)	Tierney
Kildee	Olver	Thurman	Collins	Holden	Neal	Engel	Obey	Towns
Kilpatrick	Ortiz	Tierney	Combest	Holt	Nethercutt	Hinchee	Owens	Waters
Kind (WI)	Owens	Towns	Condit	Hooley	Ney	Klink	Stenholm	Wynn
Kleczka	Pallone	Turner	Conyers	Horn	Northup			
Klink	Pascrell	Udall (CO)	Cook	Hostettler	Norwood			
Kucinich	Pastor	Udall (NM)	Cooksey	Houghton	Nussle	Bateman	Johnson, Sam	Scarborough
LaFalce	Payne	Velazquez	Costello	Hoyer	Oberstar	Becerra	Kennedy	Schakowsky
Lampson	Pelosi	Vento	Cox	Hulshof	Coburn	Clyburn	McInnis	Spence
Lantos	Peterson (MN)	Visclosky	Coyne	Hunter	Hilliard	Coburn	Meek (FL)	Taylor (NC)
Larson	Phelps	Waters	Cramer	Hutchinson		Hilliard	Minge	Weiner
Lee	Pickett	Watt (NC)	Crane	Hyde	Oxley			
Levin	Pomeroy	Waxman	Crowley	Inslee	Packard			
Lewis (GA)	Price (NC)	Wexler	Cubin	Isakson	Pallone			
Lipinski	Rahall	Weygand	Cummings	Istook	Pascrell			
Lofgren	Rangel	Wise	Cunningham	Jackson (IL)	Pastor			
Lowey	Reyes	Woolsey	Danner	Jackson-Lee	Paul			
Lucas (KY)	Rivers	Wu	Davis (FL)	(TX)	Payne			
Luther	Rodriguez	Wynn	Davis (IL)	Jefferson	Pease			
Maloney (CT)	Roemer		Davis (VA)	Jenkins	Pelosi			

NOES—15

NOT VOTING—15

NOT VOTING—12

Bateman	Hilliard	Minge
Becerra	Johnson, Sam	Scarborough
Clyburn	Kennedy	Spence
Coburn	McInnis	Weiner

□ 1312

Messrs. MOAKLEY, SPRATT, ROEMER, CUMMINGS and NEAL of Massachusetts changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LATOURETTE.) The question is on the resolution.

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 404, noes 15, not voting 15, as follows:

[Roll No. 230]

AYES—404

Abercrombie	Ballenger	Bilbray
Ackerman	Barcia	Bilirakis
Aderholt	Barr	Bishop
Allen	Barrett (NE)	Blagojevich
Andrews	Barrett (WI)	Bliley
Archer	Bartlett	Blumenauer
Armey	Barton	Blunt
Baca	Bass	Boehlert
Bachus	Bentsen	Boehner
Baird	Bereuter	Bonilla
Baker	Berkley	Bonior
Baldacci	Berman	Bono
Baldwin	Biggart	Borski

DeFazio	Johnson (CT)	Peterson (MN)
DeGette	Johnson, E. B.	Peterson (PA)
DeLahunt	Jones (NC)	Petri
DeLauro	Jones (OH)	Phelps
DeLay	Kanjorski	Pickering
DeMint	Kaptur	Pickett
Deutsch	Kasich	Pitts
Diaz-Balart	Kelly	Pombo
Dickey	Kildee	Pomeroy
Dicks	Kilpatrick	Porter
Dixon	Kind (WI)	Portman
Doggett	King (NY)	Price (NC)
Dooley	Kingston	Pryce (OH)
Doolittle	Kleczka	Quinn
Doyle	Knollenberg	Radanovich
Dreier	Kolbe	Rahall
Duncan	Kucinich	Ramstad
Dunn	Kuykendall	Rangel
Edwards	LaFalce	Regula
Ehlers	LaHood	Reyes
Ehrlich	Lampson	Reynolds
Emerson	Lantos	Riley
English	Largent	Rivers
Eshoo	Larson	Rodriguez
Etheridge	Latham	Roemer
Evans	LaTourette	Rogan
Everett	Lazio	Rogers
Ewing	Leach	Rohrabacher
Farr	Lee	Ros-Lehtinen
Fattah	Levin	Rothman
Filner	Lewis (CA)	Roukema
Fletcher	Lewis (GA)	Roybal-Allard
Foley	Lewis (KY)	Royce
Forbes	Linder	Rush
Ford	Lipinski	Ryan (WI)
Fossella	LoBiondo	Ryun (KS)
Fowler	Lofgren	Sabo
Frank (MA)	Lowey	Salmon
Franks (NJ)	Lucas (KY)	Sanchez
Frelinghuysen	Lucas (OK)	Sanders
Frost	Luther	Sandlin
Gallegly	Maloney (CT)	Sanford
Ganske	Maloney (NY)	Sawyer
Gejdenson	Manzullo	Saxton
Gekas	Martinez	Schaffer
Gephardt	Masara	Scott
Gibbons	Matsui	Sensenbrenner
Gilchrist	McCarthy (MO)	Serrano
Gillmor	McCarthy (NY)	Sessions
Gilman	McCollum	Shadegg
		Shaw

Mr. BERRY and Mr. MARKEY changed their vote from "aye" to "no." Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from "no" to "aye."

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1321

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

The SPEAKER pro tempore (Mr. LATOURETTE). The unfinished business is the question of agreeing to the concurrent resolution, House Concurrent Resolution 331, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 403, nays 3, answered "present" 2, not voting 26, as follows:

[Roll No. 231]

YEAS—403

Abercrombie	Barcia	Bliley
Ackerman	Barrett (NE)	Blumenauer
Aderholt	Barrett (WI)	Blunt
Allen	Bartlett	Boehlert
Andrews	Barton	Boehner
Archer	Bass	Bonilla
Armey	Bentsen	Bonior
Baca	Berkley	Bono
Bachus	Borski	Borski
Baird	Biggart	Boswell
Baker	Bilbray	Boucher
Baldacci	Bilirakis	Boyd
Baldwin	Bishop	Brady (PA)
Ballenger	Blagojevich	Brown (FL)