

Korea and Vietnam. The War Powers Resolution reaffirmed the prerogative of the legislative branch under the Constitution to commit our Armed Forces to hostilities and declare war.

I had strong reservations about earlier drafts of the proposed resolution that authorized the use of force in an unprecedented, open-ended manner, far beyond that necessary to respond to the terrorist acts on our people, even far beyond that ceded to FDR in World War II. This is not a partisan issue for me. I would have opposed similar resolution language under a President of my own party.

This is an institutional concern for me. The earlier drafts ceded too much authority to the executive branch. In fact, one of the earlier drafts had provisions nearly identical to the Gulf of Tonkin Resolution, which had led to the unaccountable use of U.S. military forces in Vietnam.

But it is important to recognize that President Bush already has the authority to respond to the attacks.

The War Powers Resolution in section 2(c) recognizes the constitutional power of the President as Commander in Chief to introduce U.S. Armed Forces into hostile situations under certain circumstances.

Section 2(c) says the President can introduce U.S. Armed Forces into hostile situations pursuant to a declaration of war, specific statutory obligations or, in this case, a national emergency created by an attack upon the United States territories, possessions or its Armed Forces. Two of those conditions have been met.

The President has the authority he needs to respond to the current crisis without setting the precedent of ceding additional war power authority.

Given his existing authority to respond in the event of an attack upon the United States or Armed Forces, we must be careful in granting further or ceding further constitutional powers.

The use of force resolution before us today is not exactly as I would have written it. However, for the most part, it restates the authority I already believe was granted to the President under section 2(c)(3) of the War Powers Resolution.

The reference in the resolution to section 5(b) of the War Powers Resolution I believe creates a little confusion, but it is my reading of the resolution that nothing in this act supersedes congressional authority under the War Powers Resolution and the President will still be bound by the reporting and consultation requirements. Congress will reserve the right to review those actions, as it should be under the Constitution.

Make no mistake, Congress will stand united behind our young men and women who may well be put soon in harm's way, and the President of the United States as Commander in Chief. We pray that he uses the awesome power of the United States with great deliberateness and with wisdom.

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from Utah (Mr. HANSEN) is recognized for 5 minutes.

(Mr. HANSEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. FOLEY. Mr. Speaker, I ask unanimous consent to speak out of order, and take my Special Order at this point.

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

There was no objection.

STICKING TOGETHER IN THESE DIFFICULT TIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, it has been a very painful week for all Americans. Turning on the TV set, opening the newspaper renews the pain in our hearts and our hearts ache for those who have suffered and are still suffering.

I want to associate my comments today with that of the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary, because I have heard over the last 24 hours concerns from Members that they are not being briefed enough and they are not being told enough and they are not being in the loop enough; and obviously we all need answers and we have to pursue answers. But it seems to me right now those very trained individuals need to be looking at who caused this and how we find our way out of this, rather than second guessing.

We have heard complaints about the eloquence of our President and his stature and whether they were imagining the need to move safely to places around this country, and those commentaries may at some time be warranted, but not now.

Our Nation needs to remain solidly together to fight evil forces. Watching the ceremony at the National Cathedral with Presidents past and present in attendance brought us to a point where we recognize that collectively we have such great promise. If we divide ourselves and characterize our leaders with less than flattering remarks, we give credence to those who seek to undermine our credibility in our Nation's strength. The world is watching us and obviously not just on the floor, but what they see on the TV broadcasts. Any indication of weakness gives them some strength.

When I watch the heroics of men and women in uniform, I watch the heroics of firefighters and paramedics, I watch average citizens step out of their common everyday life to extend their unbounded energy to the pursuit of res-

cuing victims, my heart and my soul soar like an eagle, knowing that this country's promise is yet ahead; and yet the dark days are still engulfing our memories.

The President did a phenomenal job today in the National Cathedral, calling for calm, deliberation and pursuing those who played a role in this activity. Jumping to conclusions by politicians based on a whim or a notion or an individual moment of frustration is not in the character of this deliberative body.

I wanted to be in Congress since the age of five. I met a man, Paul Rogers, who represented Palm Beach County and thought what a wonderful man he was, and how skillfully and capably he represented our District; and some people may have thought what a foolish notion for a 5-year-old to want to serve in Congress, but I grew up knowing the promise of our Nation was a gift I would hopefully inherit as a chance to serve and represent my community, much like Paul Rogers served us well.

So I pray with the Nation today; and I ask my colleagues to take a moment, a deep breath, and suggest we are safe here in our Nation's Capital. We are alive and we are breathing. Every moment you speak ill of anyone else or anyone's actions or motives, take a minute to reflect on those wounded and those dead under the rubble of the World Trade towers. Think of what their lives are like and what their families are enduring. They cannot find their loved ones, and we are demanding more briefings.

□ 1430

They cannot find their cherished possessions, and we are interested in more acrimony. America rises to the challenge, and God bless us as we do. We have heard about indiscriminate actions of people going after and pursuing Muslims and those of faith who are here in our Nation and who have a right to be here and who are law-abiding citizens, but because of their ethnicity or religious origins, they are being held accountable for crimes that they had nothing to do with it; and we should ask God to bless us that we do not allow ourselves to succumb to the same kind of mean-spiritedness that brought us to the point on Tuesday at 8:50-something in the morning where evil acts perpetrated disastrous deeds against our population.

I know God will bless us abundantly, not only because we prayed in church today, but because our Nation revolves around collective goodwill and spirit. I pray today as we move forward that we think clearly and mindfully about how we rectify this egregious behavior of others without injuring innocent people in our quest for justice. I pray we come to the conclusions, today or tomorrow, that we are a Nation of free men and we recognize the deed ahead of us is, in fact, great and it is complicated. I thank my colleagues for loving our country as much as we all do.

THE ROLE OF CONGRESS IN
ESTABLISHING WARTIME POLICY

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, I want to join with my colleague in echoing what several have said, and that is that we must respect all Americans of all ethnicities and all religions. No religion preaches mass murder, and those of the Islamic faith are as loyal as any other group of Americans and as determined that we make ourselves safe from this kind of terrorism.

Mr. Speaker, we are going to be dealing with a resolution which, in some ways, still seems a bit broad, especially when one reads the Supreme Court opinions that indicate that it is Congress, rather than the President, that was really given the obligation to form American foreign policy under the Constitution. Obviously, since World War II, that is not as it has been. But we in Congress need to do more than just provide \$40 billion and a blank check and leave town. I know that when we come back, we will want to do an awful lot more, perhaps providing some direction to how the President uses the powers that we will confer upon him today or tomorrow.

One thing, though, is that the resolution in one respect is not broad enough, because it gives the President the power to deal with the terrorist acts of September 11. I think the President should have equal power to deal with the horrendous bombings of our embassies in Daressalam and Nairobi and to deal with the murderous attack on our sailors on the USS *Cole*. One advantage of giving the President the power to deal with those incidents is we already know who is responsible: Osama bin Laden; whereas it may take weeks or months to establish who is culpable for this week's terrible crimes.

Now, Mr. Speaker, I am not a senior member of this House; I am a man of limited responsibility and far more limited wisdom. But I do have a few ideas as to how we should respond to what has happened to us.

I sit on the Committee on Financial Services, and I know it has been suggested by the chairman of the Committee on Ways and Means that we somehow help our stock market by providing a lower capital gains tax. That would be the panic-selling facilitation act. It would mean that those who want to sell in panic, get out of the stock market and weaken America, in doing so would pay less tax. Instead, what we need, Mr. Speaker, is to encourage Americans to bet on America. We will prevail, we will be strong, and those who bet on America on Monday will be rewarded.

If it should be necessary to change our policy, and I do not think it is, in order to help the stock market, then we should allow more money to be invested in IRAs and 401(k)s on the as-

sumption, or on the requirement that the additional funds be invested in the stock market. I do not think that will be necessary. The international stock markets have responded relatively well, and the smart money will be bet on America.

Mr. Speaker, also on the Committee on Financial Services, I am concerned that the bank secrecy laws of our allies may interfere with our investigation of Osama bin Laden and other groups. Bin Laden has at least \$100 million, maybe \$200 million in assets, and these are not held in gold bars in Qandahar, Afghanistan. Financial institutions do business with Osama bin Laden and we need to hear right now from the Ambassador from Switzerland and the Ambassador of every country that has bank secrecy laws, that those laws will be waived to assist America in its hour of need. No country dare withhold information that we need and claim to be America's friend. We cannot do business as usual with those who do business with terrorists and then will not share the financial records with us.

Mr. Speaker, we should also look at the Attorney General guidelines for investigating domestic organizations. I am told that the FBI, before they investigate an organization, must have evidence that that organization is actually plotting crimes. We should also, and this is a tough one, but we should at least consider a congressional mandate that the FBI also investigate those organizations that strongly advocate killing as many Americans as possible while disclaiming that they are actually involved in carrying out plots to do so; because if an organization is able to advocate killing as many Americans as possible and do so on American soil, they will be able to recruit individuals who will be able to plot to actually carry out those beliefs.

Mr. Speaker, we should look at the proposals that have been made to have a locked cabin, in which the pilot sits, with bulletproofing. I know that there are some details to be worked out in that, particularly as to pilot safety, but a law that does not allow hijackers into the pilot cabin.

SUPPLEMENTAL APPROPRIATIONS

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

Ms. ROS-LEHTINEN. Mr. Speaker, today we approved an emergency appropriations and will soon consider a bill regarding the use of force to respond to the deplorable terrorist acts committed against the people of our Nation, and against the principles that our country represents: freedom, liberty, democracy and respect for the law.

As our government works to develop a comprehensive and decisive response to this challenge, I am reminded of the Reagan doctrine of peace through strength and the principles of deter-

rence. It took one kind of military force to deter an attack when the United States possessed overwhelmingly and unparalleled military power. However, it takes another kind, now that our enemy is cowardly and elusive, refusing to show its face, hiding in the shadows of the misery and terror it has created.

This is a different world. Our defenses must be based on recognition and awareness of the methods, weapons, tactics and behavior of this new enemy. Our security depends on being prepared to meet these new threats head-on, threats that have turned the Continental United States into a new theater of conflict.

As former President Ronald Reagan once said, "We have a rendezvous with destiny. We will preserve for our children this, the last best hope of man on Earth. If we fail, at least let our children and our children's children say of us, we justified our brief moment here. We did all that could be done."

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. BARRETT) is recognized for 5 minutes.

(Mr. BARRETT of Wisconsin addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. KIRK. Mr. Speaker, I ask unanimous consent to swap my place with the gentleman from Michigan (Mr. EHLERS) at this time.

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

There was no objection.

LEGISLATION TO UPDATE THE
STATE DEPARTMENT REWARDS
PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, a few hours ago I received a phone call from Captain Clay Fearnow, my former commanding officer in the Navy during the Kosovo conflict. Clay told me of a terrible loss we had suffered in the Navy family as part of the Pentagon disaster. Most of the Navy Command Center was hit, including the Chief of Naval Operations Intelligence plot offices. It is a point of intense personal loss for me and my family because of that information. My wife and I worked in that office. We know many people there. We want to offer our sympathy and support to the families of the victims in the Naval Intelligence Community that suffered this loss on Tuesday.

Mr. Speaker, we can do something about this, and I want to offer one suggestion in the form of legislation that we will be offering later on today.