

DISTRICT OF COLUMBIA
APPROPRIATIONS ACT 2002

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2944.

□ 1104

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. KNOLLENBERG).

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

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring before the House the Fiscal Year 2002 District of Columbia Appropriations Act. Before I present the details of this legislation, I want to remind my colleagues of the context in which we consider the bill. A little more than 6 years ago, this Congress took a drastic, but necessary, action in response to the completely unacceptable financial condition of our Nation's Capital by creating the District of Columbia Financial Responsibility and Management Assistance Authority, or better known as the Control Board.

We gave the Control Board authority over virtually every function of District governance. We asked it to help the city recover after years of mismanagement and accumulated budget deficits. Back in 1995 that looked like no small task, and only starry-eyed dreamers would have said that just 6 years later the District would have had 4 consecutive years of budget surpluses leading to the sunset of the Control Board. That is exactly what happened.

Today is September 25, and in 5 days the Control Board will disband. This I believe is a tremendous credit to the steady hand of Mayor Anthony Williams and his policies as well as the efforts of Chief Financial Officer Nat Gandhi. City Council Chair Linda Cropp also deserves recognition, and all of her colleagues on the city council are to be commended for their efforts as well.

Along with the Control Board and the District's delegate to Congress, the

gentlewoman from the District of Columbia (Ms. NORTON), these leaders have turned yesterday's starry-eyed dreams into reality.

When I became chairman of the Subcommittee on the District of Columbia, I had the benefit of working with a city on the rise.

From the outset, I said that I wanted to be a partner with the District of Columbia and we jointly developed an agenda that promotes the continued renaissance of the city. My focus was on economic development, education and public safety; and this budget reflects those priorities.

Mr. Chairman, the package before my colleagues is the product of the very hard work of every member of the Subcommittee on D.C. Appropriations. Each member contributed extensively, and this bill reflects our commitment to helping the city.

I would like to acknowledge the work of two of my colleagues in particular. First, I recognize the ranking member of the subcommittee, the gentleman from Pennsylvania (Mr. FATTAH). He brought his experience in city politics to us and has been an invaluable guide. I believe we formed a solid working relationship, and that is what has brought us to where we are today.

I also want to express my appreciation for all that the gentlewoman from the District of Columbia (Ms. NORTON) has done to help me find my way through this city and to keep me up to date on local issues. She is a tireless advocate for the District of Columbia, and Washington, D.C.'s residents are fortunate to have her.

I would also like to recognize a former colleague of ours who is no longer here. Julian Dixon, the longtime chairman of this subcommittee, passed away late last year; and this is the first D.C. bill that has come before this committee since then. A native Washingtonian, he chaired the subcommittee for 14 years and was truly a friend of the District if there ever was one. He recognized the District's fiscal instability and helped get Washington's house in order. His expertise, his advice and his counsel are missed.

The fiscal year 2002 District of Columbia Appropriations Act totals slightly more than \$7.14 billion, of which approximately \$5 billion is from local funds, and \$2.1 billion is from Federal funds, including Federal grants. I will not go into the portion of the bill dealing with the local funds except to say that we fully funded every penny of the city's budget. What the city asked for, we provided.

The Federal funds portion of the bill, excluding Federal grants, totals \$398 million, which my colleagues will note is slightly more than the \$359 million that the President requested, but \$66 million less than what was enacted in fiscal year 2001. The difference between this bill and the President's budget is due primarily to two items: first, the bill provides \$23.3 million above the President's request to the District of

Columbia courts for the reform of the D.C. Family Court.

Just last Thursday this House passed the District of Columbia Family Courts Act, which provides for the first major overhaul of the District of Columbia courts' Family Division in some 30 years. The additional funds in this legislation will pay for the transition.

Second, the bill provides a \$16 million Federal payment for security planning. The funding was originally intended to offset the cost of police protection at the World Bank-IMF meetings, which were supposed to occur at the end of this month. Those meetings have been canceled; but in light of recent events, we have decided to shift the purpose of this funding to the development and implementation of an emergency security plan for the District.

Beyond these two items, this bill fully funds the Federal Government's responsibilities in the District of Columbia, including, among other things, \$17 million in resident college tuition support, \$5.5 million for the Children's National Medical Center, \$585,000 for the chief medical examiner to clear a backlog of autopsies, and \$1 million for the St. Colletta of Greater Washington Expansion project.

In addition, this legislation eliminates 35 of the 69 general provisions contained in last year's bill. Let me repeat that. The bill deletes over half of the general provisions that were in last year's bill. I conducted a thorough review of each and every general provision and removed the ones that are now permanent law, not requested by the President, or had been rendered obsolete.

I know that the gentleman from Pennsylvania (Mr. FATTAH) and the gentlewoman from the District of Columbia (Ms. NORTON) have expressed reservations about certain parts of this bill. As the managers' amendment that the gentleman from Pennsylvania (Mr. FATTAH) and I offered at the Committee on Rules will attest, I am committed to working with them and will continue to do so as the bill winds its way through the legislative process. I am hopeful that we can reach a solution that is satisfactory to all.

Before I close, I would like to thank the many staff members who make it possible to bring this bill to the floor today. Migo Miconi and Mary Porter of the subcommittee staff and Jeff Onizuk and Candra Symonds from my staff have been invaluable in this whole process. Let me also say that Tom Forhan of the minority staff has been of great help. We reasoned together and talked things through, and I appreciate his support; and also Williams Miles from the personal staff of the gentleman from Pennsylvania (Mr. FATTAH). They all deserve great applause.

Mr. Chairman, the District of Columbia is a city full of treasures and rich history and should be the crown jewel of all American cities. After all, the

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leading Nation in the world deserves a world-class capital. Make no mistake, the District of Columbia is on its way back, and this legislation is another important step. This is a good bill, and I urge my colleagues to support it.

Mr. Chairman, I am submitting at this point for the RECORD a chart comparing the amounts recommended in H.R. 2499 with the appropriations for fiscal year 2001 and the request for fiscal year 2002:

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2002 (H.R. 2944)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
FEDERAL FUNDS					
Federal payment for Resident Tuition Support.....	17,000	17,000	17,000		
Federal payment for World Bank/IMF meeting.....		15,918			-15,918
Federal payment for Security.....			16,058	+16,058	+16,058
Federal payment to the Chief Financial Office of the District of Columbia.....	1,250		2,350	+1,100	+2,350
(Supplemental funding).....	750			-750	
(By transfer, supplemental funding).....	(250)			(-250)	
Federal payment for Commercial Revitalization program.....	1,500			-1,500	
Federal payment to DCFS.....	500			-500	
Federal payment for Metropolitan Police Department.....	100			-100	
Contribution to Covenant House Washington.....	500			-500	
Federal payment to the District of Columbia Corrections Trustee Operations.....	134,200	32,700	32,700	-101,500	
Federal payment to the District of Columbia Courts.....	105,000	111,378	111,238	+6,238	-140
Miscellaneous appropriations (PL 106-554).....	400			-400	
Crime victims Fund (misc appropriations PL 106-554) 1/.....	18,000			-18,000	
Federal payment for Family Court Act.....			23,318	+23,318	+23,318
Defender Services in District of Columbia Courts.....	34,387	34,311	34,311	-76	
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia.....	112,527	147,300	147,300	+34,773	
Federal payment of Washington Interfaith Network.....	1,000			-1,000	
Federal payment for Plan to Simplify Employee Compensation Systems.....	250			-250	
Metro rail construction.....	25,000			-25,000	
Federal payment for Brownfield remediation.....	3,450			-3,450	
Presidential Inauguration.....	5,961			-5,961	
Children's National Medical Center.....	500		5,500	+5,000	+5,500
Child Advocacy Center.....	500			-500	
St. Coletta of Greater Washington Expansion Project.....	1,000		1,000		+1,000
Capitol City Career Dev & Job Training Partnership.....			1,500	+1,500	+1,500
District of Columbia Special Olympics.....	250			-250	
Fed payment to the Fire & Emergency Med Services Dept.....			500	+500	+500
Federal payment to the Chief Medical Examiner.....			585	+585	+585
Federal payment to the City Administrator.....			300	+300	+300
Fed payment to the Voyager Universal Literacy System.....			1,000	+1,000	+1,000
Fed payment to the Office of the Chief Tech Officer.....			500	+500	+500
Federal payment to the Youth Life Foundation.....			250	+250	+250
Federal payment to Food and Friends.....			2,000	+2,000	+2,000
Federal payment to Southeastern University.....			500	+500	+500
Federal payment to Faith and Politics Institute.....			50	+50	+50
Federal Contribution for Enforcement of Law Banning Possession of Tobacco Products by Minors (Sec 132).....	100		100		+100
Total, Federal funds to the District of Columbia.....	484,125	358,607	398,058	-86,067	+39,451
DISTRICT OF COLUMBIA FUNDS					
Operating Expenses					
District of Columbia Financial Responsibility and Management					
Assistance Authority.....	(3,140)			(-3,140)	
Governmental direction and support.....	(195,771)	(284,559)	(285,359)	(+89,588)	(+800)
(Supplemental funding).....	(5,160)			(-5,160)	
Economic development and regulation.....	(205,839)	(230,878)	(230,878)	(+25,040)	
(Supplemental funding).....	(1,885)			(-1,885)	
Public safety and justice.....	(782,546)	(632,668)	(633,853)	(+128,893)	(+1,185)
(Supplemental funding).....	(8,871)			(-8,871)	
Public education system.....	(998,918)	(1,106,165)	(1,106,165)	(+107,247)	
(Supplemental funding).....	(13,000)			(-13,000)	
Human support services.....	(1,535,654)	(1,803,923)	(1,803,923)	(+268,269)	
(Supplemental funding).....	(28,000)			(-28,000)	
Public works.....	(278,242)	(300,151)	(300,151)	(+21,909)	
(Supplemental funding).....	(131)			(-131)	
Receivership Programs.....	(389,528)	(403,368)	(403,368)	(+13,840)	
Workforce Investments.....		(42,896)	(42,896)	(+42,896)	
(Supplemental funding).....	(40,500)			(-40,500)	
Reserve.....	(150,000)	(150,000)	(150,000)		
Repayment of Loans and Interest.....	(243,238)	(247,902)	(247,902)	(+4,664)	
Repayment of General Fund Recovery Debt.....	(39,300)	(39,300)	(39,300)		
Payment of Interest on Short-Term Borrowing.....	(1,140)	(500)	(500)	(-640)	
Presidential inauguration.....	(5,961)			(-5,961)	
Certificates of Participation.....	(7,950)			(-7,950)	
Security Planning.....			(16,058)	(+16,058)	(+16,058)
Security for meetings.....		(15,918)			(-15,918)
Wilson Building.....	(8,409)	(8,859)	(8,859)	(+450)	
(Supplemental funding).....	(7,100)			(-7,100)	
Optical and Dental Insurance Payments.....	(2,675)			(-2,675)	
Management Supervisory Services.....	(13,200)			(-13,200)	
Tobacco Settlement Trust Fund Transfer Payment.....	(81,408)	(33,254)	(33,254)	(-28,152)	
Operational Improvements Savings (Including Managed Competition).....	(-10,000)			(+10,000)	
Management Reform Savings.....	(-37,000)			(+37,000)	
Cafeteria Plan Savings.....	(-5,000)			(+5,000)	
Non-Department Agency.....		(5,799)	(5,799)		(+5,799)
Total, operating expenses, general fund.....	(4,955,153)	(5,306,140)	(5,308,285)	(+353,112)	(+2,125)

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2002 (H.R. 2944)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Enterprise Funds					
Water and Sewer Authority and the Washington Aqueduct.....	(275,705)	(291,488)	(291,488)	(+15,783)	
(Supplemental funding).....	(2,151)			(-2,151)	
Stormwater Permit Compliance.....		(3,100)	(3,100)	(+3,100)	
Lottery and Charitable Games Control Board.....	(229,200)	(229,688)	(229,688)	(+488)	
Sports and Entertainment Commission.....	(10,868)	(9,127)	(9,127)	(-1,841)	
Public Benefit Corporation.....	(78,235)			(-78,235)	
DC Retirement Board.....	(11,414)	(13,388)	(13,388)	(+1,974)	
Correctional Industries Fund.....	(1,808)			(-1,808)	
Washington Convention Center.....	(52,726)	(57,278)	(57,278)	(+4,552)	
Housing Finance Agency.....		(4,711)	(4,711)	(+4,711)	
National Capital Revitalization Corporation.....		(2,673)	(2,673)	(+2,673)	
Total, Enterprise Funds.....	(656,207)	(911,453)	(611,453)	(-44,754)	
Total, operating expenses.....	(5,611,390)	(5,917,593)	(5,919,718)	(+308,358)	(-2,125)
Capital Outlay					
General fund 2/.....	(1,022,074)	(1,074,605)	(1,074,605)	(+52,531)	
Water and Sewer Fund.....	(140,725)	(152,114)	(152,114)	(+11,389)	
Total, Capital Outlay.....	(1,162,799)	(1,226,719)	(1,226,719)	(+63,920)	
Total, District of Columbia funds.....	(6,774,159)	(7,144,312)	(7,146,437)	(+372,278)	(+2,125)
Total:					
Federal Funds to the District of Columbia.....	464,125	358,807	358,058	-66,067	+39,451
District of Columbia funds.....	(6,774,159)	(7,144,312)	(7,146,437)	(+372,278)	(-2,125)

1/ Section 403 PL 106-554, 114 Stat 2763a-188

2/ Rounded

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

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. FATTAH. Mr. Chairman, I thank the majority chairman of this subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG), for doing a magnificent job with an extraordinary degree of sensitivity to the issues involved and the intricacies involved in the affairs of the capital city. He has visited schools, met with local officials, worked with the delegate, the gentlewoman from the District of Columbia (Ms. NORTON), and been ever-present in the effort to work toward a piece of legislation that could build a strong consensus in this Congress.

□ 1115

I want to commend him and his staff, for we have a bill that I support, and I know that as we move the manager's amendment and our work in conference will even be a better bill than it is now. But it is the best bill for the District that has arrived on this floor in many, many years.

The gentleman from Michigan (Mr. KNOLLENBERG) is not the only Member of the majority, there are others like my friend the gentleman from California (Mr. CUNNINGHAM) and others who have shown in the various committee meetings a real sensitivity and a legitimate effort to make this city a better place. I want to commend them. I would like to thank the staff, particularly Tom Forhan and William Miles, for their work. And for the majority staff also, Migo and his team, because they have done a terrific job.

This bill, as has been stated, is about \$65 million less than what the appropriation was last year. It is about \$30 million above what the President requested. It represents a response to the needs of the school district with its 68,000 children and the need for a first-class police department. It responds to each and every item that the city has suggested that they have a need at the dollar amount that was requested.

There are a number of issues that deserve mention. I will first start with the fiscal control board, a piece of legislation that the gentleman from Virginia (Mr. TOM DAVIS) and myself and a number of others, like the gentleman from Virginia (Mr. MORAN) and the gentlewoman from Maryland (Mrs. MORELLA) worked on in my first term in this Congress. This control board has worked very well. This city has had an improvement in its bond ratings for each of the last 4 years. It has a cash reserve that I think is unmatched by any other American city. The mayor and the city council deserve all of the credit, working with the control board, to moving the fiscal functioning of this city to where it is today.

I would also like to take a minute to talk about the tuition support pro-

gram, another piece of legislation that I had an opportunity to join with a number of my colleagues in cosponsoring, for it has responded to the needs of literally hundreds and hundreds of students from the District and allowing them to pursue an education in colleges all across this country and to do so at an in-State tuition rate. It is, I think, representative of the kind of legislation that this House can produce when we avoid getting mired down in the activities of trying to micromanage the District, but really focus on a higher mission, which is how to really improve the capital city and its functioning in a cooperative way with the local officials.

All that is good about this bill could and hopefully will not be overshadowed by some of the activity that will take place after the general debate. There will be amendments unfortunately in which some of my colleagues, I believe, perhaps, well intentioned, but nonetheless, will attempt to overrule, not just the wisdom of the full committee when we made certain decisions about how the bill should be finally shaped when it was brought to the floor, but, moreover, they will attempt in these amendments to micromanage and to overrule the local city council and the mayor.

I want to say one thing about this. The District of Columbia and its citizens, who have sent more people to be involved in our military than many of our States, they pay a higher share of taxes than some of our States in terms of the total aggregate amount, deserve a right to have their votes count. They have no vote here on the floor of the House or in the U.S. Senate. The only place that they really have a vote is when they vote for city council and for the mayor. We should respect those votes in a way in which when the city council and the mayor come to a consensus around even controversial public policy, that we avoid the need for the Congress to try to sit as a larger city council. We come from other places and other towns, many who have made decisions on these similar types of matters, and we should not, unless it is a matter of national policy for the whole country, interject ourselves in the affairs of the capital city. I would hope that we would avoid that today.

I would like to compliment the full committee for avoiding it and voting in the right way on these issues when we dealt with this bill in full committee.

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

Mr. KNOLLENBERG. Mr. Chairman, it is my privilege to yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations who does extraordinary work in so many ways.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the bill. I also rise to congratulate the gentleman from Michigan (Mr. KNOLLENBERG) for having done an outstanding job in de-

veloping this legislation, which is one of the best D.C. appropriations bills that we have seen in a long time, and also the ranking member, the gentleman from Pennsylvania (Mr. FATTAH) who was there every step of the way and had a lot of input in how this bill was finally developed.

When the gentleman from Michigan became chairman of this subcommittee at the beginning of the Congress, I asked him to do two things: One was to have as good a relationship between the Congress and the Nation's capital city, Washington, D.C., as was humanly possible. I think he has done that extremely well. Also, I asked him to avoid using this bill as a vehicle for many riders that really did not belong on an appropriations bill. I think he deserves a tremendous round of applause for having eliminated 35 of those riders that really did not belong on this bill at any time, and especially not this year.

So he has done a really good job. He has done a good job for our capital city, he has done a good job in the proper positioning of the Congress relative to the capital city, and he has established a great working relationship with the minority and his ranking member. He has already complimented the staff, and they certainly deserve those compliments because they have done a good job. While this is not one of the larger appropriations bills, oftentimes it has been one of the most difficult to prepare and to pass through the Congress. They have done a good job. They worked well with the city. They worked well with the gentlewoman from the District of Columbia (Ms. NORTON). That is the type of teamwork that we believe the American people want to see.

Mr. FATTAH. Mr. Chairman, I yield 6 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding time. At the same time I thank him for very hard work on this appropriation. The gentleman from Michigan (Mr. KNOLLENBERG) began his chairmanship by seeking a smooth and fair appropriation process as the chairman of the full committee, the gentleman from Florida (Mr. YOUNG) and our ranking member, the gentleman from Wisconsin (Mr. OBEY), always have. This year we have not had to pull our Appropriation Committee chairman and our full ranking committee into this little appropriation just to help us get it through because of the work of our chairman and ranking member of our subcommittee.

Even when the chairman and I have disagreed as we have occasionally, he has been a pleasure to work with, not only because of his well-known pleasant disposition, there have been lots of folks with pleasant dispositions where when it came to the District appropriation, that did not much matter. It has a lot to do with the way in which the chairman has approached his job. He

said to himself, "What am I? I am an appropriator. My job is to get this appropriation out. Let me see if I can do that the best way I can." With that workmanlike approach to his job, whenever he and I have had some points of disagreement, we have simply agreed to disagree and try to work it out.

I hope that the way in which the gentleman from Michigan (Mr. KNOLLENBERG) and I have worked sets a precedent for how the D.C. appropriation will be handled in the future. The chairman said early on, for example, as he took over the chairmanship, that attachments to the D.C. appropriation were not welcome or appropriate. The ranking member, the gentleman from Pennsylvania (Mr. FATTAH) is the first big-city leader of the D.C. subcommittee since the death of the legendary Julian Dixon.

The gentleman from Pennsylvania has brought very unusual, special skill and insight to this subcommittee. How lucky we are that as we emerge from a control board, we have gotten a ranking member who helped bring his own big city out of precisely the situation the District of Columbia found itself, so that I have turned to the gentleman from Pennsylvania (Mr. FATTAH) for special advice given his long history and his extraordinary unique background so relevant to our own city.

Mr. Chairman, especially at a time when Congress has made a successful effort, at least thus far, to put aside the usual quarrels, I hope that the bipartisanship we have shown on other matters will be especially evident on the D.C. appropriation. After all, it is the smallest. It is really tiny. It is a tiny fraction of every other appropriation. It consists almost entirely of local funds, raised from local taxpayers. It is a local budget that does not belong here at all.

I apologize that you are distracted by having to get into the business of a local jurisdiction. You should be embarrassed at a time like this to have to do so. Finding ourselves distracted from the most serious business, the business of war and peace following a vicious attack on American soil, I can only hope that this body will not allow the local budget of a city to detain us long or headlines to read after this matter is done here, Congress of the United States Overturns the Laws in Its Own Capital, even as it is asking, telling us, that the country is fighting in behalf of democracy.

At a time when our country's message to the world is that we are defending democracy and freedom, I ask that no attempt be made to nullify the democratically expressed will of the people of the District of Columbia by attachments that overturn local law.

D.C. is in sterling shape. That is an amazing thing to say to this body, who saw just the opposite just a few years ago. The city should be rewarded, not burdened with intervention, from this body. Imagine, this city has a larger

surplus than our neighboring State of Maryland, a rich State, with all kinds of industry. Virginia has no surplus at all. The District has outdistanced its rich local States through its own prudence. This Congress needs to say to the District, "Well done. We're going to step back when you do as well as you have done."

The control board goes out at the end of this appropriation period. We have investment grade bonds. Our cup does not run over. Our cup has been filled by the people of the District of Columbia and the prudence of its public officials. This bill is moving forward with flaws, budget deletions that should not have been touched, but progress made by the relationship that I have formed with the ranking member and with the chairman. Thirty-five redundant and duplicative provisions removed. We are going to go after the rest of them next time. But I appreciate the progress we have made. Fewer attachments compared to prior years, when attachments had become a chronic disease on the D.C. appropriation.

Make the D.C. bill a bill worth supporting by clearing attachments from the bill. Do not mar this bill. Let us keep us moving forward in the way that the chairman and the ranking member have said.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM) who is a valuable member of this committee. He has been involved in the environmental arena and the education arena.

□ 1130

Mr. CUNNINGHAM. Mr. Chairman, 6 years ago I was put on the Subcommittee on the District of Columbia, and I am still on the Subcommittee on the District of Columbia, because I volunteered to stay there. This was during the time of Marion Berry, and I thought what better place can we make some changes.

I set out in three specific areas. One, the education system. You recognize, the fire department had to take over control. The roofs, the schools did not open because the roofs were unsafe and the schools were unsafe. We got in a new school board, we reorganized, we took some of the board members off who were totally unqualified, and the new board has done a good job with charter schools, et cetera.

The one area that I am disappointed in this bill is that for two of those terms I was enabled to take the trial lawyers, liberal trial lawyers that were ripping off the system within the special education program, and they had charter organizations that would literally take millions of dollars out of the special education program. We stopped that. We capped the trial lawyers' fees and put in valuable programs for special education and children, but yet no child was left without representation. I hope that the Senate takes that up. I think they are, and hopefully

that will be changed in the Senate, like it was last year.

Another area was the waterfront. The U.S.S. *John Glenn*, an ice cutter, when we lost an airliner on the 14th Street Bridge the only ship that could get to that was the U.S.S. *John Glenn*, an ice cutter, fire boat, to rescue those people. The chairman specifically, the gentleman from Michigan (Mr. KNOLLENBERG) and the ranking member, supported putting the new engine that was needed, so for airlines and the waterfront, that will provide a lot of safety for that particular area.

One of the areas that I am also not that happy with on the waterfront, when I first started, this city would only give 1-year leases. No one is going to invest in a waterfront to make it like a San Diego waterfront.

The City Council at that time was taking money under the table to support leases. We changed that. But one of the areas now is when the city assigned an 8(a) to do some work down on the waterfront. The original bid was \$1.6 million. They said well, let us do it with an 8(a), a small business. I said okay. But now that same 8(a), that has never done this kind of work, where it would be done by professionals at \$1.6 million, it is now \$2.6 million, and they are giving the Corps of Engineers \$300,000 and the 8(a) \$200,000, which will be taken off the top. That is \$1.5 million that I think is squandered in this particular bill.

I am going to ask within the conference that we get support from both sides to account for that \$1.5 million that is not going to the waterfront, because of, in my opinion, mismanagement.

I support the bill. What better place, two Irishmen, the gentleman from Virginia (Mr. MORAN) and myself, have become very, very close friends when he was ranking member, and I thank the ranking minority member as well.

Mr. FATTAH. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman for yielding me time and for his leadership, and the gentleman from Michigan (Mr. KNOLLENBERG).

This is a good bill, but I do have a problem with it. The problem is with the rule. The rule should not have made in order the Weldon amendment, because we had a better bill coming out than might pass if we include the Weldon amendment.

This is a time when we need to come together as a Nation. We should not be advancing amendments that are intended to divide us. That is what the Weldon amendment would do. It would reverse a vote on the full Committee on Appropriations that took place last week, and it took place purely on the substance of the issue.

In 1992, the District of Columbia passed a domestic partnership program. We have forbidden them from implementing that program for the

last 9 years. All it did was say that the District employees can purchase health insurance at their own expense for a domestic partner. Who qualifies? Well, disabled people and their health care provider, two widows or widowers living together, a grandmother and mother who are jointly raising children, two relatives raising their children together, as well as domestic partners.

The amendment today would continue the ban on the use of local funds to implement the Domestic Partnership Act. But no Federal funds are involved. Why are we involved? Why should we be against expanding health care coverage to widows, to children and to unmarried couples? They are using their own money. If they do not use their own money, many of them will have to be financed by the Medicaid program. Most of which is paid for by Federal funds. It just does not make sense, and I think it is mean-spirited as well.

Throughout this country, in Los Angeles; in Denver; in Baltimore; in Seattle; in St. Louis; in Philadelphia; in Pittsburgh; in Austin, Texas; in Iowa City, Idaho; Tucson, Arizona all those cities have the same domestic partnership policy. Yet we are denying it to the District of Columbia to be able to use their own funds and to enable people to purchase at their own expense health insurance?

Why should we be doing this kind of legislation? No Member is on the floor today proposing that they ban domestic partnership programs in their own cities, in their own jurisdiction. There are over 113 State and local governments that have this policy, at least 155 colleges and universities, more than 145 of the largest corporations in the country, at least 4,000 other private companies and not-for-profits.

The Weldon amendment should be defeated, and then let us enact a good bill.

Mr. KNOLLENBERG. Mr. Chairman, I yield 5 minutes to the gentlewoman from Maryland (Mrs. MORELLA), the chairman of the authorizing committee and a person I have worked with on a number of problems and situations.

Mrs. MORELLA. Mr. Chairman, I certainly want to thank my good friend, the chairman of the Committee on Appropriations subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG), for yielding me time, but also for the kind of work that has been done on this bill.

The gentleman from Michigan (Chairman KNOLLENBERG) and his staff deserve a great deal of credit for their tireless work on the D.C. appropriations bill this year. In particular, I want to compliment the chairman for producing a generally clean budget, devoid of some of the provisions and limitations that have rightly disturbed D.C. officials in the past. It actually provides for the amount of money that had been requested by the mayor and the council.

I also think this is an appropriate time to publicly thank once again

members of the District of Columbia Financial Responsibility and Management Assistance Authority, which we call the Control Board. The Control Board has played a pivotal role in helping the District turn around a huge budget deficit, improve its bond rating, and begin the process of making government more citizen-friendly.

The Control Board's tenure expires on Sunday, but it is all of our hope that its legacy of fiscal prudence has made an indelible mark on the city. Indeed, as the economy continues to slow, the District must resist spending pressures that could return it to the days of financial crisis. It also must continue to work on strengthening internal accounting. The recent disclosure that the D.C. public school system has overspent its budget by \$80 million represents an astounding lapse in management. This must serve as a final wake-up call if the city is to thrive in the post-Control Board era.

As the city goes forward, this fiscal year 2002 budget will be of help as it addresses some substantial needs for the District. First and foremost, it provides more than \$23 million to reform the City's Family Court and Child and Family Services Agency. It is not an overstatement to say the City has on more than a few occasions completely failed its children. The District's poor child welfare system has literally left some children to die.

There has been some talk about whether \$23 million is enough to complete these much-needed reforms. Frankly, I am not sure anymore. I do not think the judges nor the lawmakers nor the Congressional Budget Office has a really true handle on how much these changes will cost. But \$23 million is more than an adequate start; and if the judges can demonstrate they need more money, I am sure we will work with them to address these concerns in the next budget.

Let me point out just a few of the other budget highlights: \$1 million for an innovative literacy program in D.C. schools; \$1.5 million for job training; \$1 million for the expansion of St. Colleta's, which does such good work training mentally retarded and disabled youngsters and adults; \$2 million to promote high-tech education at the City's Southeastern University; \$300,000 to the newly constituted Criminal Justice Coordinating Council, that bill will be coming up later today, which will foster cooperation among various Federal and local criminal justice agencies that operate in the District.

I must, I must, mention that there are several elements in this bill that trouble me deeply. Once again, Congress is intending to ban the use of local money for effective programs that the District deems appropriate: the needle exchange program, as an example, that has proven successful elsewhere, including in Maryland; the use of money, the local money even, for abortion as deemed appropriate in the

District of Columbia; and, again, the prohibition of using any local money for domestic partner benefits. I am disappointed that the amendment will be allowed to be offered, and I intend to certainly vote against it.

The Committee on Appropriations also has decided to withhold several million dollars, some of it earmarked for the very successful and popular D.C. Tuition Access Program and the rest intended for fire and emergency services and other vital services. It is going to be withheld until the District provides Congress with an emergency security plan.

To be sure, none of us was pleased with the District's lack of preparedness that became evident on September 11. The Nation's capital, the capital of the free world, must be the most-prepared city when it comes to possible terror attacks. However, the Congress ought not, ought not, to punish the students and the other citizens of the District by withholding funds in this manner.

So, overall, this is a very good appropriations bill. It achieves what Chairman KNOLLENBERG and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH), who has worked very hard on this bill also, what they set out to do at the beginning of the session, something with which I agree, giving the District more direct control over its own spending, by reducing, if not eliminating, Congressional micromanagement of the budget. We still have a way to go.

So I would say well done, Mr. Chairman, Mr. Ranking Member, and I look forward to working with you, the gentlewoman from the District of Columbia (Ms. NORTON), my House and Senate colleagues, Mayor Williams, the City Council and all for the revitalization of the Nation's Capital.

Mr. FATTAH. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I, too, take the floor to oppose the amendment that will be offered by the gentleman from Florida. That amendment, as the gentleman from Virginia (Mr. MORAN) has indicated, would reinstate the ban that for the past 9 years has prohibited the District of Columbia from providing the most minimal protections to citizens who live with their domestic partners; the right to visit a partner in the hospital and not to be turned away; the opportunity for local government workers to buy health insurance to cover their partners at their own expense. And I want to commend the committee for at last allowing the District to use its own local funds to implement this modest measure.

Their action is consistent with the atmosphere of tolerance and reflection which has characterized our debates since the terrible events that occurred on September 11. It has been genuinely inspirational to see Americans come together from all parts of our national community to mourn, to heal, and to honor our heroes, and yet today we have this amendment.

Well, one of those heroes was a 31-year-old rugby star from San Francisco whose name was Mark Bingham. He was one of the four passengers who thwarted the hijackers on United Flight 93 which crashed in Pennsylvania, and he was a gay man.

Well, he was a hero who may very well have prevented that plane from destroying this building in which we are now debating. And this is how we thank him for his heroism.

What a disappointing contrast, to the actions of Senator JOHN MCCAIN, one of Mr. Bingham's favorite political figures, who flew to San Francisco from Washington yesterday to attend his memorial service. Let me quote Senator MCCAIN: "We now believe the terrorists intended to crash that plane into the Capitol, where I was that morning. I may very well owe my life to Mark Bingham," and so may we all here.

Mr. Bingham had the good fortune to live in one of the 117 jurisdictions across the country that provide health benefits to domestic partners. It is time for Congress to let the people of the District of Columbia do the same thing, and may I submit to my colleagues, it is time for us to heed the word that is inscribed right there in the center of the Clerk's counter, and that word is "tolerance."

□ 1145

ANNOUNCEMENT BY THE CHAIRMAN

THE CHAIRMAN. The Chair reminds Members to avoid such quoting of Senators.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes and 15 seconds to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time.

I would like to make two important points about the debate surrounding my amendment. I too, along with my colleagues on the other side of the aisle, have been blessed by the high level of comity and good relations we have had since the tremendous tragedy that struck our Nation on September 11, and some of my colleagues seem to be implying: Why are you bringing this up at this time?

I just want to point out to everyone involved in this debate that for 9 years the policy of the Congress has been to not allow this provision to move ahead. Indeed, it was originally endorsed by a Republican President and a Democratic Congress, and then for 2 years, a Democratic President and a Democratic Congress, and then from 1995 on, a Democratic President and a Republican Congress. It is actually the other side of this debate who brought this issue up on September 18.

I would agree that this is a somewhat divisive issue, but I would just like to point out to my colleagues that I did not bring it up; they did. They introduced this issue for debate at this time.

Now, the other issue I would like to address straight up is there have been

people who have gotten up and said that this provision would allow grandmothers and mothers living together, raising children, or persons with disabilities and a live-in care provider, or two sisters raising children to be able to get one of the persons in the house to be covered. The District of Columbia had the option to write a law that would have covered those types of hardship cases; but instead, they chose to write a law that was a blanket provision that simply allows heterosexuals cohabitating to qualify for this benefit and homosexuals cohabitating to qualify for this benefit.

I, along with previous administrations and previous Congresses, have endorsed the policy that simply stated that we do not want to do this, and my amendment simply maintains current law, the law for 9 years.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from California (Ms. PELOSI), a member of the full committee.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I am pleased to rise to defend the committee position and this very excellent bill that the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the subcommittee, and the gentleman from Pennsylvania (Mr. FATTAH), the ranking member, are presenting to the floor. Unfortunately, the Committee on Rules decided to put a very unfortunate amendment in, and I was very pleased to join the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the full Committee on Appropriations, in opposing that rule in a recorded vote.

Mr. Chairman, I come to the floor on this issue as one with some family involvement. My father was Chair of the Subcommittee on the District of Columbia of the Committee on Appropriations in the 1940s. How proud he would be of the leadership of the gentleman from Pennsylvania (Mr. FATTAH) and that of the gentleman from Michigan (Mr. KNOLLENBERG). He was a great advocate for home rule, and that was part of his legacy as a Member of Congress and later as the Mayor of Baltimore, the pride he took in that, and the recognition that we must respect the opinions of localities.

The Congress should be supporting the decisions that local communities make about their health care. We respect the importance of local control, and interference with the District of Columbia is contradictory to that goal. No citizen should be denied the right to care for an ailing partner or visit them in the hospital. No citizen should be prevented from taking the bereavement leave necessary to make funeral arrangements when his or her partner has passed away. All citizens should have access to quality health care. Over 4,200 employers across the country, including one-third of the Fortune 500, have recognized this by establishing domestic partnership health

programs. Many of these programs go much, much farther than this law.

Cities as diverse as Atlanta, Albany, Chicago, New Orleans, and Scottsdale all have domestic partnership benefits in place that are much more comprehensive than the D.C. law. Would any of the Members who represent those districts or the States that they are in like funds withheld from their appropriations their States would receive?

Mr. Chairman, I urge my colleagues to oppose the Weldon amendment when it comes up, and I again thank the ranking member for this good bill; and I urge my colleagues to support the committee position and oppose the Weldon amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Foreign Operations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time.

I want to congratulate the gentleman from Michigan and the gentleman from Pennsylvania for the fine job that they have done on this bill. We have heard it from many people, but I think these plaudits are really due here for a very good job that they have done on this bill.

I am rising to speak at this point because the time on the amendment that will be coming up later offered by the gentleman from Florida (Mr. WELDON) is very limited; and I want to give just a little bit of background, although it has already been covered to some extent. I do hope my colleagues will, when the time comes, oppose the Weldon amendment.

By way of background, the District has had a health benefits law for domestic partners since 1992. We have heard it said here today, 113, 117 other jurisdictions around the country also have a similar provision, so this is hardly anything that is new or different. In fact, the District of Columbia provision is much, much more limited than that offered by most other governmental units. It would allow a partner, and it can be, as the gentleman from Florida noted, a grandmother and a mother together raising a child; it could be a disabled person with a care giver; it could be two heterosexual people living together; it could be a lesbian or gay couple living together, it allows the one of them who is employed by the District of Columbia to sign the other up for health benefits. I want to emphasize, this benefit is entirely, entirely, at the expense of the individual. No Federal or District of funds are used to subsidize the premiums for the domestic partner.

Now, for the last 9 years, Congress has blocked that D.C. statute from being implemented. But as we have heard on the floor this morning, the state of the District is different from nine years earlier. The Control Board is about to expire. We have confidence

in the local government. Now, if we are going to demonstrate that confidence, is this not a good place to start, by lifting this particular ban and saying to the District of Columbia that along with 113 other jurisdictions around the country, you can make these decisions about who among your employees can have health benefits? This is the time to lift this prohibition.

Mr. Chairman, it is time to start bringing our country together. We should be uniting our country; we should be bringing people together. We do not need this kind of mean-spirited amendment that is being offered here today.

Mr. Chairman, I urge my colleagues to reject the Weldon amendment.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the Committee on the Judiciary.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the ranking member and the chairman of the subcommittee for a very excellent appropriations bill that recognizes how much we cherish our capital and its people, and particularly in this time. Let me thank them for providing the funds for the emergency security plan, and for the \$23 million that helps the family court to protect abused children. Many good things. Let me acknowledge former Chairman Dixon for his leadership.

However, I must stand in opposition to the Weldon amendment. I would just say to the gentleman from Florida, my good friend, there were words that he said that particularly struck me as a reason to oppose this amendment. What he said was the District of Columbia chose to draft this domestic partnership legislation as it did. The Mayor, the city council, the citizens chose to make a determination to protect all of its citizens within its boundaries, provide all of them with good health care to allow them, no matter what their sexual orientation, to be respected and to alleviate the problem of these individuals trying to be on public assistance. We have already heard about 4,500 corporations and 117 jurisdictions. How would we like to violate, as a member of the Committee on the Judiciary, the constitutional provisions of local and Federal jurisdiction?

Mr. Chairman, we are now here disregarding freedom and justice, right here in this Congress today, after we have united this country around freedom and justice, by denying the District of Columbia its right to promote its domestic partnership act for good health care under its own local funding.

I ask my colleagues to oppose the Weldon amendment. Let us promote the unity that we promoted in this country. Let us respect the District of Columbia. Let us cherish our capital, and let us cherish freedom and justice for all of the people, no matter what their beliefs. Whatever their beliefs may be and however they stand, whatever their sexual orientation, it is our

right to protect their freedom and to protect justice.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise to support the Weldon amendment, since others are criticizing it. I must admit that I am a little embarrassed that some have decided to use this bill and this era of bipartisanship to advance the gay agenda.

This Congress and the vast majority of the American people believe that marriage is a sacred union between a woman and a man. This is not a radical concept. No culture in the history of the world has ever thought otherwise. There is no serious religion anywhere in the world that believes otherwise.

I oppose using government funds to promote gay partnerships because I have tremendous respect for the families of this country. I oppose using funds in that way because I believe that every child in this country deserves a chance of life with a mother and a father.

Mr. Chairman, I know there are a few vocal voices who will disagree. But the violence of our country that we just suffered requires our unity. We should not be talking about this divisive issue now and trying to move the gay agenda. I urge my colleagues to vote for the Weldon amendment so that we can get on with the real business facing our country.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume to remind us of the hatred that brought about the incident of 2 weeks ago. We heard the statements of Jerry Falwell attacking certain Americans as being "responsible." We need to pull together.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, I would associate myself with the comments of some of my colleagues commending the Committee on Appropriations and subcommittee process that resulted in this bill. Nevertheless, I rise in strong opposition to the Weldon amendment.

At a time when 43 million people in our country lack health care coverage, this amendment would maintain barriers for certain citizens of our capital city to obtain health insurance. This amendment would prohibit the implementation of the District's plan to extend health care coverage to domestic partners of city employees with its own local funds.

This amendment stands as the only barrier between affordable health care for countless families of city employees. This amendment could mean the difference between a person having a sensible health care plan or no plan at all. It could mean the difference between wellness and illness for the families of city employees.

I implore my colleagues, do not continue to overrule the democratic proc-

ess that brought this benefit in the first place. The people of this city have spoken, and they have made it clear that health care coverage for domestic partners is wanted and absolutely needed. This amendment is a slap in the face, both to the citizens and the leaders of this city.

I can only imagine the uproar that would occur if this House sought to directly overturn the municipal law of any other city in this Nation. Let the democratic process stand. Let the District leadership do their job. Let the District spend its own money. Vote "no" on the Weldon amendment, and let the District implement a health care benefit plan for domestic partners and their families for city employees.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this bill and the Weldon amendment. During this debate, as in years past, we have heard that Congress should not impose its will on the District of Columbia regarding its so-called domestic partnership law.

□ 1200

We have been told that it is a matter of home rule, and we have been lectured that Federal interference is both unwarranted and unconscionable.

Mr. Chairman, I would remind my colleagues of the oath they took to uphold the United States Constitution. I would remind them that article 1, section 8 of that great document states that "Congress shall have the power to exercise exclusive legislation in all cases whatsoever over the District."

The District of Columbia was established as a unique entity. In order to prevent any one State from exercising undue influence over the Capital city, the Founders wisely created a Federal district that would belong to the whole Nation. As such, the District of Columbia should be a reflection of the values shared by the rest of the Nation.

Mr. Chairman, regardless of which party has been in power, Congress has consistently prohibited both Federal and District of Columbia tax dollars from being spent on the District's domestic partnership law. I urge my colleagues to remember their constitutional obligations and to support this amendment.

Mr. FATTAH. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Chairman, the gentleman from Pennsylvania who got off the floor invoked religion as a reason to support the amendment that would prevent the District of Columbia's democratically-elected decision on domestic partnership from going into effect, and I know there are religious views of this sort. We have heard them expressed recently in various ways. Indeed, my guess is one could quote from

the Taliban at great length about how terrible all of this is.

But the question is not what people in their own individual religious views think, but what a self-governing people in the District of Columbia, self-governing thanks to our grant, but it is a grant that I am proud that we made, should be allowed to go forward.

I now want to talk a little bit about the substance. Here is what we are talking about. It used to be illegal in the District of Columbia for two people of the same sex to express their affection physically. That was illegal, physical intimacy. The District of Columbia repealed that, and to its credit, this Congress allowed that repeal to stand. So understand that according to this Congress, only recently, a few years ago, we allowed the physical expression of intimacy.

So the question now is, do we then follow it up by saying to the people, okay, they can live together and can express their love in a physical way, but by God, if they try to show responsibility, if they try to show that financially they are going to be responsible for each other, if they try to couple their emotional and physical sense with some degree of commitment, we are not going to allow it; because what we are talking about here are two people, one of whom works for the District of Columbia and one of whom does not, one of whom has health insurance and one of whom does not.

So do not think Members are banning people's ability to live together. We are beyond that. This Congress has said the District could make that decision. The question is, once the people live together, do they think it makes sense to say that the person who is working and wants to jointly pay for health insurance cannot do it?

What Members are talking about, let us be very clear, there are people whose lives they do not like, and I am one of those, and I regret that, but I must admit I am far beyond losing sleep about what the Taliban or anybody else thinks about the way I live.

But what I assert is my right to live that way equally and freely as an American, and I implore my colleagues, what motivates them to inflict pain on fellow citizens who have done them no wrong? They just want to live. Can they not let them live?

Our government is about to say that, in times of crisis, they can die for their country, because we are going to put a temporary cessation to the "gays in the military" policy. Let people live and let them die freely.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER), a member of the subcommittee.

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to associate myself with the remarks of my colleague, the gentleman from Massachusetts, who can always be so very eloquent on this issue and on so many others.

Mr. Chairman, I rise in support of the underlying bill, but I do want to state my very strong opposition to the effort expected here shortly on this floor to prevent the people of D.C. from spending their local tax dollars, which is nearly 95 percent of the whole budget that we are talking about, for the city, for the District of Columbia, to spend that money as they see fit: namely, to implement a 1992 District law that provides health plan benefits to unmarried domestic partners of city employees, regardless of gender.

Mr. Chairman, the people of Washington, like all Americans, have had a long 2 weeks. It is appalling to me that we are now considering what can only be described as a slap in the face to the people of D.C. and their elected officials. Washington, D.C. should have the right to grant domestic partner benefits with their own local tax dollars.

This issue is not new. Across this country, at least 113 local jurisdictions over the length and breadth of the country, from large cities like San Diego to small towns, like Bar Harbor in Maine, offer similar benefits and rights for the domestic partners of local residents. It is clearly not unusual and is clearly a matter of home rule, or should be a matter of home rule. What is unusual is the effort to insert the heavy hand of the Federal Government in this local municipal issue.

After the tragic events of September 11, average Americans are feeling a renewed desire to participate and contribute to this great democracy. Let us not ridicule their efforts with gratuitous, mean-spirited riders. I urge Members to vote against that amendment when it comes up.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I thank my friend for yielding time to me. I commend him for his leadership as chairman of this subcommittee, and their staff for the excellent work they have done in reviewing the D.C. budget this year and in bringing this bill to the floor in a timely manner.

Mr. Chairman, with the assistance of the Control Board, the Citizen Council, and the mayor, the District of Columbia has made tremendous progress in overcoming the spending and management crisis that drove it to the verge of bankruptcy in 1995.

After four consecutive balanced budgets, Congress restored the mayor's management authority over nine major departments. Now the city is well on its way to a full recovery. This budget not only maintains the momentum of the management stability and reform, it will also allow the city to implement much needed social service reforms.

Legislation recently passed the House that will implement structural and management reforms in the D.C. Family Court so it can better serve the needs of the city's most vulnerable

children. It addresses the recruitment and retention of Family Court judges, mandates longer judicial terms of service in the Family Court, and imposes the critically important one family-one judge requirement on the Family Court.

As an original cosponsor of that legislation, I am pleased that the Subcommittee on the District of Columbia in the Committee on Appropriations, under the leadership of the gentleman from Michigan (Chairman KNOLLENBERG), has ensured that more than \$23 million will be provided for these critical reforms.

The bill also provides \$17 million to maintain the D.C. tuition assistance program. Since its inception, this program has grown in popularity among D.C. students and participating colleges and universities. This funding is imperative to ensure that D.C. students have more educational choices, and have the same opportunities for higher education that those students in the rest of the country have.

The bill provides \$5 million to help the D.C. Child and Family Services Agency promote and facilitate adoptions of D.C. children in the city's foster care system.

Sixteen million dollars is provided for security planning that is vital to the city, particularly in the wake of the September 11 terrorist attacks.

Overall, Mr. Chairman, this is a budget that keeps the Nation's Capitol moving forward and addresses some of its most pressing needs. Once again, I applaud the chairman for his leadership, commend the subcommittee for its bipartisan cooperation. I urge my colleagues to support this legislation.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Weldon amendment against allowing the District of Columbia to endorse the controversial domestic partnership. Without this amendment, the District of Columbia will be able to recognize domestic partnerships, to offer domestic partners benefits to the city employees, and encourage businesses in the District to do the same.

The requirements of domestic partnership are simply mutual caring and sharing of experience. No long-term commitment is required. Congress oversees D.C. law, and American taxpayers provide roughly one-third of its budget. I could not, in good conscience, commit the taxpayers in my district to subsidize benefits for domestic partners. It is our duty to uphold the traditional marriage and to stop this misguided law, as we have for the past 9 years.

Mr. Chairman, I urge my colleagues to support the Weldon amendment.

Mr. FATTAH. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I would read, in part, a statement from the ranking member

of the full committee. This is from the gentleman from Wisconsin (Mr. OBEY). "In full committee, Chairman Young and I presented an amendment to redirect \$13 million in Federal funds to help the District prepare and begin to implement a revised emergency operations plan."

It was first thought, and I am paraphrasing, that there was no plan available. It later it became obvious that the District was not prepared. It submitted a plan to the committee, and the ranking member goes on to say, however, that this plan needs serious revision.

He said, "I trust this bill provides adequate resources to do a careful and complete revision of the Emergency Operations Plan, fully coordinated with other entities in the District, like the U.S. Capitol Police, the Federal Office of Personnel Management," and other local governments.

Mr. Chairman, I include for the RECORD the full remarks of the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, Chairman KNOLLENBERG has done a good job with this bill, and I thank him.

He has approved the overall budget for the use of local funds, judiciously used the Federal allocation to fund required services and boost several local initiatives, cut back the number of general provisions, and worked with Mr. FATTAH, the ranking member, to restore a lot of the District's specific spending plans.

In full Committee, Chairman YOUNG and I presented an amendment to redirect \$13 million in Federal funds to help the District prepare and begin to implement a revised Emergency Operations Plan.

In the aftermath of September 11th, it became apparent that many government entities—Federal, state and local—were not prepared for the new reality.

In the District, the Police said there was no plan. The fire department said it had a plan—but it was over thirty years old. The Federal government never told the city it was sending its workers home for the day—the District had to learn that from the press.

So we took this opportunity to help the District make certain that it had an excellent, coordinated Emergency Operations Plan.

The bill withholds about \$8 million in unrelated Federal funds until the plan is done to make the point that this was a very serious matter.

Those other funds are not needed right away; this will not have any immediate impact on the District or its citizens.

Now, it turns out the district does have an emergency operations plan, but it is clear it has some very serious problems.

These problems cannot be addressed by a hasty revision.

I trust this bill provides adequate resources to do a careful and complete revision of the Emergency Operations Plan, fully coordinated with other entities in the District, like the U.S. Capitol Police, the Federal Office of Personnel Management and other local governments.

The District should not rush through the process of developing its Emergency Operations Plan—it owes its citizens and the nation the best product possible.

Mr. FATTAH. Mr. Chairman, a lot has been said in particular about the

Weldon amendment that we expect to hear from. I want to return, however, to compliment the chairman for the full body of work that is represented in the committee's efforts. I would hope that the committee bill will survive the day's attempts to amend it.

Mr. Chairman, I would now say in terms of the expected amendment offered by the gentleman from Florida (Mr. WELDON), I am reminded of the Hippocratic oath: First, do no harm. Obviously, if we were to pass the Weldon amendment, we are preventing an opportunity for citizens in the District to have health insurance. That is not something we should do, especially when they are going to pay for it with their own money.

Absent doing that, these people will have to be paid for through Federal resources in terms of their health care. So that the gentleman who just spoke is worried that he could not, in good conscience, have his citizens provide resources for this, but by supporting the Weldon amendment, we would, in a direct way, require that Federal resources through Medicaid have to be expended for the health care of these citizens who would have paid for, absent the Weldon amendment, health care under their own resources.

Mr. Chairman, we heard the gentleman from Massachusetts (Mr. DELAHUNT) refer to one of the heroes that saved the plane from crashing perhaps into the Capitol, who happened to be a gay person, but nonetheless, and maybe even because of, he felt a need to stand up and to do what was right.

I would hope that this House would do what is right and defeat the Weldon amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

In closing, I would like to thank all Members of Congress who took such an active interest in the District of Columbia appropriations bill this year. The subcommittee received an unprecedented number of requests from Members, which I think shows, as much as anything, how committed they are in this body to our Nation's Capital, and how far this city has come in the last 6 years.

Mr. Chairman, the bill before us is a good, bipartisan bill that reflects the priorities I set when I first became chairman, that being economic development, public safety, and education.

As was mentioned, this fully funds every penny of the city's budget, and it ensures that all Federal obligations are met. I want to reemphasize, as has been attested to here, that we have eliminated more than half of the general provisions that were included in last year's bill and by our manager's amendment that was included in our rule, we have shown our commitment to addressing any remaining concerns with the bill.

I intend certainly to do that with the various participants, including the gentleman from Pennsylvania (Mr.

FATTAH), obviously, and the gentlewoman from the District of Columbia (Ms. NORTON).

My first year as chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations has been a very positive experience for me. I began to meet the leadership of the city, I began to meet the people in the city, and I got an understanding from them as to what was on their minds. Their input has been invaluable to me in crafting this bill.

I might also say that the residents have been very kind to me.

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I look forward now to wrapping up this year's bill as quickly as possible, and I hope our colleagues in the other body will expeditiously consider their version of this legislation so we can get it to the President's desk and the District of Columbia can go about its business.

Mr. NUSSLE. Mr. Chairman I rise in favor of H.R. 2944, which provides appropriations for the District of Columbia. As modified by the rule, this bill is consistent with the budget resolution and complies with the Congressional Budget Act of 1974.

H.R. 2944 provides \$402 million in budget authority and \$409 million in outlays for fiscal year 2002. As reported by the Committee on Appropriations, the bill exceeds the subcommittee on the District of Columbia's 302(b) allocation of new budget authority by \$3 million. Accordingly, the original reported bill violates section 302(f) of the budget, which stipulates that appropriations bills may not exceed the reporting subcommittee's 302(b) allocation.

I understand the overage was caused by an amendment in committee, which permitted revenue collected from the sale of surplus property associated with the Lorton correctional facility in Virginia to be made available for use by the District.

The appropriations committee has, to its credit, requested a self-executing rule that will bring the bill back within its 302(b) allocation. Accordingly, the bill as modified by the rule is consistent with the budget resolution and complies with the Congressional Budget Act.

H.R. 2944 contains no emergency-designated appropriations, advanced appropriations, or rescissions of previously appropriated budget authority.

As reported, the bill provides \$44 million less in new budget authority than the enacted level for fiscal year 2001 but exceeds the President's request for fiscal year 2002 by \$60 million.

I commend my colleagues on the appropriations committee for producing a bill that meets the needs of the District of Columbia within the framework of the budget resolution.

Mr. KNOLLENBERG. Mr. Chairman, I yield back any time remaining.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and the amendments printed in part A of House Report 107-217 are adopted.

The amendment printed in part B of the report may be offered only by a Member designated in the report and

only at the appropriate point in the reading of the bill, shall be considered read, debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2002, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a nationwide program, to be administered by the Mayor, for District of Columbia resident tuition support, \$17,000,000, to remain available until expended: *Provided*, That such funds may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and private institutions for higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized: *Provided further*, That not more than 7 percent of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The paragraph under the heading "Federal Payment for Incentives for Adoption of Children" in Public Law 106-113, approved November 29, 1999 (113 Stat. 1501), is amended to read as follows: "For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, \$5,000,000: *Provided*, That such funds shall remain available until September 30, 2003, and shall be used to carry out all of the provisions of title 38 of the Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (D.C. Law 13-172), as amended, except for section 3808."

FEDERAL PAYMENT TO THE CAPITOL CITY CAREER DEVELOPMENT AND JOB TRAINING PARTNERSHIP

For a Federal Payment to the Capitol City Career Development and Job Training Partnership, \$1,500,000.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

For a Federal payment to the Fire and Emergency Medical Services Department, \$500,000 for dry-docking of the Fire Boat.

FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

For a Federal payment to the Chief Medical Examiner, \$585,000 for reduction in the backlog of autopsies, case reports and for the purchase of toxicology and histology equipment.

FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

For a Federal payment to the Youth Life Foundation, \$250,000 for technical assistance, operational expenses, and establishment of a National Training Institute.

FEDERAL PAYMENT TO FOOD AND FRIENDS

For a Federal payment to Food and Friends, \$2,000,000 for their Capital Campaign.

FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

For a Federal payment to the City Administrator, \$300,000 for the Criminal Justice Coordinating Council for the District of Columbia.

FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

For a Federal payment to Southeastern University, \$500,000 for a public/private partnership with the District of Columbia Public Schools at the McKinley Technology High School campus.

FEDERAL PAYMENT FOR VOYAGER UNIVERSAL LITERACY SYSTEM

For a Federal payment to Voyager Expanded Learning, to implement the Voyager Universal Literacy System in the District of Columbia public schools and public charter schools, \$1,000,000: *Provided*, That the payment under this heading is contingent upon a certification by the Inspector General of the District of Columbia that the District of Columbia has deposited matching funds to implement such System into an escrow account held by the Chief Financial Officer of the District of Columbia.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF TECHNOLOGY OFFICER

For a Federal payment to the Chief Technology Officer of the District of Columbia to carry out the Local-Federal Mobile Wireless Interoperability Demonstration Project, \$500,000: *Provided*, That the payment under this heading is contingent upon a certification by the Inspector General of the District of Columbia that each entity of the Federal Government which is participating in such Project has deposited matching funds to carry out the Project into an escrow account held by the Chief Financial Officer of the District of Columbia.

FEDERAL PAYMENT FOR EMERGENCY PLANNING

For a Federal payment to the District of Columbia for emergency planning, \$16,058,000: *Provided*, That \$4,623,000 of such amount shall be made available immediately for development of an emergency operations plan for the District of Columbia, to be submitted to the appropriate Federal agencies as soon as practicable: *Provided further*, That upon submission of such plan, \$8,029,000 of such amount shall be made available to begin implementation of the plan: *Provided further*, That \$3,406,000 of such amount shall be made available immediately for reimbursement of planning and related expenses incurred by the District of Columbia in anticipation of providing security for the planned meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: *Provided further*, That one-half of the amounts under the headings "Federal Payment for Resident Tuition Support", "Federal Payment to the Fire and Emergency Medical Services Department", "Federal Payment to the Chief Medical Examiner", and "Federal Payment to the City Administrator", shall not be made available until the emergency operations plan has been submitted to the appropriate Federal agencies in accordance with the preceding proviso: *Provided further*, That the Chief Financial Officer of the District of

Columbia shall provide quarterly reports to the Committees on Appropriations on the use of the funds under this heading, beginning not later than January 2, 2002.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, \$2,350,000, of which \$1,000,000 shall be for payment to the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis; \$300,000 shall be for payment to the Woodlawn Cemetery for restoration of the Cemetery; \$250,000 shall be for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia; \$300,000 shall be for payment to a mentoring program and for hotline services; \$250,000 shall be for payment to a youth development program with a character building curriculum; and \$250,000 shall be for payment to a basic values training program.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, \$32,700,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33; 111 Stat. 712) of which \$1,000,000 is to fund an initiative to improve case processing in the District of Columbia criminal justice system, \$2,500,000 to remain available until September 30, 2003, for building renovations required to accommodate functions transferred from the Lorton Correctional Complex, and \$2,000,000 to remain available until September 30, 2003, to be transferred to the appropriate agency for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex: *Provided*, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$111,238,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$8,003,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$66,091,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$31,149,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$5,995,000 to remain available until September 30, 2003, for capital improvements for District of Columbia courthouse facilities: *Provided*, That none of the funds in this Act or in any other Act shall be available for the purchase, installation or operation of an Integrated Justice Information System until a detailed plan and design has been submitted by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be

apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

FEDERAL PAYMENT FOR FAMILY COURT ACT

For carrying out the District of Columbia Family Court Act of 2001, \$23,316,000, of which \$18,316,000 shall be for the Superior Court of the District of Columbia and \$5,000,000 shall be for the Mayor of the District of Columbia: *Provided*, That the chief judge of the Superior Court shall submit the transition plan for the Family Court of the Superior Court required under section 2(b)(1) of the District of Columbia Family Court Act of 2001 to the Comptroller General (in addition to any other requirements under such section): *Provided further*, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan, including an analysis of whether the plan contains all of the information required under such section: *Provided further*, That the funds provided under this heading to the Superior Court shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days) which begins on the date the Comptroller General submits such analysis to the President and Congress: *Provided further*, That the Mayor shall prepare and submit to the President, Congress, and the Comptroller General a plan for the use of the funds provided to the Mayor under this heading, consistent with the requirements of the District of Columbia Family Court Act of 2001, including the requirement to integrate the computer systems of the District government with the computer systems of the Superior Court: *Provided further*, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan: *Provided further*, That the funds provided under this heading to the Mayor shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days) which begins on the date the Comptroller General submits such plan to the President and Congress.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$34,311,000, to remain available until

expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$5,995,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That, in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$5,995,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33; 111 Stat. 712), \$147,300,000, of which \$13,015,000 shall remain available until expended for construction project; not to exceed \$1,500 is for official receptions related to offender and defendant support programs; \$94,112,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; \$20,829,000 shall be transferred to the Public Defender Service; and \$32,359,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That notwithstanding chapter 12 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast Washington, District of Columbia, to house or supervise offenders and defendants, with funds made available by this Act: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under

the previous proviso, and shall make such records available for audit and public inspection.

CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center in the District of Columbia, \$5,500,000, of which \$500,000 shall be used for the network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District of Columbia and \$5,000,000 shall be used to modernize the Children's National Medical Center and update its medical equipment.

ST. COLETTA OF GREATER WASHINGTON

EXPANSION PROJECT

For a Federal contribution to St. Coletta of Greater Washington, Inc. for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction, \$1,000,000.

FEDERAL PAYMENT TO FAITH AND POLITICS

INSTITUTE

For a Federal payment to the Faith and Politics Institute, \$50,000, for grass roots-based racial sensitivity programs in the District of Columbia.

FEDERAL PAYMENT FOR BROWNFIELD

REMEDIATION

Notwithstanding any other provision of law, the funds made available in the District of Columbia Appropriations Act, 2001 (Public Law 106-522; 114 Stat. 2445), for Brownfield Remediation shall be available until expended.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2002 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$6,043,881,000 (of which \$124,163,000 shall be from intra-District funds and \$3,571,343,000 shall be from local funds): *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2002, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$285,359,000 (including \$229,271,000 from local funds, \$38,809,000 from Federal funds, and \$17,279,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia:

Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: *Provided further*, That not less than \$353,000 shall be available to the Office of the Corporation Counsel to support increases in the Attorney Retention Allowance: *Provided further*, That not less than \$50,000 shall be available to support a mediation services program within the Office of the Corporation Counsel: *Provided further*, That not less than \$50,000 shall be available to support a TANF Unit within the Child Support Enforcement Division of the Office of the Corporation Counsel.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$230,878,000 (including \$60,786,000 from local funds, \$96,199,000 from Federal funds, and \$73,893,000 from other funds), of which \$15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11-134; D.C. Official Code, sec. 2-1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12-26; D.C. Official Code, sec. 2-1215.15(1)(2)): *Provided*, That such funds are available for acquiring services provided by the General Services Administration: *Provided further*, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia: *Provided further*, That the fees established and collected pursuant to D.C. Law 13-281 shall be identified, and an accounting provided, to the District of Columbia Council's Committee on Consumer and Regulatory Affairs.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, \$633,853,000 (including \$594,803,000 from local funds, \$8,298,000 from Federal funds, and \$30,752,000 from other funds): *Provided*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That notwithstanding any other law, section 3703 of title XXXVII of the Fiscal Year 2002 Budget Support Act of 2001 (D.C. Bill 14-144), adopted by the Council of the District of Columbia, is enacted into law: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That not less than

\$173,000,000 shall be available to the Metropolitan Police Department for salary in support of 3,800 sworn officers: *Provided further*, That no less than \$100,000 shall be available in the Department of Corrections budget to support the Corrections Information Council: *Provided further*, That not less than \$296,000 shall be available to support the Child Fatality Review Committee.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$1,106,165,000 (including \$894,494,000 from local funds, \$185,044,000 from Federal funds, and \$26,627,000 from other funds), to be allocated as follows: \$810,542,000 (including \$658,624,000 from local funds, \$144,630,000 from Federal funds, and \$7,288,000 from other funds), for the public schools of the District of Columbia; \$47,370,000 (including \$19,911,000 from local funds of which \$17,000,000 is from a Federal payment previously appropriated in this Act for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents, \$26,917,000 from Federal funds, and \$542,000 from other funds), for the State Education Office, and \$142,257,000 from local funds for public charter schools: *Provided*, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of each fiscal year: *Provided further*, That if the entirety of this allocation has not been provided as payments to any public charter school currently in operation through the per pupil funding formula, the funds shall be available for public education in accordance with the School Reform Act of 1995 (Public Law 104-134; D.C. Official Code, sec. 38-1804.03(a)(2)(D)): *Provided further*, That \$480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further*, That \$76,542,000 (including \$45,912,000 from local funds, \$12,539,000 from Federal funds, and \$18,091,000 from other funds) shall be available for the University of the District of Columbia: *Provided further*, That \$750,000 shall be available for Enhancing and Actualizing Internationalism and Multiculturalism in the Academic Programs of the University of the District of Columbia: \$1,000,000 shall be paid to the Excel Institute Adult Education Program by the Chief Financial Officer quarterly on the first day of each quarter, and not less than \$200,000 for the Adult Education and \$27,256,000 (including \$26,030,000 from local funds, \$560,000 from Federal funds and \$666,000 other funds) for the Public Library: *Provided further*, That \$2,198,000 (including \$1,760,000 from local funds, \$398,000 from Federal funds and \$40,000 from other funds) shall be available for the Commission on the Arts and Humanities: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further*, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (D.C. Offi-

cial Code, sec. 38-201 et seq.): *Provided further*, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2002 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2002, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further*, That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: *Provided further*, That the District of Columbia Public Schools shall spend \$1,200,000 to implement the D.C. Teaching Fellows Program in the District's public schools: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2002, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2003: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2002, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2003.

HUMAN SUPPORT SERVICES

Human support services, \$1,803,923,000 (including \$711,072,000 from local funds, \$1,075,960,000 from Federal funds, and \$16,891,000 from other funds): *Provided*, That \$27,986,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That \$90,000,000 transferred pursuant to the District of Columbia Appropriations Act, 2001 (Public Law 106-522; 114 Stat. 2452), to the Public Benefit Corporation for restructuring shall be made available to the Department of Health's Health Care Safety Net Administration for the purpose of restructuring the delivery of health services in the District of Columbia shall remain available for obligation during fiscal year 2002: *Provided further*, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in

section 411(5) of the Stewart B. McKinney Homeless Assistance Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.): *Provided further*, That no less than \$500,000 of the \$7,500,000 appropriated for the Addiction Recovery Fund shall be used solely to pay treatment providers who provide substance abuse treatment to TANF recipients under the Drug Treatment Choice Program: *Provided further*, That no less than \$2,000,000 of this appropriation shall be used solely to establish, by contract, a 2-year pilot substance abuse program for youth ages 16 through 21 years of age: *Provided further*, That no less than \$60,000 be available for a D.C. Energy Office Matching Grant: *Provided further*, That no less than \$2,150,000 be available for a pilot Interim Disability Assistance program pursuant to title L of the Fiscal Year 2002 Budget Support Act (D.C. Bill 14-144).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$300,151,000 (including \$286,334,000 from local funds, \$4,392,000 from Federal funds, and \$9,425,000 from other funds): *Provided*, That \$11,000,000 of this appropriation shall be available for transfer to the Highway Trust Fund's Local Roads, Construction and Maintenance Fund upon certification by the Chief Financial Officer that funds are available from the fiscal year 2001 budgeted reserve or where the Chief Financial Officer certifies that additional local revenues are available: *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, \$403,368,000 (including \$250,015,000 from local funds, \$134,339,000 from Federal funds, and \$19,014,000 from other funds).

WORKFORCE INVESTMENTS

For workforce investments, \$42,896,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

RESERVE

For replacement of funds expended, if any, during fiscal year 2001 from the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8, \$150,000,000 from local funds: *Provided*, That none of these funds shall be obligated or expended under this heading until the emergency reserve fund established under Sec. 450A(a) of the District of Columbia Home Rule Act (Public Law 93-198 as amended; 114 Stat. 2478; D.C. Official Code, Sec. 1-204.50a(a)) has been fully funded for fiscal year 2002.

CONTINGENCY RESERVE FUND

For the contingency reserve fund established under section 450A(b) of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a(b)), the amount provided for fiscal year 2002 under such section, to be derived from local funds.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as au-

thorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93-198 as amended; D.C. Official Code, secs. 1-204.62, 1-204.75, 1-204.90), \$247,902,000 from local funds: *Provided*, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106-113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: *Provided further*, That for equipment leases, the Mayor may finance \$14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: *Provided further*, That \$4,440,000 is allocated for the Fire and Emergency Medical Services Department, \$2,010,000 for the Department of Parks and Recreation, and \$7,850,000 for the Department of Public Works.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$39,300,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, (105 Stat. 540; D.C. Official Code, sec. 1-204.61(a)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, \$500,000 from local funds.

EMERGENCY PLANNING

For an emergency operations plan, implementation of the emergency operations plan, and reimbursement of planning and related expenses incurred by the District of Columbia in anticipation of the planned World Bank and International Monetary Fund September 2001 meetings, \$16,058,000, from funds previously appropriated in this Act as a Federal payment: *Provided*, That this appropriation shall be apportioned by the Chief Financial Officer within the various appropriation heading in this Act.

WILSON BUILDING

For expenses associated with the John A. Wilson Building, \$8,859,000 from local funds.

EMERGENCY RESERVE FUND TRANSFER

Subject to the issuance of bonds to pay the purchase price of the District of Columbia's right, title, and, interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Trust Fund Establishment Act of 1999 (D.C. Official Code, sec. 7-1811.01(a)(2) et seq.) and the Tobacco Settlement Financing Act of 2000 (D.C. Official Code, sec. 7-1831.03), there is transferred the amount available pursuant thereto, but not to exceed \$33,254,000, to the Emergency Reserve Fund established pursuant to section 450A(a) of the District of Columbia Home Rule Act (Public Law 93-198, as amended; 114 Stat. 2478; D.C. Official Code, sec. 1-204.50a(a)).

NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget including anticipated employee health insurance cost increases and contract security costs, \$5,799,000 from local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, \$244,978,000 from other funds, of which \$44,244,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects (\$17,952,936 payable to the District's debt service fund and \$26,291,064 payable for other debt service). For construction projects, \$152,114,000, in the following capital programs; \$52,600,000

for the Blue Plains Wastewater Treatment Plant, \$11,148,000 for the sewer program, \$109,000 for the combined sewer program, \$118,000 for the stormwater program, \$77,957,000 for the water program, and \$10,182,000 for the capital equipment program: *Provided*, That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title: *Provided further*, That section 106(b)(2) of the District of Columbia Public Works Act of 1954 (sec. 34-2401.25(b)(2), D.C. Official Code) is amended by inserting after "the Office of Management and Budget," the following: "the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,"; *Provided further*, That section 212(b)(2) of the District of Columbia Public Works Act of 1954 (sec. 34-2112(b)(2), D.C. Official Code) is amended by inserting after "the Office of Management and Budget," the following: "the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,".

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, \$46,510,000 from other funds.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, \$3,100,000 from other funds.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982 (95 Stat. 1174, 1175; Public Law 97-91), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3-172; D.C. Official Code, sec. 3-1301 et seq. and sec. 22-1716 et seq.), \$229,688,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, \$9,127,000 (including \$2,177,000 to be derived by transfer from the general fund of the District of Columbia and \$6,950,000 from other funds): *Provided*, That the transfer of \$2,177,000 from the general fund shall not be made unless the District of Columbia general fund has received \$2,177,000 from the D.C. Sports and Entertainment Commission prior to September 20, 2001: *Provided further*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act (87 Stat. 824; Public Law 93-198; D.C. Official Code, sec. 1-204.42(b)).

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec. 1-711), \$13,388,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of

the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$57,278,000 from other funds.

HOUSING FINANCE AGENCY

For the Housing Finance Agency, \$4,711,000 from other funds.

NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, \$2,673,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of \$1,550,787,000 of which \$1,348,783,000 shall be from local funds, \$44,431,000 from Highway Trust funds, and \$157,573,000 from Federal funds, and a rescission of \$476,182,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,074,605,000 to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal Aid Highway Act of 1968 (82 Stat. 827; Public Law 90-495), for which funds are provided by this appropriation title, shall expire on September 30, 2003, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2003: *Provided further*, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 34, line 24, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. FATTAH. Mr. Chairman, reserving the right to object, I just want to clarify that the gentleman from Florida (Mr. HASTINGS) would have an opportunity to offer his amendment. Obviously I think that there may be a point of order or something raised at that point, but that his opportunity not to offer be void by this unanimous consent.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. Further reserving the right to object, I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I will continue to reserve the point of order, but I would be glad to yield to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. Further reserving the right to object, I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman for yielding.

The amendment that I would offer, I talked with the chairman and ranking member about the fact that I will withdraw it. I apologize for the delay. I was trying to get an additional copy for the Reading Clerk.

I rise to have this considered to provide the District of Columbia's Metropolitan Police and Fire Department with an additional \$5 million for the purpose of emergency preparation. In the wake of the terrorist attacks of September 11, it is clear that our country needs to do more to prepare for such attacks.

Let me make it very clear, the chairman and ranking member of this committee, as well as the chairman of the Committee on Appropriations, have already addressed this particular subject.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman from Pennsylvania (Mr. FATTAH) yield.

Mr. FATTAH. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, it would be appropriate, I think, for the amendment to be read so that the gentleman from Florida (Mr. HASTINGS) can, in fact, present it.

The CHAIRMAN. The gentleman has that opportunity, but under his reservation, the gentleman from Pennsylvania (Mr. FATTAH) is yielding to the gentleman from Florida (Mr. HASTINGS) for a discussion under his reservation.

Mr. FATTAH. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Are there any amendments to this portion of the bill?

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Florida:

In the item relating to "FEDERAL FUNDS—FEDERAL PAYMENT FOR SECURITY PLANNING"—

(1) strike "\$16,058,000" and insert "\$21,058,000"; and

(2) strike "\$8,029,000" and all that follows through "security plan:" and insert the following: "\$13,058,000 of such amount shall be made available to begin implementation of the security plan, of which \$5,000,000 shall be

made available for the Metropolitan Police Department and the Fire Department of the District of Columbia:".

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order.

Mr. HASTINGS of Florida. Mr. Chairman, I would hurry through this in the interest of time.

I was saying that I wanted to thank the chairman of the subcommittee and the ranking member, as well as the chairman and ranking member of the full committee. I know that they have observed the necessity by virtue of the fact that there are funds that are here, but I also know that in the District of Columbia there are significant problems that have not been addressed with reference, as we did at the Committee on Rules last night, I pointed this out, that they in some respects have inadequate resources in the fire and police department.

As our Nation's capital, the District of Columbia is an obvious target. However, as we saw 2 weeks ago, it is in many respects unprepared for such attacks. I applaud, as I have, and commend the efforts and actions of the District's law enforcement agencies and officials. I am equally concerned about the inadequacy of resources available to the District's police and fire departments, however.

No plan was in place on September 11 that dictated how the D.C. police and fire department would deal with a plane attack anywhere in the District, and I am unaware of any plan currently in place that deals with chemical or biological attacks or any other domestic disaster that may occur in the future. This is unacceptable.

In a day and age that warfare is unconventional and casualties will most likely occur within our homeland, our country needs to be prepared. Cities, States and the Federal Government, all need to do their part in developing emergency plans on how to deal with such disasters.

Congress needs to do its part today, and that is why I had offered the amendment which at this time I do thank the chairman and the ranking member for giving me the opportunity and the great hopes that if a supplemental comes along that we will contemplate the fact that we, this capital, are in the District of Columbia and that they need resources in order to be prepared for any future attacks that we may suffer.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. Are there any other amendments to that portion of the bill under consideration?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the

Mayor: *Provided*, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer amendment No. 3.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. NORTON:
Strike sections 102, 104, 105, 106, 107, 108, 109, 111, 113, 114, 116, 117, 118, 120, 121, 122, 123, 124, 125, and 127 through 134.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the amendment.

Ms. NORTON. Mr. Chairman, my amendment would strike all general provisions in this bill. There are 27 in all. They include so-called social riders, and they include redundant and duplicative provisions.

I recognize that the chairman has removed half of those provisions. He will be the chairman next year. If this amendment does not prevail, we can perhaps work together next year to at least rid this bill of those redundant and duplicative riders.

Mr. Chairman, the Hill newspaper has an important headline this week: Congress United For Now. And the first paragraph reads: "After a week of extraordinary bipartisanship, inspired by the terrorist attacks on New York and Washington, Members are questioning how long their unprecedented unity will last."

I rise to ask that the appropriation for the District of Columbia not be the one that breaks this unity. We have heard of at least two riders that would break this unity. I ask that the Members hold back on breaking the unity that the Committee on Appropriations tried to preserve and that is in danger here.

These general provisions that I would have struck are a fancy word for attachments, legislating on an appropriation undemocratically, against the will of the people of the District of Columbia. Most of them are so-called social riders, the riders that chairman of the subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG) and chairman of the full committee, the gentleman from Florida (Mr. YOUNG), meant when they said let those riders go this time; that the ranking members, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Pennsylvania (Mr. FATTAH) meant when they said it is inappropriate to put such riders, attachments, to a bill of local jurisdiction.

These riders are duplicated in every jurisdiction of the United States. They are laws there, they are laws here. They are almost always controversial. That is the difference between L.A. and New York, yes and the District of Columbia on the one hand and small rural areas on the other. My colleagues, this is a Federal Republic. We are one Nation. And the only reason we have been

able to hold together as one Nation is we have respected diversity and difference between jurisdictions and local law according to the democratic will.

It is here that we get a national consensus, not in local jurisdictions. We say to local jurisdictions, democracy means you can go your own way, we are not to intervene. That is your right as Americans. Do I have to remind this body that the 600,000 people I represent are Americans every bit as much as they, and they should demand exactly the rights that they would demand?

And yet there will be abortion services denied to poor women if the riders remain, even though almost half the States allow their local jurisdictions to pay for abortions for poor women. And in any case, what my colleagues have done is to create a fund in the District of Columbia so that private funds may be used to pay for abortions for poor women, and they are regularly used. So we have not reduced abortion in that way, but may I inform this body that, on our own, we have reduced abortion. The District of Columbia is one of only three jurisdictions in the country that is being awarded extra Federal funds for reducing teen pregnancy without abortion.

We are getting \$25 million that almost none of the rest of my colleagues are getting because we, on our own, have reduced teen pregnancy without sending those teens to abortion clinics. We do not want those teens to go to abortion clinics. We want them to abstain. We want them to use birth control. And it is working. We, indeed, had the largest decline in teen pregnancy without the use of abortion.

And let me compare what we have done in the District as my colleagues try to bar our youth from abortion with what other States have done. Forty-eight States saw increases in their unwed birth rates that make almost all of my colleagues ineligible for the bonus that the District of Columbia will get. Virginia, right next door, had their unwed birthrate climb by 2.3 percent, making Virginia number 18 in the country; and Maryland's rate climbed 3.3 percent, making them number 33 in the country.

Mr. Chairman, I believe that in the name of democracy and the people I represent, I had to put this matter before the body.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

□ 1230

The CHAIRMAN. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I want to commend the committee, in particular the gen-

tleman from Michigan (Mr. KNOLLENBERG), the gentleman from Pennsylvania (Mr. FATTAH), and the gentleman from Wisconsin (Mr. OBEY) for deleting from this legislation a very unjust restriction on the limit of legal rights of parents of special-needs children.

Mr. Chairman, I want to commend the Committee, and particularly the gentlemen from Michigan (Mr. KNOLLENBERG), from Pennsylvania (Mr. FATTAH) and Wisconsin (Mr. OBEY) for deleting from this legislation very unjust restrictions that limit the legal rights of parents of special needs children.

The DC appropriations law over the past several years has placed a very restricted ceiling on the legal awards to parents who successfully litigate to win special education benefits for their children. As the author of those due process provisions in the 1975 Education of All Handicapped Children Act (P.L. 94-142), now known as IDEA, and the senior Democratic Member of the authorizing Committee, I greatly appreciate the Appropriations Committee's decision to delete this punitive and discriminatory provision.

The Congress included attorney fees in the 1975 law specifically because we anticipated that some states would be reluctant to provide children with the special education service the Supreme Court and the Congress declared they have a right to receive. Particularly in the case of low income parents who might be unable to otherwise secure legal representation to challenge Board of Education decisions to refuse to provide special education services, the possibility of receiving reasonable attorney fees is all that gives these parents a hope of securing a lawyer to win educational services for their children.

It is disgraceful that the Congress chose to deprive only the poorer parents of special needs children in the District of Columbia of these rights. The only entity in the continental United States that lacks voting rights. The only entity with a majority minority population. Yes, some fees awarded to some lawyers were excessive; that is why the law allows for reasonable fees. And high fees occurred in states other than the District of Columbia; but interestingly, no one suggested that their constituents be denied access to attorneys to secure special education services. We just decided to impose that restriction on parents—and generally, poor and minority parents—in D.C.

These legal fees can run \$40,000 or more in Maryland and Virginia. yet the Congress has limited D.C. parents to a fraction of that amount. In effect, that means D.C. parents cannot find lawyers to represent them in cases against a Board of Education that has run a dreadful special education program for many years. The law granted parents the remedy of attorney fees specifically so that could pressure recalcitrant education officials to providing the services that special needs children require. Instead, the Congress has insulated the D.C. Board of Education at the expense of students who need special ED services.

The D.C. City Council and the Mayor have rightly opposed such a cap and I am delighted that this legislation before us today treats D.C. like every other jurisdiction in the country. It comes as no surprise that some in the education bureaucracy favor retaining a cap; they are the ones being sued. We should not be swayed by the cynical argument that money allocated to lawyers could otherwise go towards educating special needs children. If the

D.C. schools were educating these children, there would be no need for suits, and the suits would not be successful and thereby generating attorney fees.

If anyone has been misusing the attorney fees section of IDEA, that is a subject to be addressed in the reauthorization of the IDEA law, and it would be raised with respect to all jurisdictions that fall under the law, not just the residents of the District of Columbia who happen to have no vote here in the Congress. I will wait to see who appear before our Committee to recommend that residents of their district or state be denied access to attorneys to protect their child's right to special education services.

In the meantime, I congratulate the Committee for treating D.C. fairly and for allowing parents of special needs children in this city the same rights that all other parents in this country have to seek appropriate education services for their children.

Mr. STEARNS. Mr. Chairman, I move to strike the last word.

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

Mr. STEARNS. Mr. Chairman, I have come here to speak in the debate portion on behalf of the Weldon amendment that is going to be voted on soon. I think the point that the gentleman from Florida (Mr. WELDON) is making when he offers this, is that if we have in place the words that allow them to use private funds within the D.C. appropriations but not Federal funds, I am not sure that money, being fungible, won't turn out to be Federal funds also. Federal and private funds will be mixed.

I do not think we can be sure that by not adopting the Weldon amendment that we will have in place a bill that, up until the last 9 years, has essentially not allowed domestic partnerships. So I think by not adopting the Weldon amendment we are changing historically what the House has agreed to overwhelmingly in the past.

In fact, we have had several recent votes on this and I think just to remind Members, on June 30, 1993, 8 years ago, 251 to 177, rollcall No. 313, the Istook amendment for the full funding ban was passed. Then on November 1, 1995, it was 249 to 172, rollcall No. 759, the Hostettler amendment when the ban was sustained. So the House has spoken on this.

I hope the Weldon amendment will be adopted again. When the Members come to the House floor to vote on the Weldon amendment, I want them to realize that if they do not adopt it, then Federal and private money is fungible and that Federal and private will be mixed. That is the real issue. I do not think we have to go into what the will of the House has been year after year on this matter.

The gentleman from Texas (Mr. DELAY) in 1992 when we were in the minority, when the Democrats controlled Congress, offered an amendment to recommit the D.C. appropriation bill and force them to put the funding ban on D.C. domestic partners. This goes back

to 1992. The motion of the gentleman passed 235 to 173. That was rollcall No. 420. The ban was ultimately signed into law.

So my colleagues, if Members come on the floor and vote against the Weldon amendment, they are voting against the tradition and history of this House that has overwhelmingly supported time and time again, going back to 1992, what the gentleman from Florida (Mr. WELDON) is doing today. So I think the argument is clear. I support the Weldon amendment.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 43, line 15 be considered as read, printed in the RECORD and open to any amendment at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the bill from page 35 line 8 through page 43 line 15 is as follows:

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (70 Stat. 78; Public Law 84-460; D.C. Official Code, sec. 47-1812.11(c)(3)).

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 105. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 107. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977 (D.C. Law 2-20; D.C. Code, sec. 47-422 et seq.).

SEC. 108. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 109. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the ac-

tual borrowings and spending progress compared with projections.

SEC. 110. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of \$1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center; unless the Committees on Appropriations of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a reprogramming of funds which transfers any local funds from one appropriation to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed two percent of the local funds in the appropriation.

SEC. 111. Consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 112. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (87 Stat. 790; Public Law 93-198; D.C. Official Code, sec. 1-204.22(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b)(1) CERTIFICATION OF NEED BY CHIEF TECHNOLOGY OFFICER.—Section 2706(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as added by section 2 of the District Government Personnel Exchange Agreement Amendment Act of 2000 (D.C. Law 13-296), is amended by inserting after "Director of Personnel" each place it appears the following: "(or the Chief Technology Officer, in the case of the Office of the Chief Technology Officer)".

(2) INCLUSION OF OVERHEAD COSTS IN AGREEMENTS.—Section 2706(c)(3) of such Act is amended by striking the period at the end and inserting the following: ", except that in the case of the Office of the Chief Technology Officer, general and administrative costs shall include reasonable overhead costs and shall be calculated by the Chief Technology Officer (as determined under such criteria as the Chief Technology Officer independently deems appropriate, including a

consideration of standards used to calculate general, administrative, and overhead costs for off-site employees found in Federal law and regulation and in general private industry practice).".

(3) REPORTING REQUIREMENT.—Section 2706 of such Act is amended—

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following new subsection:

"(f) Not later than 45 days after the end of each fiscal year (beginning with fiscal year 2002), the Chief Technology Officer shall prepare and submit to the Council and to the Committees on Appropriations of the House of Representatives and Senate a report describing all agreements entered into by the Chief Technology Officer under this section which are in effect during the fiscal year.".

(c) NO LIMIT ON FTES.—Notwithstanding any other provision of law, no limit may be placed on the number of full-time equivalent employees of the Office of the Chief Technology Officer of the District of Columbia for any fiscal year.

(d) Section 424(b)(3) of the District of Columbia Home Rule Act (sec. 1-204.24b(c), D.C. Official Code) is amended by striking "level IV" and inserting "level I".

(e) EFFECTIVE DATE.—The amendment made by subsection (d) shall apply with respect to pay periods in fiscal year 2002 and each succeeding fiscal year.

SEC. 113. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code, sec. 2-303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures.

SEC. 114. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

ACCEPTANCE AND USE OF GIFTS

SEC. 115. (a) APPROVAL BY MAYOR.—

(1) IN GENERAL.—An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2002 if—

(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and

(B) the entity uses the gift or donation to carry out its authorized functions or duties.

(2) EXCEPTION FOR COUNCIL AND COURTS.—The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.

(b) RECORDS AND PUBLIC INSPECTION.—Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall

make such records available for audit and public inspection.

(c) INDEPENDENT AGENCIES INCLUDED.—For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

(d) EXCEPTION FOR BOARD OF EDUCATION.—This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 116. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, sec. 1-123).

SEC. 117. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

The CHAIRMAN. Are there any amendments to this portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 118. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code, sec. 32-701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

PART B AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment offered by Mr. WELDON of Florida:

In section 118 (relating to the use of funds to implement or enforce the Health Care Benefits Expansion Act of 1992), strike "Federal".

The CHAIRMAN. Pursuant to House Resolution 245, the gentleman from Florida (Mr. WELDON) and a Member opposed, the gentleman from Arizona (Mr. KOLBE), each will control 5 minutes.

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

Mr. WELDON of Florida. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am offering my amendment because the bill before us is such a stark departure from 9 years of previous law. My amendment simply continues current law.

Ever since the District of Columbia passed its domestic partnership act in 1992, the Congress has included a provision to prevent its implementation. Congress and the President have chosen to uphold the institution of mar-

riage, and I am disappointed that others would choose this time to try to reverse it.

Please do not believe for a moment that this is about home rule. If you want to believe that, then I have a bridge in Brooklyn I would like to sell.

How you vote on this today will have an impact on the institution of marriage in the United States and on how corporations and State and municipal governments treat this issue throughout our Nation for the years to come. Furthermore, under article I of the Constitution and the D.C. home rule law, the Congress maintains full authority to do this.

Today, marriage is under assault from culture, the media, and many other entities. Do we want to add the Federal Government to that list? It is critical that we do not go down this path and that we take steps to encourage strong marriages.

Study after study have demonstrated that strong marriages between a man and a woman have a stabilizing influence on our community and our societies. The children suffer fewer problems and are less at risk when they are raised in families with a mother and father. We should be passing laws to encourage traditional families. We should not be passing laws that make traditional marriage simply one of several morally-equivalent options.

Mr. Chairman, a vote against my amendment is a vote to place heterosexual and homosexual cohabitating relationships on an equal footing with traditional marriage. A vote for my amendment says Members believe that traditional marriage is important and should remain a priority in our society.

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

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, it has been 9 long years since the District of Columbia passed the Health Care Benefits Expansion Act. The locally approved law has never taken effect, however, because each year Congress has banned the use of Federal or local money to implement the program. This is unfortunate. Let us put an end to this today, this congressional meddling.

Mr. Chairman, defeat the amendment offered by the gentleman from Florida (Mr. WELDON). Let the District of Columbia do what hundreds of other local governments and private businesses have done. It is a humanitarian measure. It grants not only gay and lesbian couples the same protections against illnesses as married heterosexual couples, but also extends the benefits to disabled people, to live-in health care providers, a single man or woman caring for an elderly parent, and other living situations not traditionally covered by health insurance.

The appropriations bill, and I must commend the chairman and the ranking member, as reported did not have

that provision. It allowed for the first time the District to put its own money toward this program that it believed in. Let the bill stand as is. Vote against the Weldon amendment.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, let me explain to Members, a domestic partner means a person with whom an individual maintains a committed relationship. And a committed relationship means a familial relationship, not recognized by the United States in terms of marriage; it is just a committed relationship. The idea is the mutual caring and the sharing of a mutual residence. But commitments change.

What happens if that person says yes, I am living with this person and I want health care; but he or she does not report that he or she has left this person. How will the Federal Government develop all of the regulations that are required to get competent jurisdiction in civil suits to recover damages if this person does not show that he or she has a committed relationship. Why is the Federal Government getting involved in deciding what is a committed relationship? They should get married and be recognized as married, and it should be a heterosexual marriage.

Mr. KOLBE. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN), a member of the subcommittee.

Mr. MORAN of Virginia. Mr. Chairman, the bill that is before us says no Federal funds can be used to implement the D.C. Health Benefits Act, an act that was passed back in 1992. Since that act was passed, 113 other local cities have implemented the same domestic partnership legislation, cities like Atlanta, Albany, Chicago, New Orleans, and New York. They did it because their constituents wanted it.

D.C.'s elected city council understands its constituents, has asked them to pass this legislation. But it is not just municipal governments. Corporations like IBM, AT&T, Boeing, Citigroup, they have the same domestic partnership policy. It does not do exclusively what has been suggested. It applies to every situation where you have caring people living together, and in many cases providing for the other person.

Mr. Chairman, in so many households in D.C., we have a grandmother and a mother taking care of the children. We have disabled people, and their live-in care provider would be able to purchase health insurance. We have two sisters living together, two elderly people who cannot marry for economic reasons. They should be able to purchase health insurance at their own expense. At their own expense. There is no Federal Government money involved here. Keep the bill the way it is. Defeat the Weldon amendment.

Mr. WELDON of Florida. Mr. Chairman, does the gentleman from Arizona have any remaining speakers? I only have one remaining speaker.

Mr. KOLBE. Mr. Chairman, I have two remaining speakers; but representing the committee position, I believe I have the right to close.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE), representing the committee position, has the right to close.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, how can anyone with a heart or mind try to keep anyone from paying money for their own health care today? Cities such as Atlanta; Scottsdale, Arizona; New Orleans, and thousands of businesses have more comprehensive domestic partnership plans than the District of Columbia.

Mr. Chairman, the Weldon amendment is an expression of unadulterated bigotry. Do not mar the D.C. appropriations with ugly prejudice.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, sometimes words that are said on the floor are very unfortunate. This amendment has nothing to do with bigotry; it has to do with tradition and understanding what is marriage and what is the role of marriage in this country.

Members should support the Weldon amendment because it defends the traditional understanding of marriage. The Weldon amendment rejects a broad new recognition of relationships that would extend the benefits of marriage to people who have not made that special commitment. Marriage can only take place between a man and a woman, in my opinion.

Mr. Chairman, introducing domestic partnership benefits would have broad consequences extending far beyond the specific action contemplated here. We would be walking away from the traditions and virtues that we have respected and honored since our country was founded, and even before.

Doing so would radically undermine the special privileges and incentives of marriage by distributing them without requiring the unique commitment between a man and a woman. When married couples forsake all others and bind themselves together, they form a vital unit to rear their children and they strengthen society immeasurably.

Mr. Chairman, we should protect the sanctity of that special bond called marriage. Members should support the Weldon amendment.

□ 1245

The CHAIRMAN. The gentleman from Florida (Mr. WELDON) has 30 seconds remaining if he wishes to use it.

Mr. WELDON of Florida. Mr. Chairman, for 7 years, I was one of the only physicians in my county who treated

AIDS patients. I got up in the middle of the night, went into the hospital, examined them, took care of them, for years.

I really take offense at some of the language that has been used in response to my amendment. The purpose of my amendment is to protect the integrity of the institution of marriage in the United States. Some people do not understand that. But I would never call them names because they do not seem to understand that.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The gentleman from Arizona (Mr. KOLBE) has 2 minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time.

In contrast to what the two previous speakers said, I do not believe this has anything to do with marriage. Family law in our country is State law. One hundred thirteen or 117 jurisdictions in the United States have adopted similar provisions. Those States did not alter their definition of marriage when they allowed municipal jurisdictions in their States to audit these provisions.

This does not have anything to do with the definition of marriage in family law. This has to do with whether or not the District of Columbia, like those 113 other government units and one-third of the Fortune 500 companies, is going to be allowed to permit its employees to extend, to include in their health coverage at 100 percent expense to the individual, to include a partner, a woman who is raising her child who has her mother living with her as the caretaker, to include that grandmother in the coverage; a disabled person, to include his caregiver or her caregiver in the coverage.

That is what this is all about. It is not about the definition of marriage. And it is not expensive. Eighty-five percent of companies that offer these provisions do not experience additional costs according to the Society for Human Resources Management.

This is about allowing the District of Columbia and its employees to purchase the insurance at their own expense. Let me reiterate that. One hundred percent of the cost at their own expense. Not the Federal Government, not the District of Columbia. The only expense for the District of Columbia is the cost implementing the law by maintaining a register of domestic partners. There is no subsidy that is involved in this. It applies to all potential familial partners. It is not just a gay partner, a lesbian partner; it is heterosexual, it is the disabled partner, it is the grandmother and the daughter that I mentioned earlier. It is all kinds of people, seniors who might be living together.

The fact is that our traditional families have changed in American society. The family today is likely to include the arrangements mentioned earlier. I urge my colleagues to defeat this amendment. Show confidence in the District of Columbia; show respect for

the individuals who are affected and defeat this amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Florida to restrict the District of Columbia's ability to use their own local funds to implement the Health Care Benefits Act of 1992. For almost a decade now, this body has blocked the District of Columbia from using any local or federal funds to implement this law, which would expand health care benefits for domestic partners. This must stop.

Particularly today, with the attacks on our country fresh in our mind, it is extremely important that we come together as a nation and in our communities. Our American family includes many families, traditional and non-traditional. Our nation should welcome diversity. We should respect each other, not be divisive.

Domestic partnership laws acknowledge and respect the non-traditional family structures in our world today. These include relationships such as grandmothers and mothers living together raising children, persons with disabilities and their live-in care providers, and unmarried partners, both heterosexual and gay and lesbian. We as a government must grow with the society we are governing and embrace it.

We must respect the rights of non-traditional families. We must also respect the right of the District of Columbia to respond to the concerns and needs of its residents. Many other cities across the country provide domestic partnership benefits to their employees. Since 1997, the City of Chicago has offered domestic partner benefits. Other cities have been offering these benefits since the early 1990's. Those laws are working well, providing important protections for our constituents. There is absolutely no justification for this body to prevent D.C. residents from receiving those same benefits.

This amendment is anti-local control, anti-good public health policy, and just plain bad business. In 1999, a survey in Human Resources Management ranked domestic partner benefits as the most effective recruiting incentive for executives and the third most effective recruiting incentive for managers and line workers. Employers must have the ability to offer competitive benefit packages in order to recruit quality applicants.

I urge my colleagues to join me in opposing this restriction and allow the implementation of the Health Care Benefits Expansion Act of 1992 in the District of Columbia.

Mr. NADLER. Mr. Chairman, I rise to strongly oppose the Weldon amendment which would prevent the District of Columbia from using its own funds to provide domestic partner benefits.

There has been a lot of discussion in the past two weeks about sadness and anger, and most of that discussion was about the attacks of September 11th. Today, there is yet another reason to be both sad and angry.

Today, this House is departing from its partisan truce and healing rhetoric of unity. Today, the war will have to wait, while we strip gays and lesbians of legal benefits and once again thwart democracy right here in Washington, DC.

There are 113 jurisdictions nationwide that have domestic partner benefits and Congress has taken no action to block any of these benefits provided to other Americans.

The fact that some Members of Congress seek to do so today is insulting, outrageous, and, quite frankly, offensive.

The House Appropriations Committee acted in a bipartisan manner to allow DC to offer its residents domestic partner benefits, and now the House leadership has authorized the violation of House Rules in order to undo the work of the Committee on this issue.

Domestic partner benefits allow residents to visit loved ones in hospitals and long term care facilities, officially register as partners, and, for employees of the District of Columbia government, to purchase health insurance at their own expense for their partner. This is hardly revolutionary or even uncommon in our nation today. Over 4,200 employers around the country, including hundreds of cities, colleges, and universities, have already established domestic partnership health programs.

In fact, this amendment is not only mean-spirited and unwarranted, it is also bad health care policy. At a time when millions of Americans lack any health insurance, why would we stand in the way of any extension of health care benefits? Do we as a Congress really want to tell D.C. residents, they should be denied health care simply because of whom they love?

This amendment is a disgrace and should be defeated.

Mr. KUCINICH. Mr. Chairman, I rise in opposition to the Weldon amendment to H.R. 2944, the District of Columbia appropriations bill for FY2002. This amendment would prohibit local funds from being used to implement the District of Columbia domestic partnership act.

I would like to point out that the heroes of the tragic attacks on New York, Washington, D.C., and Pennsylvania include:

Mark Bingham, a passenger on American Airlines 77 who helped resist the hijackers and prevented the plane from crashing into a national monument in Washington, D.C.

David Charlesbois, American Airlines flight 77 co-pilot and resident of Washington, D.C.; Father Mychal Judge, Fire Department Chaplain and Franciscan priest who died while delivering last rites to victims of the attack on the World Trade Center.

These three courageous Americans are all heroes and are all gay. Many more gay Americans continue to assist in efforts in the aftermath of the tragedies—rescue workers, healthcare professionals and volunteers from around the country.

How can we deny these heroes domestic partnership benefits? I strongly encourage my colleagues to vote against the Weldon amendment and support local funding for domestic partnership benefits.

I would also like to submit into the record a commentary from the National Public Radio show "Weekend Edition Saturday."

COMMENTARY: INAPPROPRIATE COMMENTS MADE BY THE REVERENDS JERRY FALWELL AND PAT ROBERTSON REGARDING THE WORLD TRADE CENTER BOMBING

(September 22, 2001)

SCOTT SIMON (host). I really don't want to be critical of anyone during a national crisis, especially people who are sources of spiritual guidance to millions of Americans. But sometimes the Reverends Jerry Falwell and Pat Robertson say something so staggering, they renew your capacity to be shocked, amen, even in a shocking time. Last week when America was wounded and confused, the Reverend Falwell was a guest on Pat Robertson's television show, "The 700 Club." He said that God Almighty, angered by

America's abortion rights, gay rights and secularism in schools, had permitted terrorists to slay the World Trade Center and smite the Pentagon.

SOUNDBITE OF "THE 700 CLUB"

Reverend JERRY FALWELL. What we saw on Tuesday, as terrible as it is, could be miniscule if, in fact, God continues to lift the curtain and allow the enemies of America to give us probably what we deserve.

Reverend PAT ROBERTSON. Well, Jerry, that's my feeling. I think we've just seen the antechamber to terror. We haven't even begun to see what they can do to the major population.

Rev. FALWELL. I really believe that the pagans and the abortionists and the feminists and the gays and the lesbians who are actively trying to make that an alternate lifestyle, the ACLU, People for the American Way—all of them who've tried to secularize America, I point the finger in their face and say, "You helped this happen."

SIMON. This week, both the reverends issued apologies. Mr. Falwell called his own remarks "insensitive, uncalled for and unnecessary," everything but wrong. This week, it was reported that Mark Bingham, a San Francisco public relations executive, may well have been one of the passengers who so bravely resisted the hijackers of American Airlines Flight 77. That flight crashed into an unpopulated field outside of Pittsburgh instead of another national monument. Mr. Bingham was 31. He played on a local gay rugby team and hoped to compete in next year's Gay Games in Sydney, Australia.

I don't know if Mark Bingham was religious, but it seems to me that he lived a life that celebrated the preciousness of this world's infinite variety. Not so the Reverends Robertson and Falwell and the mullahs of the Taliban, who seem to see a god who frowns at tolerance and smiles with approval on murder and destruction. Let me put it in the bold terms in which many Americans may be thinking right now. If your plane was hijacked, who would you rather sit next to? Righteous reverends who will sit back and say, "This is God's punishment for gay Teletubbies," or the gay rugby player who lays down his life to save others? And by the way, which person seems closer to God?

SOUNDBITE OF MUSIC

SIMON. And you're listening to NPR's WEEKEND EDITION.

The CHAIRMAN. All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Florida (Mr. WELDON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WELDON of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

Mr. MORAN of Virginia. Mr. Chairman, could I ask how the Chair determined that a sufficient number had risen to ask for a recorded vote?

The CHAIRMAN. By a count of Members on their feet. It is not subject to appeal.

The vote was taken by electronic device, and there were—ayes 194, noes 226, not voting 10, as follows:

[Roll No. 352]

AYES—194

Aderholt Green (WI) Pitts
 Akin Grucci Platts
 Armey Gutknecht Pombo
 Bachus Hall (OH) Portman
 Baker Hall (TX) Putnam
 Ballenger Hansen Quinn
 Barr Radanovich
 Bartlett Hastings (WA) Ramstad
 Barton Hayes Reynolds
 Bereuter Riley
 Berry Hefley Rogers (KY)
 Bilirakis Herger Rogers (MI)
 Blunt Hilleary Roukema
 Boehner Hoekstra Royce
 Bonilla Holden Ryan (WI)
 Brady (TX) Hostettler Ryun (KS)
 Brown (SC) Hulshof Saxton
 Bryant Hunter Schaffer
 Burr Hyde Schrock
 Burton Isakson Sensenbrenner
 Buyer Istook Sessions
 Callahan Shadegg
 Calvert John Sherwood
 Camp Johnson (IL) Shimkus
 Cannon Johnson, Sam Shows
 Cantor Jones (NC) Shuster
 Capito Keller Simpson
 Chabot Kennedy (MN) Skeen
 Chambliss Kerns Smith (MI)
 Clement King (NY) Smith (NJ)
 Coble Kingston Smith (TX)
 Collins Knollenberg Souder
 Combest LaHood Stearns
 Costello Largent Stenholm
 Cox Latham Stump
 Cramer Lewis (KY) Sununu
 Crane Linder Tancredo
 Crenshaw Lipinski Tanner
 Cubin LoBiondo Tauzin
 Culberson Lucas (KY) Taylor (MS)
 Cunningham Lucas (OK) Taylor (NC)
 Davis, Jo Ann Manzullo Terry
 Deal Mascara Thornberry
 DeLay McHugh Thune
 DeMint McInnis Tiahrt
 Diaz-Balart McIntyre Tiberi
 Doolittle McKeon Toomey
 Duncan Mica Traficant
 Dunn Miller, Gary Upton
 Ehlers Moran (KS) Vitter
 Emerson Myrick Walden
 Everett Nethercutt Walsh
 Flake Ney Wamp
 Fletcher Northup Watkins (OK)
 Forbes Norwood Watts (OK)
 Fossella Nussle Weldon (FL)
 Gallegly Osborne Weldon (PA)
 Gekas Otter Weller
 Gibbons Oxley Whitfield
 Goode Paul Wicker
 Goodlatte Pence Wilson
 Goss Peterson (PA) Wolf
 Graham Petri Young (AK)
 Granger Phelps Young (FL)
 Graves Pickering

NOES—226

Abercrombie Capps Edwards
 Ackerman Capuano Ehrlich
 Allen Englin Engel
 Andrews Carson (IN) English
 Baca Carson (OK) Eshoo
 Baird Castle Etheridge
 Baldacci Clay Evans
 Baldwin Clayton Farr
 Barcia Clyburn Fattah
 Barrett Condit Ferguson
 Bass Conyers Filner
 Becerra Coyne Foley
 Bentsen Crowley Ford
 Berkley Cummings Frank
 Berman Davis (CA) Frelinghuysen
 Biggert Davis (FL) Frost
 Bishop Davis (IL) Ganske
 Blagojevich Davis, Tom Gephardt
 Blumenauer DeFazio Gilchrest
 Boehlert DeGette Gillmor
 Bonior Delahunt Gilman
 Bono DeLauro Gonzalez
 Borski Deutsch Gordon
 Boswell Dicks Green (TX)
 Boucher Dingell Greenwood
 Boyd Doggett Gutierrez
 Brady (PA) Harman
 Brown (FL) Doyle Hastings (FL)
 Brown (OH) Dreier Hill

Hilliard Maloney (CT) Rodriguez
 Hinchey Maloney (NY) Roemer
 Hinojosa Markey Rohrabacher
 Hobson Matheson Ros-Lehtinen
 Hoeft Matsui Ross
 Holt McCarthy (MO) Rothman
 Honda McCarthy (NY) Roybal-Allard
 Hooley McCollum Sabo
 Horn McCrery Sanchez
 Houghton McDermott Sanders
 Hoyer McGovern Sandlin
 Inslee McKinney Sawyer
 Israel McNulty Schakowsky
 Issa Meehan Schiff
 Jackson (IL) Meek (FL) Scott
 Jackson-Lee Menendez Shaw
 (TX) Millender Shays
 Jefferson McDonald Sherman
 Johnson (CT) Miller (FL) Simmons
 Johnson, E. B. Miller, George Skelton
 Jones (OH) Mink Slaughter
 Kanjorski Mollohan Smith (WA)
 Kaptur Moore Snyder
 Kelly Moran (VA) Solis
 Kennedy (RI) Morella Spratt
 Kildee Murtha Stark
 Kilpatrick Nadler Strickland
 Kind (WI) Napolitano Stupak
 Kirk Neal Sweeney
 Kleczka Oberstar Tauscher
 Kolbe Obey Thomas
 Kucinich Oliver Thompson (CA)
 LaFalce Ortiz Thompson (MS)
 Lampson Ose Thurman
 Langevin Pallone Tierney
 Lantos Pascarell Turner
 Larsen (WA) Pastor Udall (CO)
 Larson (CT) Payne Udall (NM)
 LaTourette Pelosi Visclosky
 Leach Pomeroy Waters
 Lee Price (NC) Watt (NC)
 Levin Pryce (OH) Waxman
 Lewis (CA) Rahall Weiner
 Lewis (GA) Rangel Wexler
 Lofgren Regula Woolsey
 Loyey Reyes Wu
 Luther Rivers Wynn

NOT VOTING—10

Cooksey Rehberg
 Meeks (NY) Rush
 Owens Serrano
 Peterson (MN) Towns

□ 1312

Messrs. MALONEY of Connecticut, ORTIZ, ROSS, LAFALCE and Ms. WOOLSEY changed their vote from “aye” to “no.”

Mr. GEKAS and Mr. RADANOVICH changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. REHBERG. Mr. Chairman, on rollcall No. 352 I put my voting card in the machine but the vote was not recorded. I would have voted “aye.”

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 119. (a) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND COUNCIL APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council within 15 days after receipt of the report submitted under (A) has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 120. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term “official duties” does not include travel between the officer's or employee's residence and workplace (except: (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) The Chief Financial Officer of the District of Columbia shall submit, by November 15, 2001, an inventory, as of September 30, 2001, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

(c) No officer or employee of the District of Columbia government (including any independent agency of the District but excluding the Office of the Chief Technology Officer) may enter into an agreement in excess of \$2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 121. Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public Schools (DCPS) student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 123. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2002 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 124. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 125. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 126. None of the funds contained in this Act may be used after the expiration of

the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted, and the District's Chief Financial Officer shall provide to the Committees on Appropriations of the Senate and the House of Representatives by the 10th day after the end of each quarter a summary list showing each report, the due date and the date submitted to the Committees.

SEC. 127. In submitting any document showing the budget for an office of the District of Columbia government (including an independent agency of the District) that contains a category of activities labeled as “other”, “miscellaneous”, or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown of the amount allocated for each such activity.

SEC. 128. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 129. Notwithstanding any other provision of law, the Mayor of the District of Columbia is hereby solely authorized to allocate the District's limitation amount of qualified zone academy bonds (established pursuant to 26 U.S.C. 1397E) among qualified zone academies within the District.

SEC. 130. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a “conscience clause” which provides exceptions for religious beliefs and moral convictions.

SEC. 131. Section 149 of division A, Miscellaneous Appropriations Act, 2001, as enacted by section 1(A)(4) of Public Law 106–554 shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001 and would have qualified for interest payment under such section 149.

FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

SEC. 132. (a) CONTRIBUTION.—There is hereby appropriated a Federal contribution of \$100,000 to the Metropolitan Police Department of the District of Columbia, effective upon the enactment by the District of Columbia of a law which reads as follows:

“BAN ON POSSESSION OF TOBACCO PRODUCTS BY MINORS

“SECTION 1. (a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

“(b) EXCEPTIONS.—

“(1) POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (a) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

“(2) PARTICIPATION IN LAW ENFORCEMENT OPERATION.—Subsection (a) shall not apply with respect to an individual possessing products in the course of a valid, supervised law enforcement operation.

“(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

“(1) For any violation, the individual may be required to perform community service or attend a tobacco cessation program.

“(2) Upon the first violation, the individual shall be subject to a civil penalty not to exceed \$50.

“(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed \$100.

“(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.”

(b) USE OF CONTRIBUTION.—The Metropolitan Police Department shall use the contribution made under subsection (a) to enforce the law referred to in such subsection.

SEC. 133. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 134. (a) Section 11201(g)(4)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–1201(g)(4)(A), D.C. Code), as amended by section 163 of the District of Columbia Appropriations Act, 2001, is amended—

(1) by striking “and” at the end of clause (ix);

(2) by striking the period at the end of clause (x); and

(3) by adding at the end the following new clause:

“(xi) obligate and expend the proceeds and funds deposited under clauses (ix) and (x) as provided in such clauses.”

(b) The amendment made by subsection (a) shall take effect on October 1, 20002.

“SEC. 135. No later than the later of November 1, 2001, or 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 136. Section 403 of the District of Columbia Home Rule Act, approved December 24, 1973 (Public Law 93–198; D.C. Official Code, sec. 1–204.03), is amended as follows:

(1) Subsection (c) is amended by striking “shall receive, in addition to the compensation to which he is entitled as a member of the Council, \$10,000 per annum, payable in equal installments, for each year he serves as Chairman, but the Chairman.”

(2) A new subsection (d) is added to read as follows:

“(d) Notwithstanding subsection (a), as the effective date of the District of Columbia Appropriations Act, 2001, the Chairman shall

receive compensation, payable in equal installments, at a rate equal to \$10,000 less than the compensation of the Mayor.”.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 55, line 15, be considered as read, printed in the RECORD, and open to amendment at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

AMENDMENT NO. 1 OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HOSTETTLER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93-030-(PA) and 93-031-(PA).

□ 1315

Mr. HOSTETTLER. Mr. Chairman, I rise today to offer an amendment that will protect the Boy Scouts of America from the latest political attack on its constitutionally protected rights.

The most recent assault against the scouts occurred on June 20 when the District of Columbia Commission on Human Rights ruled that the Boy Scouts of America had violated the D.C. Human Rights Act of 1977. The Boy Scouts' crime? In keeping with their longstanding values and standards, the Boy Scouts had expelled two homosexual scout masters in Washington, D.C.

Now, despite the constitutional protection of freedom of association, and despite the Supreme Court ruling that reaffirmed the Boy Scouts' right to determine its criteria for members and leaders, the District of Columbia Human Rights Commission ordered the Boy Scouts to reinstate the troop leaders and pay them \$50,000 each. In addition, the Commission ruled that the Scouts must also pay all attorneys' fees and court costs.

Mr. Chairman, this arrogant and intrusive ruling is just the latest in a long string of cultural broadsides against the Boy Scouts of America, a group dedicated to instilling selflessness, character, responsibility, and love for God and country of our Nation's boys and young men.

It was a year ago this month that legislation was brought to the floor that would have ended the Boy Scouts' Federal charter. I would remind my colleagues that of the 435 Members of the House of Representatives, only 12 voted to punish this private organiza-

tion for putting its beliefs into practice.

Now, during this debate, we will hear that this is a local issue, a matter best left to home rule. But as Members who have sworn to uphold the Constitution, I would remind my colleagues that article I, section 8 states that “Congress shall have the power to exercise exclusive legislation in all cases whatsoever over the District.”

The Constitution requires that we watch closely the power we have delegated, in this case to the District of Columbia. Since the District is a national city, it should be a reflection of our Nation's value system.

Mr. Chairman, all of us should be troubled by this ruling.

When a government agency tells a private organization it must accept behavior that violates its members' core beliefs, then every civic organization, service group, church, synagogue, and mosque is vulnerable to government interference. This so-called civil rights organization clearly does not have the best interests of our Nation's boys and young men at heart. Instead, its goal is to force a radical political agenda on a private civic group.

While ostensibly advancing the virtue of “tolerance,” the commission has approved only one politically correct viewpoint, determining that all other beliefs must be excluded or penalized, in this case.

The decision of the commission runs counter to our most basic liberties and, as such, must be stopped. My amendment would prohibit the District of Columbia from enforcing the commission's decision by preventing funds from being spent to do so, and I urge its passage.

Mr. Chairman, I simply say that in the discussion of this body's control and authority over the District of Columbia, it is clearly pointed out, not only in the home rule statute, but in the very Constitution itself. This body is afforded the obligation and authority, according to the Constitution, to effectively be the city council of the District of Columbia. So, whether we vote on Federal funds or local funds, every Member that votes on these issues votes as a Member of the legislative body overseeing all matters whatsoever according to the Constitution in this area.

This is not an issue of home rule. We do not have the authority, according to the Constitution, to govern on issues regarding the city of Atlanta or the city of San Francisco or the city of Tucson, Arizona. We do have constitutional authority over all legislative matters whatsoever in regard to the District of Columbia; and Members should stand up, recognize their constitutional authority, and recognize that all groups are under assault here with regard to the values that they hold dear.

Mr. Chairman, I would hope that all Members would support my amendment, would allow the Boy Scouts of

America to determine the criteria for their members and their leaders, and allow them to freely associate without doing any damage whatsoever to the community when, in fact, the opposite is true. They strive to make the country and their community a better place to live, with all of the activities in which they endeavor.

Mr. HAYES. Mr. Chairman, I rise in support of Mr. HOSTETTLER's amendment—a vote in support of the Boy Scouts of America.

The Supreme Court has ruled on this issue—and they said that to force the Boy Scouts to accept homosexual troop leaders would violate their right to free association and would dilute the Scout's message. We must not threaten the Scouts' constitutional freedoms that were clearly upheld by the Supreme Court.

The process of appealing this ruling is costing the Scouts valuable dollars each day that could be better used to benefit the lives of young men—Young men who are being taught values such as duty to God and country, honor, respect, and community service.

We must send a message that Congress will uphold the full benefits of freedom of association, and that the Scouts, a private organization, may continue to define their own leadership and promote core American values that have been taught to children for over a century. I urge my fellow Members to vote in favor of the Hostettler amendment.

AMENDMENT OFFERED BY MS. NORTON TO THE AMENDMENT OFFERED BY MR. HOSTETTLER

Ms. NORTON. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Ms. NORTON to the amendment offered by Mr. HOSTETTLER:

In the matter proposed to be inserted by the amendment, insert “Federal” before “funds”.

Ms. NORTON. Mr. Chairman, this House has just done a historic act. For the first time, it has broken through the prejudice against gay men and lesbians on this floor. It is an extraordinary moment. It is even more important than recognizing the local prerogatives of the District of Columbia.

I am asking this House to do with respect to my amendment exactly as we have just voted very decisively to do in the last vote. My amendment would disallow any Federal funds for the enforcement of the provision and decision of the District of Columbia Human Rights Commission. Only local funds could be used. That is what we have just voted. Please be consistent.

Mr. Chairman, this was not a knee-jerk vote by the District of Columbia Human Rights Commission. They submitted a very well-reasoned, 74-page decision which I think they can reasonably argue is very much consistent with the Supreme Court decision on this very issue. The Supreme Court says that gay men cannot interfere with the message of the Boy Scouts. The District of Columbia found that the gay men here were not strong activists of the kind that the Supreme Court recognized as interfering with the message of the Boy Scouts. Let us suppose that the District of Columbia

is wrong. If the District is wrong, the Boy Scouts of America, as I speak, are pursuing their remedy. They are pursuing it because that decision was appealed on July 19. Therefore, they are now in the courts.

If we proceed, we are not only undermining the local courts of the District of Columbia, which, by the way, are Federal courts, but we are undermining the independence of the Federal judiciary as well, because this decision is based on a decision of the Supreme Court of the United States; and this matter will ultimately find its way there, if it has been incorrectly decided by the District's Human Rights Commission. We interfere with the independence of the judiciary when we, the Congress of the United States, decide that a politically unpopular decision has been made and, therefore, we will politically intervene into a court decision. We do not want to do that. We do not want to go there, especially not now.

So long as this matter is not settled, we ought to let it be, because there will always be another time to settle it. Suppose we do not like what the local courts find. We could come back and overturn the local courts. If, on the other hand, the Supreme Court finds that what the District of Columbia has done is consistent with Supreme Court decisions, then we will be barred and ought to be barred.

The fact is, Mr. Chairman, that this amendment piles on yet another constitutional violation, because the Congress of the United States is, in fact, imposing its own one-sided views on a matter that is of constitutional import. We cannot do that. Justice Scalia himself wrote, "The government may not regulate speech based on hostility or favoritism towards the underlying message expressed." If it is the underlying message that you object to, you are in violation of what Justice Scalia has said, because the amendment is not viewpoint-neutral. My amendment, on the other hand, gets the Federal Government out of this messy business, leaving only the District of Columbia to do what it is doing anyway, which is responding to the appeal.

This matter will not be settled by my amendment. It still leaves to us, ultimately, if the local courts are wrong, the ability to come back next year and overturn it so long as the Supreme Court does not say that that amendment was correct. Leave this be. Vote as we have just voted on the prior amendment. Do not cast another vote against people who are gay just because they are gay.

Mr. KERNS. Mr. Chairman, I rise in support of the Hostettler amendment, and I move to strike the last word.

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

Mr. KERNS. Mr. Chairman, the Boy Scouts of America is an institution that since 1910 has been creating leaders and instilling principles to guide

young men down the right path as they form their basic values and grow into adults. The scout oath and the scout law serve as the foundation of this organization's beliefs, including duty to God and country.

In June of 2000, the United States upheld the Boy Scouts' standing that as a private organization it has a right to set its own standards for membership.

We know that some have tried to force their views on the Scouts and confuse the true mission of the scouting organization. This effort has taken place right here in our Nation's Capitol. Since the Supreme Court's ruling, the D.C. Human Rights Commission has ignored the decision and acted directly to the contrary.

Mr. Chairman, I have had the opportunity to visit a variety of Boy Scout events in west central Indiana and I have talked with scouts; and I have had the honor of presenting the Eagle Scout Badge to a young man in Tippecanoe County. I have always been impressed by these young scouts. My son is a scout. I am impressed by their enthusiasm, their devotion, and their sense of pride in their communities. That is why I am here on the floor today to stand with the Boy Scouts of America and oppose the efforts to undermine this outstanding organization.

I thank the gentleman from Indiana (Mr. HOSTETTLER) for his leadership on this issue in trying to correct this wrong. I encourage my colleagues to support his amendment.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the underlying amendment for two good reasons. On June 28, 2000, the U.S. Supreme Court said that the Boy Scouts of America have the constitutional right to block gays from becoming troop leaders. That is what they said. They are the law of the land. The Court ruled 5 to 4 that the New Jersey Supreme Court was wrong in forcing the Boy Scouts to accept James Dale, who was fired from the organization when the organization learned of his sexual orientation.

The Boy Scouts of America is a private organization which does not receive public funds. They have consistently won court judgments; and they have won, in part, because they do not receive taxpayer money.

Last September, September 13, 2000, this House voted 362 to 12 to reject an effort to revoke the 80-year-old Federal charter of the Boy Scouts of America because the group excludes gays. I believe it would be inconsistent to challenge the decision of the Supreme Court of this land.

□ 1330

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am a former Scout, and my son is a Scout. I am amazed

that we are debating this matter as part of the D.C. appropriations bill.

It is probably appropriate in the authorizing bill, or perhaps maybe not even there, since it has always been the majority party's view that local communities, those closest to the people, should make decisions; that they know best, and that we should not, as a Federal government, intervene in these local matters.

But nonetheless, absent a reversal of the Supreme Court's viewpoint, I do not know why we are in this at all. I would hope that we could move on with the more important business of the Nation, which at this time makes this matter a pretty small issue, given tens of thousands of our troops being arrayed across the world, to be here now debating back and forth a decision by the Human Rights Commission here in the District.

Maybe some want to be a Member of the D.C. City Council, and I know that there are elections coming up, and perhaps they want to offer themselves.

The CHAIRMAN. The question is on the amendment offered by the gentleman from the District of Columbia (Ms. NORTON) to the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from the District of Columbia (Ms. NORTON) to amendment No. 1 offered by the gentleman from Indiana (Mr. HOSTETTLER) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:
Page 55, after line 15, insert the following new section:

SEC. _____. No funds appropriated in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 10a–10c).

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is a straightforward amendment that would prohibit anybody from getting any grants under this bill who has violated the Buy American Act. It has been added on to all the other appropriations bills.

I want to just take one second and commend the gentleman from Pennsylvania (Mr. FATTAH). As a representative of a large city, I think he has

shown and demonstrated leadership on our side, and I want to commend the gentleman from Michigan (Mr. KNOLLENBERG), who has worked very hard and brought forward a very good bill.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I say to the gentleman from Ohio (Mr. TRAFICANT), we have examined his amendment and we have no objection to it.

Mr. FATTAH. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I am prepared to accept the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I ask for an aye vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. NORTON TO
AMENDMENT NO. 1 OFFERED BY MR. HOSTETTLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) to amendment No. 1 offered by the gentleman from Indiana (Mr. HOSTETTLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the underlying amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The vote was taken by electronic device, and there were—ayes 173, noes 243, not voting 14, as follows:

[Roll No. 353]

AYES—173

Ackerman	Brown (FL)	DeLauro
Allen	Brown (OH)	Deutsch
Andrews	Capps	Dicks
Baca	Capuano	Dingell
Baldacci	Cardin	Doggett
Baldwin	Carson (IN)	Dooley
Barrett	Clay	Doyle
Becerra	Clayton	Engel
Bentsen	Clyburn	Eshoo
Berkley	Condit	Etheridge
Berman	Conyers	Evans
Biggert	Coyne	Farr
Blagojevich	Crowley	Fattah
Blumenauer	Cummings	Filner
Boehlert	Davis (CA)	Ford
Bonior	Davis (FL)	Frank
Bono	Davis (IL)	Frost
Borski	DeFazio	Gephardt
Boswell	DeGette	Gilman
Brady (PA)	Delahunt	Gonzalez

Green (TX)	Lee	Rivers
Gutierrez	Levin	Rodriguez
Harman	Lewis (CA)	Rothman
Hastings (FL)	Loftgren	Roybal-Allard
Hill	Lowey	Sabo
Hilliard	Luther	Sanchez
Hinche	Maloney (CT)	Sanders
Hinojosa	Maloney (NY)	Sawyer
Hoefel	Markey	Schakowsky
Holt	Matsui	Schiff
Honda	McCarthy (MO)	Scott
Hooley	McCarthy (NY)	Shays
Houghton	McCollum	Sherman
Hoyer	McDermott	Simmons
Inslee	McGovern	Slaughter
Israel	McKinney	Smith (WA)
Jackson (IL)	Meehan	Snyder
Jackson-Lee	Meek (FL)	Solis
(TX)	Menendez	Stark
Jefferson	Millender	Strickland
Johnson, E. B.	McDonald	Stupak
Jones (OH)	Miller, George	Tauscher
Kanjorski	Mink	Thompson (CA)
Kaptur	Moore	Thompson (MS)
Kelly	Moran (VA)	Thurman
Kennedy (RI)	Morella	Tierney
Kildee	Nadler	Udall (CO)
Kilpatrick	Napolitano	Udall (NM)
Kind (WI)	Neal	Visclosky
Kleczka	Oberstar	Waters
Kolbe	Oliver	Watt (NC)
Kucinich	Pallone	Waxman
LaFalce	Pascarell	Weiner
Lampson	Payne	Wexler
Langevin	Pelosi	Woolsey
Lantos	Price (NC)	Wu
Larsen (WA)	Pryce (OH)	Wynn
Larson (CT)	Rangel	
Leach	Reyes	

NOES—243

Aderholt	Dunn	Kennedy (MN)
Akin	Edwards	Kerns
Armey	Ehlers	King (NY)
Bachus	Ehrlich	Kingston
Baird	Emerson	Kirk
Baker	English	Knollenberg
Ballenger	Everett	LaHood
Barcia	Ferguson	Largent
Barr	Flake	Latham
Bartlett	Fletcher	LaTourette
Barton	Foley	Lewis (KY)
Bass	Forbes	Linder
Bereuter	Fossella	Lipinski
Berry	Frelinghuysen	LoBiondo
Bilirakis	Gallegly	Lucas (KY)
Bishop	Ganske	Lucas (OK)
Blunt	Gekas	Manzullo
Boehner	Gibbons	Mascara
Bonilla	Gilchrest	Matheson
Boucher	Gillmor	McCrery
Boyd	Goode	McHugh
Brady (TX)	Goodlatte	McInnis
Brown (SC)	Gordon	McIntyre
Bryant	Goss	McKeon
Burr	Graham	McNulty
Burton	Granger	Mica
Buyer	Graves	Miller (FL)
Callahan	Green (WI)	Miller, Gary
Calvert	Greenwood	Mollohan
Camp	Grucci	Moran (KS)
Cannon	Gutknecht	Murtha
Cantor	Hall (OH)	Myrick
Capito	Hall (TX)	Nethercutt
Carson (OK)	Hansen	Ney
Castle	Hart	Northup
Chabot	Hastings (WA)	Norwood
Chambliss	Hayes	Nussle
Clement	Hayworth	Ortiz
Coble	Hefley	Osborne
Collins	Herger	Ose
Combest	Hillery	Otter
Cooksey	Hobson	Oxley
Costello	Hoekstra	Pastor
Cox	Holden	Paul
Cramer	Horn	Pence
Crane	Hostettler	Peterson (PA)
Crenshaw	Hulshof	Petri
Cubin	Hyde	Phelps
Culberson	Isakson	Pickering
Cunningham	Issa	Pitts
Davis, Jo Ann	Istook	Platts
Davis, Tom	Jenkins	Pombo
Deal	John	Pomeroy
DeLay	Johnson (CT)	Portman
DeMint	Johnson (IL)	Putnam
Diaz-Balart	Johnson, Sam	Quinn
Dreier	Jones (NC)	Radanovich
Duncan	Keller	Rahall

Ramstad	Sherwood	Thomas
Regula	Shimkus	Thornberry
Rehberg	Shows	Thune
Reynolds	Shuster	Tiahrt
Riley	Simpson	Tiberi
Roemer	Skeen	Toomey
Rogers (KY)	Skelton	Traficant
Rogers (MI)	Smith (MI)	Turner
Rohrabacher	Smith (NJ)	Upton
Ros-Lehtinen	Smith (TX)	Vitter
Ross	Souder	Walden
Roukema	Spratt	Walsh
Royce	Stearns	Wamp
Ryan (WI)	Stenholm	Watkins (OK)
Ryun (KS)	Stump	Watts (OK)
Sandlin	Sununu	Weldon (FL)
Saxton	Sweeney	Weller
Schaffer	Tancredo	Whitfield
Schrock	Tanner	Wicker
Sensenbrenner	Tauzin	Wilson
Sessions	Taylor (MS)	Wolf
Shadegg	Taylor (NC)	Young (AK)
Shaw	Terry	Young (FL)

NOT VOTING—14

Abercrombie	Obey	Towns
Doolittle	Owens	Velazquez
Hunter	Peterson (MN)	Watson (CA)
Lewis (GA)	Rush	Weldon (PA)
Meeks (NY)	Serrano	

□ 1355

Messrs. GOODLATTE, DUNCAN, SAXTON, REGULA, Mrs. CUBIN, and Messrs. GILCHREST, CLEMENT, SHADEGG, MASCARA and GREENWOOD changed their vote from “aye” to “no.”

Mrs. KELLY, Mr. GREEN of Texas, Mrs. BONO and Ms. TAUSCHER changed their vote from “no” to “aye.”

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 152, not voting 16, as follows:

[Roll No. 354]

AYES—262

Aderholt	Brown (SC)	Davis (FL)
Akin	Bryant	Davis, Jo Ann
Armey	Burr	Davis, Tom
Bachus	Burton	Deal
Baird	Buyer	DeLay
Baker	Callahan	DeMint
Ballenger	Calvert	Diaz-Balart
Barcia	Camp	Doolittle
Barr	Cannon	Doyle
Bartlett	Cantor	Dreier
Barton	Capito	Duncan
Bass	Carson (OK)	Dunn
Bentsen	Castle	Edwards
Bereuter	Chabot	Ehlers
Berry	Coble	Ehrlich
Biggert	Collins	Emerson
Bilirakis	Combest	English
Bishop	Cooksey	Everett
Blunt	Costello	Ferguson
Boehlert	Cox	Flake
Boehner	Cramer	Fletcher
Bonilla	Crane	Foley
Bono	Crenshaw	Forbes
Boucher	Cubin	Fossella
Boyd	Culberson	Frelinghuysen
Brady (TX)	Cunningham	Gallegly

Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo

Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pascarell
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)

Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

Millender-
McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oliver
Pallone
Pastor
Payne
Pelosi
Price (NC)
Rangel

Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Shays
Sherman
Simmons
Slaughter
Smith (WA)

Solis
Stark
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Visclosky
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggett
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Frank
Frelinghuysen

Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Granger
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hastings (WA)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Klecza
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre

McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-
McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Nussle
Oberstar
Oliver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skeen
Slaughter
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman

NOT VOTING—16

Abercrombie
Chambliss
Clement
Hunter
Lee
Lewis (GA)
Meeke (NY)
Obey
Owens
Peterson (MN)
Rush
Serrano

□ 1403

Mr. PASTOR changed his vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “District of Columbia Appropriations Act, 2002”.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 245, he reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 327, nays 88, answered “present” 1, not voting 14, as follows:

[Roll No. 355]

YEAS—327

Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barrett
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt

NOES—152

Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Klecza
Kolbe
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Levin
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)

Abercrombie
Ackerman

Aderholt
Allen

Andrews
Baca

Frelinghuysen

Tierney	Walden	Wexler
Toomey	Walsh	Whitfield
Trafigant	Wamp	Wilson
Turner	Waters	Wolf
Udall (CO)	Watt (NC)	Woolsey
Udall (NM)	Watts (OK)	Wu
Upton	Waxman	Wynn
Visclosky	Weiner	Young (FL)
Vitter	Weller	

NAYS—88

Akin	Green (TX)	Platts
Armey	Green (WI)	Riley
Barr	Hall (TX)	Roemer
Bartlett	Hansen	Royce
Berry	Hart	Ryan (WI)
Blunt	Hayes	Ryun (KS)
Brady (TX)	Hayworth	Schaffer
Bryant	Hefley	Schrock
Burton	Herger	Sensenbrenner
Cantor	Hilleary	Sessions
Chabot	Hunter	Shadegg
Coble	Jenkins	Shimkus
Collins	Johnson (IL)	Shows
Combest	Johnson, Sam	Skelton
Cox	Jones (NC)	Smith (NJ)
Culberson	Kennedy (MN)	Stearns
Davis, Jo Ann	Kerns	Stenholm
Deal	Lewis (KY)	Strickland
DeMint	Lucas (KY)	Stump
Duncan	Manzullo	Tancredo
Everett	McInnis	Taylor (MS)
Flake	Moran (KS)	Thornberry
Forbes	Ney	Tiahrt
Fossella	Norwood	Tiberi
Goode	Otter	Watkins (OK)
Goodlatte	Paul	Weldon (FL)
Gordon	Pence	Wicker
Goss	Petri	Young (AK)
Graham	Pickering	
Graves	Pitts	

ANSWERED "PRESENT"—1

Obey

NOT VOTING—14

Dunn	Rangel	Towns
Lewis (GA)	Rush	Velazquez
Meeks (NY)	Serrano	Watson (CA)
Owens	Shuster	Weldon (PA)
Peterson (MN)	Smith (MI)	

□ 1423

Mr. RYAN of Wisconsin and Mr. FOSSELLA changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SHUSTER. Mr. Speaker, on rollcall No. 355 I was unavoidably detained. Had I been present, I would have voted "nay."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections and other conforming changes in the engrossment of H.R. 2944 to reflect the actions of the House.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO HAVE UNTIL MIDNIGHT, WEDNESDAY, SEPTEMBER 26, 2001 TO FILE A REPORT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence may have until midnight tomorrow night, September 26, 2001, to file a report on the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

Mr. OXLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Page 2, strike out all after line 8 down to and including line 14 and insert "2002".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking "2001" and inserting "2002".

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

There was no objection.

The SPEAKER pro tempore. Without objection, the Senate amendment is agreed to, and a motion to reconsider is laid on the table.

There was no objection.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2510, the legislation just passed, and to insert extraneous material on the bill.

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

There was no objection.

VACATING PROCEEDINGS ON H.R. 2510, DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

The SPEAKER pro tempore. Without objection, the previous action of the House on H.R. 2510 will be vacated.

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

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SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking "2001" and inserting "2002".

The Clerk read the House amendment to the Senate amendment, as follows:

House amendment to Senate amendment:

Line 3, strike "2002" and insert "2003".

Line 7, strike "2002" and insert "2003".

Mr. OXLEY. Mr. Speaker, I rise today in strong support for the reauthorization of the Defense Production Act and the amendment that will be adopted by the House today. As you are aware, the Defense Production Act gives the President important emergency powers to ensure that industry produces needed material during times of military or civil emergencies.

Unfortunately, with the events of September 11, we find ourselves in the midst of both. The President's authority under the DPA expires on Sunday, and it is important that we renew these powers during this critical period in our Nation's history.

The House passed a clean 3-year reauthorization on September 5. The Senate returned the bill to us late Friday night, limiting the President's authority to only one year. With the clock ticking, we don't want to be back in this same position next year. Therefore, in the best spirit of compromise, we are amending the Senate bill and splitting the difference—extending the DPA for 2 years. I know that some of my colleagues in the other body have some concerns about the powers granted to the President under the DPA, and particularly in how they have been used in the past. They have my assurance that we will look closely at those concerns in the interim, and make changes where they are necessary.

I want to thank Chairman KING, and ranking members LAFALCE and MALONEY for their help in moving this bipartisan legislation forward. I urge my colleagues to support this bill and this amendment.

Mr. LAFALCE. Mr. Speaker, I want to express my strong support for the extension of the Defense Production Act for a two-year period. I also want to commend the Chairman of the Financial Services Committee, as well as the Chairman and Ranking Member of the subcommittee on Domestic Monetary Policy, for their vigilance and bi-partisanship in ensuring that these statutes are extended prior to expiration.

Clearly, this body would have preferred a 3-year extension of the Act, as reflected in the earlier legislation already passed in the House. However, it is also clear that a 2-year