

MAKING IN ORDER AT ANY TIME  
CONSIDERATION OF CON-  
FERENCE REPORT ON H.R. 2944,  
DISTRICT OF COLUMBIA APPRO-  
PRIATIONS ACT, 2002

Mr. LINDER. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider the conference report to accompany 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; that all points of order against the conference report and against its consideration be waived; that the conference report be considered as read when called up; and that H. Res. 307 be laid on the table.

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

There was no objection.

GENERAL LEAVE

Mr. KNOLLENBERG. 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. 2944, and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2944,  
DISTRICT OF COLUMBIA APPRO-  
PRIATIONS ACT, 2002

Mr. KNOLLENBERG. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report accompanying 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the previous order of the House, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of December 5, 2001, at page H8914.)

The SPEAKER pro tempore. 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. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to bring to the House the conference report for H.R. 2944, the fiscal year 2002, the District of Columbia Appropriations Act. When I took the helm of the Subcommittee on the District of Columbia of the Committee on Appropriations in January, I said I wanted to be a partner with the District of Columbia as we jointly developed an agenda that promotes the continued renaissance of the city. Our subcommittee held several hearings covering a broad range of issues that I believe were tremendous assets as we crafted the bill. Our focus then, as it is now, was on economic development, education, and public safety, and they remain my focus, as they will in the future.

□ 1645

I believe this conference agreement reflects this commitment and the hard work of each and every member of the Subcommittee on the District of Columbia of the Committee on Appropriations. Their collective and individual dedication and expertise is to be commended.

As I wrap up the first year as chairman of the subcommittee, I want to thank two of my colleagues in particular. First, I wish to thank the gentleman from Pennsylvania (Mr. FATTAH) for all the great work he has done as a member of the committee from Pennsylvania.

We have worked, I think, very well in this process. There have been open

channels of communication. His advice and counsel have been very valuable to me, and I think truly we have a better bill because of him.

I also want to thank the District of Columbia and the gentlewoman from the District of Columbia (Ms. NORTON). She is a tireless advocate for the city, and the District's residents are lucky to have her. She has been very open and candid with me, and has been a very valuable source of information.

Before I move the bill, I would like to thank the many staff members: Migo Miconi and Mary Porter of the subcommittee staff, and also Jeff Onizuk and Candra Symonds from my own staff; Tom Forhan from the minority staff has been a great help, and William Miles of Mr. FATTAH's staff, as well. There have been many long days and long nights, and their dedication and professionalism has been something worthy of a lot of praise.

I want to also salute Mary Porter, who has been staffing this bill for 40 years. Mary is behind me here somewhere.

I believe this is a fiscally responsible conference report, and I will not go into all the details; there are many. But I can tell the Members this: We were all, I believe, very pleased with what did develop here. It is a bipartisan effort, and one that myself and the gentleman from Pennsylvania (Mr. FATTAH) have worked to bring about.

I just want to emphasize that this legislation does eliminate approximately half of the general provisions contained in last year's legislation, and it does some things that simplify things, I believe, for us in the future.

Obviously, the events of 9-11 were a concern for all of us, and D.C., outside of New York City, was the most focused-upon city in the country because of the terrorist attacks.

Mr. Speaker, I include for the RECORD a chart relating to H.R. 2944, District of Columbia Appropriations Act, 2002:

## H.R. 2944 - District of Columbia Appropriations Act, 2002

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	House	Senate	Conference	Conference vs. enacted
<b>FEDERAL FUNDS</b>						
Federal payment for Resident Tuition Support.....	17,000	17,000	17,000	17,000	17,000	.....
Capitol City Career Dev & Job Training Partnership.....	.....	1,500	.....	500	500	+ 500
Federal payment to Capitol Education Fund.....	.....	.....	.....	500	500	+ 500
Federal payment to Metropolitan Kappa Youth Development Foundation, Inc.....	.....	.....	.....	450	450	+ 450
Federal payment for World Bank/IMF meeting.....	15,918	.....	.....	.....	.....	.....
Fed payment to the Fire & Emergency Med Services Dept.....	.....	500	.....	500	500	+ 500
Federal payment to the Chief Medical Examiner.....	.....	585	.....	585	585	+ 585
Federal payment to the Youth Life Foundation.....	.....	250	.....	250	250	+ 250
Federal payment to Food and Friends.....	.....	2,000	.....	2,000	2,000	+2,000
Federal payment to the City Administrator.....	.....	300	.....	300	300	+ 300
Federal payment to Southeastern University.....	.....	500	.....	500	500	+ 500
Fed payment to the Voyager Universal Literacy System.....	.....	1,000	.....	.....	.....	.....
Federal payment to DCPS.....	500	.....	2,750	2,500	2,500	+2,000
Fed payment to the Office of the Chief Tech Officer.....	.....	500	.....	.....	.....	.....
Federal Law Enforcement Mobile Interoperability project.....	.....	.....	1,400	1,400	1,400	+1,400
Federal payment for Emergency Planning and Security Costs in the District of Columbia.....	.....	.....	16,058	16,058	16,058	+ 16,058
Federal Payment to the Chief Financial Office of the District of Columbia.....	1,250	.....	2,350	5,900	8,300	+7,050
(Supplemental funding).....	750	.....	.....	.....	.....	-750
(By transfer, supplemental funding).....	(250)	.....	.....	.....	.....	(-250)
Federal payment to the District of Columbia Corrections Trustee Operations.....	134,200	32,700	32,700	32,700	30,200	-104,000
Federal payment to the District of Columbia Courts.....	105,000	111,378	111,238	140,181	112,180	+7,180
Miscellaneous appropriations (P.L. 106-554).....	400	.....	.....	.....	.....	-400
Crime victims fund (misc appropriations P.L. 106-554) 1/.....	18,000	.....	.....	.....	.....	-18,000
Federal payment for Family Court Act.....	.....	.....	23,316	.....	24,016	+24,016
Defender Services in District of Columbia Courts.....	34,387	34,311	34,311	39,311	34,311	-76
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia.....	112,527	147,300	147,300	147,300	147,300	+34,773
Children's National Medical Center.....	500	.....	5,500	3,200	5,500	+5,000
St. Coletta of Greater Washington Expansion Project.....	1,000	.....	1,000	.....	2,000	+1,000
Federal payment to Faith and Politics Institute.....	.....	.....	50	50	50	+50
Federal payment to the Thurgood Marshall Academy Charter School.....	.....	.....	.....	1,000	1,000	+1,000
Federal payment to the George Washington University Center for Excellence in Municipal Management.....	.....	.....	.....	250	250	+250
Federal payment for Child and Family Services Computer Integration Plan.....	.....	.....	.....	200	.....	.....
Federal payment to the District of Columbia Court Appointed Special Advocates Unit.....	.....	.....	.....	250	250	+250
Federal payment to the Child and Family Agency.....	.....	.....	.....	500	.....	.....
Federal Contribution for Enforcement of Law Banning Possession of Tobacco Products by Minors (Sec. 130).....	100	.....	100	.....	100	.....
Federal payment for Commercial Revitalization program.....	1,500	.....	.....	.....	.....	-1,500
Federal payment for Metropolitan Police Department.....	100	.....	.....	.....	.....	-100
Contribution to Covenant House Washington.....	500	.....	.....	.....	.....	-500
Federal payment of Washington Interfaith Network.....	1,000	.....	.....	.....	.....	-1,000
Federal payment for Plan to Simplify Employee Compensation Systems.....	250	.....	.....	.....	.....	-250
Metrorail construction.....	25,000	.....	.....	.....	.....	-25,000
Federal payment for Brownfield remediation.....	3,450	.....	.....	.....	.....	-3,450
Presidential Inauguration.....	5,961	.....	.....	.....	.....	-5,961
Child Advocacy Center.....	500	.....	.....	.....	.....	-500
District of Columbia Special Olympics.....	250	.....	.....	.....	.....	-250
Total, Federal funds to the District of Columbia.....	464,125	358,807	398,058	408,000	408,000	-56,125

## 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)	(307,117)	(286,138)	(+90,367)
(Supplemental funding).....	(5,150)	.....	.....	.....	.....	(-5,150)
Economic development and regulation.....	(205,638)	(230,878)	(230,878)	(230,878)	(230,878)	(+25,240)
(Supplemental funding).....	(1,685)	.....	.....	.....	.....	(-1,685)
Public safety and justice.....	(762,546)	(632,668)	(633,853)	(632,668)	(633,853)	(-128,693)
(Supplemental funding).....	(8,871)	.....	.....	.....	.....	(-8,871)
Public education system.....	(998,918)	(1,106,165)	(1,106,165)	(1,108,915)	(1,108,665)	(+ 109,747)
(Supplemental funding).....	(13,000)	.....	.....	.....	.....	(+ 13,000)
Human support services.....	(1,535,654)	(1,803,923)	(1,803,923)	(1,803,923)	(1,803,923)	(+ 268,269)
(Supplemental funding).....	(28,000)	.....	.....	.....	.....	(+ 28,000)
Public works	(278,242)	(300,151)	(300,151)	(300,151)	(300,151)	(+ 21,909)
(Supplemental funding).....	(131)	.....	.....	.....	.....	(-131)
Receivership Programs.....	(389,528)	(403,368)	(403,368)	(403,868)	(403,868)	(+ 14,340)
Workforce Investments.....	.....	(42,896)	(42,896)	(42,896)	(42,896)	(+ 42,896)
(Supplemental funding).....	(40,500)	.....	.....	.....	.....	(+ 40,500)
Reserve.....	(150,000)	(150,000)	(150,000)	(120,000)	(120,000)	(-30,000)
Reserve Relief.....	.....	.....	.....	(30,000)	(30,000)	(+ 30,000)

## H.R. 2944 - District of Columbia Appropriations Act, 2002 — continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	House	Senate	Conference	Conference vs. enacted
Repayment of Loans and Interest .....	(243,238)	(247,902)	(247,902)	(247,902)	(247,902)	(+4,664)
Repayment of General Fund Recovery Debt .....	(39,300)	(39,300)	(39,300)	(39,300)	(39,300)	.....
Payment of Interest on Short-Term Borrowing .....	(1,140)	(500)	(500)	(500)	(500)	(-640)
Presidential Inauguration .....	(5,961)	.....	.....	.....	.....	(-5,961)
Certificates of Participation .....	(7,950)	.....	.....	.....	.....	(-7,950)
Emergency Planning and Security Costs .....	.....	.....	(16,058)	.....	(16,058)	(+16,058)
Security for meetings .....	.....	(15,918)	.....	.....	.....	.....
Wilson Building .....	(8,409)	(8,359)	(8,859)	(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)
Emergency Reserve Fund Transfer .....	(61,406)	(33,254)	(33,254)	(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)	(5,799)	(+5,799)
<b>Total, operating expenses, general fund .....</b>	<b>(4,955,153)</b>	<b>(5,306,140)</b>	<b>(5,308,265)</b>	<b>(5,316,030)</b>	<b>(5,312,044)</b>	<b>(+356,891)</b>
<b>Enterprise Funds</b>						
Water and Sewer Authority .....	(275,705)	(244,978)	(244,978)	(244,978)	(244,978)	(-30,727)
Washington Aqueduct .....	.....	(46,510)	(46,510)	(46,510)	(46,510)	(+46,510)
(Supplemental funding) .....	(2,151)	.....	.....	.....	.....	(-2,151)
Stormwater Permit Compliance .....	.....	(3,100)	(3,100)	(3,100)	(3,100)	(+3,100)
Lottery and Charitable Games Control Board .....	(223,200)	(229,688)	(229,688)	(229,688)	(229,688)	(+6,488)
Sports and Entertainment Commission .....	(10,968)	(9,127)	(9,127)	(9,127)	(9,627)	(-1,341)
Public Benefit Corporation .....	(78,235)	.....	.....	.....	.....	(-78,235)
D.C. Retirement Board .....	(11,414)	(13,388)	(13,388)	(13,388)	(13,388)	(+1,974)
Correctional Industries Fund .....	(1,808)	.....	.....	.....	.....	(-1,808)
Washington Convention Center .....	(52,726)	(57,278)	(57,278)	(57,278)	(57,278)	(+4,552)
Housing Finance Agency .....	.....	(4,711)	(4,711)	(4,711)	(4,711)	(+4,711)
National Capital Revitalization Corporation .....	.....	(2,673)	(2,673)	(2,673)	(2,673)	(+2,673)
<b>Total, Enterprise Funds .....</b>	<b>(656,207)</b>	<b>(611,453)</b>	<b>(611,453)</b>	<b>(611,453)</b>	<b>(611,953)</b>	<b>(-44,254)</b>
<b>Total, operating expenses .....</b>	<b>(5,611,360)</b>	<b>(5,917,593)</b>	<b>(5,919,718)</b>	<b>(5,927,483)</b>	<b>(5,923,997)</b>	<b>(+312,637)</b>
<b>Capital Outlay</b>						
General fund 2/ .....	(1,022,074)	(1,074,605)	(1,074,605)	(1,074,604)	(1,074,605)	(+52,531)
Water and Sewer Fund .....	(140,725)	(152,114)	(152,114)	(152,114)	(152,114)	(+11,389)
<b>Total, Capital Outlay .....</b>	<b>(1,162,799)</b>	<b>(1,226,719)</b>	<b>(1,226,719)</b>	<b>(1,226,718)</b>	<b>(1,226,719)</b>	<b>(+63,920)</b>
<b>Total, District of Columbia funds .....</b>	<b>(6,774,159)</b>	<b>(7,144,312)</b>	<b>(7,146,437)</b>	<b>(7,154,201)</b>	<b>(7,150,716)</b>	<b>(+376,557)</b>
<b>Total:</b>						
Federal Funds to the District of Columbia .....	464,125	358,607	398,058	408,000	408,000	-56,125
District of Columbia funds .....	(6,774,159)	(7,144,312)	(7,146,437)	(7,154,201)	(7,150,716)	(+376,557)

1/ Section 403 P.L. 106-554, 114 Stat. 2763a-188

2/ Rounded

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

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

Mr. Speaker, I thank the chairman, who has led us to this moment. We have a much-improved product from previous years, and it is because of the leadership that the gentleman from Michigan has put forward in this effort.

I want to also thank a number of the people on the staff on our side: Tom Forhan and William Miles on my personal staff. I would also like to thank Migo Miconi and Mary Porter on the chairman's staff, and also Jeff Onizuk on the personal staff of the gentleman from Michigan (Chairman KNOLLENBERG), who have all played a very important role in this bill.

This is not a perfect bill, and there are things in it that we would like to improve even further. But I would have to say that we have done a very good job in terms of addressing many of the concerns, and I note that the mayor of the city has had very kind things to say about the work of the conference committee.

I would like to also thank his staff, and in particular, Sabrina McNeil, who worked very hard to make sure that we understood the needs of the District.

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

Mr. KNOLLENBERG. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. CUNNINGHAM), the longest-serving member of this subcommittee.

Mr. CUNNINGHAM. Mr. Speaker, I volunteered to stay on this committee because I think, of all the areas in which Congress can improve, it is in Washington, D.C., our Nation's Capital.

We have made great strides, and Mr. Speaker, the chairmen have made great strides. But for the first time since I have been on the committee, I am not going to vote for this bill with some good things in it.

Mr. Speaker, I speak, I think, from authority. I was chairman on authorization for the Subcommittee on Labor, Health and Human Services and Education, and forwarded the legislation to President Clinton on IDEA, the Individuals With Disabilities Education Act.

For 5 years I worked to take money out of lawyers' hands and pockets and shift it to children. We were able to save over \$10 million a year, and instead of going to lawyers, it went to hire special education teachers. It set forth new programs for special education. It worked.

In one setting, the chairman totally wiped out 5 years of everything that I have worked for. Am I upset? Yes, especially since it was staff-driven. Who is supposed to control this Chamber, the staff or the Members?

Mr. Speaker, I want to say one lawyer in D.C. earned \$1.4 million suing the city of D.C. over special education; a firm, \$5 million. Those are just two individuals.

I want to say I have spent my life working for children and getting the money down. I have been through no less than 20 hearings on this particular issue, from when I was in the subcommittee on authorization, since I listened to the gentleman from Indiana (Mr. BURTON) who ran hearings this year, to the gentleman from Ohio (Mr. BOEHNER), to the rest of it. I cannot tell the Members my contempt on the outcome of this issue.

I am not going to speak for the full 5 minutes, since there are a lot of people trying to catch planes. But I state again my opposition to this bill.

Mr. Speaker, I rise in opposition to the conference report on the floor today. This will be the first District of Columbia Appropriations Act I will vote against since I came to serve on the Committee.

I want to be clear, it is an honor to serve on the Appropriations Committee and especially the District of Columbia Subcommittee, where I am currently the longest active serving member. In addition, I commend Chairman KNOLLENBERG for his leadership on this committee. In his first year as a Cardinal he has proven up to the difficult task of shaping an appropriations bill. For the last few years, I have resided here in the District and have seen first hand the problems that citizens here face in dealing with their own city government. I am pleased to have had the honor to work on this committee during what is truly the "rebirth" of the District's financial condition.

When I came to the committee, the District was in financial ruin. Congress left no choice but to create the D.C. Control Board to oversee the city's budget to help bring order to the budget of the District of Columbia. I am pleased that the budget before us today was the sole responsibility of the elected officials of the District. Working together Congress and city officials have created a good budget that balances the needs of the people of the District with the financial constraints facing all governmental bodies.

This \$5.3 billion conference agreement provides new money for education and public safety—including public and charter schools, college tuition aid, a new court charged to protect abused children, emergency preparedness and ex-offender supervision. It includes a provision that is critical to public safety in the District, \$500,000 for the repair of the D.C. Fireboat, the John Glenn. This historic fireboat has served this city well for many years but is in need of repair. In total, this bill will help the people of the District in many ways.

#### SPEC ED ATTYS FEES

Yet, with all that is in this agreement, I can not, in good conscience, vote for this bill. Since 1998, the D.C. Appropriations Act has carried a provision limiting the amount of money D.C. Public Schools (DCPS) will pay to special education attorneys. This provision restricted the amount of money lawyers could be reimbursed for the representation of children under IDEA. In this bill today, we will vote to remove this restriction.

Let me state for the record, I believe a yes vote will reward trial attorneys with millions of additional dollars at the expense of the special education needs and programs for the children of the District of Columbia. Moreover, we were informed by the District that many of these fees were excessive. Before the caps, an at-

torney made \$1.4 million in fees in 1 year suing the District of Columbia schools. Another law firm billed over \$5 million in a single year to the District of Columbia schools. Submission of a variety of questionable expenses, including flowers, ski trips, and even a trip to New Orleans ostensibly made to scout out private schools far from the District that might be able to accommodate special needs students.

The reason we put reasonable caps on these attorneys fees is so the money will go into education. This cap was, and continues to be reasonable. An average citizen working 40 hour weeks would earn \$300,000 a year, a rate which is entirely adequate, even in the District of Columbia. Our goal and our achievement since 1998 was to help the District of Columbia schools and children. In this effort we have been eminently successful.

Since we instituted the cap the city has spent about \$3.5 million per year in attorney's fees. This has resulted in savings of \$10 million a year to continue the good works of the District's Special Education services. The DCPS has used this money to hire new special education attorneys and create special education programs to help the children of the district.

Specifically DCPS has: Created almost 1,000 new placements within the public schools for special education students; arranged for the funding of 1,614 additional placements through the Weighted Student Formula for the 2001–2002 school year; reduced the number of children awaiting initial assessments from over 2,000 to less than 200; reduced the backlog of hearing requests from 900 to 20; facilitated understanding and communication through the development of several concise well-written documents detailing the special education process and published proposed revisions in municipal regulation in support of the special education process; held two citywide Child Find fairs, which are state level functions that had not been conducted for nearly five years. These fairs provide for developmental screening in order to identify children who have specific learning disorders; held training for new teachers and veteran teachers to assist them in the use of the automated SETS database that is the backbone of the delivery of services to children with special needs; participated in a year-long Continuous Improvement Monitoring Process with the Department of Education's Office of Special Education Programs with the support of 14 schools; implemented the proven effective Fast Forward and Failure Free Reading programs to promote reading among children who are at risk of being non-readers; and made monthly training available for new teachers to increase their understanding of the special education process and held system-wide training to expand the awareness of special education.

DCPS has done all this with money that would have gone to trial lawyers instead of these good programs and opportunities. I would challenge anyone opposed to this cap to explain to me how cutting these programs will help special education children; how spending millions more for attorneys will help our teachers educate our children.

Opponents to this cap contend that this provision keeps children from being represented. However, no one has ever shown evidence that any child in D.C. is not receiving adequate, quality representation. Furthermore, I

would question the values of any trial lawyer who is unwilling to represent a child in a special education proceeding because they would only be paid \$300,000 a year. That is the real issue. The lawyers are here telling us that if we don't allow them unlimited expenses and fees, paid for directly from the District's budget they will not continue to represent the children of the district. This callous position is beyond my comprehension, and I cannot in good conscience support a bill which endorses it.

That these trial lawyers could look into the face of parents of a special needs child and turn them away from service because the lawyer can not take more than \$150 an hour from the District Public School budget is appalling. That is the position we vote for today my friends. That is the position taken by the conference. The only people who were hurt by the cap were the trial lawyers who charged millions to the school district. The only people helped are the children, the schoolteachers, the principals, the Superintendent, the parents and ultimately the people of the District of Columbia.

Because we will not protect those teachers and children from the trial lawyers, I can not support this bill. Next year, we will revisit the issue and I hope, no I pray, that we have not irreparably harmed the special education children and programs in the District of Columbia Public Schools.

Mr. FATTAH. Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding time to me. I would like to thank those who have contributed to the bill.

I thank the chairman of the full committee, the gentleman from Florida (Mr. YOUNG) for his great patience and efforts every single year to get my bill through here. He has been extraordinary in understanding that this is a city we are working with.

I thank our ranking member, the gentleman from Wisconsin (Mr. OBEY), who not only does his appropriation work to a fare-thee-well, but never forgets to have respect for self-government and the right of D.C. residents to vote.

I want to especially thank this year's chairman, the gentleman from Michigan (Mr. KNOLLENBERG), for the wonderfully cooperative and collegial spirit he has given to our work; his strong interest in the city; the way he has immersed himself in the issues of the city and in the facts and programs of the city.

I am particularly grateful to the ranking member, the gentleman from Pennsylvania (Mr. FATTAH), who is a member known for his mastery of complex urban issues, especially finances and schools. We felt particularly lucky to have the gentleman from Pennsylvania (Mr. FATTAH) as the ranking member, inasmuch as he led his own city, Philadelphia, through precisely the kind of recovery we have had to go through. He was an architect of the control board there in the reconstruction of his own city, Philadelphia. He has an instinctive and encyclopedic understanding of cities in general, and of

the District in particular. We feel very lucky to have him here.

Before I proceed, if I could have Members' indulgence for my remarks on this budget, I feel compelled to put on the RECORD what we are going through, and to indicate the great pain this House has put my city through this year and puts us through every year.

For those here for the first time, I always warn them they may feel like they are going through an out-of-body experience. Many have come out of State legislature and now somebody is telling them to look at the budget of what amounts to a State, somebody else's budget; to ask them to vote on a local budget. It is beneath them, it really is. I am going to ask Members to vote for it and try to understand that that is what the Congress makes us do.

But I want to tell this House that it is almost Christmas, and the District of Columbia has not been able to spend a single cent of its budget because this House has just gotten around to spending its money. I wonder how many would be left standing if their State, and this is the functional equivalent of a State, could not spend any of its money for 3 months into the budget year? I ask Members to put themselves, for a change, into the position of the city I represent.

With all of the plaudits I want to offer today, I want to take the time, because I have a remedy for this and it is important for me to put this on the RECORD. It happens year after year. This is just the worst of it, because it is Christmas. On October 1 we should have had a budget, and it should have been before then. We passed the budget in June.

I have a way to correct this, Mr. Chairman. It is a budget autonomy bill that would still let this House put all their attachments on it, do all the things to the District that they will not let anybody do to their districts; but at least they would say, when the District passes its budget, as much of it as they pass, that they can now go ahead and spend their own money.

These people cannot even forecast. They make mistakes all the time because their budget has to be done 18 months ahead of everybody else's budget. D.C. is terribly handicapped this year because there has been a war, and so other cities, our neighboring cities, Maryland and Virginia, are now in the process of taking the surplus; and we have a bigger surplus than Maryland or Virginia, and using it to shore up the deficits that have been created by the recession, problems that have come up unexpectedly because of September 11.

Do Members know what happened to the surplus of the District of Columbia? It falls to the bottom line because the District of Columbia is treated like a Federal agency. We let it fall to the bottom of the line of a Federal agency because it goes back into the Federal Treasury.

There is no reason not to let people who have been prudent in using their

own money, saving their money, use their money in time of emergency. That is the demeaning position in which Members put the city that I happen to represent. Members must free us from this problem. Let us take care of ourselves by using our own money.

Mr. Speaker, I have a bill for budget autonomy which still lets Members put their own bills in and change the budget of the District of Columbia, but it would let us spend our own money when our own budget is passed. I have a budget autonomy bill, and I am going to beg this House to next year pass that bill.

I want to say to the gentlewoman from Maryland (Mrs. MORELLA), the Republican co-chair of my committee, how much I appreciate the principal things she has done in cosponsoring that bill with me.

Mr. Speaker, to move on to the budget itself, this is such a significant budget for the District of Columbia. It is the first budget on its own without a control board. Yet, in very many ways, it is the most successful in many years. Less contentious. We have had disputes here and there. We have all found ways to settle them like ladies and gentlemen.

I want to focus on just three issues, among the dozens in this bill:

First is the way in which the committee has allowed the budget numbers put forward by the District of Columbia to be the budget for the District of Columbia. I want to thank this Congress for the funds for a new Family Court Division, and I want to have a brief discussion on breakthroughs in and unacceptable home rule losses.

First, let me thank the committee for making sure that the District's own budget numbers became the budget numbers in this bill. The Congress has no expertise to deal with the budget priorities in anybody else's bill. There were some concerns at first about how the District and the mayor had agreed to certain kinds of attachments to the budget.

When all was said and done, people finally understood: It is not for us to say. If the Mayor and the City Council have agreed, let the Mayor and the City Council do their own budget, as long as it is balanced.

Second, let me go to the family court. There is \$24 million in extra money in this bill for the first revision of D.C.'s Family Court Division in 30 years. I am the coauthor of the authorizing bill, with the gentleman from Texas (Mr. DELAY).

I want to thank him for working with me on the bill. He and I had many disputes, but we simply worked them out. But I think he deserves great praise today, because that additional \$24 million would not be in this bill if the gentleman from Texas (Mr. DELAY) had not gotten the extra money to put in this bill.

I want to thank him both for his coauthorship of the bill and for working to get the money in the bill. That, of

course, is important, because we have read about the great problems we have with foster care; typical of foster care problems around the country, but we know about them in the District of Columbia.

□ 1700

The District, of course, appreciates the \$16 million for emergency preparedness in this bill. That is an important start. But for all the help those funds bring, I do want to remind this House that you have understood that you should give extra money to the Capitol Police because they are first responders of a kind. But I want to remind the Congress that you really have only one first responder. You have only one fire department and you have one big city police department. That is the District of Columbia. We have very little money in the House bill.

The District is vastly underprepared for any emergency in the District of Columbia that involves the Federal presence. But I want to remind you that your first responder for this House, for this Capitol, for the White House, and for the entire Federal presence is the District of Columbia first responders. And while I appreciate the start we have with the \$16 million, this is money that is urgently needed if you are serious about emergency preparedness.

Finally, Mr. Speaker, I must speak about an important breakthrough and unacceptable attachments on this bill. This is a huge breakthrough in this bill with the commonsense decision of 41 Republicans to join Democrats in allowing the District to use its own funds for implementing its own domestic partnership bill. I want to thank my friends on both sides of the aisle for this expression of bipartisanship.

The limited and moderated legislation allows partners to sign on to the city's health plan of the partner, at the full expense of the partner, with no public expense. It is especially important to mention it this year because it is compassionate and necessary at a time when there are there are already 40 million people without health insurance, many being added as I speak, of course, because there are such a large number of people with AIDS and with infections climbing every day.

Having praised the House for that wonderful breakthrough, let me speak about two unacceptable losses.

I appreciate that we have eliminated some of the busy work for police on the needle exchange private program in the District. But barring the city from spending its own money to keep AIDS from being transmitted throughout the community, especially where it is growing most, among women and children, is the functional equivalent of a death sentence, and this House ought to understand it. It adds to the incursion into our business the notion of a life-and-death issue, and it shows that the House is refusing to value the human life involved, even though every

reputable scientific authority has advised and 115 localities have indeed allowed these programs.

I just put the House on notice, I will simply not give up until we are allowed to use our own money to save the lives of our own residents the way other Americans are.

Finally, we have done something in this bill that we should be especially ashamed of. We have said, look, D.C., you can spend your own money on lobbying anything you want to lobby on. You want to lobby on some more money for this or some more money for that, go ahead. But you do not spend one red dime to lobby for your own rights. Not a dime to lobby for statehood and not a dime to lobby for voting rights.

My friend, this Congress has just failed, at least this House has, the test of credibility of all that rhetoric of the past few months on the fight for freedom; and a way of life central to our way of life, surely central to our freedom, is full voting representation in the Congress for all taxpaying Americans and full democracy and equal treatment as that of other States. Be on notice of that one, too. We will not rest until the ban on spending our own money raised from our own taxpayers to pursue our own rights is lifted.

With that I want to thank both the chairman and the ranking member for their long and great patience until we finally arrived here to the best bill in many years.

Mr. KNOLLENBERG. Mr. Speaker, I yield 2½ minutes to the gentleman from Virginia (Mr. TOM DAVIS) a member of the authorizing committee.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in support of the conference report. Let me just say I want to thank the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the full committee. I think he has done a very good job in shepherding this through the House and through a long conference.

For the record, it is sad that the city has had to wait until December to get their appropriations. It should not have to work that way. This body passed the bill September 25. We were ready to go to conference the next day. It was the Senate, the other body, that held up this legislation and has kept this long-protracted discourse before we could reach agreement on the conference report.

I would also remind my colleagues that just about 3 or 4 years ago, we passed a D.C. Revitalization Act. This was part of the Balanced Budget Act. In that, as we were putting that together, we offered the city the opportunity to do away with the annual appropriations for the city. In place of that, we replaced the city's responsibilities for felony prisoners, for the court system, and took care of what had been longstanding obligations that they owed in other areas, over a billion dollars in some cases; and in place of that, to do away with the annual appropriations.

In taking care of the fastest growing part of the budget and basically moving those responsibilities to the Federal Government, we felt you would not need the annual appropriations. But the city understandably was reluctant to part with that because they knew there would come a time that they would need additional Federal dollars and did not want to do the annual appropriations.

The gentlewoman from the District of Columbia's (Ms. NORTON) object here is a noble cause, and we ought to look very closely at how we can do that. Every other city in America, when they pass their budget it goes right into operation, and if the Congress has a problem with it we can step forward and say we have a problem with it. But under this protracted procedure, we end up ironically hurting a city that has a limited tax base as it is.

This legislation is pretty good. It fully funds the D.C. Scholarship Act. This allows city residents to go to State universities at in-State tuition costs, and get the same kind of deal that people in other States get. I think this is very important for the city.

The gentlewoman from the District of Columbia (Ms. NORTON) said the District of Columbia Juvenile Court revisions are very, very important. We have worked long and hard together to bring that. I think, by and large, this goes further in respecting District of Columbia home rule than many other appropriations bills that have come before this body.

If we want democracy in this city to succeed, however, we should not continue to second-guess the mayor and the council. I disagree with some of the things that the council has done, as I do with things my home city council and county board of supervisors do. But if we want democracy to flourish, we have to give them the responsibility; and that means not constantly looking over their back. I urge adoption of this.

Mr. FATTAH. Mr. Speaker, I yield myself 30 seconds.

I thank the gentleman for his comments. The issue of budget autonomy is one that I support, and I am the co-sponsor of the bill, but it is also a matter of having the city be able to reach the revenues that are here. The city is prohibited from taxing sales that happen on Federal property. It cannot go after suburbanites who earn wages in the city, because we prohibit the city from, as other cities, mine and others are able, to attach those wage earners.

So if we are going to talk about the fact that the city has a limited tax base, we need to understand why it is limited. It is limited because of our own actions.

Mr. KNOLLENBERG. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Maryland (Mrs. MORELLA), who is the chairman of the authorizing committee.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I want to preface my comments by thanking the chairman, the gentleman from Michigan (Mr. KNOLLENBERG) and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH) and the D.C. appropriations subcommittee staff, as well as Senator MARY LANDRIEU and the Senate staff who worked tirelessly and in a very open manner in developing this year's appropriations bill for the District of Columbia.

This budget marks a turning point for the District. It is the first budget approved by Congress since the District of Columbia Financial Responsibility and Management Assistance Authority, known as the Control Board, ended its tenure. And it is truly a home rule budget as it protects many of the spending priorities of Mayor Williams and the city council.

The appropriators have done an admirable job in providing responsible oversight while generally resisting the urge to micromanage the city government.

Next year we hope to take this a step further as the gentlewoman from the District of Columbia (Ms. NORTON) and I will continue to push our bill to return a local autonomy budget all to the city. The District of Columbia should not have to wait until December to have its budget passed by Congress. That bill would also safeguard the powers of the chief financial office, and I want to thank the gentleman from Michigan (Mr. KNOLLENBERG) and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH) for including in this conference report a temporary extension of the CFO's powers until July 1. That would give us all the more time to ensure that the CFO does not become a paper tiger.

The bill provides \$17 million for the very successful District of Columbia tuition access program which gives District of Columbia students the opportunity to get a high-quality university education at virtually any public university in the United States. I am also happy that the legislation allows for the first time the District of Columbia to use its own money on domestic partners for benefits on city government employees.

The bill reserves more than \$24 million to reform the city's Family Court and Child and Family Services Agency, an effort that many of us who care about the city's children have worked on long and hard.

Let me point out a few other highlights: \$16 million to improve emergency preparedness; \$2.5 million for the innovative literacy programs in the District of Columbia schools; \$2 million for Foods and Friends charity; \$2 million for the expansion of St. Coletta's, which does such wonderful work training mentally retarded and disabled youngsters and adults; \$500,000 to promote high-tech education at the city's Southeastern University; and 300,000 toward the newly constituted Criminal Justice Coordinated Council, which

will foster cooperation among the various Federal and local criminal justice agencies that operate in the district.

Finally, the appropriations bill greatly reduces the amount of money the District government must hold in reserve from \$120 million in fiscal year 2002 to \$70 million in fiscal year 2003. This is a great leap forward because it will allow the city to use more of its money for providing services to its citizens.

Overall, this is a good appropriations bill. The gentleman from Michigan (Mr. KNOLLENBERG), when he took the reins, said he wanted to come up with as clean a bill as possible. He has come very close to that. He made clear that he wanted to produce a clean budget, devoid of the many troublesome riders that have so disturbed city residents in the past. He and the committee have accomplished that to a remarkable degree, and I think this is a budget bill we can all be proud of. I urge a favorable vote.

Mr. FATTAH. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I rise in opposition to the conference report.

Mr. Speaker, I want to thank Chairman KNOLLENBERG and Ranking Member FATTAH for their hard work on this bill, they have given us the best bill in years. However, while the bill is greatly improved I cannot in good conscience support the gratuitous and mean spirited restrictions in continues to impose on taxpayers of our nation's capitol.

Over 94% of the budget that we're voting on today is City tax revenue locally raised. It's one thing for Members to decry the use of their constituents' tax dollars for purposes they find distasteful, but to subject local DC taxpayers to the politics of far flung districts is simply disgraceful.

What's worse is that the people who we are pushing around in this bill, don't have a vote in this House and under this bill they cannot use even their own locally raised taxes to promote their right to representation in this House.

I am particularly concerned about the rider forbidding the use of local funds for needle exchanges. Washington has the highest rate of HIV/AIDS in the nation. Approximately one-third of reported AIDS cases occurred among injection drug users, their sexual partners and children.

Former Surgeon General, C. Everett Koop, former Secretary of Health and Human Services, Donna Shalala, the CDC, and the AMA are among the individuals and organizations that have endorsed needle exchange as an effective strategy to fight the spread of HIV/AIDS.

Needle exchanges exist all over this country and nobody is suggesting that we alter federal law to forbid them. We are attacking one city's—our Capital city's—efforts to reduce the spread of AIDS and leaving cities in the rest of the country to do what they think is right and effective in fighting that health epidemic.

I cannot support the continuation of this policy, in spite of the progress we have made in the rest of the bill.

I again thank the Chairman and Ranking Member for their hard work but I am voting no on this conference report.

Mr. FATTAH. Mr. Speaker, again I want to thank all who have been involved, but mainly the chairman of the subcommittee.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, I will close with a very quick comment. This conference report is a good bipartisan bill that reflects all the priorities that the ranking member and I worked together to make sure that were in the bill. It fully funds every penny of the city's budget. It ensures that all Federal obligations are met.

I would just say that, having been the chairman of this committee, it has been a great experience particularly in terms of the city. The response I have gotten from the folks that run this city, the leadership, the residents, they have all been very kind to me in helping me develop this legislation and helping us bring about what I believe is a good bill.

Mr. WELDON of Florida. Mr. Speaker, the bill before us includes a \$2 million earmark for an organization whose Executive Director, according to the attached Washington Post article, was sentenced in 1995 for taking over \$4,000 from the Jewish Community Center of Greater Washington. He was given a suspended five year prison sentence and ordered to perform several hundred hours of community service. He now draws an annual salary of \$183,000 from Food and Friends, an organization that is supposed to be spending its money providing meals to those suffering from HIV/AIDS.

I am very concerned about the \$2 million earmark of taxpayer money. This special \$2 million carve out is for this one organization, and is not subject to competition. No other groups, including groups who may offer much better services or who may be much more efficient, were not allowed an opportunity to compete for these funds. There will also be little oversight and accountability of how this organization spends these funds.

This special \$2 million earmark was not requested by the city of the District of Columbia and it was not in the President's budget request. There will be little if any oversight of how this \$2 million will be spent. I believe this is an inappropriate earmark and am troubled by its inclusion. I was deeply disappointed that the Senate, even after being made aware of these concerns, decided to go along with putting this in the final bill. I had hoped that they would have allowed a competition for these funds, rather than earmarking them for one organization.

I have also included a letter from a local AIDS advocacy organization in Washington that has expressed opposition to this special earmark of fund.

AIDS COALITION  
TO UNLEASH POWER,  
Washington, DC, November 12, 2001.  
DISTRICT OF COLUMBIA APPROPRIATIONS CONFERENCE COMMITTEE,  
U.S. Capitol,  
Washington, DC.

DEAR CONFERENCE COMMITTEE MEMBERS: As a non-partisan HIV/AIDS advocacy organization, ACT UP Washington, DC has long

fought for greater accountability in federal HIV/AIDS spending. During the past several years, we have tracked mounting incidences of waste, fraud and abuse of hard fought for taxpayer dollars intended to combat HIV/AIDS, so that similar transgressions never occur again.

These efforts, thanks to the support of former Representative Dr. Tom Coburn, and Senators Charles Grassley and Max Baucus, have led to a commitment from the newly confirmed Inspector General for the Department of Health and Human Services to conduct audits of programs funded by the Ryan White CARE Act. Senator Sessions has added his leadership by calling for further federal auditing of HIV prevention programs in the pending Labor-HHS Appropriations Bill.

We hope you agree that accountability, and oversight at the local and federal levels are crucial components to insure that federal dollars to alleviate the suffering of HIV/AIDS patients are spent wisely and effectively. For this reason, we have deepening concerns over the \$2 million included in the Chairman's mark to the DC Appropriations Bill, earmarked for a DC AIDS charity, Food and Friends.

Unlike other appropriations for DC area AIDS service organizations allocated through competitive grants, this earmark was never subject to the same, open process whereby spending priorities are determined through the input and needs of the community. This sets a terrible precedent, whereby dozens, if not hundreds of other local charities will now turn to Congress for their individual funding needs. Furthermore, as a direct payment, this \$2 million is not subject to appropriate local and federal oversight authorities.

We therefore urge you to agree with the Senate DC Appropriations Bill, and delete the \$2 million earmark from the final version.

This is not to, in any way, disparage the important services provided by Food and Friends, and the dedication of its volunteers. It is worth noting, however, that the current Executive Director of Food and Friends, Craig Shniderman, was involved in an embezzlement scandal with his previous employers at the Montgomery County Jewish Community Center. Enclosed you will find the Washington Post article from October 1995, in which Mr. Shniderman pleads guilty on a charge of misappropriation of funds.

It is, of course, encouraging to see ex-offenders like Mr. Shniderman turn their lives around. According to Food and Friends 990 tax forms for FY 2000 (available online at [www.guidestar.com](http://www.guidestar.com)), he earned \$183,000.

However, given the Executive Director's criminal record, the lack of oversight or accountability, and no public input into the allocation of these funds, it seems the wisest choice for Congress would be to delete the \$2 million earmark in the final version of the DC Appropriations Bill.

Thank you for your consideration.

WAYNE TURNER.

Enclosure.

[From the Washington Post, Oct. 2, 1995]

EX-AGENCY HEAD SENTENCED IN THEFT FROM JEWISH CENTER

The former head of Montgomery County's Jewish Social Services Agency has been ordered to serve six months of home detention and 18 months of probation for taking nearly \$4,000 from the Jewish Community Center of Greater Washington.

Former social services agency executive director Craig M. Shniderman was charged with taking items from the Rockville JCC gift shop from 1987 to 1993 and allowing the agency to be billed for phony consulting services.

The community center's former executive director, Lester I. Kaplan, and three other JCC officials were ousted last summer and accused of looting their agency of nearly \$1 million as it was struggling to provide services for elderly and disabled members.

Kaplan pleaded guilty last month to seven counts, including theft and conspiracy, and is scheduled to be sentenced today.

Shniderman, who officials said was not aware of the embezzlement scheme at the neighboring agency, pleaded guilty Wednesday to a single count of misappropriation by a fiduciary. He was given a suspended five-year prison term by Circuit Court Judge Ann S. Harrington and ordered to perform 200 hours of community service.

Ms. DELAURO. Mr. Speaker, I rise in support of this bill because it strengthens programs that serve the residents and workers of the District of Columbia. The residents of the District deserve to have control over their local government and this bill takes the first steps in returning authority to the residents and elected officials of the District.

This bill represents an improvement in the District of Columbia Appropriations bill over past years. It contains important resources for the city's health care system, brownfield remediation and local road repairs. It finally grants the District the autonomy to use its own funds to provide health benefits for domestic partners and improve access to health care services for District residents.

However, Mr. Speaker, I am concerned because this bill does not allow the District to use its own funds for one of its highest public health priorities—the needle exchange program—to reduce the spread of HIV and AIDS.

The needle exchange program has been endorsed by the Mayor of the District but for the past year the District has been prohibited from using local funds to implement it. Not only does this infringe on local autonomy, but it reduces access to a truly life-saving program.

There have been several government reviews and hundreds of scientific studies all demonstrating that needle exchange programs are effective in reducing HIV transmission and do not encourage drug use. The American Medical Association, the American Public Health Association, and other medical associations have all called for government support of needle exchange programs. My own hometown of New Haven has a needle exchange program that has proven to be highly successful in reducing the transmission of HIV/AIDS without increasing the number of drug users.

The District of Columbia has the highest rate of HIV/AIDS in the nation and it must be able to pursue an aggressive, targeted program. Currently, the District is the only city in the nation barred by federal law from investing its own locally raised tax dollars to support needle exchange programs.

To continue to impair the District's ability to carry out a responsible HIV prevention program flies in the face of sound public health policy. Local

health departments must be free to determine which public health interventions will best address their local problems—including the District of Columbia. We cannot afford to turn our backs on something that can help us beat the AIDS epidemic.

Mr. KNOLLENBERG. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

The vote was taken by electronic device, and there were—aye 302, noes 84, not voting 47, as follows:

[Roll No. 482]

YEAS—302

Abercrombie	DeLauro	Jackson-Lee
Aderholt	DeLay	(TX)
Allen	Deutsch	Jefferson
Andrews	Diaz-Balart	Jenkins
Baca	Dicks	John
Bachus	Dingell	Johnson (CT)
Baird	Doggett	Johnson (IL)
Baldacci	Dooley	Johnson, E. B.
Baldwin	Doolittle	Jones (OH)
Ballenger	Doyle	Kanjorski
Barcia	Dreier	Kaptur
Barrett	Dunn	Kennedy (RI)
Bass	Edwards	Kildee
Becerra	Ehlers	Kind (WI)
Bentsen	Ehrlich	King (NY)
Berkley	Engel	Kirk
Berman	English	Kleczka
Biggart	Eshoo	Knollenberg
Bilirakis	Etheridge	Colbe
Bishop	Evans	Kucinich
Blagojevich	Farr	LaFalce
Blumenauer	Fattah	Lampson
Boehlert	Ferguson	Langevin
Boehner	Filner	Lantos
Bonilla	Fletcher	Larsen (WA)
Bono	Foley	Larson (CT)
Borski	Ford	Latham
Boswell	Frank	LaTourette
Boucher	Frelinghuysen	Leach
Boyd	Ganske	Lee
Brady (PA)	Gekas	Levin
Brown (FL)	Gibbons	Lewis (CA)
Brown (OH)	Gilchrest	Lewis (GA)
Brown (SC)	Gillmor	Lewis (KY)
Burr	Gilman	Linder
Burton	Gonzalez	Lipinski
Buyer	Gordon	LoBiondo
Callahan	Graham	Lowey
Calvert	Granger	Lucas (OK)
Camp	Greenwood	Luther
Cantor	Grucci	Lynch
Capps	Gutierrez	Maloney (CT)
Capuano	Gutknecht	Maloney (NY)
Cardin	Hall (OH)	Markey
Carson (IN)	Harman	Mascara
Carson (OK)	Hart	Matheson
Castle	Hastings (FL)	Matsui
Chambliss	Hill	McCollum
Clay	Hilliard	McCrery
Clayton	Hinchey	McDermott
Clement	Hinojosa	McGovern
Clyburn	Hobson	McIntyre
Collins	Hoefel	McKeon
Condit	Holden	McKinney
Conyers	Holt	Meehan
Cooksey	Honda	Meeks (NY)
Cramer	Hooley	Menendez
Crenshaw	Horn	Mica
Crowley	Houghton	Millender-
Cummings	Hoyer	McDonald
Davis (CA)	Hulshof	Miller, Dan
Davis (FL)	Hunter	Miller, George
Davis (IL)	Hyde	Mink
Davis, Tom	Inslee	Mollohan
DeFazio	Isakson	Moran (VA)
DeGette	Issa	Morella
Delahunt	Istoek	Myrick
	Jackson (IL)	Nadler

Napolitano	Rothman
Nethercutt	Royal-Allard
Ney	Rush
Northup	Sabo
Nussle	Sanchez
Oberstar	Sanders
Ortiz	Sandlin
Osborne	Sawyer
Ose	Saxton
Owens	Schakowsky
Pallone	Schiff
Pascarella	Schrock
Pastor	Scott
Payne	Serrano
Pelosi	Shaw
Peterson (PA)	Shays
Phelps	Sherman
Pombo	Sherwood
Pomeroy	Simmons
Portman	Simpson
Price (NC)	Skeen
Pryce (OH)	Skelton
Putnam	Slaughter
Radanovich	Smith (TX)
Rahall	Snyder
Rangel	Solis
Regula	Souder
Rehberg	Spratt
Reyes	Stark
Reynolds	Stupak
Rivers	Sununu
Rogers (KY)	Sweeney
Ros-Lehtinen	Tanner
Ross	Tauscher

## NAYS—84

Akin	Hayes
Barr	Hayworth
Bartlett	Hefley
Berry	Herger
Blunt	Hilleary
Boozman	Hoekstra
Brady (TX)	Israel
Bryant	Johnson, Sam
Chabot	Jones (NC)
Coble	Keller
Combest	Kennedy (MN)
Cox	Kerns
Crane	Kilpatrick
Culberson	LaHood
Cunningham	Lucas (KY)
Davis, Jo Ann	Manzullo
DeMint	Miller, Jeff
Duncan	Moore
Forbes	Moran (KS)
Fossella	Norwood
Frost	Obey
Gephardt	Olver
Goode	Otter
Goodlatte	Paul
Goss	Peterson (MN)
Graves	Petri
Green (WI)	Pickering
Hansen	Platts

## NOT VOTING—47

Ackerman	Hall (TX)
Armey	Hastings (WA)
Baker	Hostettler
Barton	Kelly
Bereuter	Kingston
Bonior	Largent
Cannon	Lofgren
Costello	McCarthy (MO)
Coyne	McCarthy (NY)
Cubin	McHugh
Deal	McInnis
Emerson	McNulty
Everett	Meek (FL)
Flake	Miller, Gary
Gallegly	Murtha
Green (TX)	Neal

□ 1737

Messrs. RYAN of Wisconsin, GOODLATTE, PICKERING, and TURNER changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. McCARTHY of New York. Mr. Speaker, for personal reasons I was unable to cast my vote for the District of Columbia Appropriations Conference Report (H.R. 2944). Had I been present, I would have voted "yea".

Stated against:

Ms. McCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 482, D.C. Conference Report FY '02 Appropriations. I was unavoidably detained. Had I been present, I would have voted "nay."

## GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3005.

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

There was no objection.

## LEGISLATIVE PROGRAM

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

Ms. DELAURO. Mr. Speaker, I rise to inquire about next week's schedule.

Mr. GOSS. Mr. Speaker, will the gentlewoman yield?

Ms. DELAURO. I yield to the gentleman from Florida.

Mr. GOSS. I thank the gentlewoman from Connecticut for yielding, and I am pleased to announce, Mr. Speaker, that the House has completed its legislative business for the week. The majority leader has announced the following legislative program for next week:

The House will next meet for legislative business on Tuesday, December 11, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. The House will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices tomorrow. On Tuesday, no recorded votes are expected before 6:30 p.m.

On Wednesday and the balance of the week, the House will consider H.R. 3129, the Customs Border Security Act of 2001, subject to a rule. We are also hopeful to be ready to consider the Education conference report, the Intelligence Authorization conference report, the Labor-HHS Appropriations Conference Report, and broadband legislation, all next week.

And I thank the gentlewoman for yielding.

Ms. DELAURO. Reclaiming my time, Mr. Speaker, if I might ask the gentleman one or two questions about the schedule for next week.

And I thank the gentle woman for yielding.

Do we anticipate that election reform legislation would be coming to the floor next week?

Mr. GOSS. If the gentlewoman will continue to yield.

Ms. DELAURO. I yield to the gentleman.

Mr. GOSS. I would be pleased to inform her that, as far as I know, the committee of jurisdiction, the Committee on the Judiciary, still has that under consideration and we have not been advised whether it in fact will be ready for next week.

Ms. DELAURO. So we do not believe it will be ready for next week.

Mr. GOSS. We do not know at this point.

Ms. DELAURO. Can we qualify it further?

Mr. GOSS. So far.

Ms. DELAURO. So far. Okay.

Do we anticipate that there will be votes on Friday or into the weekend?

Mr. GOSS. It is my understanding at this time, if the gentlewoman will continue to yield, that there is a strong possibility of votes on Friday and, if the business is not completed by Friday evening, that the intention is that we might well have to continue on into the weekend.

Ms. DELAURO. And if we continue on, is that an indication that we would try to finish before the end of the weekend, or stay until we are finished with business through some time next weekend or the following week?

Mr. GOSS. If the gentlewoman will continue to yield.

Ms. DELAURO. I do continue to yield.

Mr. GOSS. It would be my fondest wish to be able to give a date certain to the gentlewoman from Connecticut. The best I can say is that it is the intention to finish up by the end of next week. Whether or not that will be possible, we do not know. Clearly, when we start out with a good intention, it enhances the possibility that we will succeed at that good intention. But Members need to know we may in fact be working through next week, and then plan accordingly.

Ms. DELAURO. Through the weekend. And a final question. On which day do you expect the broadband legislation to come to the floor of the House?

Mr. GOSS. If the gentlewoman will continue to yield, I understand two committees of jurisdiction are still putting some final touches on that, and that that will be announced next week, early on in the week, as far as I know.

Ms. DELAURO. So we can anticipate that it would be at the beginning? We come back in on Tuesday night; so Wednesday, Thursday?

Mr. GOSS. It is unlikely that that legislation would show up before Wednesday.

Ms. DELAURO. Meaning that we will not be here before Wednesday. I thank the gentleman.

Mr. GOSS. I hope the gentlewoman will be here before Wednesday, because there will be votes Tuesday night at 6:30.

Ms. DELAURO. I understand. So it will not be Tuesday night.