

additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(3) **COSTS OF CONVEYANCE.**—The County shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) **LIABILITY.**—The County shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

(5) **EASEMENTS.**—The County shall provide to the Secretary all required rights of entry or easements necessary for utilities and for access to the Savannah Harbor Tide Gate structure and the dock located adjacent to the structure.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Tennessee (Mr. CLEMENT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Many years ago, Mr. Speaker, Chatham County, Georgia, donated approximately 12 acres of land on Hutchinson Island to the Federal Government so that the Corps of Engineers could build the Savannah River Tide Gate Structure. That project was closed in 1991 and the operational gates were removed. As a result, according to the Corps of Engineers, the Federal Government no longer needs this property.

Chatham County now would like to have this excess land returned to them so it could be used as part of an economic development project and a public recreational park. Without this legislation, the government has to follow a lengthy process for disposing of the property. This bill allows the property to go back to the county that gave up the land in the first place and will expedite an important local project that will benefit the public.

Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. KINGSTON), the author of the bill and, presumably, from Chatham County, Georgia, to explain it to us further.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from Tennessee (Mr. CLEMENT) for his indulgence.

This simply lets the Corps of Engineers get rid of some excess property they do not want anymore. It allows the county to take that property and trade it to a private developer, 12 acres; but in exchange, they are going to get 40 acres back. I know the gentleman from Colorado will be interested to know that they are going to have a natural park in those 40 acres that is going to be ecologically sensitive, a passive park, which I know the gentleman from Boulder is familiar with.

So this is a very good piece of legislation with bipartisan support by the local folks and the Corps of Engineers.

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

Mr. Speaker, I know a comment was made a while ago about country music or country western music, and as the representative from Nashville, Tennessee, or Country Music USA, I appreciate the comments. I want my colleagues to know that the gentleman from Tennessee (Mr. DUNCAN) and myself and some others had the opportunity to sing on the Grand Ole Opry not long ago, which was an experience of a lifetime.

Mr. Speaker, I rise to support the bill H.R. 2595, a bill to convey a 12-acre parcel of land to Chatham County, Georgia, for public recreational purposes. This transfer will be accomplished without cost to the United States and for the benefit of the local citizens. The amended bill addresses a few issues from the original bill and should be supported by the House.

The land that would be transferred under this bill is not needed by the Corps of Engineers to carry out the purposes of the federally authorized project. The bill includes requirements to provide the Secretary of the Army rights of entry or easements so that the Corps can operate the project without hindrance.

Chatham County is responsible for all of the administrative costs of the land conveyance. In addition, the United States is protected from any environmental liability that may arise after the conveyance.

Mr. Speaker, I understand that the land that is being conveyed to the county will be exchanged for another parcel of land. The bill before us stipulates that the exchanged parcel will be kept in public ownership and used for public recreational purposes. The exchange will also be conducted on an equal-value basis. I urge an "aye" vote on this bill.

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

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

Mr. Speaker, I would notify the gentleman from Tennessee (Mr. CLEMENT) that I am sorry that I missed their performance on the Grand Old Opry; maybe on the return trip.

Mr. OBERSTAR. Mr. Speaker, I am pleased to rise in support of H.R. 2595, a bill to authorize the Secretary of the Army to transfer land to Chatham County, GA, to enhance recreation opportunities in that locale.

The land transfer authorized under this bill is similar to transfers that our committee often approves as part of the Water Resources Development Acts. However, the sponsor of this bill, Mr. KINGSTON, has indicated that swift action is necessary in advance of next year's Water Resources Development Act so that this project may proceed in a timely manner.

The amended bill considered by the House today conforms the bill to the typical terms and conditions associated with land transfers. The revised language ensures that the transfer occurs at no cost to the Federal taxpayer and at no loss to the U.S. Treasury. In addition, the land will be maintained in public ownership for public benefit. If this particular parcel of land is transferred by the county, the transfer must be for lands of equal value, further protecting the interest of the taxpayer. Finally, if the lands are put to use other than as authorized by this bill, ownership of the lands will revert to the United States. As is always done, the land transfer preserves for the United States any easement or rights-of-way necessary to operate and maintain the existing Federal project.

Mr. Speaker, I urge my colleagues to vote "aye" on H.R. 2595.

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

The SPEAKER pro tempore (Mr. DUNCAN). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 2595, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### COMMENDING CHARITABLE ORGANIZATIONS AND AMERICAN PUBLIC RELIEF EFFORTS IN THE AFTERMATH OF SEPTEMBER 11 TERRORIST ATTACKS

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 259) expressing the sense of Congress regarding the relief efforts undertaken by charitable organizations and the people of the United States in the aftermath of the terrorist attacks against the United States that occurred on September 11, 2001.

The Clerk read as follows:

H. CON. RES. 259

Whereas the people of the United States have a long and honorable tradition of assisting individuals, families, and communities in need;

Whereas charitable organizations play a vital role in delivering services to individuals and families that are in need of relief;

Whereas charitable organizations are providing relief to the victims of the terrorist attacks against the United States that occurred on September 11, 2001, and their families;

Whereas the people of the United States have been extremely generous in contributing to charitable organizations that provide relief to the victims of the terrorist attacks and their families; and

Whereas more than \$1,000,000,000 has been collected for charitable work related to the terrorist attacks: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress—*

(1) praises the people of the United States for their patriotism and generosity in donating their money, time, and blood to support the victims of the terrorist attacks against the United States that occurred on September 11, 2001, and their families;

(2) commends charitable organizations for their hard work in providing needed assistance to the individuals and families who have been affected by the terrorist attacks;

(3) urges charitable organizations to use the money collected from the people of the United States for the purposes for which the money was donated, and to limit the extent to which such money is used for administrative costs; and

(4) condemns individuals and groups that fraudulently use contributions for objectives unrelated to the purpose for which the contributions were made.

The SPEAKER *pro tempore*. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Tennessee (Mr. CLEMENT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, House Concurrent Resolution 259 expresses the sense of Congress regarding the relief efforts undertaken by charitable organizations and the people of the United States in the aftermath of the terrorist attacks of September 11.

Mr. Speaker, the tremendous outpouring of assistance in the wake of the September 11 attacks has become something of an epic legend. Over \$1 billion has been collected to support the relief efforts across the country.

These organizations serve a vital role in these relief efforts. They were the ones providing hot meals and medical care to the rescuers; they were the ones providing grief counselors to victims and their families; they were the ones ensuring that the displaced had a place to sleep and food to eat; and they are the ones that continue to serve at Ground Zero in New York and at the Pentagon, and wherever victims and their families are located.

The resolution does not mention the work by Federal, State, and local governments; but I want to commend each of them for their effort after the terrorist attacks and that which continues today. FEMA, the Small Business Administration, and the State of New York disaster assistance programs have contributed over \$696 million.

Mr. Speaker, this is a good piece of legislation. It is fitting that the Congress, through its sense of Congress resolution, praise the good efforts of generous Americans and condemns those that abused this trust.

I commend the important work done by the Federal, State, and local governments and charities and individual volunteers, and urge my colleagues to support the resolution.

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

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

Mr. Speaker, I rise in strong support of House Concurrent Resolution 259, a resolution expressing the sense of Congress regarding the relief efforts undertaken by charitable organizations and the American people in the aftermath

of the terrorist attacks against the United States that occurred on September 11, 2001.

I would like to begin by thanking the gentleman from Florida (Mr. BILIRAKIS) for sponsoring this legislation. Our country has a long and proud tradition of helping families and communities in need, and our charitable organizations have often played a critical role in delivering these services.

Immediately after the September 11 terrorist attacks, thousands of volunteers began to donate their services, their talents, and even their blood. But they did not stop there. The people of the United States have been extremely generous in donating their money to various charitable organizations that provide relief to the victims of terrorist attacks and their families. In fact, more than \$1 billion has already been collected for charitable work related to the terrorist attacks.

Mr. Speaker, Congress commends the people of this country for their patriotism and unwavering generosity in donating not only their money but their time and efforts, as well. We also commend the various charitable organizations for their tireless efforts in providing assistance to the victims and their families who have been affected by the terrorist attacks. We expect the money collected for this disaster to be used for this disaster. To do otherwise would be an insult to the memory of the victims of the tragedy, and it would be a betrayal of the public trust.

I wholeheartedly support this resolution to recognize our Nation's citizens who selflessly and generously gave their time, effort, and money after the September 11 attack. By supporting these charitable efforts, we salute and pay tribute to the victims of this tragedy.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS), the author of the legislation.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, since the devastating events of September 11, Americans young and old have opened their hearts and their pocketbooks to help the victims of this terrible tragedy. To date, over \$1 billion has been raised for relief efforts, proving once again that Americans are the most compassionate and generous people in the world.

However, shortly after the contributions began to pour in, we started to hear reports suggesting that charitable organizations are not acting in good faith to use the contributions of generous Americans to deliver timely assistance to the victims of September 11 and their families. How do we explain, we should ask ourselves, to elementary schoolchildren that their hard-raised contributions may not actually be used to help the families in need?

Today I am wearing a pin made by the students of Cyprus Woods Elementary School in Tarpon Springs, Florida. These students sold patriotic pins for \$1 each and raised a total of \$3,500. This amount was matched by a local corporation for a total of \$7,000, all of which went to the American Red Cross.

Another elementary school in the same area, Brooker Creek, raised \$2,300 for relief efforts. It would send a terrible message to these children and the community if charitable organizations did not use their contributions to directly aid the victims and their families.

Mr. Speaker, I am pleased, and I think all of us are, that the American Red Cross has decided to modify the operation of its Liberty Fund by using all proceeds from the fund to increase support for people affected by the September 11 terrorist attacks.

This decision, however, came after public pressure was put on the Red Cross by Members of Congress and the news media. I believe that it is important to send a message to charitable organizations that contributions should be used for the purposes for which they were given. That is why I introduced the resolution before us today.

House Concurrent Resolution 259 praises the people of the United States for their patriotism and their generosity in donating their money, time, and blood to send support to the victims of September 11. It also commends charitable organizations for their hard work in providing assistance, but urges them to use the funds collected for the purposes for which the money was given.

Mr. Speaker, I am grateful to the majority leader and the gentleman from Alaska (Chairman Young) for allowing this resolution to be considered under suspension of the rules. Many Americans lost their lives by the hands of terrorists on September 11, and their memory and sacrifice for their country should be honored by providing for the needs of their families in a timely and effective fashion.

I urge my colleagues to support House Concurrent Resolution 259.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the incredible relief efforts that have taken place after September 11, 2001 are unprecedented. Charitable donations collected for the victims of the attacks and their families, have exceeded \$1 billion in money alone. This spirit of good will and benevolence is what separates Americans and civilized people around the world from those who kill and seek to destroy out of hatred and for personal gain.

While the vast majority of these charitable efforts have been well meaning and appropriately administered, there have been reports, including by the Department of Justice, that some of these groups have allocated portions of the donations toward administrative and other non-disaster specific ends. While a great deal of these allocations may legitimately advance the delivery of services to individuals

and families that are in need of relief, Congress has a responsibility to oversee this process in order to ensure that compliance with reasonable standards is ongoing.

This resolution acknowledges that the people and charitable organizations of the United States have a long and honorable tradition of assisting individuals, families, and communities in need. The vital role played by these people and organizations in delivering services to individuals and families that are in need of relief cannot be discounted.

This resolution also expresses the Sense of Congress praising the people of the United States for their patriotism and their donations of time, money and blood in the wake of the September 11 attacks. The resolution also commends the charitable organizations that provided assistance to the victims of the attacks and their families. It further urges the charities that collected relief money to use it for the purposes for which it was donated, and urges them to limit the extent that donations are used for administrative expenses. Furthermore, it condemns individuals and groups that fraudulently use contributions for objectives unrelated to the purposes for which the contributions were made.

In the aftermath of September 11, we must take the time to recognize the efforts of those who give to others who have lost so much. In doing so, we must take care to identify those who misappropriate and mismanage the fruits of those charitable efforts. This resolution helps to fulfill those two parallel obligations.

I urge my colleagues to support it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 259.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## RAILROAD RETIREMENT AND SURVIVORS' IMPROVEMENT ACT OF 2001

Mr. QUINN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 10) to provide for pension reform, and for other purposes.

The Clerk read as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Railroad Retirement and Survivors' Improvement Act of 2001".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—AMENDMENTS TO RAILROAD RETIREMENT ACT OF 1974

Sec. 101. Expansion of widow's and widower's benefits.

Sec. 102. Retirement age restoration.

Sec. 103. Vesting requirement.

Sec. 104. Repeal of railroad retirement maximum.

Sec. 105. Investment of railroad retirement assets.

Sec. 106. Elimination of supplemental annuity account.

Sec. 107. Transfer authority revisions.

Sec. 108. Annual ratio projections and certifications by the Railroad Retirement Board.

#### TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

Sec. 201. Amendments to the Internal Revenue Code of 1986.

Sec. 202. Exemption from tax for National Railroad Retirement Investment Trust.

Sec. 203. Repeal of supplemental annuity tax.

Sec. 204. Employer, employee representative, and employee tier 2 tax rate adjustments.

#### TITLE I—AMENDMENTS TO RAILROAD RETIREMENT ACT OF 1974

##### SEC. 101. EXPANSION OF WIDOW'S AND WIDOWER'S BENEFITS.

(a) **IN GENERAL.**—Section 4(g) of the Railroad Retirement Act of 1974 (45 U.S.C. 231c(g)) is amended by adding at the end the following new subdivision:

"(10)(i) If for any month the unreduced annuity provided under this section for a widow or widower is less than the widow's or widower's initial minimum amount computed pursuant to paragraph (ii) of this subdivision, the unreduced annuity shall be increased to that initial minimum amount. For the purposes of this subdivision, the unreduced annuity is the annuity without regard to any deduction on account of work, without regard to any reduction for entitlement to an annuity under section 2(a)(1) of this Act, without regard to any reduction for entitlement to a benefit under title II of the Social Security Act, and without regard to any reduction for entitlement to a public service pension pursuant to section 202(e)(7), 202(f)(2), or 202(g)(4) of the Social Security Act.

"(ii) For the purposes of this subdivision, the widow or widower's initial minimum amount is the amount of the unreduced annuity computed at the time an annuity is awarded to that widow or widower, except that—

"(A) in subsection (g)(1)(i) '100 per centum' shall be substituted for '50 per centum'; and

"(B) in subsection (g)(2)(ii) '130 per centum' shall be substituted for '80 per centum' both places it appears.

"(iii) If a widow or widower who was previously entitled to a widow's or widower's annuity under section 2(d)(1)(ii) of this Act becomes entitled to a widow's or widower's annuity under section 2(d)(1)(i) of this Act, a new initial minimum amount shall be computed at the time of award of the widow's or widower's annuity under section 2(d)(1)(i) of this Act."

(b) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendment made by this section shall take effect on the first day of the first month that begins more than 30 days after enactment, and shall apply to annuity amounts accruing for months after the effective date in the case of annuities awarded—

(A) on or after that date; and

(B) before that date, but only if the annuity amount under section 4(g) of the Railroad Retirement Act of 1974 (45 U.S.C. 231c(g)) was computed under such section, as amended by the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35; 95 Stat. 357).

(2) **SPECIAL RULE FOR ANNUITIES AWARDED BEFORE THE EFFECTIVE DATE.**—In applying the amendment made by this section to annuities awarded before the effective date, the calculation of the initial minimum amount under new section 4(g)(10)(ii) of the Railroad Retirement Act of 1974 (45 U.S.C. 231c(g)(10)(ii)), as added

by subsection (a), shall be made as of the date of the award of the widow's or widower's annuity.

##### SEC. 102. RETIREMENT AGE RESTORATION.

(a) **EMPLOYEE ANNUITIES.**—Section 3(a)(2) of the Railroad Retirement Act of 1974 (45 U.S.C. 231b(a)(2)) is amended by inserting after "(2)" the following new sentence: "For purposes of this subsection, individuals entitled to an annuity under section 2(a)(1)(ii) of this Act shall, except for the purposes of recomputations in accordance with section 215(f) of the Social Security Act, be deemed to have attained retirement age (as defined by section 216(l) of the Social Security Act)."

(b) **SPOUSE AND SURVIVOR ANNUITIES.**—Section 4(a)(2) of the Railroad Retirement Act of 1974 (45 U.S.C. 231c(a)(2)) is amended by striking "if an" and all that follows through "section 2(c)(1) of this Act" and inserting "a spouse entitled to an annuity under section 2(c)(1)(ii)(B) of this Act".

(c) **CONFORMING REPEALS.**—Sections 3(a)(3), 4(a)(3), and 4(a)(4) of the Railroad Retirement Act of 1974 (45 U.S.C. 231b(a)(3), 231c(a)(3), and 231c(a)(4)) are repealed.

(d) **EFFECTIVE DATES.**—

(1) **GENERALLY.**—Except as provided in paragraph (2), the amendments made by this section shall apply to annuities that begin to accrue on or after January 1, 2002.

(2) **EXCEPTION.**—The amount of the annuity provided for a spouse under section 4(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231c(a)) shall be computed under section 4(a)(3) of such Act, as in effect on December 31, 2001, if the annuity amount provided under section 3(a) of such Act (45 U.S.C. 231b(a)) for the individual on whose employment record the spouse annuity is based was computed under section 3(a)(3) of such Act, as in effect on December 31, 2001.

##### SEC. 103. VESTING REQUIREMENT.

(a) **CERTAIN ANNUITIES FOR INDIVIDUALS.**—Section 2(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231a(a)) is amended—

(1) by inserting in subdivision (1) "(or, for purposes of paragraphs (i), (iii), and (v), five years of service, all of which accrues after December 31, 1995)" after "ten years of service"; and

(2) by adding at the end the following new subdivision:

"(4) An individual who is entitled to an annuity under paragraph (v) of subdivision (1), but who does not have at least ten years of service, shall, prior to the month in which the individual attains age 62, be entitled only to an annuity amount computed under section 3(a) of this Act (without regard to section 3(a)(2) of this Act) or section 3(f)(3) of this Act. Upon attainment of age 62, such an individual may also be entitled to an annuity amount computed under section 3(b), but such annuity amount shall be reduced for early retirement in the same manner as if the individual were entitled to an annuity under section 2(a)(1)(iii)."

(b) **COMPUTATION RULE FOR INDIVIDUALS' ANNUITIES.**—Section 3(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231b(a)), as amended by section 102 of this Act, is further amended by adding at the end the following new subdivision:

"(3) If an individual entitled to an annuity under section 2(a)(1)(i) or (iii) of this Act on the basis of less than ten years of service is entitled to a benefit under section 202(a), section 202(b), or section 202(c) of the Social Security Act which began to accrue before the annuity under section 2(a)(1)(i) or (iii) of this Act, the annuity amount provided such individual under this subsection, shall be computed as though the annuity under this Act began to accrue on the later of (A) the date on which the benefit under section 202(a), section 202(b), or section 202(c) of the Social Security Act began, or (B) the date on which the individual first met the conditions for