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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

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WASHINGTON, THURSDAY, FEBRUARY 14, 2002

No. 14

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
February 14, 2002.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: During times of repentance or in moments of humiliation, as well as times of overwhelming joy or affirmation, You enlighten us by Your spirit, Lord. At such times with the psalmist of old, we see inner depths in ourselves and our relationships, and we pray: "Out of the depths, I cry to You, O Lord. Lord, hear my voice."

Trusting this ancient wisdom to guide us further, our Nation and this Congress seeks forgiveness in You, Lord, and counts on Your Word always.

Longing for full resolve of all of the issues and dangers we face as a people, we need to wait, wait for You, O Lord, for the new day You will always show us.

We trust in Your mercy as we search the immediate darkness.

The Capitol Police and guardians of security across this country watch attentively. Like them, each of us must be on alert, tracking the enemy who would destroy us from outside and quietly stirring deeper virtue within until the fullness of redemption is found in You.

With Your Holy Name on our lips we pray, now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 342, nays 51, answered "present" 1, not voting 41, as follows:

[Roll No. 35]

YEAS—342

Ackerman  
Akin  
Allen  
Andrews  
Armey  
Baca  
Bachus  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett  
Bartlett  
Bass  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berry  
Biggert  
Bilirakis

Bishop  
Blagojevich  
Blumenauer  
Blunt  
Boehmert  
Boehner  
Bonilla  
Bonior  
Bono  
Boozman  
Boswell  
Boyd  
Brown (FL)  
Brown (OH)  
Brown (SC)  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Cannon

Cantor  
Capito  
Capps  
Capuano  
Cardin  
Carson (IN)  
Carson (OK)  
Castle  
Chabot  
Chambliss  
Clayton  
Clement  
Clyburn  
Coble  
Collins  
Condit  
Cooksey  
Cramer  
Crenshaw  
Crowley  
Culberson  
Cummings  
Cunningham

Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis, Jo Ann  
Davis, Tom  
Deal  
DeFazio  
DeGette  
DeLauro  
DeLauro  
DeMint  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emerson  
Engel  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Flake  
Fletcher  
Foley  
Forbes  
Fossella  
Frank  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Gillman  
Gonzalez  
Goodlatte  
Goss  
Graham  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutierrez  
Hall (TX)  
Harman  
Hart  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hill

Hinchey  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Kanjorski  
Kaptur  
Keller  
Kennedy (RI)  
Kerns  
Kildee  
Kilpatrick  
Kind (WI)  
King (NY)  
Kingston  
Kirk  
Klecza  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lampson  
Langevin  
Lantos  
Largent  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Loftgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Lynch  
Maloney (CT)

Maloney (NY)  
Manzullo  
Markey  
Mascara  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meeks (NY)  
Mica  
Millender-  
McDonald  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Mink  
Mollohan  
Moran (VA)  
Morella  
Nadler  
Napolitano  
Nethercutt  
Northup  
Norwood  
Nussle  
Obey  
Oliver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Pascarell  
Paul  
Pelosi  
Pence  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Pomeroy  
Portman  
Price (NC)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reyes  
Reynolds  
Rivers

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H467

Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Rush  
Ryan (WI)  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schiff  
Schrock  
Sensenbrenner  
Serrano  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows

Shuster  
Simmons  
Simpson  
Skeen  
Skelton  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stearns  
Stenholm  
Strickland  
Stump  
Sununu  
Tanner  
Tauscher  
Tauzin  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt

Tiberi  
Tierney  
Toomey  
Towns  
Turner  
Upton  
Velazquez  
Vitter  
Walden  
Walsh  
Wamp  
Watkins (OK)  
Watson (CA)  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldon (FL)  
Wexler  
Whitfield  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn

## NAYS—51

Abercrombie  
Aderholt  
Baird  
Borski  
Brady (PA)  
Costello  
Crane  
Doggett  
English  
Ferguson  
Filner  
Gutknecht  
Hansen  
Hastings (FL)  
Hefley  
Hilleary  
Hilliard

Hobson  
Hulshof  
Jones (NC)  
Jones (OH)  
Kennedy (MN)  
Kucinich  
Larsen (WA)  
LoBiondo  
McDermott  
Menendez  
Miller, George  
Moore  
Moran (KS)  
Ney  
Pallone  
Pastor  
Peterson (MN)

Platts  
Pryce (OH)  
Sabo  
Sanchez  
Schaffer  
Schakowsky  
Scott  
Slaughter  
Stupak  
Sweeney  
Taylor (MS)  
Thompson (CA)  
Thompson (MS)  
Udall (CO)  
Visclosky  
Weller  
Wicker

## ANSWERED "PRESENT"—1

Tancredo

## NOT VOTING—41

Barton  
Berman  
Boucher  
Brady (TX)  
Clay  
Combest  
Conyers  
Cox  
Coyne  
Cubin  
DeLay  
Ehrlich  
Ford  
Gephardt

Goode  
Gordon  
Hall (OH)  
Herger  
Hinojosa  
Hyde  
Kelly  
Meek (FL)  
Murtha  
Myrick  
Neal  
Oberstar  
Oxley  
Payne

Pombo  
Riley  
Roukema  
Ryun (KS)  
Sessions  
Smith (NJ)  
Stark  
Trafigant  
Udall (NM)  
Waters  
Weldon (PA)  
Young (AK)  
Young (FL)

□ 1027

Mr. HEFLEY changed his vote from "yea" to "nay."

Mr. ISSA changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 35, had I been present, I would have voted "yea."

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Rollcall vote No. 35, on approving the Journal, I would have voted "yea."

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. SIMPSON). Will the gentleman from California (Mr. SCHIFF) come forward and lead the House in the Pledge of Allegiance.

Mr. SCHIFF led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 325. Concurrent Resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The message also announced that the Senate has passed concurrent resolutions of the following titles in which the concurrence of the House is requested.

S. Con. Res. 96. Concurrent Resolution commending President Pervez Musharraf of Pakistan for his leadership and friendship and welcoming him to the United States.

S. Con. Res. 97. Concurrent Resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that 1-minute speeches will be postponed until the end of the day.

## PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 622, HOPE FOR CHILDREN ACT

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 347 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 347

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes, with Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in each of the Senate amendments with the respective amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

□ 1030

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 347 provides for a single motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in each of the Senate amendments with the amendment printed in the report of the Committee on Rules accompanying this resolution.

The resolution waives all points of order against consideration of the motion to concur in the Senate amendments with an amendment. It provides 1 hour of debate in the House, equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means. Finally, the resolution provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

Mr. Speaker, the amendment to be included in the motion provided for in this resolution would amend the Internal Revenue Code to: One, provide for supplemental stimulus payments; and, two, accelerate the 25 percent individual income tax rate. It also sets forth provisions specifically applicable to business, including: One, a special depreciation allowance for certain property acquired after September 10, 2001, and before September 11, 2004; two, a temporary increase in section 179 expensing; and, three, an increased carryback period for certain losses.

The amendment extends various expiring provisions including: One, the credits for qualified electrical vehicles, work opportunity credit, and the welfare-to-work credit; and, two, provisions concerning a taxable income limit on percentage depletion for oil and natural gas produced from marginal properties, parity in the application of certain limits to mental health benefits, and the availability of medical savings accounts. The amendment also reauthorizes Temporary Assistance for Needy Families supplemental grants for population increases for fiscal year 2002, and provides special allowances for a designated "New York Liberty Zone" for the area damaged in the 9-11-2001 terrorist attacks.

Mr. Speaker, the amendment further provides a program of temporary extended unemployment compensation, establishes a displaced worker insurance credit, and amends the Workforce Investment Act of 1998, with respect to national emergency grants, to authorize grants for employment and training assistance and temporary health care coverage assistance to workers affected