

**SEC. 7. DISCLOSURE OF INFORMATION.**

(a) **GENERAL RULE.**—Except as otherwise provided in this section, a copy of a record, information, or investigation submitted or received by a Team shall be made available to the public on request and at reasonable cost.

(b) **EXCEPTIONS.**—Subsection (a) does not require the release of—

(1) information described by section 552(b) of title 5, United States Code, or protected from disclosure by any other law of the United States; or

(2) information described in subsection (a) by the National Institute of Standards and Technology or by a Team until the report required by section 8 is issued.

(c) **PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.**—Notwithstanding any other provision of law, a Team, the National Institute of Standards and Technology, and any agency receiving information from a Team or the National Institute of Standards and Technology, shall not disclose voluntarily provided safety-related information if that information is not directly related to the building failure being investigated and the Director finds that the disclosure of the information would inhibit the voluntary provision of that type of information.

(d) **PUBLIC SAFETY INFORMATION.**—A Team and the National Institute of Standards and Technology shall not publicly release any information it receives in the course of an investigation under this Act if the Director finds that the disclosure of that information might jeopardize public safety.

**SEC. 8. NATIONAL CONSTRUCTION SAFETY TEAM REPORT.**

Not later than 90 days after completing an investigation, a Team shall issue a public report which includes—

(1) an analysis of the likely technical cause or causes of the building failure investigated;

(2) any technical recommendations for changes to or the establishment of evacuation and emergency response procedures;

(3) any recommended specific improvements to building standards, codes, and practices; and

(4) recommendations for research and other appropriate actions needed to help prevent future building failures.

**SEC. 9. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIONS.**

After the issuance of a public report under section 8, the National Institute of Standards and Technology shall comprehensively review the report and, working with the United States Fire Administration and other appropriate Federal and non-Federal agencies and organizations—

(1) conduct, or enable or encourage the conducting of, appropriate research recommended by the Team; and

(2) promote (consistent with existing procedures for the establishment of building standards, codes, and practices) the appropriate adoption by the Federal Government, and encourage the appropriate adoption by other agencies and organizations, of the recommendations of the Team with respect to—

(A) technical aspects of evacuation and emergency response procedures;

(B) specific improvements to building standards, codes, and practices; and

(C) other actions needed to help prevent future building failures.

**SEC. 10. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ANNUAL REPORT.**

Not later than February 15 of each year, the Director shall transmit to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a summary of the investigations conducted by Teams during the prior fiscal year;

(2) a summary of recommendations made by the Teams in reports issued under section 8 dur-

ing the prior fiscal year and a description of the extent to which those recommendations have been implemented; and

(3) a description of the actions taken to improve building safety and structural integrity by the National Institute of Standards and Technology during the prior fiscal year in response to reports issued under section 8.

**SEC. 11. ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT AND FUNCTIONS.**—The Director, in consultation with the United States Fire Administration and other appropriate Federal agencies, shall establish an advisory committee to advise the Director on carrying out this Act and to review the procedures developed under section 2(c)(1) and the reports issued under section 8.

(b) **ANNUAL REPORT.**—On January 1 of each year, the advisory committee shall transmit to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) an evaluation of Team activities, along with recommendations to improve the operation and effectiveness of Teams; and

(2) an assessment of the implementation of the recommendations of Teams and of the advisory committee.

(c) **DURATION OF ADVISORY COMMITTEE.**—Section 14 of the Federal Advisory Committee Act shall not apply to the advisory committee established under this section.

**SEC. 12. ADDITIONAL APPLICABILITY.**

The authorities and restrictions applicable under this Act to the Director and to Teams shall apply to the activities of the National Institute of Standards and Technology in response to the attacks of September 11, 2001.

**SEC. 13. AMENDMENT.**

Section 7 of the National Bureau of Standards Authorization Act for Fiscal Year 1986 (15 U.S.C. 281a) is amended by inserting “, or from an investigation under the National Construction Safety Team Act,” after “from such investigation”.

**SEC. 14. CONSTRUCTION.**

Nothing in this Act shall be construed to confer any authority on the National Institute of Standards and Technology to require the adoption of building standards, codes, or practices.

**SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

The National Institute of Standards and Technology is authorized to use funds otherwise authorized by law to carry out this Act.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from New York (Mr. WEINER) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

**GENERAL LEAVE**

Mr. BOEHLERT. Madam 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. 4687.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from New York?

There was no objection.

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

Madam Speaker, I am honored to bring this bill back to the House so we can pass it and send it on to the President for his signature. Last week the Members of the House, like citizens

throughout our Nation, set aside time to remember the events and heroes and victims of last September 11. We re-experienced the shock and horror of that day, and we gave thanks for our liberties and the way our Nation spontaneously came together to provide emergency, emotional and financial support to those people and places that needed it.

But that is not enough. Our responses to September 11 cannot be limited to sentiment. We have to learn from what happened that day, and apply those lessons. Most of the lessons, of course, relate to foreign policy and domestic security, and it is often difficult to discern exactly what those lessons ought to be once one goes beyond enhanced vigilance, but there are also lessons related to building safety, and at least the immediate lessons in that area are crystal clear.

The collapse of the Twin Towers, and especially the emergency response and evacuation procedures in response to the attack on the Towers, indicates that we need to know more about skyscraper safety. The government study that followed the collapse showed that we need to have better procedures in place to study building failures, from whatever cause, if we are going to save lives in the future.

The attack on the World Trade Center is, we hope, unique. But the collapse of those two seemingly immovable objects has lessons for a wide variety of buildings facing a wide variety of relatively common circumstances.

H.R. 4687, which I introduced along with the gentleman from New York (Mr. WEINER), will ensure that we are able to learn and apply those lessons, not only in the case of the World Trade Center, but in future cases as well.

The bill simply and precisely remedies each and every failing that hindered the investigation of the World Trade Center collapse. The bill gives clear responsibility and authority, including subpoena power, to the National Institute of Standards and Technology to use its longstanding expertise, and that of outside experts, to investigate failures of structures and evacuation procedures, and to make specific recommendations to prevent their recurrence. The bill ensures that NIST's response will be swift and thorough.

This bill has already passed the House overwhelmingly, and we have negotiated clarifying changes with the Senate. The bill is ready for the President, and it will be a fitting memorial to those who perished last year at this time.

Madam Speaker, I thank the families of those who died at the Trade Center, especially those who have formed the Skyscraper Safety Campaign, for all their hard work in helping to bring this measure to fruition. We are working together to ensure that no other families will ever have to experience their particular pain.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I want to add a couple of points of explanation to what the gentleman from New York (Mr. BOEHLERT) has said.

First of all, it is clear that no one in this body, no one on the Committee on Science, no one could have anticipated that dreadful act, that shameful act of cowardice that led to the collapse of the World Trade Center. In fact, nothing that we do today should negate the fact that the way those buildings were built, with such strength and such great craftsmanship, they stood for over an hour, even after they were hit with the most horrific forces any building has had to withstand. What is the result, today over 25,000 families are together with their surviving member because they were able to get out alive. It was the largest urban rescue in history, and it would not have been possible had it not been for the fortitude of those buildings.

But we also would be remiss if we did not recognize that the investigation that ensued after the September 11 building collapse was a disaster. There was miscommunication between different agencies. There was infighting with agencies. To give Members an idea, 80 percent of the steel from those buildings was taken away and recycled before any expert could take a look at them to try to determine if there were flaws that could be avoided in the future.

The electrical switches that could have provided so many telltale signs for investigators were taken away. There were even fights over whether investigators had the right to see the blueprints to the building. In fact, the way I put it, it was a crime scene, and not only was there no smoking gun found, but there was no weapon found. In truth, there was not even a detective assigned to the case. That is what we are trying to address today.

I should point out this is not just idle Monday morning quarterbacking. There are real things that we will be able to learn from this investigation and others to come, although we all hope that this agency is never used. We could learn things that we learned already in the preliminary investigation of the World Trade Center, that perhaps having exit stairwells so close together makes it possible that they can all be knocked out through one horrific event, such as happened in Tower One where three of the stairwells were completely knocked out, preventing egress to the top.

We can learn something that hopefully we would have learned in the 1993 bombing of the World Trade Center, that we need to hard-wire repeaters into these buildings. Repeaters allow firefighters on the ground to talk to firefighters almost a quarter of a mile up without interference on the radio. The most haunting thing that came from so many of the revelations that

we have seen since September 11 is that firefighters, the most heroic imaginable, were climbing the stairs up, not hearing the calls from their comrades below that it was time to evacuate. Mayday calls that should have been assigned to firefighters to get out were never heard by the firefighters because the hard-wiring in the building was not sufficient to install repeaters.

Finally, we may need to learn something about roof access to these buildings. Who knows what might have been possible. We know that hundreds of people perished that day because they went up to the roof seeking a way out. As a matter of fact, early on there were reports that some of the dispatchers who were getting the calls were advising people to do that, all of the things we may learn for future investigations.

But there is one other fact we must not forget, and the gentleman from New York (Mr. BOEHLERT) pointed it out, that this bill would not have happened, simply put, would not have happened had it not been for families of victims and interested Americans coming to us and saying in the midst of all of the difficult things that we have to do as a Congress and efforts to secure our homeland, let us not forget that we need to do an investigation about why those buildings came down.

Frankly, it was the impetus of the Skyscraper Safety Campaign that made this bill a reality. It would not have become a reality had the gentleman from New York (Mr. BOEHLERT) not taken it up, and not taken it up with such dignity and speed, and his staff had not been so proficient in doing it, including Mike Quear on our side of the aisle, Geoffrey Hockert and Lamar Robertson on my staff. Frankly, the gentleman from New York (Mr. BOEHLERT) has shown us the way to get this stuff done. Many of us are standing here after September 11 and wondering why so many of the obvious things are taking longer than we thought. Perhaps if the gentleman from New York (Chairman BOEHLERT) was the chairman of all of the committees, and I am not sure that I would wish that on the gentleman, but perhaps it would move quicker.

Secondly, it is undeniably a fact that if we did not have the NTSB as a model, this would have taken a lot longer. The NTSB has shown us the way in the way that they investigate airline crashes, the way they sequester information, and take control of a scene as if it were a crime scene. They always get their man. They have virtually 100 percent success rate of coming to conclusions about why planes crash. We use that as a model to help this bill.

Madam Speaker, I strongly urge the President to give this the attention it deserves by having a ceremony when he signs this bill. I thank Senator SCHUMER and Senator CLINTON for being so expeditious in their consideration. This is legislation that hopefully we will never see put into place. There should

never again be, God willing, the type of catastrophic building collapse as we saw in New York on the morning of September 11; but if there is, we should learn from it. And, as importantly, we hope with this legislation we give the tools to investigators to learn everything possible to learn about the causes of the September 11 collapse.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, the gentleman from New York (Mr. WEINER) points out something very important. We get things done in this institution by working on a bipartisan basis. We get things done in this Congress by working on a bicameral basis. That is why we have succeeded in getting to this point.

Madam Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), someone who has been very instrumental in fashioning this bill and bringing us to the point where we are right now.

Mr. SHAYS. Madam Speaker, I thank the gentleman from New York (Mr. BOEHLERT) and the gentleman from New York (Mr. WEINER) for this legislation, for their perseverance, and for listening to their constituents and the people who suffered from September 11 who helped design this bill.

When we had the first hearing on H.R. 4687, the National Construction Safety Team Act, I thought, "what am I really going to learn." Two large airplanes filled with fuel crashed into two buildings, and the buildings came down; end of story.

Well, as soon as the hearing began, I learned there was so much more to the story. First, who was in charge. What happened to the evidence, not like it was a crime, this was a terrorist act, but what happened to the materials that would help us understand how these buildings collapsed and how it might have been prevented.

□ 1530

As others have pointed out, where the location of the stairs were. I have a constituent who spoke to her loved one, her husband, for almost an hour as he went to the top of the building, went down to the fire, tried to find a way to get out, asked for her help as she looked at the building on the cameras, on the TV, to see if she saw any opportunity. That was the last time she spoke with her husband, trying to help him deal with this catastrophe.

We have a good model in the NTSB. We know that we have the ability when there are airplane crashes to look at the NTSB and see what they do. They take control. They have subpoena power. They have the ability to look at every aspect of the disaster, the people involved, what they did, what they did not do, the materials involved, what happened. With this legislation, NIST has the same authority, with all the

same powers. When there is a major catastrophe, when there is loss of life, they are going to step in.

I was particularly intrigued by the fact that not only were we talking about these two incredibly large buildings, but we are talking about a 40-story building that caught on fire and there was no way to put that fire out, no water, no ability to put it out, so it was allowed to burn for nearly 7 hours, this 40-story structure. Think of all that we could have learned about building material. Think what we will learn in the future and just think of how important it is for those who have lost loved ones to know that there is an organization like NIST that will take charge just like the NTSB takes charge in the disaster of an air flight. We are at war with terrorists. They are going to use conventional, biological, and possibly chemical weapons. Heaven forbid that they will someday have access to nuclear weapons and try to use them. We know that we cannot always prevent a disaster, but when there is one, we need to learn from it.

Again, I want to just thank both the chairman of the Committee on Science, who has brought science to the discovery of why things happen, and the gentleman from New York (Mr. WEINER) for his incredible help. I appreciate the work of both of them.

Mr. BOEHLERT. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GRUCCI) who has been there right from the beginning, at every hearing, meeting with the skyscraper safety campaign committee, meeting with the professional staff, working very hard to produce the product that we are proud to present to the House today.

Mr. GRUCCI. Madam Speaker, I would first like to take a moment to thank the gentleman from New York (Mr. BOEHLERT) and the gentleman from New York (Mr. WEINER) for their steadfast leadership and my colleagues on the Committee on Science for working together on this incredibly important piece of legislation. The tragedy of September 11 was one that no one could ever predict or even fathom. The extent to which our Nation was affected may never be completely understood. America sat with fear and awe, our eyes captivated by the sight of these once great majestic towers, reduced to a pile of smoldering ruins. But as the hallowed ground of lower Manhattan is cleared of the rubble and America attempts to heal from the horror of September 11, we continue to work together to find what answers we can muster from this tragedy and ask the critically important questions to find out how these towers failed.

Madam Speaker, my congressional district lies just 45 miles from what is now known as Ground Zero. My constituents were some of the first responders, opening up their emergency rooms and volunteering their rescue services to help the mothers and fathers, brothers and sisters, friends and

even strangers, all that were trapped in that rubble in the World Trade Center on the morning of September 11.

This legislation, the National Construction Safety Team Act, will give the National Institute of Standards and Technology clear authority and responsibility as well as the necessary legal tools to investigate building failures. Other Federal agencies, such as the National Transportation Safety Board, have the authority to obtain evidence and investigate transportation calamities. In the collapse at Ground Zero, there was no clear mandate to what Federal agency would lead an investigation into the building's failure. This confusion can never happen again.

H.R. 4687 clarifies the process and makes certain that NIST has the authority to study building collapses. It is crucial that we extend this authority to building engineers and protect all Americans from future danger or tragedy. I am proud to be an original cosponsor of this legislation and place my full support behind the bill. I urge my colleagues to join me once again in supporting final passage of this critical legislation before the close of the 107th Congress.

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

I just want to make one concluding thought. One of the things that has been suggested in some quarters, and we are having a great deal of discussion in New York about how to redevelop lower Manhattan is, "Well, maybe we shouldn't build big buildings anymore." I think this legislation is a recognition of just the opposite. Big buildings have always been, as E.B. White described it, built out of our desire to reach for the heavens. In New York City, frankly, we do not have big wide open spaces, so we are not going to build out to the sides. We are going to be building high-rise.

There is another absolute fact I can say going forward: We are always going to have firefighters who are going to run into those buildings to save people on the high floors. Those are two almost immutable facts of life in New York and probably in the United States of America.

This legislation is a sign that we are not retreating from that idea. What we are doing is trying to learn from our experiences, to try to make both the people who work in those buildings, firefighters and emergency workers who may someday, God forbid, have to rush into those buildings, make them both safer. But let no one see this legislation being passed and say, well, we are getting a little bit weak in the knees about whether or not we should be living up to our greatest ambitions as Americans and as New Yorkers. Neither one is true. In fact, this is recognition that we are going to be building big buildings, we are going to be making them safer, we are going to be making them such that emergency workers

can get in and out of them with ease and make them, frankly, never terror-proof, they are never going to be earthquake-proof, they are never going to be bomb-proof, but we are going to try to learn the tragic lessons of September 11. That should be the legacy of those 2,801 people that were lost that day.

Madam Speaker, I yield back the balance of my time.

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

Our unending quest must be to fill gaps in our knowledge base. With this legislation, we are doing just that. This is a proud moment for the House. I want to thank particularly the gentleman from New York (Mr. WEINER) but also others who cannot be here today because of conflicts. The gentleman from New York (Mr. ISRAEL) was very helpful. The gentlewoman from Maryland (Mrs. MORELLA) was there right from the beginning and worked very hard.

I want to comment on the high degree of professionalism of the staff on the Committee on Science. On our side, Cameron Wilson and Diane Jones and Dr. John Mimikakis and our staff director David Goldston. But it was not just a Republican staff and a Republican bill or a Democrat staff and a Democrat bill. This is a bill for America developed by concerned Americans who want to protect us as much as humanly possible for the future.

Mrs. MORELLA. Madam Speaker, I rise today in strong support of H.R. 4687, The National Construction Safety Team Act of 2002. I want to thank Chairman BOEHLERT for his outstanding leadership on this legislation, and for helping to bring this important issue to our attention. This bill has been strongly supported here in Congress, and also by the Administration.

We are all imminently aware of the tremendous challenges America faced on September 11. In an effort to find answers to some of our questions, the Science Committee heard disturbing testimony about the investigations into the reasons for the catastrophic building failure at the World Trade Center. As a result of that testimony, we have learned that there was no federal agency with clear authority over the investigation. This bill helps remedy that problem by giving the construction safety teams and the National Institute of Standards and Technology comprehensive investigation authorities similar to those of the National Transportation Safety Board. We are firmly establishing who is in charge of future investigations with clear mandates for action, without impeding search and rescue operations. The legislation will allow the teams to carry out critical functions such as: accessing the site of a build disaster, accessing key building records and documents, and retrieving and preserving evidence. We have also learned through testimony that the public was often kept in the dark, leading to confusion and resentment among victims and families. This bill establishes clear lines of communication, ensuring that the public will be informed throughout the investigation, with regular briefings and public hearings.

Additionally, we are supporting much needed research by NIST into the technical causes

of the World Trade Center collapse, and other fire safety issues, in an attempt to provide the necessary research for future building safety codes. NIST is the premier federal laboratory for research in building design and safety, and is uniquely positioned to fully understand the World Trade Center disaster and thereby prevent future collapses.

While I applaud my colleagues for their efforts on moving this important bill, I also caution them that our work may not be done. As the investigations continue, NIST may uncover more questions about the deficiencies of our building designs. They may also discover gaps in our knowledge. New studies and new facilities may be necessary to fill these voids, and thereby may require a new commitment from us. Passage of H.R. 4687 is a very important step toward greater knowledge and better understanding of the events that changed all our lives. I urge your support of this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I strongly support H.R. 4687, The National Construction Safety Team Act of 2002. I am pleased with the outcome of our work on the Science Committee in addressing in a timely fashion, a problem highlighted in the wake of the events of last 9/11. In just a year we already have before us a piece of legislation that will greatly enhance the safety of the next generation of buildings, and save many lives.

Every experience, no matter how horrific, presents an opportunity to learn. Many lives were lost last year, the two moments that jets crashed into the World Trade Center Buildings 1 and 2. However, much of the devastation occurred over the next hour, as people became trapped in the building, exposed to fire and smoke, and eventually as the buildings collapsed. Although, our first responders made heroic efforts, and did an excellent job at rising to the challenge of this unprecedented attack—there is always room for improvement. Also, although the World Trade Center was an architectural marvel, perhaps there were design changes that could have been incorporated that would have saved lives.

Even as the healing is taking place, we must look back carefully and objectively at the events that took place, and look forward to implement plans which might prevent such catastrophic loss from occurring again.

The National Construction Safety Team Act gives responsibility to the National Institute of Standards and Technology (NIST) to dispatch teams of experts within 48 hours after major building disasters. The team will determine the likely technical cause of building failures. They will also evaluate procedures used for evacuation and emergency responses. Then, the team will recommend specific changes to building codes, standards and practices, and to emergency response and evacuation procedures. The team will make regular briefings to the public during ongoing investigations, to keep the public apprised of developments. Implementation of the final recommendations will make our nation's buildings safer and people more secure.

The bill strikes an excellent balance between allowing the team to be efficient and effective—to access the site, subpoena evidence, etc.—and the need to stay out of the way of search and rescue attempts that may also be ongoing.

Obviously, the first implementation of this bill would be a comprehensive review of the

World Trade Center collapse. NIST has already started its follow-on investigation, with \$16 million transferred from FEMA. This bill (H.R. 4687) will provide NIST with the ability to subpoena data, if necessary, to augment its current investigation. The citizens of New York deserve such a deep and thoughtful approach.

But this bill is not only a "World Trade Center Bill." Teams will be organized and prepared to respond within 48 hours of any major building failure that involves significant loss of lives, or the danger of such loss. I hope that such a system could also help us learn from, and better prepare for natural disasters as we saw in Houston during Tropical Storm Allison in 2001. Flooding led to the destruction of thousands of homes and buildings, and the loss of 41 lives nationwide. Hospitals, such as that at Baylor College of Medicine, suffered millions of dollars in damages, setting research back years.

One young woman who died in Houston, Kristie Tautenhahn, was in a building that was rapidly flooding. A voice came over the intercom, informing employees that the underground garage was filling up with water, and people should go down and move their cars. Kristie, a 42-year old proofreader in a law firm got trapped in an elevator on her way down to the garage, and drowned soon after.

Tragic events, like the death of Ms. Tautenhahn or the flood damage of Baylor probably would not trigger the kind of investigations that this bill provides for. However, it seems that the work of investigative teams created by this bill, could provide valuable information which may bring about smarter building codes, to prevent such failures, and better strategies of getting the appropriate warnings and evacuation information to potential victims of disaster.

H.R. 4687 is a great strike toward a more comprehensive national strategy for predicting, preventing, and mitigating damage due to disasters of all sorts. It is a proactive, preemptive type strategy that could save lives and money. I am pleased with the Science Committee's leadership on such issues. It compliments well other legislation emerging from the Science Committee, such as the Inland Flooding Bill that I worked on with my colleague from North Carolina BOB ETHERIDGE, which will help predict and prevent damage from cyclone-related flooding. We are turning away from just putting out fires, and toward understanding our vulnerabilities, and trying prevention. It is the right way to go.

I urge my colleagues to support the National Construction Safety Team Act 2002.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4687.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair de-

clares the House in recess until approximately 6:30 p.m.

Accordingly (at 3 o'clock and 38 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN) at 6 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H. Con. Res. 435, by the yeas and nays;

H. R. 4102, by the yeas and nays; and H.R. 5333, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### CANDACE NEWMAKER RESOLUTION OF 2002

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 435.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 435, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 397, nays 0, not voting 35, as follows:

[Roll No. 388]

YEAS—397

Abercrombie	Biggert	Camp
Ackerman	Bilirakis	Cannon
Aderholt	Bishop	Cantor
Akin	Blumenauer	Capito
Allen	Blunt	Capps
Andrews	Boehert	Capuano
Armey	Boehner	Cardin
Baca	Bonilla	Carson (IN)
Bachus	Bonior	Carson (OK)
Baker	Bono	Castle
Baldacci	Boozman	Chabot
Baldwin	Borski	Chambliss
Ballenger	Boswell	Clay
Barcia	Boucher	Clayton
Barrett	Boyd	Clement
Bartlett	Brady (PA)	Clyburn
Barton	Brady (TX)	Coble
Bass	Brown (OH)	Condit
Becerra	Brown (SC)	Conyers
Bentsen	Bryant	Cooksey
Bereuter	Burton	Costello
Berkley	Buyer	Cox
Berman	Callahan	Coyne
Berry	Calvert	Cramer