

In response to the hospitality shown to us in Moscow, we agreed to host a dinner here in Washington for Makarov and the ATERA Corporation, and so on Tuesday evening in the Library of Congress almost 30 Members of this body from both parties and members of the other body assembled, along with diplomats from eight nations and approximately 18 members of the Russian Duma and Federation Council. In addition, we were joined by officials from various Federal agencies.

It was a very productive dinner, as we heard the progress of this young energy company, 10 years old, that now has an annual revenue approximating \$5 billion.

There were also some serious discussions because, as with other merging companies in Russia, there have been allegations and accusations, as there have been with other energy companies and other banks and institutions in Russia, that the companies are perhaps not transparent enough, perhaps they have items that we have to confront and ask them about.

In this case, what was absolutely refreshing was that the chairman of the board of the ATERA, Igor Marakov, a young 34-year-old champion bicyclist from Russia, openly in front of our entire assembled group offered to provide to us the complete list of all of the owners of this privately held corporation. That in itself was significant because they are a private corporation. They gave us the list at my request of not just the owners of the company but also the members and employees of their Esau who, in fact, were revealed to us so that we now know the true ownership of this corporation as they move to be accepted on the New York Stock Exchange.

Secondarily, because of concerns that we raised with them and concerns that we have had with other companies that are emerging in Russia, they announced that they have agreed to form an outside independent board that would monitor and review the board activities of ATERA, and they have announced that they are accepting, and I have provided to them suggestions for prominent Americans that can reflect upon the kind of work that this company is engaged in, and in fact, they had meetings this week with former CIA Director Jim Woolsey, former Energy Secretary and former CNO of the Navy Jim Watkins and, in fact, took their constructive suggestions and have agreed to put into place an aggressive effort to open up the inside operations of the company, the kinds of activities they are involved in, the extent of their operations and to have a formal process for these kinds of officials that will, in fact, come from America and perhaps other companies to bring true transparency to their company.

For these things I applaud ATERA. I am not saying that we have answered all the questions, but I am saying that we have made a good start, and this

company deserves to be given credit for coming to Washington and telling the elected officials of this body that it wants to be open, it wants to engage with American energy corporations. It wants to have the bipartisan look of not just Members of Congress and our agencies but also of those individuals in America that can help them chart a new course, a course of integrity, honesty and openness as they grow into a company that hopefully will become a true multinational organization.

I thank my colleagues for joining with me in hosting that event, in particular the gentlewoman from Florida (Ms. BROWN) and the gentleman from Florida (Mr. SHAW) from Jacksonville, who hosts the corporate headquarters of this company, and I applaud those other Russian companies that are looking to make the same strides in moving toward open ownership and openness and moving toward the kind of transparency that American companies must provide to get the investment from the people of this country and people from around the world who have confidence in the American free enterprise system.

#### FREEDOM OF SPEECH FOR RELIGIOUS INSTITUTIONS

The SPEAKER pro tempore (Mr. CRENSHAW). Under the Speaker's announced policy of January 3, 2001, the gentleman from North Carolina (Mr. JONES) is recognized for 60 minutes as the designee of the majority leader.

Mr. JONES of North Carolina. Mr. Speaker, I want to report to the staff that I will not take the full hour. That I am sure is good news because they work awfully hard, and many times the staff is here at 11:00 at night. I will keep my word to be not much longer than 20 minutes.

Mr. Speaker, I am on the floor again, I have been every week for the last month, talking about an issue that, to me, if we are talking about September 11, we are talking about the war on terrorism, we are talking about our troops in Afghanistan. Part of the reason they are there is to protect our freedom. There is no question about it, and our national security.

The reason I come to the floor is because a year or so ago it was brought to my attention by a minister in my District that he was prohibited from talking about a political issue or candidate during the 2000 election in the months of September and October. So I took it upon myself to, along with my staff, to research this issue, and I found out that in 1954 Lyndon Baines Johnson had the H.L. Hunt family opposed to his reelection, and the H.L. Hunt family had established two 501(c)(3) think tanks.

So Johnson, being the majority leader and a very powerful man, and I think very arrogant man quite frankly, but anyway that is my opinion. He put an amendment on the revenue bill that was going through the Senate that was

never debated, no debate, and basically what this debate said that if a company is a 501(c)(3) then they may not have political speech.

Mr. Speaker, the reason that bothers me so greatly is that prior to the Johnson amendment, any pastor, priest or rabbi or cleric in this country had the right to talk about any issue that they and the congregation chose for that minister to talk about. The Johnson amendment put the IRS, because his amendment went on a revenue bill, into our churches, and they are what we call the speech patrol.

That is not what this great Nation is about. This great Nation is about freedom, and the first amendment is cherished by all of us, and I would always do any and everything I can as a Member of Congress and as a citizen to protect the first amendment rights of the people of this country, and that includes our preachers, priests and rabbis.

So we put a bill in as H.R. 2357, the Houses of Worship Political Speech Protection Act, and I am pleased to tell my colleagues, as of tonight, we have about 134 cosponsors. We are picking up some from the other side of the aisle, some Democrats. I am delighted that the gentleman from Tennessee (Mr. CLEMENT) came on this week. He has joined us in this fight to return the freedom of speech to our churches and synagogues, and I want to read a couple of quotes at this time.

This is a quote from the former Congressman George Hansen from Idaho who served 12 terms, and this is his quote, "It is impossible to have religious freedom in any Nation where churches are licensed to the government." In my opinion, if the government is going to influence what a person can and cannot say within a church, then that is the government, in my opinion, that might as well as be licensed to churches, if they are going to stop them from talking about the moral and political issues of the day, because many of the biblical issues are today the political issues of the day. So the churches should be free to have those sermons and those discussions if the minister chooses to do so.

In addition, Martin Luther said, "The church must be reminded that it is neither the master nor the servant of the State but, rather, the conscience of the State."

Mr. Speaker, what happened in the year 2000 and actually throughout the election cycle in the year 2000, Barry Lynn of the Americans United for Separation of Church and State, he sends a letter to the religious leaders, both front page and back, and I am just going to read one paragraph because I want to make a point with this one paragraph. He says, "Dear Religious Leader, another election year is upon us, and questions about the appropriate role of houses of worship in the political process have arisen."

The second paragraph is the one that I really find intriguing quite frankly

because he says in the first sentence of the second paragraph, he acknowledges what I am saying tonight is that our churches are guaranteed freedom of speech by the Constitution, and this is what Mr. Lynn says to begin this second paragraph.

"The First Amendment of the U.S. Constitution protects the right of pastors and church leaders to speak about on religious, moral and political issues." That is exactly what I am saying. Exactly what I am saying. The first amendment guarantees the freedom of speech in our churches and synagogues and mosques throughout this country. However, and that is the word he uses, the second part of that paragraph or the second sentence in that paragraph is exactly what I am talking about tonight, the Johnson amendment.

He says, "However, houses of worship, as nonprofit entities under Section 501(c)(3) of the Internal Revenue Service Tax Code, are barred from endorsing or opposing candidates for any public office and may not intervene directly or indirectly in partisan campaigns."

That is because of the Johnson amendment. If I go back to Mr. Lynn's first sentence, very seldom do I agree with him, but I do agree with him and he is exactly right, "The first amendment of the U.S. Constitution protects the right of pastors and church leaders to speak out on religious, moral and political issues."

□ 2000

He is right. The problem is the second sentence, the Johnson amendment, "however." That is right, Mr. Lynn and I agree, the Constitution does guarantee that right to our preachers, priests, and rabbis throughout this country.

There was a hearing held, and the gentleman from Illinois (Mr. CRANE) has certainly been interested in this issue. He has a separate bill from mine. They are not competing. Mine just takes a different approach than his, but I want to praise the gentleman from Illinois (Mr. CRANE) for taking on this issue for a number of years, and I look forward to working with him in the months and years ahead. One day I hope that President Bush will sign a bill that says to the churches and synagogues of this country that they have total free speech in that church. That is what the cosponsors who have joined us on this bill, H.R. 2357, want.

Tonight I am not going to take the time to list all of the spiritual leaders that have written letters of support and made telephone calls.

Dr. D. James Kennedy from Florida testified before the oversight subcommittee of the Committee on Ways and Means, and brought petitions signed by 60,000 people from around this country in support of this legislation. That same day we had a former Member of Congress from Washington, D.C., and a vice mayor of Washington,

D.C., Pastor Walter Fauntroy testified on behalf of this legislation at the same time Dr. D. James Kennedy testified, and the attorney who helped me draft this legislation, Mr. Kobe May of the American Center for Law and Justice. Mr. May has been in the courts many times trying to protect the first amendment rights of people throughout this country.

What I want to share is a response. There were two representatives from the Internal Revenue Service. One is Mr. Hopkins, and one is Mr. MILLER. I found the whole testimony intriguing, quite frankly, but just a couple of points I would like to bring forward. In response to a question the gentleman from Georgia (Mr. LEWIS) asked Mr. MILLER, "As a rule, do you monitor the activities of churches during the political season?"

Mr. MILLER with the Internal Revenue Service, "We do monitor churches. We are limited in how we do that by reason of section 7611 and because of lack of information in the area because there is no annual filing."

Mr. Speaker, this is the point that I want to make clearly. The last part of his answer, Mr. MILLER to the gentleman from Georgia (Mr. LEWIS), and this is what I wanted to stress, "So our monitoring is mostly receipt of information from third parties who are looking."

Mr. Speaker, third parties that are looking to see what the church and the pastor in that church is talking about and if he is violating the 501(c)(3) status, the Johnson amendment, then he is in violation and can lose the 501(c)(3) status. For those who talk about the separation of church and state, if they really are concerned, why do they want the government dictating what a minister might or might not be able to say within the church?

Let me go just a little bit further. The gentleman from Illinois (Mr. WELLER) also is on that committee, and I want to read a couple of his questions and the answers. This gives a better example I think to my colleagues here in the House. The gentleman from Illinois (Mr. WELLER) asked a question of Mr. MILLER of the Internal Revenue Service. Can the from the pulpit and not be in violation of the tax status that candidate is pro life or candidate why is pro choice? The answer was that becomes more problematic can speak to issues of the take but to the extent they start tying it to particular candidates and to a particular election, it begins to look more and more like either opposition to a particular candidate or favoring a particular candidate.

Basically he is saying they are in violation of the Johnson amendment. The preacher cannot do that. That is exactly what he is saying that.

Let me go to another question that the gentleman from Illinois (Mr. WELLER) asked. He asked, "and would the Crane and Jones legislation clarify the law to allow for that type of statement?"

Mr. MILLER answers, "I believe so."

That is what this is all about. I think if this country is to remain morally strong, our spiritual leaders throughout the country should have the right to talk about these issues. They had it prior to 1954. I am going to give evidence of that in just a moment.

Another question from the gentleman from Illinois (Mr. WELLER) to another agent who was in attendance, Mr. Hopkins. He says, "So just to follow up on that, say you have a candidate who is a guest speaker, was in a church speaking from the pulpit, concludes his or her remarks, and the minister walks up, puts his or her arm around that particular candidate and says, this is the right candidate. I urge you to support this candidate. Is that allowable under current law?"

Mr. Hopkins with the Internal Revenue Service, "No, that would not be allowable under current law. That would clearly be political campaign activity. It would be protected, however, under the two bills that are the specific subject of the hearing." So it would be protected under my bill and the Crane bill.

Some people might say why should the churches get involved in political campaigns. Let me give another example. Down in my district during the year 2000, Jerry Shield, a friend of mine who is Catholic, went to his priest, Father Rudy at St. Paul's in New Bern, North Carolina, the Sunday before the Tuesday and he said to Father Rudy, Would you please say to the congregation George Bush is pro-life. The priest said, I cannot do that. It will violate the tax status of this church.

Let me give an example on the other side. There is a wonderful former Member of Congress, Floyd Flake, whom all of us love. He is Dr. Floyd Flake, a minister, and has a very large church in New York City. Mr. Flake had Al Gore in his church, and when Mr. Gore completed his speech, Reverend Flake went up and did exactly the same thing that the gentleman from Illinois (Mr. WELLER) asked the IRS about. He stood up there and said I believe this is the right man to lead this Nation. He is trying to say that he believes as a spiritual man that he believed Al Gore is the right man. He got a letter of reprimand from the Internal Revenue Service; a third party turned him in.

Mr. Speaker, this is America. Freedom rings in this great country. Our men and women are serving this Nation across the sea to guarantee that freedom, and we have a responsibility to not let Lyndon Johnson get by with an amendment that was not even debated. That is what happened. So after 48 years, 48 years of the Federal Government influencing and threatening what can be said in our churches and synagogues, we now have an opportunity to pass legislation to get this debate started.

I want to thank even some who do not agree with me on this issue, thank you for allowing, after 48 years, for this

bill to get to the floor for a debate. We will see what might happen when this bill might come forward.

Let me take 5 or 6 more minutes and then I will close. There is a professor at Purdue University named Dr. James Davidson. I had read a report. He is well known. He is a psychologist at Purdue University. I talked to Dr. Davidson yesterday. He has spent a lot of time writing books and articles about churches and religion in America. I want to read this to Members. This is the beginning of his research on the issue of the freedom of churches to talk about political issues. "The ban on electioneering has nothing to do with the first amendment or Jefferson's principle of separation of church and state. The first amendment speaks of religious freedom. It says nothing that would preclude churches from aligning themselves with or against a candidate for political office," and he cites certain court rulings. I will not recite those because of time.

"The courts also have never used Thomas Jefferson's celebrated 1802 metaphor about a wall of separation between church and state to stifle church's support or opposition to a political candidate."

Another paragraph, "From a Constitutional perspective then, American churches have had every right to endorse or oppose political candidates. They have not participated in all elections, but they have been actively involved in some. For example, many Protestant churches and church leaders delivered sermons and published religious literature opposing Al Smith's bid to become the Nation's first Catholic President in 1928."

□ 2015

He cites some references there. Constitutional principles have not changed since 1928. Churches still have a constitutional right to endorse or oppose political candidates. However, then he gets into the issue of the Johnson amendment. What he is saying, that up until the Johnson amendment, there were no restrictions of speech, right or wrong. The preacher, the priest, the rabbi, the cleric had every right to talk about issues they thought were important to their church, to their State and to this Nation.

I just wanted to read that because this man, Dr. Davidson, is an expert on this issue. I wanted to cite that for the record tonight.

Mr. Speaker, I would like to take just a couple of more minutes now to say that the left has tried to say that if my bill or the bill of the gentleman from Illinois (Mr. CRANE) passed, then you are allowing the churches to get into the fund-raising business for political candidates. That is total hogwash. The bill that the Congress and the Senate passed, the 2002 campaign finance reform laws, says that if you are a non-profit entity, which is a 501(c)(3), you cannot raise hard or soft money. So that is just a bogus argument from the

extreme left that does not want to have the preachers to have the right to talk about these issues in their churches, synagogues and mosques.

Mr. Speaker, I want to thank the staff and you for giving me this time. I want to say that the strength of America depends, quite frankly, on our spiritual leaders being able to talk about the issues of the day, whether they be moral issues or political issues. I believe that the strength of this country is dependent on the fact that our spiritual leaders have total freedom of speech no matter what the issue might be. That is the best hope for this country. The spiritual leaders that I have met in the last year and a half I really believe are my brothers in Christ and I have great respect for them.

I want to say that this legislation is supported by such people as D. James Kennedy, Dr. Tim LaHaye and his wife Beverly, by also Ray Flynn, the former Ambassador to the Vatican and also Rabbi Daniel Lapin, a wonderful man of God from the west coast. I talked to him two or three times on this issue. Again, these spiritual leaders and I would say that probably the majority of the spiritual leaders maybe would not even want to discuss these issues in front of their congregation. Maybe they would choose to say, well, I don't want to talk about a political candidate here or there. But my point is, they should have the right to make that decision. They now do not have that right.

There is one other problem with this law. The IRS admitted during the hearing that they cannot enforce this law. As I said earlier, they are dependent on a third party, a spy, if you will, to turn somebody in. I do not believe that that is what this great Nation stands for. Let me also say that they acknowledge that they cannot enforce this law adequately across the board. They have and they did admit they have been somewhat selective as to certain churches. I gave you an example of Floyd Flake who again is a wonderful man of our Lord in New York. All he did was to say to his congregation that he believes that Al Gore is the right man to lead this Nation. Then again I want to go back to the priest down in my district, there was a request made by a parishioner, Just say that George Bush is pro-life. These are just simple words. They have a right to say it. They should have that right. That is acknowledged by Davidson and even in Barry Lynn's letter, the first sentence. He is exactly right. They do have that right. Johnson took it away from them.

I also want to say that this country, I think, is a Nation, and some people will not agree with this, but it was founded on Judeo-Christian principles. That is the foundation of America and if America is going to remain strong, then we have got to be sure that our spiritual leaders have the freedom to talk about the biblical, the moral, and the political issues of the day. They must have that right.

Mr. Speaker, I always close when I come to the floor in a certain way. I spoke this morning and I close this way everywhere I go, because I think we are so fortunate to have our men and women in uniform who are protecting our national security and also protecting the first amendment, the second amendment and all the guarantees that we have in the Constitution. I close this way by saying, I ask God to please bless our men and women in uniform, I ask God to please bless the families of our men and women in uniform, I ask God to please bless the men and women who serve in the United States House and the United States Senate, I ask God to please bless the President of the United States so that he might make the right decisions for this Nation.

Mr. Speaker, I close this way by saying three times, I ask God: Please God, please God, please God, continue to bless America.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GREEN of Texas (at the request of Mr. GEPHARDT) for today after 6:30 p.m. on account of business in the district.

Mrs. THURMAN (at the request of Mr. GEPHARDT) for today on account of a birth in the family.

Mr. THOMPSON of California (at the request of Mr. GEPHARDT) for September 25 after 4:00 p.m. and the balance of the week on account of official business.

Mr. ENGLISH (at the request of Mr. ARMEY) for today until noon on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. KUCINICH) to revise and extend their remarks and include extraneous material:

Ms. NORTON, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

The following Members (at the request of Mr. WELDON of Pennsylvania) to revise and extend their remarks and include extraneous material:

Mr. WELDON of Pennsylvania, for 5 minutes, today.

#### ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 640. An act to adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes.