

From 1981–2001, New York lists the highest number of firefighters in the country who were lost in the line of duty. New York is at the very top of an extremely unfortunate list. Last year alone there were 347 dedicated firefighters who died in the World Trade Center disaster. Overall, the dragon kills about 4,500 people per year, more than all natural disasters combined. Another 27,000 people are injured, not to mention the emotional and financial injuries incurred by the families of fallen firefighters.

The families of firefighters live a life of uncertainty as to whether their loved one will come home each day after work. When a family receives the dreaded news that their loved one will not be returning home chaos sets in, and these survivors desperately need support. As part of an effort to remember America's fallen firefighters and to provide assistance to their survivors, Congress created the National Fallen Firefighters Foundation (NFFF) in 1992.

The foundation is a nonprofit organization located in Maryland which receives funding from private donations from individuals, organizations, corporations and foundations, as well as federal grant money. NFFF provides resources to families of fallen firefighters, such as a grieving network, special scholarships, and important information to families regarding federal, state, and local benefits. These benefits include lump sum death payments, workers' compensation, funeral benefits, pensions and retirement programs and private support.

NFFF also provides services such as regional training sessions to help fire departments handle a line of duty death, and an Annual National Tribute which honors survivors of firefighters who died in the previous year. This year's ceremony is scheduled for October 5 and 6, and will honor 445 firefighters, including those killed at the World Trade Center.

Last September, the entire world watched with bated breath as firefighters unselfishly and effectively did their jobs. These acts of honor and bravery were in sharp contrast to the cowardly acts of violence perpetrated on America. Our lives depend on firefighters and we are beholden to them for so very much.

I support this Resolution which reminds us all of what a difficult job firefighters have, and the sacrifices their families make. I am proud to honor the lives lost, the thousands of firefighters who continue to work tirelessly and bravely, as well as their families.

Mr. GRUCCI. Madam Speaker, I would first like to thank my colleague Congressman WELDON for his tireless efforts on behalf of America's firefighters, and for bringing this measure to the floor today.

Few images throughout history more clearly illustrate heroism better than the images of brave firefighters entering the World Trade Center—knowing they very well may never return—with one selfless goal in mind: to save lives.

On that tragic day—September 11, 2001—347 firefighters died in the line of duty, several from my own district on Long Island.

While the heroic efforts of these brave men and women may be more clear on that day there isn't a day that passes when firefighters do not risk their own lives to save others.

Last year alone, 442 firefighters sacrificed their lives in order to save the lives of innocent victims of fire and other emergencies.

Later this week, the National Fallen Firefighters Foundation will honor these firefighters and their families for the sacrifices made over

the last year. We will remember the impact these brave firefighters have made in towns and communities throughout America and the heroism that has saved countless lives.

On behalf of the First Congressional District of New York—home to several fallen firefighters—I join my colleagues in support of H. Con. Res. 476.

Mr. GEKAS. Madam Speaker, I rise today in strong support of H. Con. Res. 476 and urge my colleagues to support this important piece of legislation as well.

Our firefighters protect us every day and sometimes give up their own lives to protect and serve their communities and their fellow man. This was never more evident than on September 11, 2001. On that day, as frightened and wounded civilians ran from the World Trade Center, brave firefighters rushed in, in a determined effort to save others. These brave individuals risked everything in an effort to render aid and evacuate the people trapped in the towers. This effort cost many firefighters their lives. The September 11, 2001, attacks highlighted the spirit and courage of firefighters across the nation. Mostly volunteers, these men and women protect our lives and property, and while they never boast of their heroic deeds, they are truly heroes.

H. Con. Res. 476 reaffirms that Congress supports the goals and ideas of a day of tribute to all firefighters who have died in the line of duty and recognizes the important mission of the National Fallen Firefighters Foundation in assisting family members to overcome the loss of their fallen heroes. I am thankful to be able to rise today and proclaim support of H. Con. Res. 476 on behalf of every firefighter in Pennsylvania's 17th Congressional District.

Madam Speaker, this is the very least we can do. I salute Congressman WELDON for sponsoring this resolution and would like to thank him for his leadership on the Congressional Fire Services Caucus, of which I am a member. The firefighters of the United States should know that the Congressional Fire Services Caucus is continually striving to respond to their needs and to deliver to them the equipment and resources they need to do their job in a safe and effective manner.

Firefighting will never be a safe endeavor but we in Congress must do all we can to help our firefighters. No matter what we provide to our firefighters we will never equal the sacrifices they make for us. Collectively, we in Congress thank you and the passage of H. Con. Res. 476 is just a small token of appreciation. We will never be able to thank you enough.

Madam Speaker, I reaffirm my support of H. Con. Res. 476 and of the firefighters of Pennsylvania's 17th Congressional District.

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H. Con. Res. 476, recognizing the goals and ideas of a day of tribute for fallen firefighters, and supporting the important mission of the National Fallen Firefighters Foundation.

Congress created this non-profit foundation ten years ago to lead a national effort to honor firefighters who have died in the line of duty and to assist surviving firefighters and family members in rebuilding their lives.

The Foundation has been steadily expanding its activities. In addition to providing emotional support services to survivors and scholarship awards for surviving spouses and chil-

dren, the Foundation is now creating the first National Park to memorialize fallen firefighters in Emmitsburg, Maryland. And this Sunday, October 6th, the Foundation will sponsor a memorial weekend to honor the commitment, bravery and sacrifice of the 446 firefighters who died in the line of duty in the past year, 343 whose lives were taken on September 11th, 2001.

No one could have anticipated the magnitude of destruction and loss of life that occurred last September. In the wake of those tragic events, the value and contributions of the National Fallen Firefighters Foundation became unmistakably clear.

At the request of the Federal Emergency Management Agency, the National Fallen Firefighters Foundation sent support staff to Ground Zero within days of the attacks, working around the clock to coordinate chaplain support services, survivor support services, as well as logistical and administrative support association with the loss of the firefighters.

The Foundation's efforts in New York City during its time of greatest need were truly invaluable, and I proudly support its cause, as well this resolution recognizing its importance.

U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, September 30, 2002.

Hon. J. DENNIS HASTERT  
*Office of the Speaker, U.S. House of Representatives, Washington, DC.*

DEAR SPEAKER HASTERT, I am writing to inform you that the Committee on Science has discharged from further consideration H. Con. Res. 476, a resolution "Expressing support for the goals and ideas of a day of tribute to all firefighters who have died in the line of duty and recognizing the important mission of the National Fallen Firefighters Foundation in assisting family members to overcome the loss of their fallen heroes." H. Con. Res. 476 was referred to this Committee on September 19, 2002.

Sincerely,  
SHERWOOD L. BOEHLERT,  
*Chairman*

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

The SPEAKER pro tempore (Ms. HART). The question is on the motion offered by the gentleman from Michigan (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 476.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of Michigan. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 2230

#### HOUSES OF WORSHIP POLITICAL SPEECH PROTECTION ACT

Mr. HERGER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2357) to amend the Internal Revenue Code of 1986 to permit churches

and other houses of worship to engage in political campaigns.

The Clerk read as follows:

H.R. 2357

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Houses of Worship Political Speech Protection Act".

#### SEC. 2. HOUSES OF WORSHIP PERMITTED TO ENGAGE IN POLITICAL CAMPAIGNS, ETC.

(a) IN GENERAL.—Paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking "and which does not" and inserting "except in the case of an organization described in section 508(c)(1)(A) (relating to churches), which does not", and

(2) by inserting before the period "and, in the case of an organization described in section 508(c)(1)(A), no substantial part of the activities of which is participating in, or intervening in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures made after the date of the enactment of this Act.

The SPEAKER pro tempore (Ms. HART). Pursuant to the rule, the gentleman from California (Mr. HERGER) and the gentleman from Georgia (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HERGER).

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

Madam Speaker, I rise today in strong support of legislation introduced by the gentleman from North Carolina (Mr. JONES) to protect the first amendment rights of men and women of faith across America. Our Nation's pastors, priests, rabbis and clerics should be free to express their political opinions just as every other American is free to do so.

Unfortunately, many church leaders today are afraid to voice their political opinions because they fear that the IRS may revoke their tax-exempt status. This is exactly what happened to a church which criticized the views of then Governor Bill Clinton in 1992. Should any American have to forfeit their first amendment freedom of speech just because they have a religious affiliation? I certainly hope not.

The legislation before us attempts to recognize the need for an appropriate separation of church and state while not silencing the opinions of religious leaders in the process. Many conservative church leaders in particular have voiced concerns that they may be targeted by the IRS if they simply inform their parishioners of a candidate's position on an issue. These religious leaders point out that the IRS has recently investigated a number of conservative groups while leaving unscathed liberal churches which actively promote a candidate or political party.

Madam Speaker, this is wrong. During the 2000 election campaign, Ameri-

cans United for the Separation of Church and State, a liberal special interest group, sent letters to houses of worship across the country warning them against distributing Christian Coalition voter guides lest they be in danger of losing their tax-exempt status. This type of action has a chilling effect on political speech due to the current ambiguity of the Federal Tax Code.

The gentleman from North Carolina's (Mr. JONES) bill will go a long way towards clarifying the tax law with respect to religious institutions and their participation in the political process.

Madam Speaker, at a time when our society can most benefit from a wide diversity of views informed by faith and conscience, we should be doing everything we can to promote freedom of speech by both religious and secular institutions. I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I yield myself 4½ minutes.

From the outset, Madam Speaker, I want to make it clear that this piece of legislation that we are considering tonight never was voted out of the subcommittee or the full committee of the Committee on Ways and Means of the House. There was only a hearing in the Subcommittee on Oversight.

Madam Speaker, the sponsor of this bill will have us believe that they are merely protecting free speech, but do not be fooled. This legislation has one purpose and one purpose only, to allow our houses of worship to become vehicles for partisan political activity.

As someone who stood alongside Dr. Martin Luther King, Jr., and the other great leaders of the civil rights movement of the 1960s, I can tell my colleagues that they would be dismayed by this legislation. During the civil rights movement, we fought to end legal segregation and break down barriers to political participation. The church was the heart and soul of our efforts because ministers had the moral authority and respect to stand against immoral and indefensible laws, bad laws, bad customs, bad tradition.

Ministers who led the civil rights movement did not select political candidates and operate our churches like political action committees. Although their churches and leaders faced violence and hatred for their efforts to protect human rights and human dignity, they were free and even protected by the Constitution to speak out on these issues. At no time did we envision or even contemplate the need for our houses of worship to become partisan pulpits.

Make no mistake, partisan politics has its place. President John F. Kennedy once said that both major parties today serve the national interest, but when party and officeholder differ as to how the national interest is to be served, we must place first the responsibility we owe not to our party or

even to our constituents, but to our individual consciences.

Madam Speaker, in this matter we owe our allegiance to our individual consciences, and we owe it to those ministers and the other religious leaders and churches and institutions who speak out on the issues to protect them. Our religious organizations should continue to be places that ministers, priests and rabbis, and imams give moral and spiritual guidance. We should not allow them to be transformed into institutions that tell their members and their parishioners how to vote.

If this legislation is allowed to stand or pass, we can have a minister, a priest, a rabbi or a mosque coming in the pulpit saying vote against so and so, or God told me vote against so and so, taking up offerings in the church, in the synagogue, in the temple, in the mosque, tax-exempt organizations.

Finally, Madam Speaker, if my colleagues think that ministers and religious leaders are muzzled politically and are clamoring for this legislation, look at the list of more than 200 mainstream churches and religious organizations who are opposed to this bill: the African Methodist Episcopal Church, the American Baptist Church, the American Jewish Congress, the Islamic Supreme Council, Evangelical Lutherans, Presbyterians, Buddhists, Quakers, and the list goes on and on.

We cannot allow supporters of this measure, however well-intended they may be, to influence us to recklessly discard the time-tested system we now have in place or substitute it with a dangerous experiment in mixing religion with partisan politics.

This bill before us tonight, Madam Speaker, threatens not only our quest for meaningful campaign finance reform, but threatens the very integrity and independence of our churches and others houses of worship. Any time the wall of separation between church and State is breached, religious liberty is threatened. The wall between church and state must be solid. It has guided us for 220 years. It must not be breached for any reason. I urge my colleagues to protect our tradition of religious liberty and vote against this bill.

Madam Speaker, I reserve the balance of my time.

Mr. HERGER. Madam Speaker, I yield 6 minutes to the gentleman from North Carolina (Mr. JONES), the sponsor of this legislation.

Mr. JONES of North Carolina. Madam Speaker, I thank the gentleman from California for yielding me the time, and certainly the gentleman from Georgia, who I have great respect for, as well as the gentleman from Texas. And what makes this great body, what it is, is the freedom that we all enjoy to disagree and many times agree.

Let me talk a little bit about the history of this issue. If this was 1953, we would not be debating this issue because it would not be an issue. The

churches in this country had the freedom to talk about the issues of the day, whether they be political issues or nonpolitical issues. There was no restriction from the beginning of the churches in this country.

There was never a restriction until Lyndon Johnson put an amendment on a revenue bill going through the Senate with no debate, and Mr. Johnson was opposed to the H.L. Hunt family, who were working against his reelection, and they had established two 501(c)(3)s, and so Mr. Johnson put an amendment on without any debate that said if an organization is a 501(c)(3), they may not have political speech.

Let me tell my colleagues that most of the experts, and I am certainly not an expert, most of the experts have said in analyzing this issue, and it has been analyzed by many researchers through the years; that probably Lyndon Johnson did not mean to stifle the churches or synagogues in this country, and let me explain that.

Lyndon Johnson was the VP on the ticket with John Kennedy in 1960, and the churches in Texas, many of the churches, were opposed to John Kennedy being a Catholic, being the first Catholic in the White House. So those who have researched this issue say that if Johnson had intended for the churches to be stifled in speech, that probably Mr. Johnson, being a powerful man, would have picked up the phone and called the Internal Revenue Service and said they need to look into this church. Johnson never made any call or any complaints. So the experts, which I am not one, have said that they believe that Mr. Johnson did not intend to put the muzzle on the churches and synagogues throughout this country.

Let me make a couple of other points real quickly. The letter that the gentleman from California (Mr. HERGER) made reference to that was sent out by Barry Lynn, this is how this came to my attention, quite frankly. I had a Baptist minister in my district ask me to speak in September of the year 2000 to his adult men's class, and I went, and he showed me a letter, this is a copy of it, from Barry Lynn that went to over 285,000 churches, and it is a warning to the minister that he not violate the 501(c)(3) status known as the Johnson amendment.

Let me tell my colleagues what really interests me, because I do not agree with Mr. Lynn on much, and he does not agree with me, and that is what makes America the great Nation it is. But let me read this first sentence to my colleagues because this tells it better than I can tell it.

"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." He acknowledges that is what the Constitution guarantees, but his second sentence is, however, houses of worship, as a nonprofit entity under sec-

tion 501(c)(3), cannot have political speech.

So my point is I do agree with what he said, and he was right, the Constitution does guarantee this, and Lyndon Johnson took it away from them. Maybe he did not intend to, but the churches in many places, in my opinion, the priests, the rabbis and the clerics have not had the freedom to speak about the moral and political issues of the day, and many times the moral issues become political issues, and the political issues moral issues, and we all know that.

I tell my colleagues what really concerns me even more is that Mr. Lynn, about a month later, sent out a press release. I checked with the Internal Revenue Service yesterday. We have over 880,000 houses of worship. Mr. Lynn, in 2000, sent out a press release that said, we plan to mail it to approximately 285,000 houses of worship. I am confident that every church targeted by the coalition will receive this letter.

My question to Mr. Lynn and to those who believe this is a good law, maybe we ought to hire 880,000 inspectors to represent the Internal Revenue Service at every church and every synagogue and every mosque in this Nation during the months of September and October. If we want to make the law fair so it applies to everybody, then make it fair for everybody. Do not just single out certain groups and target certain groups.

The last point I would like to make on this issue is that when we had the hearing, and I want to thank the gentleman from New York (Mr. HOUGHTON), even though he does not agree with the legislation, he did hold a hearing that was very bipartisan, and I am going to wait until the next round to go into details of the testimony, but I am pleased to tell my colleagues that two great men of God came to testify, Dr. D. James Kennedy and Pastor Walter Fauntroy right here in Washington, D.C., a former Member of Congress that we all served with.

Again, I have great respect for the gentleman from Georgia (Mr. LEWIS), and I have great respect for Pastor Fauntroy, and I know he marched with my colleague to bring civil rights to this country, to the people of this country so they could enjoy equal rights and civil rights. I applaud them, and I applaud Walter Fauntroy and certainly Martin Luther King.

In addition, I am pleased to tell my colleagues that I had a long conversation with Floyd Flake. Mr. Flake was one of the finest Members of Congress. He is a man of God. He is a man I respect. We might not politically always agree, but a man I fully respect.

□ 2245

And he is very supportive of this legislation, along with numerous other men and women of faith who are spiritual leaders.

With that I will wait until my next round.

Mr. LEWIS of Georgia. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. HOUGHTON), chairperson of the Subcommittee on Oversight of the Committee on Ways and Means.

Mr. HOUGHTON. Madam Speaker, I thank the gentleman from Georgia (Mr. LEWIS) for yielding me this time.

I have a great deal of respect for the gentleman from North Carolina (Mr. JONES) and the gentleman from California (Mr. HERGER). I just happen to disagree with them on this particular issue, and let me tell my colleagues why. This is really a tax consideration, and all tax bills really should go through the Committee on Ways and Means, and this has not. I have been on the Subcommittee on Oversight of the Committee on Ways and Means. We reviewed this in May. We had a good meeting. There was no consensus on the part of the religious community for Tax Code change. So the whole concept of the 501(c)(3) which includes religious groups, United Way, hospitals, so on and so forth, they receive tax preferential treatment, and there is a trade-off. For that there are no political campaign activities. And today churches are free to talk about the issues in any way they want, but they cannot use the church resources on a tax deductible basis to campaign for a candidate. I think that makes perfectly good sense. They can do what they want, but they should not use the Tax Code the way no one else can use the Tax Code for this political purpose.

Mr. LEWIS of Georgia. Madam Speaker, I yield 4 minutes to the honorable gentleman from Texas (Mr. EDWARDS), my friend and colleague.

Mr. EDWARDS. Madam Speaker, from the time I was a small child my parents taught me that our church was a sacred house of worship, a spiritual place where people of faith could meet, honor God and thank Him for our many blessings. Now as a father, it is my hope that my two young sons will have the same sense of reverence for our church and all houses of worship.

Based on those values, it is my opinion that this bill demeans religion and demeans houses of worship by converting them into political campaign organizations. According to the bill itself, its purpose is "to permit churches and other houses of worship to engage in political campaigns." Madam Speaker, this bill would go so far as to even allow churches to endorse political candidates and to contribute church funds to political campaigns.

If I had a malicious intent to import divisiveness into our churches, I could find no better way to do it than to pass this ill-conceived bill into law. That is why this is not just a bad bill, it is a dangerous bill.

Think about life under this bill. Our churches, synagogues, and mosques could cut back on their spiritual worship time so they could hear from their campaign committee. Then rather than

taking time to praise God, our congregations could entertain divisive partisan political debates as to which local, county, State, and Federal candidates to endorse each year. Active political partisans in each house of worship could then fight over candidates and whether one or the other is truly the faithful one. Perhaps church committees could have religious litmus tests for candidates, thus thrusting aside the spirit of article 6 of our Constitution which prohibits religious tests for positions of public trust.

After acrimonious endorsement debates for dozens of candidates, then our houses of worship could each year determine which mission fund or program for the poor could be scrapped on the altar of political contributions.

Madam Speaker, it is no surprise that so many religious organizations are opposing this bill, and I hope the national press and American people wake up to the quiet, but dangerous, effort, well intentioned or not, in this Congress that would basically interject government and politics into our churches and into our personal faith.

For example, with charitable choice legislation pending in Congress, an administration could dole out literally billions of dollars directly to preferred houses of worship; and then with the Jones bill, those same houses of worship could endorse in the next election the administration that has just given them those tax dollars, thus obliterating the wall of separation between church and State.

If I had planned a lifetime to undermine religious liberty and tolerance in America and to demean houses of worship, I could not have ever devised a more effective plan than to combine charitable choice legislation with this bill. Thankfully through the wisdom of Mr. Madison and Mr. Jefferson, the first amendment places religion on a pedestal far above the reach of politics and politicians. To drag religion down from that lofty pedestal of protection into the quagmire of political endorsements is to demean religion, not protect it; and Madam Speaker, for any bill that deals with the fundamental constitutional principles of church and State to be brought to this House floor under a suspension calendar late at night with only a handful of Members present is a disservice to this House and to the profound importance of religious liberty.

Whether one agrees or disagrees with my position on this bill, I would remind all of us that religious liberty is a gift of God and that for over 200 years our Bill of Rights has protected that divine gift for all our citizens and that any congressional action that treats the fundamental issue of church and State and religious liberty with less than the greatest of careful deliberation puts at risk America's historic legacy of religious freedom and tolerance.

Mr. HERGER. Madam Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Madam Speaker, I thank the gentleman for yielding me this time.

I rise today in strong support of the Houses of Worship Political Speech Protection Act and commend the gentleman from North Carolina (Mr. JONES) for sponsoring this important piece of legislation.

H.R. 2357 seeks to allow our churches and religious institutions to address the moral and political issues of the day, as they have for the first 300-plus years of America's history, without fear of the IRS imposing financial penalties or revoking their tax-exempt status altogether. This legislation frees our clergy to speak their consciences from the pulpit on all issues, even those which may stem from the political arena, without the chilling effect that the Tax Code has on our houses of worship. As the French author, Alexis de Tocqueville, observed in 1835 in his published accounts of life in American society: "Religion in America takes no direct part in the government of society but it must be regarded as the first of their political institutions for if it does not impart a taste for freedom, it facilitates the use of it."

Our clergy and religious institutions have played a significant role in our Nation's political life from the earliest days of our Republic. A clear example can be found right here in the Capitol. The statue of Reverend John Peter Gabriel Muhlenberg depicts him removing his clerical robes to reveal the uniform of a military officer following his farewell sermon to his Virginia congregation on January 21, 1776. From the pulpit Muhlenberg declared that "there is a time to fight, and that time has now come." Reverend Muhlenberg's rousing sermon led 300 men from his congregation to join him that day in America's war for independence. Reverend Muhlenberg was not interested in the endorsement of a political candidate. He preached the overthrow of the government of the colonies.

While this illustrates only one incident in our Nation's past, it still leads one to consider what the fabric of American society would look like today without our past clergymen and women denouncing the evils of tyranny, slavery, and segregation.

H.R. 2357 simply attempts to return our houses of worship to the role they have historically held as an active participant in the political process, addressing the important issues of the day. This bill assures that those who hold to fundamental truths are not divorced from the arena of ideas simply because they happen to be standing behind a pulpit.

I urge my colleagues to support the Houses of Worship Political Speech Protection Act.

Mr. LEWIS of Georgia. Madam Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), my friend and colleague.

Mr. SHAYS. Madam Speaker, I want to first say that I was deeply impressed by the presentation made by the gentleman from Texas (Mr. EDWARDS), and I could feel his pain as he spoke on this legislation and against it because I believe he is a deeply religious man. And this is an awkward issue for us, but we need to speak plainly about it. I too strongly oppose H.R. 2357, the House of Worship Political Speech Protection Act, because I believe it flies in the face of our campaign finance laws and more importantly would create a large soft money loophole. I also have serious concerns the legislation would erode the separation of church and State, a bedrock value of our Nation and one I strongly support.

Religious institutions should be able to speak out on issues, and current law already gives these institutions the absolute right to use their pulpit to address an issue they wish. One has to wonder, therefore, why this legislation is necessary. What religious institutions cannot do is use their tax-exempt donations to contribute to a candidate's political campaign.

H.R. 2357 would allow religious organizations to maintain their 501(c)(3) tax-exempt status, which allows them to receive tax-deductible contributions while permitting them to contribute to politicians and political campaigns. This legislation does not extend the same privilege to nonreligious 501(c)(3) organizations.

In February, this body demonstrated a strong commitment to reforming our campaign finance laws when it voted to ban the use of soft money, corporate treasury money, union dues money, and unlimited sums from individuals. H.R. 2357 would be a major step backward. This legislation, if enacted, would permit big-dollar political donors, corporate, union, or individual, to funnel soft money through partisan incorporated religious organizations and fund sham issue ads, really campaign ads with these funds.

I strongly urge my colleagues to vote against H.R. 2357. We should not allow tax-exempt institutions to make campaign contributions.

Mr. HERGER. Madam Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Madam Speaker, I thank the chairman and I also want to thank my friend and colleague, the gentleman from North Carolina (Mr. JONES), for his efforts. We are here on the floor again with some deep differences of people who share very strong commitments on this issue and of the role of how we work through as Christians and people of multiple and diverse faiths in America, how we work through the role of those who have deeply felt views and how they can express those and participate.

I do want to correct a couple of things on the record from the gentleman from Texas (Mr. EDWARDS) because I think there is a little bit of overparanoia.

One is that in the idea that charitable choice is somehow going to be tied in with this, as the gentleman knows, while the bill passed the House, it is pending in nowhere. We have agreed with a compromise, and many of us here tonight have agreed with compromise, and then the Senate developed a compromise and there will be no charitable choice grants coming through, authorized by Congress. They are working through some of those things in the executive branch, but we have worked out that we have shared concerns about the Federal Government getting it directly into funding and what that could mean to the separation of church and State if churches become dependent on Federal funding.

Furthermore, the statement that we are doing this late at night is because of the death of our friend and colleague, PATSY MINK, we had a waiver. This was originally scheduled to occur much earlier in the evening. We had a 2-hour debate tonight and that pushed it later in the evening. This in fact would have been debated in prime time. It is near prime time in much of the country anyway. But this is, first, a fundamental disagreement about what the bill is. I do not believe nor do any of the people who wrote the bill nor do most people who do not have a position that is overtly against the conservative churches basically being able to speak out believe this affects money. This affects endorsement. I do not believe it changes campaign finance one wit. And I was talking with my dear friend, the gentleman from Connecticut (Mr. SHAYS) because I share his concern about churches having, as the gentleman from Georgia (Mr. LEWIS), my friend, said, taking up collections for political campaigns. That would be horrendous.

□ 2300

That is not what this bill does. We have fundamental disagreements even about what the bill does. This is supposed to be able to clarify Internal Revenue Code that pastors who speak on behalf of the church can say what they believe.

We know in America that many churches in fact do that. In fact, in the civil rights movement had brave people not been willing to stand up and register in churches, and Reverend Jesse White is getting a statue in Fort Wayne for his work. He was active through his church in registering voters, bringing in candidates, endorsing candidates because he felt that was the only way in my home area to change some of the civil rights areas.

In the Vietnam War era, pastors were endorsing candidates in liberal churches. There are many conservative Christians in this country who deeply feel in the fundamental part of their heart, and we can see it in which groups are backing this, that conservative churches, once they got active, and most denominations like mine are very separatist and would never endorse from

the pulpit and believe in that separation.

But many churches believe, including those churches that do not endorse, that there has been a difference in America; and when the conservative churches started to get politically involved, the Clinton administration came down on them. And that belief is deeply felt. That is what we are trying to address.

We believe that all people ought to be created equally. There should not be direct funding. That is covered in campaign finance law. There should not be church funds intermingled. That is the point of (c)(3)s and (c)(4)s. But when there are deeply felt issues like abortion that conservatives feel deeply about; the pastor should be allowed to say this is what we believe. These are candidates who share those views. They should not be able to use church funds to promote that view. That is the point of (c)(3)s. They can have their voter guides outside the sanctuary, and they can do other things with non-church money; but they ought to be allowed, when a Christian world view is fully comprehensive, the beliefs of Jesus Christ are not just faith, they are also works. If one believes they are works, a pastor whether he sees civil rights or war or abortion or pornography, he ought to be allowed to speak out and the congregation ought to be allowed to speak out.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is not one thing in the present code that would prohibit ministers, religious leaders, rabbis, any church organization from speaking out on the great issues of our time.

Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I rise in opposition to this bill. Once again we are here debating a very controversial bill with profound constitutional implications which has bypassed the regular order in the committee of jurisdiction, has been placed on the suspension calendar late at night with limited time for debate and no amendments allowed.

I do not know what the supporters of the bill think it does, but this bill is in fact a tax bill and describes what a church can do and still maintain its tax exemption. The legislation before us allows a religious tax-exempt organization to engage in political activities, partisan political activities, while using tax-exempt resources so long as those activities are not more than an "insubstantial part" of their activities.

Pursuant to the Tax Code, that means anywhere from 5-15 percent of an organization's budget can be used for partisan political activities. For a church with a \$1 million budget, that is 50,000 to \$150,000 in campaign cash.

Mr. Speaker, we also have to consider the bill in light of legislation that has already passed the House, and that is H.R. 7, the so-called Charitable Choice bill, which allows the church to be di-

rectly funded with government contracts. This bill will allow those churches to show their appreciation to the government officials that helped them with campaign contributions amounting to 5-15 percent of the grant. This gives a new meaning to the idea of tithing.

Contrary to assertions, churches and other houses of worship can and do speak out on issues of the day. When the gentleman from California says they cannot speak, it is true, they cannot take out a paid political ad paid for with tax-deductible money. But under current law, churches can host candidate forums, can issue unbiased voting guides, engage in lobbying activities on legislation, endorse or oppose referendums, constitutional amendments or other ballot initiatives, and they can certainly speak out on the moral issues of the day, whether it be civil rights, universal health care, or education.

Furthermore, ministers or religious leaders in their private capacity can and do endorse political candidates and even become candidates themselves. In fact, my representative in the Virginia Senate is a pastor of a Baptist church. The difference is they cannot use the resources of a tax-exempt church in a partisan political campaign.

Churches, like other tax-exempt organizations, are prohibited from using tax-exempt church contributions for candidates. They cannot create PACs or solicit or provide financial support to a candidate. That would change under this legislation, which specifically allows our houses of worship to funnel tax-exempt funds to candidates in political parties. There are other issues that we have to consider as we debate this measure.

For example, houses of worship are exempt from certain Internal Revenue filings; and, therefore, we will never know whether they are spending 5 percent or 50 percent of their funds on political activities unless the supporters expect the IRS to be auditing church finances.

In addition, unlike other organizations exempt under section 501(c), churches do not have to file for incorporation. Essentially any organization claiming to be a church gets automatic tax-exempt status from the IRS. As a result, during election cycles we might see the formation of new churches formed for the express purpose of political activity on behalf of a candidate or political party.

Mr. Speaker, current law treats our houses of worship and secular nonprofits with respect to partisan political activity equally. Neither can use tax-exempt resources for partisan political activities. If they want their organizational resources to be used for partisan political activities, they can. They just cannot get tax deductions and use tax-deductible resources for that purpose. Should this legislation pass, our houses of worship may risk becoming sham political organizations.

As the gentleman from Connecticut (Mr. SHAYS) explained, we would have created a gaping loophole in our campaign finance laws. I strongly urge rejection of this legislation.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, let me just relate that a leading supporter of this piece of legislation, a minister, is sending out fund-raising literature, seeking tax-deductible contributions to support the church's efforts in lobbying the Congress to pass H.R. 2357. What this minister really wants and gets under the bill is the ability to use unreported, unlimited charitable contributions to defeat or elect someone in Congress or some place else.

Is this what we want happening in November, on November 5, or some other time? Of course not. Churches, synagogues, temples, and mosques are houses of worship. Let us keep them that way and not let politics get in the way. Let us keep a separation of church and State. Keep that wall solid and strong. If churches, synagogues, mosques and temples want to go out and raise money and have their leaders preaching from the pulpit, then they should form another organization or group. I ask Members to vote against this legislation.

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

Mr. HERGER. Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I would like to say to the gentleman from Georgia (Mr. LEWIS), I agree totally with the gentleman's statement. This is a separation of church and State. The reason it is is that the State, being the Internal Revenue Service, should not influence any statement or comment that the church pulpit, the preacher, the priest, the rabbi might want to make.

□ 2310

This way, because of the Johnson amendment, they do have influence as to what can be said.

To the gentleman from Texas, whom I like very much, I want to say that he is right. I agree with him up to 152 years, but the last 48 years since 1954, Lyndon Johnson's amendment put the Internal Revenue Service into the churches as to restricting what they can and cannot say. Prior to that time, he and I agree 100 percent.

Let me also say to the gentleman from New York (Mr. HOUGHTON) that when churches qualified for the status of 501(c)(3)s, and I have researched this, there is no restriction in the law as to what they could and could not say when they became classified as 501(c)(3)s.

Let me also say that one of the biggest concerns that some people have mentioned tonight, I cannot begin to tell you, when D. James Kennedy came

to testify, he brought over 60,000 petitions to present to the committee. In addition to that, this past week over 4,500 ministers throughout this country, some being Baptist, wrote and said they were in strong support of this legislation.

Let me also say to my friend, the gentleman from Connecticut (Mr. SHAYS), who is my friend, that under the Bipartisan Campaign Finance Reform Act of 2002, which amends the Federal Election Campaign Act, all corporations including tax-exempt churches and nonprofit corporations are barred from making hard-money contributions or any direct or indirect disbursement for electioneering communications. That is on page 101 and 102 (A and B). I just want to get that on the record, also.

Let me also say that, again, when you think about the fact that prior to 1954 there were no restrictions of speech on our churches, and I am pleased to say that the gentleman from Georgia (Mr. LEWIS), for whom I do have great respect, during the hearing with the Internal Revenue Service, his question to Mr. Miller who worked with IRS is: As a rule do you monitor the activities of churches during the political season?

Mr. Miller's answer to Mr. LEWIS is: We do monitor churches. So our monitoring is mostly as a recipient of information from third parties who are looking in. That is Barry Lind looking in. What are you saying? "I'm going to report you to the Internal Revenue Service." That is not America. If a priest wants to say that George Bush is prolife, let the priest say George Bush is prolife. If my dear friend and your dear friend Floyd Flake wants to have Al Gore in his church, and when Al Gore finishes speaking he puts his hand on his shoulder and he says, "I think this is the right man to lead America," he should be able to do it. He got a letter of reprimand from the Internal Revenue Service. Somebody snitched on him because the Internal Revenue Service is dependent on a third party to report because, quite frankly, I will be honest with the gentleman from Virginia (Mr. SCOTT), they cannot enforce the law to begin with. That is an absolute joke. They cannot enforce the law. So they are dependent on a third party.

That somewhat reminds me of my history about Germany, quite frankly, somebody looking in on what the priest says or the preacher says or what the rabbi might say. That in itself should be enough to offend all of us on both sides of the aisle who raise our hand to defend the constitutional rights of the American people, that we make sure that anyone, whether they be a preacher, a priest, a rabbi or a cleric, that they have a right to speak from their heart, and if they believe that that is the right thing to say to educate their people in that congregation, then they should say it.

Let me close this way from Floyd Flake, a great, great man of spiritual

faith and a spiritual leader. He says, "It is unjust that churches and clergy men and women are unfairly targeted when they exercise their rights as American citizens. I am pleased to offer my wholehearted support with sincere prayer for passage of this important and liberating legislation. Floyd Flake." He is talking about H.R. 2357.

Mr. WATTS of Oklahoma. Mr. Speaker, under the First Amendment to the United States Constitution, Americans have the freedom of speech. In the same amendment, our founding fathers declared Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Much to the dismay of many of my friends on the other side of the aisle, the two concepts do not cancel each other. They are not mutually exclusive. Americans who believe in God ought not to have their freedom of speech muzzled in the name of the law.

I am pleased to be a co-sponsor of this legislation to stop harassing churches and other places of worship when someone mentions politics. Those of us who support this bill are not advocating turning religious organizations into political parties. Rather, the legislation before us would permit the occasional discussion of issues of importance to congregations comprised of voting citizens.

The gag rule on pastors, priests, rabbis and other religious leaders was not part of the Bill Of Rights. It was an amendment to a 19-54 tax bill by Senator Lyndon Johnson. There were no hearings. Rather, restrictions were imposed on people of faith as revolutionaries began their quest to remove any reference to a Creator from our one nation under God.

I don't believe Al Gore or HILLARY CLINTON should be banned from speaking at Riverside Baptist Church just because it is a place of religion. When the pastor invites them up to the pulpit during their campaigns, he should not have to worry about breaking the law or losing his tax-exempt status. But if this bill fails, the pastor will have no choice but to say no.

Churches have integrity. They are sacred places, protected under law and deserving of the liberties afforded to the rest of our great nation.

The First Amendment rights of our constituents shouldn't be curtailed because they happen to be sitting in a pew or on bended knee. I commend the gentleman from North Carolina for his leadership on the bill and urge my colleagues to support the Houses of Worship Political Speech Protection Act.

Mr. CRANE. Mr. Speaker, I rise in support of the Houses of Worship political speech protection act. I believe that we must remove the Gag that restricts our clergymen from discussing candidates for office or political issues. Religious organizations are the moral compass for tens of millions of Americans and I have no qualms about their leaders articulating the pros and cons of a particular candidate for office or issue.

While I strongly commend the gentleman from North Carolina for advancing this issue, I do have some concerns with the way this particular bill has been drafted. In my opinion, the substantiality test in the code is entirely too ambiguous. It has not been defined by Congress, the Treasury Department or the courts, so passage of this bill will require that



we wait until the IRS prosecutes a church for a violation to learn what substantial means.

Since the 104th Congress, I have introduced the Brightline Act that clearly defines, using dollar limitations, the activities that religious organizations may engage in while maintaining their tax-exempt status. It is a clean, easy way for churches to know whether or not they have run afoul of the Internal Revenue Code. I hope, that as we continue to move this issue forward, the gentleman from North Carolina will be willing to work with me to ensure that whatever we put on the President's desk for signature provides churches with clear rules so that this matter is not resolved by the courts.

Finally, I would be remiss if I didn't take a moment to thank the people who have worked so hard over the years to advance this issue. First and foremost, I want to thank the millions of Americans at the grassroots level who have contacted their members of Congress to get their support. Second, and most importantly, I want to thank my good friend Reverend Lou Sheldon for his tireless efforts to advance this issue. Pastor Lou has led the change on this issue since 1994 and I hope those who support this bill will recognize his hard work.

Mr. SMITH of New Jersey. Mr. Speaker, today I rise in strong support of the Houses of Worship Political Speech Act, introduced by my good friend, WALTER JONES. For too long, the separation of church and state has been tilted too far towards one extreme and has restricted the free speech rights of religious communities in America. HR 2357 attempts to restore balance and reasonableness by amending the Internal Revenue Code to permit churches and other houses of worship to fully participate in the democratic political process.

I believe that the First Amendment's prohibition against the establishment of an official religion akin to the Church of England in the UK was never meant to mean that communities of

faith were barred from a robust participation in all aspects of our nation's political life. America's system is weaker and less representative when important voices are excluded from the political dimension.

Prior to 1954, pastors and religious leaders spoke freely about candidates and political issues that directly affected the interests of their congregations. The anti-slavery and abolitionist organizations and the civil rights movement are examples of church-inspired political agents of change in our society. In fact, churches played a central role in dismantling the Jim Crow laws that so egregiously violated the civil rights of African Americans. Our society would have been much worse off if historically black churches and clergy were prohibited from sermonizing or distributing materials.

The origins of current law, which this bill seeks to correct, are very instructive. In 1954, Senator Lyndon Johnson added language to pending tax legislation to prevent two non-profit groups that opposed him in 1948 from speaking out against him in his 1954 re-election.

The vexing perception is that the IRS is empowered with sweeping powers to strip a church's tax-exempt status if clergymen express particular views on a candidate. That is clearly wrong and the framers of the Constitution would be appalled at this abuse of power. Priests, pastors, rabbis, or any religious leader should not be bullied into silence by the IRS.

LBJ's capricious and punitive tax proviso has been used in an arbitrary manner to silence political speech in America's houses of worship. The Church at Pierce Creek in Vestal, New York, for example, came under IRS' sanction when it published an "open letter" to then-candidate Bill Clinton in 1992. The church took issue with Mr. Clinton's stances on several compelling moral issues. Even though the church leadership cited biblical passages to buttress its argument, the IRS revoked its tax-exempt status in 1995.

The American Center for law and Justice, which represented the Church at Pierce Creek, has subsequently documented more than 500 instances where candidates had appeared before churches. Yet no enforcement action was taken in those cases perhaps suggesting a double standard. Mr. Speaker, I ask that these instances be made a part of the record.

Approximately two years ago, former President Bill Clinton stood in the pulpit of the Alfred Street Baptist Church in Alexandria, Virginia—just a few miles from this building—and openly urged parishioners to vote for then-Senator Chuck Robb and Vice President Al Gore.

Mr. Speaker, why is it permissible for Bill Clinton to make partisan speeches in churches, while other church leaders are gagged if they critique Bill Clinton?

In a national poll conducted this summer by The Poling Company, 84 percent of men, and 77 percent of women agreed that the First Amendment should protect religious leaders from being penalized for political speech.

I want to remind my colleagues that the separation of church and state stemmed from Americans' desire to have church and state operate independently from one another, in order to avoid the establishment of a state church. The affairs of states however often compare with, contradict or comply with the moral imperatives found in Holy Writ.

Nothing in this legislation demands that a church get involved in the political dialogue of our nation. Issues of war and peace and other important issues shouldn't be the exclusive preserve of the political elite. The Jones bill would simply allow them that opportunity should they choose to speak about those matters, without the coercive power of government putting their tax-exempt status at risk.

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Date	Candidate	Church	Activity
1. 9/11/94	Sue V. Mills (P.G. County, Exec.)	Nat'l Church of God, Fort Washington, MD	Addressed church members from the pulpit.
2. 10/9/94	George Pataki (NY Gov. Cand.)	Abyssinian Baptist, Harlem, NY	Addressed church members from the pulpit.
3. 10/9/94	Carl McCall (NY State Comptroller)	Abyssinian Baptist, Harlem, NY	Addressed church members from the pulpit.
4. 9/8/94	Ron Simms (U.S. Senate candidate)	First A.M.E. Church, Seattle, WA	Breakfast Forum, Debate.
5. 9/8/94	Scott Hardman (U.S. Senate candidate)	First A.M.E. Church, Seattle, WA	Breakfast Forum, Debate.
6. 9/8/94	Mike James (U.S. Senate candidate)	First A.M.E. Church, Seattle, WA	Breakfast Forum, Debate.
7. 9/8/94	Jesse Wineberry (U.S. Senate candidate)	First A.M.E. Church, Seattle, WA	Breakfast Forum, Debate.
8. 10/10/94	All Candidates for City Council	Bethlehem Missionary Baptist Church, Memphis, TN	Meeting/Forum at church open to public.
9. 5/24/92	Gov. Clinton (Pres. Cand.)	Greater Paradise Miss., Baptist Church	Addressed parishioners & "campaigning".
10. 3/13/92	Gov. Clinton (Pres. Cand.)	Pleasant Grove Baptist Church, Chicago, IL	Addressed parishioners from pulpit.
11. 10/12/94	School Board Candidates	Oak Falls Church, Sacramento, CA	Candidates forum.
12. 9/30/94	All Candidates (600)	Calvary Chapel, Costa Mesa, CA	Candidates results distributed to more than 50,000 people.
13. 11/22/92	Pres. Clinton (President)	St. Theresa's Catholic Church, Little Rock, AR	Jesse Jackson endorsed Bill Clinton from the pulpit.
14. 3/29/88	Jesse Jackson (Pres. Cand.)	Unknown, Flint, MI	Addressed the parishioners.
15. 7/2/88	George Bush (Pres. Cand.)	Greek Orthodox Ch., Mass	Church dinner.
16-515. 1/31/88	Jesse Jackson (Pres. Cand.)	St. Joseph's Cath. Ch., West Liberty IA	Collection for Jackson from all 500 churches.
516-518. 11/22/92	Wyche Fowler (U.S. Senate run-off Cand.)	Fellowship Missionary Baptist Church, Chicago, & 498 others	3 Black Churches, Savannah, GA
519. 2/8/88	J. Jackson	Lutheran Church, Clinton, IA	Gore spoke to 3 churches supporting people voting (Fowler "got help from" Gore's efforts).
520. 2/25/92	B. Clinton	A.M.E. Church, Memphis, TN	Jackson "opposed" there.
521. 4/26/87	Gary Hart (Pres. Cand.)	Antioch Baptist Ch., Atlanta, GA	Clinton gave a speech to delegates to the church reception. Hart took the pulpit to deliver combination "stump" speech & sermon.
522. 1/20/93	Clinton/Gore	A Small Meth.-Epis. Ch, Washington, DC	Official inaugural church ceremony.
523. 1/93 (preinaug.)	Clinton/Gore	First Baptist Church, Washington, DC	Private, preinaug. gathering for supporters.
524. 1/16/94	Clinton	Temple of the Church of God in Christ, Memphis, TN	Delivered a speech from the pulpit.
525. 3/8/92	Clinton	Lyons Unity Church, Houston, TX	After speech, he received congrats. from church members.
526. 8/14/94	Clinton	Full Gospel A.M.E. Zion Church, Temple Hills, MD	Speaking from the pulpit, delivered a political speech.
527. 1/27/92	Tom Harkin (Pres. Cand.)	Heritage United Church of Christ, Baltimore, MD	Delivered speech in church.
528. 9/25/94	Mario Cuomo	Bethel A.M.E. Church, Harlem, NY	Delivered praises to Clinton from pulpit.
529. 9/25/94	Mario Cuomo	Bethel A.M.E. Church, Harlem, NY	Clinton endorsed Cuomo & told parishioners to support him.
530. 4/5/92	Clinton	Bridge Street, A.M.E., Harlem, NY	Courted black voters w/a speech to parishioners.
531. 5/10/92	Clinton	Unknown, S.F., CA	Speeches at a church.
532. 5/10/92	Clinton	Unknown, S.F., CA	Speeches at a church.
533. 8/14/90	Marion Barry (D.C. Mayoral Cand.)	Israel Baptist Ch., Washington, D.C.	Attendance & a "victory dance".
534. 8/19/88	Dukakis, (Pres. Cand.)	Sixth Ave. Bap. Ch., Birmingham, AL	Spoke to a black church.
535. 11/8/86	Marion Barry	NY Ave. Presby. Ch., Washington, D.C.	Jesse Jackson endorsed Marion Barry.
536. 1/15/89	Jesse Jackson	Unknown, Harlem, NY	Speech at a church.
537. 3/4/88	Jesse Jackson	Westside Baptist Ch., St. Louis, MO	His son delivered speech for him at the church.
538. 11/6/88	Dukakis/Bentsen	Macedonia Miss. Bapt. Church, Flint, MI	Endorsement by Jesse Jackson from pulpit.
539. 3/18/88	Jesse Jackson	Chapel Hill Bapt. Ch., Detroit, MI	Addressed the church's "rally".
540. 1/15/90	Mayor Maynard Jackson	Ebenezer Baptist Ch., Atlanta, GA	Delivered speech at an ecumenical service.
541. 1/15/90	Mayor David Dinkins	Unknown, New York, NY	Gave a speech at a church.
542. 4/10/88	Jesse Jackson	Abyssinian Bap. Ch., New York, NY	Delivered speech to the church parishioners demeaning two other candidates.

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Date	Candidate	Church	Activity
543. 4/16/84	Jesse Jackson	Second Bapt. Ch., Columbia, MD	Speech.
544. 8/21/92	Clinton/Gore	Olivet Instit. Bap. Chur., Cleveland, OH	Speeches at a rally.
545. 10/26/92	Gore	Black Church, Atlanta, GA	Speech to parishioners.
546. 10/26/92	Gore	Black Church, Atlanta, GA	Speech to parishioners.
547. 1/10/93	Clinton	Immanuel Bapt. Ch., Little Rock, AR	Speech (took to the podium bade farewell).
548. 9/10/94	Kathleen Brown (CA Gubernt. Race)	1st Church of God in Christ, Los Angeles, CA	Attending.
549. 9/10/94	Kathleen Brown (CA Gubernt. Race)	Bethel A.M.E. Ch., Los Angeles, CA	Attending.
550. 9/10/94	Kathleen Brown (CA Gubernt. Race)	Mount Tabor Miss. Baptist Church, Los Angeles, CA	Attending.
551. 9/10/94	Kathleen Brown (CA Gubernt. Race)	1st A.M.E. Church, Los Angeles, CA	Attending.
552. 9/10/94	Kathleen Brown (CA Gubernt. Race)	West Angeles Ch. of God, Los Angeles, CA	Attending.
553. 9/3/94	Ken Connor (FL Gub. Cand.)	Coral Ridge Presby., Ft. Lauderdale, FL	Attending.
554. 3/1/92	George Bush	1st Baptist Church, Atlanta, GA	Attending.
555. 4/9/90	Ann Richards	Various churches, Dallas, TX	Visited.
556. 4/9/90	Jim Mattox	Various churches	Visited.
557. 10/23/94	Charles Robb	Trinity Baptist Church, Richmond, VA	Speech to parishioners from pulpit.
558. 10/23/94	Charles Robb	Trinity Baptist Church, Richmond, VA	Wilder endorsed Robb from pulpit.
559. 10/23/94	Oliver North	Cedar St. Baptist Church, Virginia	Introduced by minister, gave brief remarks (not political).
560. 10/18/94	Phil Bredesen (TN Gub. Cand.)	Greater Second Baptist Ch., Chattanooga, TN	Addressed TN Baptist Missionary and Education Convention.
561. 3/8/94	Clinton	Southern Churches	Courted black votes.
562. 3/8/94	Tsongas	Southern Churches	Courted black votes.

Mr. CLEMENT. Mr. Speaker, I want to express my strong support for this legislation and to thank my colleague Representative WALTER JONES for his leadership on this important issue. Passage of H.R. 2537, the Houses of Worship Political Speech Protection Act is vital to ensure that churches and synagogues are free to speak out on the many moral and political issues affecting our nation.

For the first 178 years in our nation's history, America's religious leaders had the right to speak their conscience on issues of politics and morality. Then, in 1954, an amendment was added to a revenue bill that extended the reach of the Internal Revenue Service into our nation's houses of worship. That amendment has had the effect of restricting freedom of speech, by threatening to revoke the tax-exempt status of any house of worship whose ministers speak out on moral and political concerns.

Since that time, the IRS has used the church tax exemption to discourage members of the clergy from communicating even the fundamental principles of their faith in anyway that might be viewed as "partisan political issues" during an election period. And the scope of the ban goes well beyond a prohibition on active political campaigning. The restrictions bans all forms of political expression, which has prompted some churches to avoid distributing voter guides and from taking positions on issues that are debated in political campaigns.

Mr. Speaker, this prohibition on free speech has limited the ability of houses of worship to exercise their freedom of speech, as guaranteed under our Constitution. It burdens the free exercise of religion by telling houses of worship how they can and cannot practice their religion. And the ban has been enforced in a way that prevents religious leaders from speaking on religious issues that are also political, for fear that such speech might be viewed as support for a candidate or party. Any member of the clergy, for example, who takes a position against defense spending or abortion during a campaign season may have their speech and tax-exempt status scrutinized by the IRS. That is simply not right—not in America.

I strongly support this bill because I believe churches and synagogues have a right, based on the First Amendment, to speak about issues they believes are important to our nation. Additionally, I do not think churches should be scrutinized by the IRS for freely expressing political views—a form of speech that is protected in every other venue. Quite simply, our houses of worship should be places free from government control.

Finally, I want to point out that this is not a partisan issue. I am proud to work with my colleagues—Democrats and Republicans alike—to pass this important legislation. I urge my colleagues to help restore freedom of speech to churches, synagogues and other houses of worship by voting yes on this critical legislation.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.R. 2357, the Houses of Worship Political Speech Protection Act.

This bill is an assault on the Constitution's fundamental separation between church and state. It was crafted with the single purpose of giving right-wing religious groups—like the Christian Coalition—a special advantage in the political process. It would allow them to promote their narrow political agenda while exploiting the tax-exempt status traditionally reserved for non-partisan religious and charitable organizations.

Various types of organizations are allowed to be tax exempt because they do not engage in or sponsor partisan political activity. This bill would grant religious organizations a special right to maintain that tax-exempt status while freely engaging in partisan politics.

Supporters of H.R. 2357 have cloaked the real intent of the bill in the blatant falsehood that religious leaders cannot speak on moral and political issues. This right is freely exercised and clearly protected by the Constitution.

In addition to speaking freely from the pulpit, members of the clergy can endorse partisan candidates, publicly express their opinion on political issues, and contribute their time and money to any political campaign they choose. Under their current tax-exempt status, religious organizations are allowed to work in a non-partisan capacity to register voters, provide voter education, and encourage people to go to the polls on Election Day.

A wide array of religious leaders have spoken out in opposition to this bill because they don't want the integrity of their institutions undermined by partisan politics. This bill puts partisanship ahead of piety in the nation's churches, synagogues, and mosques. It allows religious institutions to endorse political candidates, broadcast issue ads, conduct voter mobilization, and engage in political fundraising.

This would blow a gaping hole through the landmark campaign finance reform law enacted this year. In allowing tax-exempt and tax-deductible money to be given for political purposes, churches would now be allowed to launder soft-money contributions. Many churches—those that are not incorporated—

would be exempt from campaign finance laws altogether.

I urge my colleagues to vote no on this cynical scheme to breach the separation of church and state and give special interests a blank check to undermine our democracy. Vote no on H.R. 2357.

## PARLIAMENTARY INQUIRY

Mr. EDWARDS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. REHBERG). The gentleman will state it.

Mr. EDWARDS. Mr. Speaker, in the spirit of honest discussion on an issue that was so important that Mr. Madison and Mr. Jefferson debated it for 10 years in the Virginia Legislature, I am wondering if it would be within the rules of the House for me to now ask for unanimous consent to have 3 minutes of discussion with the author of the bill so I can clarify what the direct impact of this bill would be. If I do have that parliamentary right, I would like to make that unanimous-consent request.

The SPEAKER pro tempore. By unanimous consent, there would have to be 3 minutes equally divided.

Mr. EDWARDS. That would be fine.

Mr. JONES of North Carolina. Mr. Speaker, I object to that for this reason. I respect the man, and this just continues this debate. Obviously I would have liked to have been here earlier this afternoon. I was hoping we would be here earlier. But at 11:15 at night, I think I know your position, which I respect, and you know my position, so I object.

The SPEAKER pro tempore. Objection is heard.

The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the bill, H.R. 2357.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LEWIS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.



## GENERAL LEAVE

Mr. HERGER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of H.R. 2357.

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

There was no objection.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes. (Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## IS WAR THE ANSWER?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, as so many of my colleagues, I went home this weekend and talked to our constituents about the very serious and all-important subject of war, and I thought that I would put some of this on the record tonight, because my constituents are asking me, is war the answer? Is war the answer to meet the terrorist threat? Who is really the enemy, and what are the roots of the terrorism that America faces?

I found a great ambivalence among the people, wanting to say, "Well, we want to be united even though we do not understand the cause. We want to stand with the President. We may not agree with what is being done, but if we stand united, then we will win whatever we go into because we remember Vietnam, and the reason we lost in Vietnam is we were not united, and so this time united we stand."

I just wanted to say to those who may not have lived during the Vietnam period, America did not lose in Vietnam because she was not united. America did not carry the day because there was no way any Western power could have carried the day in a country that was undergoing regime change, fundamental, a fight we never should have been into in the first place, and we asked the impossible.

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So we think about what is happening with the terrorist situation and some of the breeding grounds for those who hate the West in the Middle East and Central Asia, and it is important to ask ourselves whether war will solve the problem; will solve the problem of

growing terrorism; will solve the problem of hatred expressed against the United States and other Western countries and installations.

I have done quite a bit of research, and I want to put on the RECORD tonight what I call a terrorism chart that covers the entirety of the 20th century and goes back actually to 1902 and to how the original countries in the Middle East and Central Asia were formed. But it reminds us also, it takes us through the Suez crisis back in 1956; and then when I came of political age, the assassination of Robert Kennedy as a Democratic candidate for President by a Jordanian Arab national who felt he had lost his homeland in east Jerusalem. And still remaining, the Israeli-Palestinian conflict that remains unsolved and remains a lightning rod and source of discontent in that region of the world. Then, in 1968, the beginning of mass terrorism. One can go through 1979; we probably remember the Iranian hostage-takers, held 52 Americans for 444 days.

The point I wish to make is, with all of the turmoil, all of the assassinations, and the growing level of violence, did the Persian Gulf War really solve the growing level of terrorism and violence we see? Did the wars of the Middle East and Central Asia solve the terrorism that we now see springing up all the way from Malaysia to central and East Africa?

I think it is important for us to understand the roots of the terrorism that have resulted in the loss now last year of 3,025 additional lives here in our country. So I wish to place on the RECORD this summary. It also exists on our Web site.

Mr. Speaker, I wanted to quote from a very, very prescient author, Robin Wright, "Sacred Rage," written back during the 1980s and recently updated from the first chapter where she talks about the crusade, that, indeed, the challenge of terrorism is really the challenge of meeting a different point of view arising globally from many sources. She quotes the former Lebanese Prime Minister, Saeb Salam, who said, "The growth of Islamic fundamentalism is an earthquake."

I can remember being elected in 1982, coming here in 1983, in the fall; and we saw the U.S. marine command center at Beirut's International Airport devastated by two car bombs and we lost 240 Marines, and Navy personnel dead. I can remember at that time becoming brutally aware of a changing world and the shifting sands of the politics of that region of the world.

In Robin Wright's book she talks about a wall in our State Department where if you walked in the door at that time, two greenish-black stone plaques listed in gold letters the names and dates of diplomats of the United States killed in the line of duty since the founding of our Republic. Over that period, from 1780 to 1967, over 187 years, we had lost 143 U.S. diplomats killed in the line of duty. But the second plaque

that sits at the State Department was filled in equal number in almost 18 years. And, if one looks at the pace of terrorist attacks against the West, one sees that the pace is increasing in spite of wars, in spite of additional military actions. So one has to ask ourselves whether more wars lead to less terrorism or more terrorism, and whether war is really the answer to give at the root of what the problem is.

I commend this book, "Sacred Rage," to those who are listening among our colleagues here and only end with one of the sentences in the book that points out some of the mistakes, particularly by the West, that have only provoked the Muslim fundamentalists rather than cope realistically with what they represent: "The stakes have never been so high, the potential for misunderstanding and further violence never so great."

Mr. Speaker, war may not be the answer to solving the terrorist threat.

## THE NATIONAL PARK SYSTEM

The SPEAKER pro tempore (Mr. REHBERG). Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, we have many, many difficult and complex issues that we each face every day. We just heard from the gentlewoman from Ohio (Ms. KAPTUR), my friend and colleague, about war. Most of us spend probably the majority of our time, or at least the largest percentage of our time, dealing with economic growth and recovery, jobs, and what we need to do to help attract or keep companies in our district, and the regulatory issues, and many other things. We also work regularly on other issues that come up. For example, I am chairing a hearing Thursday on the West Nile virus which has particularly hit my hometown hard. We just had an hour debate on moral issues.

But in addition to these kinds of issues, we deal inside the Federal budget with an incredible array of issues. I would like to address one tonight that is in danger of being overlooked as we address the big issues that are in front of Congress.

Former President Theodore Roosevelt once said: "Nothing short of defending this country during wartime," which is now, "compares in importance with the great task of leaving this land a better land for our descendants than it is for us."

His legacy was the National Park system. I want to talk a little bit about the financial pressures on our National Park system. This legacy is important. It is not just what we are doing today with the different pieces of legislation, but what are we going to leave for future generations; what are they going to remember America by; are they going to have the natural and cultural beauty.

The Park Service manages 385 sites; has more than 83 million acres of land