

By Mr. SHERMAN (for himself and Mr. SOUDER):

H.R. 5540. A bill to encourage respect for the rights of religious and ethnic minorities in Iran and to deter Iran from supporting international terrorism and from furthering its weapons of mass destruction programs; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHOWS:

H.R. 5541. A bill to reject proposals to partially or completely divert funds, which normally would be designated for the Social Security trust fund, into private savings accounts as a substitute for the lifelong, guaranteed, inflation-protected insurance benefits provided through Social Security; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Mr. GEPHARDT, Mr. ABERCROMBIE, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Mr. ANDREWS, Mr. ROEMER, Mr. SCOTT, Ms. WOOLSEY, Ms. RIVERS, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Mr. FORD, Mr. KUCINICH, Mr. WU, Mr. HOLT, Ms. SOLIS, Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. BLAGOJEVICH, Mr. HONDA, Ms. LEE, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. MCINTYRE, Ms. KAPTUR, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. BOEHNER, Mr. THOMPSON of Mississippi, Ms. CARSON of Indiana, Mr. SANDERS, Ms. SANCHEZ, Mr. GREENWOOD, Ms. BERKLEY, Mr. WAXMAN, Mr. GILMAN, Mr. SHAYS, Mr. PETERSON of Minnesota, and Mr. EVANS):

H.J. Res. 113. A joint resolution recognizing the contributions of Patsy T. Mink; to the Committee on Education and the Workforce.

By Mr. HASTERT (for himself and Mr. GEPHARDT):

H.J. Res. 114. A joint resolution to authorize the use of United States Armed Forces against Iraq; to the Committee on International Relations.

By Mr. ABERCROMBIE:

H.J. Res. 115. A joint resolution to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920; to the Committee on Resources.

By Mr. LATOURETTE (for himself and Mr. CROWLEY):

H. Con. Res. 495. Concurrent resolution supporting the goals and ideals of National Safety Forces Appreciation Week; to the Committee on Government Reform.

By Mr. NADLER (for himself, Mr. ROHRBACHER, and Mrs. LOWEY):

H. Con. Res. 496. Concurrent resolution expressing the sense of the Congress regarding so-called "honor killings"; to the Committee on International Relations.

By Mr. SCHAFER:

H. Con. Res. 497. Concurrent resolution supporting the goals and ideas of National Take Your Kids to Vote Day; to the Committee on Government Reform.

By Mr. SOUDER (for himself and Mr. CUMMINGS):

H. Res. 569. A resolution expressing support for the President's 2002 National Drug Control Strategy to reduce illegal drug use in the United States; to the Committee on Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

368. The SPEAKER presented a memorial of the General Assembly of the State of North Carolina, relative to House Resolution No. 1786 memorializing the United States Congress and the President to support and enact legislation to establish a tobacco quota buyout program; to the Committee on Agriculture.

369. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution 46 memorializing the President and Congress of the United States to enact legislation that contains steps to ensure that Medicare home health care recipients are guaranteed the best care, and that home health providers, who have undergone multiple regulation and administrative changes at the hands of the federal government are not further harmed; jointly to the Committees on Ways and Means and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 185: Mr. OLVER.
H.R. 356: Mr. GREEN of Wisconsin.
H.R. 394: Mr. MICA, Mr. TOOMEY, Mr. GREEN of Wisconsin, Mr. LAHOOD, and Mr. LARSEN of Washington.
H.R. 440: Mr. RODRIGUEZ.
H.R. 840: Mr. BLUMENAUER, Ms. DUNN, Mr. OWENS, Mr. HOLDEN, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. PICKERING, Mr. WELDON of Pennsylvania, Mr. MCINNIS, Mr. WALSH, and Mr. SHOWS.
H.R. 854: Mr. GUTIERREZ.
H.R. 984: Mr. BOEHNER.
H.R. 1296: Mr. TIERNEY, Mr. KENNEDY, of Rhode Island, Mr. AKIN.
H.R. 1353: Mr. LUTHER.
H.R. 1434: Mr. GRUCCI.
H.R. 1509: Mr. NORTON, Mr. LIPINSKI, and Ms. BROWN of Florida.
H.R. 1520: Mr. NADLER.
H.R. 1903: Mrs. CLAYTON, Mr. HILLIARD, Ms. NORTON, Mr. TOWNS, Mr. FROST, and Mr. CROWLEY.
H.R. 1918: Mr. DIAZ-BALART.
H.R. 2020: Mr. MCINTYRE.
H.R. 2349: Mr. MCINTYRE.
H.R. 2374: Mr. WELLER, Mr. MICA, Mr. McNULTY, Mr. ALLEN, and Mr. WALDEN of Oregon.
H.R. 2527: Mr. NEY.
H.R. 2573: Mr. CONYERS, Mr. DELAHUNT, and Mr. PHELPS.
H.R. 2748: Mr. UDALL of Colorado.
H.R. 3612: Mr. BISHOP.
H.R. 3688: Mr. MARKEY, Mrs. DAVIS of California, Mr. OWENS, and Mr. BALDACCIO.
H.R. 3836: Mr. ENGEL and Mr. FRANK.
H.R. 4027: Mr. RANGEL.
H.R. 4170: Mr. BALLENGER.
H.R. 4551: Mr. PHELPS.
H.R. 4573: Mr. FRANK.
H.R. 4582: Mr. ANDREWS.
H.R. 4614: Mr. ALLEN.
H.R. 4675: Mr. CAMP.
H.R. 4718: Mr. FOLEY.
H.R. 4760: Ms. NORTON, Mr. McNULTY, Mr. HOLDEN, Ms. WATSON, and Mr. RANGEL.
H.R. 4762: Mr. KUCINICH, Mr. OWENS, and Ms. WOOLSEY.
H.R. 4789: Mr. SCHAFER.
H.R. 4790: Mr. SCHAFER.
H.R. 4804: Mr. McHUGH, Mrs. CHRISTENSEN, Mr. WYNN, Mr. PAYNE, and Mr. TAYLOR of North Carolina.
H.R. 4950: Mr. PENCE and Mr. JONES of North Carolina.

H.R. 4955: Mr. LATHAM.
H.R. 5085: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5127: Mr. ROTHMAN.
H.R. 5146: Mr. MALONEY of Connecticut, Mr. HOEFFEL, Mr. TIERNEY, Mr. SEXTON, and Mr. GREENWOOD.
H.R. 5174: Mr. SCHAFER.
H.R. 5183: Mr. LUCAS of Kentucky.
H.R. 5186: Mr. MANZULLO and Mr. ISRAEL.
H.R. 5228: Mr. PAUL.
H.R. 5229: Mr. PAUL and Mr. DOYLE.
H.R. 5241: Mr. ALLEN and Mr. NADLER.
H.R. 5250: Mrs. MALONEY of New York, Mr. CHAMBLISS, Mr. PHELPS, Mr. RILEY, Mr. BILIRAKIS, Mr. ENGLISH, and Mr. GILMAN.
H.R. 5257: Mr. DOYLE, Mr. GREEN of Wisconsin, and Mr. OWENS.
H.R. 5259: Mr. BRADY of Texas.
H.R. 5268: Mr. LARSEN of Washington, Mr. CUMMINGS, Mr. OLVER, and Ms. KILPATRICK.
H.R. 5285: Mr. BARTON of Texas.
H.R. 5287: Mr. GREEN of Wisconsin.
H.R. 5304: Ms. BERKLEY.
H.R. 5326: Mr. BISHOP.
H.R. 5334: Mr. KING, Mr. LOBIONDO, Mr. SERRANO, Mr. SCOTT, Ms. MCCARTHY of Missouri, Mr. GREEN of Texas, Mr. ISRAEL, Mr. MORAN of Virginia, Mr. STRICKLAND, Mr. HINCHEY, Mr. OLVER, Mrs. MCCARTHY of New York, Mr. COSTELLO, and Mr. MASCARA.
H.R. 5346: Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. ABERCROMBIE, Mr. CAPUANO, Ms. WATERS, Mr. THOMPSON of Mississippi, Ms. ESHOO, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Ms. RIVERS, Mr. PHELPS, Mr. LANTOS, Mr. MENDEZ, Mr. BERMAN, and Mr. WAXMAN.
H.R. 5350: Mr. HILLIARD, Mr. LIPINSKI, Mr. FORST, and Ms. NORTON.
H.R. 5376: Mr. FLAKE.
H.R. 5380: Mr. JEFF MILLER of Florida, Mr. GREEN of Wisconsin, and Mr. SESSIONS.
H.R. 5398: Mr. ARMEY, Ms. LOFGREN, Mr. TOM DAVIS of Virginia, and Mr. SESSIONS.
H.R. 5433: Mr. LAHOOD and Mr. PHELPS.
H.R. 5465: Mrs. CAPPS.
H.R. 5476: Ms. NORTON and Mr. WEXLER.
H.R. 5480: Mrs. MYRICK and Mr. TAYLOR of North Carolina.
H.R. 5491: Ms. PELOSI.
H.R. 5499: Mr. CLYBURN, Mr. BISHOP, Mr. LEWIS of Georgia, Mrs. CHRISTENSEN, Mr. THOMPSON of Mississippi, Mr. PAYNE, and Mr. FORD.
H.R. 5503: Mr. THORNBERRY.
H.R. 5510: Mr. MORAN of Virginia.
H.R. 5512: Mr. SMITH of Washington.
H. Con. Res. 399: Mr. REYNOLDS, Mr. WALSH, Mr. GILMAN, Mr. QUINN, Mr. BOEHLETT, Mrs. MCCARTHY of New York, Mr. ISRAEL, Mr. GRUCCI, Mrs. MALONEY of New York, Mr. HINCHEY, Mr. CROWLEY, Mr. McNULTY, Mr. RANGEL, Mr. STRICKLAND, Mr. KING, Mr. ACKERMAN, Mr. NADLER, Mr. LAFALCE, Mr. SWEENEY, Mr. TOWNS, Mr. ENGEL, and Ms. VELAZQUEZ.
H. Con. Res. 406: Mr. UDALL of Colorado.
H. Con. Res. 422: Mr. HOYER and Mr. ABERCROMBIE.
H. Con. Res. 436: Mr. LEVIN, Ms. WATSON, Mr. FRELINGHUYSEN, and Ms. MILLENDER-MCDONALD.
H. Con. Res. 445: Mr. JEFF MILLER of Florida, Mrs. ROUKEMA, Mr. DOOLITTLE, Mr. RAMSTAD, Mr. BROWN of South Carolina, and Mr. ROGERS of Michigan.
H. Con. Res. 466: Mr. SCHAFER and Mr. WYNN.
H. Con. Res. 480: Ms. LOFGREN.
H. Con. Res. 486: Mr. KILDEE, Mr. WILSON of South Carolina, Mr. WOLF, and Mr. BALDACCIO.
H. Con. Res. 487: Mr. MEEKS of New York and Mr. FRANK.
H. Res. 369: Mrs. MORELLA.
H. Res. 505: Mr. CUNNINGHAM and Mr. BROWN of South Carolina.

H. Res. 557: Mr. BALDACCI.
H. Res. 559: Mr. CANTOR.

PETITIONS, ETC.

Under clause 3 of rule XII,

74. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 543 petitioning the United States Congress to express gratitude to Congressman Benjamin Gilman for his many years of public service; which was referred to the Committee on House Administration.

ADMDENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

S. 2690

OFFERED BY: MR. ADERHOLT

AMENDMENT No. 1: At the end of section 1, insert the following:

(17) The First Amendment to the Constitution of the United States secures rights against laws respecting an establishment of religion or prohibiting the free exercise thereof made by the United States Government. The rights secured under the First Amendment have been interpreted by courts of the United States Government to be included among the provisions of the Fourteenth Amendment (See *Everson v. Board of Education* Hamilton, 330 U.S. 1, 14-16, and *Cantwell v. Connecticut*, 310 U.S. 296). The Tenth Amendment reserves to the States respectively the powers not delegated to the United States Government nor prohibited to the States. The power to display the Ten Commandments on or within property owned or administered by the several States or political subdivisions thereof is among the powers reserved to the States respectively. The expression of religious faith by individual persons on or within property owned or administered by the several States or political subdivisions thereof is among the rights secured against laws respecting an establishment of religion or prohibiting the free exercise of religion made or enforced by the United States Government or by any department or executive or judicial officer thereof; and among the liberties of which no State shall deprive any person without due process of law made in pursuance of powers reserved to the States respectively.

S. 2690

OFFERED BY: MR. HAYES

AMENDMENT No. 2: At the end of section 1, insert the following:

(17) In the Chambers of the House of Representatives are displayed twenty-three marble relief portraits of "lawgivers" who were selected by a special committee for their work in establishing the principles that underlie American law. The relief of Moses, who delivered the Ten Commandments from Mount Sinai more than 3000 years ago, is the only relief that is full faced rather than in profile. The relief of Moses is positioned di-

rectly opposite the Speaker's rostrum, overseeing the proceedings of the House. In the building housing the Supreme Court of the United States there are multiple depictions of the Ten Commandments, including one located on the lower half of the doors leading into the chamber and another in the chamber itself above the bench from which the Justices preside. Even the entry to the National Archives of the United States, where the Constitution and the Declaration of Independence are publicly displayed, is adorned with the Ten Commandments. The Supreme Court, most notably in *Lynch v. Donnelly*, 465 U.S. 668 (1984), has cited such displays when upholding the constitutionality of other religious displays by municipal governments. The depiction of Moses and the Ten Commandments in the Capitol of the United States, the Supreme Court of the United States, and the National Archives is constitutional and wholly consistent with the principles of disestablishment and religious freedom.

S. 2690

OFFERED BY: MR. SHIMKUS

AMENDMENT No. 3: At the end of section 1, insert the following:

(17) Beginning in 1774, the Continental Congress adopted the procedure of opening its sessions with a prayer offered by a paid chaplain. The First Congress of the new Republic continued this tradition when, in April of 1789, both the House of Representatives and the Senate appointed committees to consider the election of chaplains. In April and May of that same year, the Senate and House respectively elected their first chaplain and in September legislation was enacted providing for the payment of these chaplains. In the 1850s the Senate considered "sundry petitions praying Congress to abolish the office of Chaplain" (S.Rep. No. 376, 32d Cong., 2d Sess.), ultimately concluding, however, that the practice did not violate the Establishment Clause. In 1854, the Committee on the Judiciary of the House of Representatives also examined the issue of taxpayer-funded chaplains and, in a report titled "Chaplains in Congress and in the Army and Navy", stated, "What is an establishment of religion? It must have a creed, defining what a man must believe; it must have rites and ordinances, which believers must observe; it must have ministers of defined qualifications, to teach the doctrines and administer the rites; it must have tests for the submissive, and penalties for the non-conformist. There never was an established religion without these." In 1983, the Supreme Court of the United States heard arguments as to whether or not a similar practice of opening the Nebraska State Legislature with prayer offered by a paid chaplain violated the Establishment Clause of the First Amendment to the Constitution (*Marsh v. Chambers*, 463 U.S. 783 (1983)). The Supreme Court found that such a practice is not in fact unconstitutional. Other public bodies also open their proceedings with prayers or invocations to God, including the Supreme Court of the United States, which opens its proceedings with an announcement that concludes, "God save the United States and this Honorable

Court." The practice of opening meetings of the House of Representatives, the Senate, and the Supreme Court with prayer (including those offered by taxpayer-supported chaplains), references to God, and invocations of blessing is constitutional and wholly consistent with the principles of disestablishment and religious freedom.

S. 2690

OFFERED BY: MR. SMITH OF TEXAS

AMENDMENT No. 4: At the end of section 1, insert the following:

(17) The First Amendment to the Constitution secures the rights of all Americans to freely exercise their religion and thus "mandates accommodation, not merely tolerance, of all religions, and forbids hostility toward any." *Lynch v. Donnelly*, 465 U.S. 668, 673 (1983). In 2000, the Commonwealth of Virginia enacted legislation mandating that each school division in the State establish a "minute of silence" in its classrooms so that "each pupil may, in the exercise of his or her individual choice, meditate, pray, or engage in any silent activity which does not interfere with, distract, or impede other pupils in the like exercise of individual choice," Va. Code Ann. 22.1-203. On July 24, 2001, the United States Court of Appeals for the Fourth Circuit held that the statute did not violate the First Amendment to the Constitution as applied to the several States through the Fourteenth Amendment. See *Brown v. Gilmore*, 258 F.3d 265 (4th Cir. 2001). Writing for the majority, Justice Niemeyer wrote, "In sum, establishing a minute of silence, during which students may choose to pray or to meditate in a silent and non-threatening manner, Virginia has introduced at most a minor and nonintrusive accommodation of religion that does not establish religion." *Id.* at 278. Justice Niemeyer further wrote, "Recognizing that the Religion Clauses of the Constitution are intended to protect religious liberty, Virginia's minute of silence is no more than a modest step in that direction by providing a non-intrusive and constitutionally legitimate accommodation." *Id.* On October 29, 2001, the Supreme Court of the United States let stand the ruling of the Fourth Circuit in *Brown v. Gilmore*. See *Brown v. Gilmore*, 122 S. Ct. 465 (2001). The Virginia statute mandating a "minute of silence" protects and advances this right for public school students in a constitutionally permissible manner. Indeed, in *Wallace v. Jaffree*, the Supreme Court of the United States distinguished Alabama's moment of silence statutes from a statute which, similar to Virginia's, protects "every student's right to engage in voluntary prayer during an appropriate moment of silence during the school day." 472 U.S. 38, 59 (1985). Students enrolled in public school in the other several States should be accorded a similar protection of their First Amendment rights as extended to students in the Commonwealth of Virginia. The several States have within their powers, as reserved under the Tenth Amendment to the Constitution, the power to enact statutes similar to the Virginia "minute of silence" statute.