

FEDERAL BUDGET MUST REFLECT  
NEW PRIORITIES

□ 1015

SOCIAL SECURITY AND THE  
BUDGET

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, last Monday this Nation recognized the 6-month anniversary of the terrorist attacks which claimed the lives of thousands of innocent Americans. Now, as a Nation, we are in the middle of a war to root out the culprits of the September 11 attacks and to rid the world of terrorism. Our mission is not only right and necessary, but it is also massive and challenging. Like a runner, this is not a sprint, but a marathon.

Terrorist cells exist in countries around the world, and as a result, our work will not be limited to just Afghanistan. Consequently, as our budget process begins, we must provide the critical resources our military and intelligence communities need to win the war against terrorism.

This is a new world, Mr. Speaker, that we are now living in; we are living with new threats, and our Federal budget must reflect our new priorities.

COMMISSION ON BLACK MEN AND  
BOYS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, as we move toward welfare reform, I want to report an extraordinary standing-room-only hearing by our Commission on Black Men and Boys here in the District last night. I established this 12-man commission after noting serious challenges facing black men about a year ago; just as by focusing on women and children, we made good progress.

The problems of black men are deep: 6 percent of the population, 50 percent of inmates in jail, half of all HIV cases. The devastating effect has been on the African American family.

This began with a flight of jobs, manufacturing jobs, from the African American community, replaced by an underground economy and an underground culture. We have to do something about those jobs.

The lead witness last night was Darrell Green, the legendary football star who started his own foundation to assist youth and who spoke about manhood and about his own policy work.

The commission is drawing its own action plan that the city has said it will carry out.

I am grateful to the minority staff of the Committee on Government Reform, which is working with me to translate the commission's work nationally to benefit other districts.

REPUBLICAN LEADERSHIP RE-  
FUSES TO SCHEDULE DEBATE  
ON FUTURE OF SOCIAL SECUR-  
ITY

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise today to express my disappointment that the Republican leadership refuses to schedule a debate on the future of Social Security. They appear unwilling even to schedule or to bring up the plan introduced by their own majority leader.

Perhaps it is because that plan calls for benefit cuts, substantial benefit cuts for many Americans, including disabled Americans. Perhaps it is because creating private accounts will cost more than \$1 trillion in transition costs; and perhaps it is because the plan exposes beneficiaries to unnecessary risks for unlikely rewards.

I welcome the opportunity to debate the future of Social Security, but the Republican leadership so far refuses. Perhaps it is because, if they do, their plan will be rejected by the American people.

IMPORTANCE OF FAKED MISSILE  
DEFENSE TESTS

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Mr. Speaker, the GAO recently released a report outlining the ways in which the Pentagon and its contractors fudged the results of a missile defense test in 1997. The report found that missile test results were fabricated by excluding negative test data, ignoring sensor malfunctions, and by delaying the disclosure of undeniable errors. All this is now irrelevant, the Pentagon concludes, because the system used in that test has not been used in 4 years.

Well, Mr. Speaker, I disagree. The fact that these test books were cooked could not be more important. The President has asked Congress to match last year's \$8 billion-plus missile defense appropriation and has formally issued his intention for the United States to pull out of the ABM treaty. Yet the Pentagon recently canceled the supposedly important Navy missile defense system due to cost overruns of 65 percent, and more recent missile defense tests were found to have been fixed by the use of GPS location beacons.

Mr. Speaker, the CBO has estimated that a working missile defense system will cost another \$64 billion by 2015, and the United States has been working on this since World War II and it still does not work. We do not need to give the Pentagon one more dollar.

(Mr. RODRIGUEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, Social Security has been a successful program that has lifted millions of the Nation's seniors out of poverty. Our seniors are facing a dilemma, one that threatens their security and trust as they reach their retirement years.

We must fight to preserve our Social Security trust fund and honor our commitment to our seniors. The President's budget does not honor this commitment to our seniors, and, in turn, fails all Americans.

Now is the time for us to focus on a long-term budget plan that will not only help recover the economy, but also help recover and make sure that our Social Security trust fund is kept intact, returning us to an era where we can protect our Social Security and protect our seniors, and even strengthen the Social Security trust fund.

We need to recommit to the idea that Social Security surplus dollars are for Social Security, and paying down our national debt is something that we all need to do.

We also are aware of the fact that the President has also appointed a committee, and we know that when one stacks a committee, that every single member on this committee was for the purpose of privatizing Social Security. They had no other motive but to do that. Every single one of them on that committee had that one intention.

Mr. Speaker, it is our responsibility to make sure we protect our seniors and future generations.

## THE JOURNAL

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8, rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 355, nays 45, answered “present” 1, not voting 33, as follows:

[Roll No. 54]  
YEAS—355

Abercrombie	Allen	Baca
Ackerman	Andrews	Bachus
Akin	Armey	Baker

Baldacci  
Baldwin  
Barcia  
Barr  
Bartlett  
Bass  
Becerra  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Brown (SC)  
Bryant  
Burr  
Callahan  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Cardin  
Carson (IN)  
Carson (OK)  
Castle  
Chabot  
Chambliss  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Collins  
Combest  
Condit  
Conyers  
Cox  
Cramer  
Crenshaw  
Crowley  
Culberson  
Cummings  
Cunningham  
Davis (CA)  
Davis (FL)  
Davis, Jo Ann  
Davis, Tom  
Deal  
DeGette  
Delahunt  
DeLauro  
DeMint  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emerson  
Engel  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Flake  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frank  
Frelinghuysen  
Frost

Galleghy  
Ganske  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Graham  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hansen  
Harman  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Herger  
Hill  
Hilleary  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kerns  
Kildee  
Kilpatrick  
Kind (WI)  
Kingston  
Kirk  
Klecicka  
Knollenberg  
Kolbe  
LaFalce  
Lampson  
Langevin  
Lantos  
Larson (CT)  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Mascara

Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
Meehan  
Meek (FL)  
Meeks (NY)  
Mica  
Millender-  
McDonald  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Mink  
Mollohan  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Obey  
Oliver  
Osborne  
Ose  
Otter  
Owens  
Pascarell  
Pastor  
Paul  
Payne  
Pelosi  
Pence  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Radanovich  
Rahall  
Rangel  
Regula  
Rehberg  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Roukema  
Roybal-Allard  
Royce  
Ryan (WI)  
Ryun (KS)  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schiff  
Schrock  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simmons  
Simpson  
Skeen

Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stearns  
Stenholm  
Stump  
Sununu  
Sweeney  
Tanner  
Tauscher  
Tauzin

Taylor (NC)  
Terry  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tierney  
Toomey  
Towns  
Turner  
Upton  
Velazquez  
Vitter  
Walden  
Walsh  
Wamp

Watkins (OK)  
Watson (CA)  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Wexler  
Whitfield  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn

## NAYS—45

Aderholt  
Baird  
Borski  
Brady (PA)  
Capuano  
Costello  
Crane  
DeFazio  
English  
Filner  
Gutknecht  
Hefley  
Hillard  
Hinchey  
Hulshof

Kucinich  
Larsen (WA)  
Latham  
LoBiondo  
Matheson  
McDermott  
McNulty  
Miller, George  
Moore  
Moran (KS)  
Pallone  
Peterson (MN)  
Platts  
Ramstad  
Sabo

Schaffer  
Schakowsky  
Stark  
Strickland  
Stupak  
Taylor (MS)  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Udall (CO)  
Udall (NM)  
Visclosky  
Waters  
Weller  
Wicker

## ANSWERED "PRESENT"—1

Tancredo

## NOT VOTING—33

Ballenger  
Barrett  
Barton  
Bentsen  
Blagojevich  
Burton  
Buyer  
Cooksey  
Coyne  
Cubin  
Davis (IL)  
DeLay

Ehrlich  
Eshoo  
Hinojosa  
Hunter  
Jackson-Lee  
(TX)  
Johnson, Sam  
King (NY)  
LaHood  
Menendez  
Oberstar  
Ortiz

Oxley  
Quinn  
Rothman  
Rush  
Shaw  
Slaughter  
Sullivan  
Traficant  
Young (AK)  
Young (FL)

□ 1043

So the Journal was approved.

The result of the vote was announced as above recorded.

# PROVIDING FOR CONSIDERATION OF H.R. 2341, CLASS ACTION FAIRNESS ACT OF 2002

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 367 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 367

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2341) to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the

bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

□ 1045

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentleman from Texas (Mr. FROST), the ranking member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 367 is a structured rule providing for the consideration of H.R. 2341, the Class Action Fairness Act of 2002. The rule provides 1 hour of general debate, equally divided and controlled between the chairman and ranking minority member of the Committee on the Judiciary. It provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill be considered as an original bill for the purpose of amendment.

The rule makes in order only those amendments printed in the Committee on Rules report accompanying the resolution. Each amendment may be offered only in the order printed, may be offered only by a Member designated in the report, shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question.