

activities that will not be covered under insurance this coming year. That means that every company that does those activities will not function because you cannot function without liability insurance in this country.

So what we are doing is we are continuing to limit the number of activities that we can have, jobs produced for Americans, all at the benefit of the trial lawyers of America.

#### HONORING THE LIFE OF JOE KARY WESTMORELAND

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, I stand to pay tribute to an outstanding and distinguished human being, Joe Kary Westmoreland, from my district who died just recently.

Joe began his musical career by singing and playing the piano at a very early age in New Morning Star Baptist Church. After graduating from Booker T. Washington High School, he moved to Los Angeles to continue his education. He attended Los Angeles City College and the University of California at Los Angeles where he earned a bachelor's degree in 1981.

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In 2000, Joe received a doctoral degree from the Pentecostal Bible College, West Coast Campus.

Joe taught choral music at Duarte High School, Occidental College, and UCLA. For over a quarter of a century, he served the First African Methodist Episcopal Church of Los Angeles, many of these years as Minister of Music. Since 1976, his gospel music compositions have been presented in over 100 concerts by major orchestras and two films, *Music in Time* and *Zubin Rocks Gospel*, and are in public libraries around the country. One aired on three segments of CBS' 60 Minutes.

The North Carolina Symphony and Interdenominational Choir performed seven of Joe's compositions at the Shaw University Heritage Festival, from 1977 through 1980. He conceived and helped produce the noted, *Hallelujah Concert: A Tribute to Gospel Music*, held at the Great Western Forum in Inglewood, California. Joe was the first composer of gospel music to have his works performed by Zubin Mehta and the Los Angeles Philharmonic Orchestra as well as the New York Philharmonic Orchestra.

In 1982, Joe was commissioned by the Albany Symphony to write a gospel mass. This music was also performed by the Utah Symphony Orchestra in 1983. And in 1987, together with Charles May, he wrote the gospel opera, *Job*, which starred Reverend Daryl Coley and the First AME Freedom Choir. It was performed again in 1988 for the Los Angeles Festival and for the AME General Conference in Fort Worth, Texas.

His credits go on and on in the area of music and gospel and bringing the

two together. He wrote the gospel opera, *Jezebel*, which was performed in the Vision Theater in Los Angeles for a full month. His musical talents have not been unrewarded, and he has received every single award across the board.

Mr. Speaker, this is the kind of citizen that we need more of. He leaves a tremendous legacy in music and song but, most of all, in spirituality. And I want to extend my sympathy to his wife who stood by him all of those years, through an automobile accident, through several strokes and heart attacks, but he was still able to write and perform. He had been married to his wife for 39 years.

We pay tribute to his spirit, to his life, and we wish him a rest that is well-deserved in the hands of our Lord.

#### SCIENCE POLICY/STEM CELL RESEARCH

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, a number of my colleagues have already spoken on, I think, a very important initiative or series of initiatives that require, unfortunately, the attention of this Congress and certainly the attention of many of our committees and particularly the one I serve on, the House Committee on Science.

I believe that the administration's science policy is adrift. We have not focused on the important needs of this Nation as relate to issues dealing with nanotechnology and basic research, environmental issues, and, of course, stem cell research, space exploration, and the International Space Station.

I rise in the backdrop of some 2 years since the tragedy of Columbia VII with so many of our brilliant scientists that flew into space with great hopes and aspirations to be able to press for space exploration, to be able to enhance a better quality of life for those of us who live on earth.

Space exploration has found, in many instances, ways to create a better life for human beings. It was the beginning of the understanding of the human genome. It certainly has been at the backbone of research dealing with cancer, diabetes, HIV/AIDS, heart conditions, stroke and aging. So we know there is value in exploring space. Other technological advances have been the beneficiary of that, yet I do not think we have done enough on Admiral Gehman's report on the issue of safety. I do not believe we have yet to complete, legislatively, the instructions that Admiral Gehman gave to us. The administration has been slow in acting.

I, for many months now, have been asking for a full and complete hearing on the questions of safety on the International Space Station. Just recently, we determined there was a leakage

that had to be fixed by the only two remaining astronauts on the International Space Station. We have yet to create a vehicle that can allow additional travel for additional astronauts to go back and forth to enhance the safety of the International Space Station by repairing some of the problems with that space station.

Mr. Speaker, I call on my colleagues on the House Committee on Science to move forward on a hearing now on the safety questions of the International Space Station and begin again hearings to hear from NASA as to its implementation or its proposals for ensuring that human space shuttles fly again. These matters have not been attended to, and it puts us very far behind the work we should be doing in science.

I also note for those who have been following the discussion dealing with the stem cell research that, in the United States, millions of people are suffering needlessly. They are suffering because the administration is putting aside a century-long commitment to investing in and making use of good science in order to better the lives of the American people.

Furthermore, I am sorry to say that this Congress has been derelict in its duty to critically oversee the administration and to push creative and thoughtful legislation that will keep this Nation moving forward.

We discovered a few weeks ago articles reporting on the decrease, the dumping down of dollars going into our research laboratories and our other research facilities such that professors and those who are graduating this year with the expertise of research, who can be part of new discoveries for the 21st century, are wondering whether they will have positions in research institutions around the Nation, whether or not there are enough Federal dollars to create opportunities for research. We would be certainly remiss if we did not fight for and seek to increase those dollars to keep from losing that talent.

We are finding now that international students, likewise, are finding their way to research labs elsewhere rather than coming to the United States and providing us the opportunity of being first in line with outstanding research that will again increase our quality of life. It was at the beginning of the new computer age, the Internet, the Web, all of that created by new bright minds, some of those in military research facilities, with dollars that were provided from our Federal Government.

As of this week, more than 5,000 scientists have signed on to a statement produced by the Union of Concerned Scientists accusing the administration of misusing and fully abusing scientific methodology. Signers include 48 Nobel laureates, 62 National Medal of Science recipients, and 127 members of the National Academy of Sciences. A number of these scientists have served in multiple administrations, both Democratic

and Republican, underscoring the unprecedented nature of this administration's practices in demonstrating that the issues of scientific integrity transcend partisan politics.

We will speak to that as we continue throughout the remaining time of this Congress, that people are suffering needlessly because we have limited our research in stem cell research. Approximately 25 million people are living with diabetes, Parkinson's disease, Alzheimer's, Lupus, and other degenerative diseases. That is nearly 10 percent of our entire population. Over the course of decades, treating and caring for this Nation's sick will come at an incredible financial cost to taxpayers, families, and the U.S. health care system. In fact, Alzheimer's is the third most expensive disease to treat in America. The human cost is incalculable.

Stem cell research offers the promise of one day finding significant treatment and perhaps even cures for these diseases. If given the opportunity by our Federal Government, our scientists and researchers could potentially unlock the secret to reversing the horrible effects of Alzheimer's, Parkinson's, Lou Gehrig's disease, Lupus, and many others. In the longer term, stem cell therapies may help spinal cord injury patients benefit from an even limited restoration of lost functions, such as gaining partial use of a limb instead of none or restoring bladder control or being free from pain. This could mean a world of difference to millions of affected individuals.

Tragically, this administration would rather forego the preservation and improvement of life for political gains. On August 9, 2001, the administration announced restrictions on Federal funding for stem cell research and immediately froze progress on a valuable branch of scientific research. The President claims his opposition to expanded funding comes from his unwillingness to cross a strict moral line. When he cuts funding for prenatal and perinatal care, when he pursues a violent and expensive foreign policy, the strict moral line becomes blurred.

The President's Federal policy was already outdated the day it came out. He limited Federal funding for research using one of 78 cell lines available on August 9, 2001. Unfortunately, since then, it has been discovered that only 19 of those lines are actually functional, and of those 19, many are of diminished quality and value. Why spend any money at all to do second-quality research with thirdhand tools?

The President's policy is resulting in a reverse brain drain. Instead of working on outdated stem cell lines in U.S. labs, many of our brightest scientists are conducting research in the United Kingdom where the government fully funds stem cell research. When progress occurs in British labs, it will be British patients who will be the first beneficiaries of these new techniques.

Many argue that the Bush policy does nothing to inhibit advances in

stem cell research. I beg to differ. The problem is that, as richer states and institutions advance the science of stem cell biology, it will be our institutions that will suffer.

Mr. Speaker, let me close by simply saying that even the former First Lady Nancy Reagan has begged us to find cures so that we can prevent the ravages of these unchecked diseases, such as Alzheimer's. I would only hope that the Committee on Science, lead by the Republicans and joined by the Democrats, will do its work before this Congress ends; that we will find ways to ensure the safety of space exploration in the International Space Station; and that we will find ways to do the right kind of research for stem cell research.

Mr. Speaker, I am here today with two of my colleagues from the Science Committee. We are concerned about the record of this administration, as it pertains to science. Their record has shown a blatant tendency to favor ideology over peer reviewed science. Research under the administration is drifting. There also has been a cavalier disregard for any possible assistance to U.S. industry that would match the subsidies and support offered by foreign governments to industries abroad. This ideological approach to science has put us at a serious competitive disadvantage.

In the United States millions of people are suffering needlessly. They are suffering because the administration is putting aside a century-long commitment to investing in, and making use of, good science in order to better the lives of the American people. Furthermore, I am sorry to say that this Congress has been derelict in its duty to critically oversee the administration, and to push creative and thoughtful legislation that will keep this Nation moving forward.

As of this week, more than 5,000 scientists have signed onto a statement produced by the Union of Concerned Scientists, accusing the Bush administration of misusing and fully abusing scientific methodology. Signers include 48 Nobel laureates, 62 National Medal of Science recipients, and 127 members of the National Academy of Sciences. A number of these scientists have served in multiple administrations, both Democratic and Republican, underscoring the unprecedented nature of this administration's practices and demonstrating that the issues of scientific integrity transcend partisan politics.

This afternoon a handful of Democratic members of the Science Committee will highlight some of the glaring areas where this administration and the congressional leadership are not properly using science to serve the American people.

As I said, people are suffering needlessly. Approximately 25 million people are living with diabetes, Parkinson's disease, Alzheimer's, Lupus, and other degenerative diseases. That's nearly 10 percent of our entire population. Over the course of decades, treating and caring for this Nation's sick will come at an incredible financial cost to families, taxpayers, and the U.S. health care system. In fact, Alzheimer's is the third most expensive disease to treat in America. The human cost is incalculable.

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Tragically, this administration would rather forego the preservation and improvement of life, for political gains. On August 9, 2001, President Bush announced restrictions on Federal funding for stem cell research, and immediately froze progress on a valuable branch of scientific research. The President claims that his opposition to expanded funding comes from his unwillingness to cross "a strict moral line" When he cuts funding for prenatal and perinatal care, when he pursues a violent and expensive foreign policy, the President's "strict" line becomes more blurry.

The President's Federal policy was already out-dated the day it came out. He limited Federal funding to research using one of 78 cell lines available on August 9, 2001. Unfortunately, since then it has been discovered that only 19 of those lines are actually functional. Of those 19, many are of diminished quality and value. Why spend any money at all to do second-quality research, with third-hand tools?

The administration's policy is resulting in a reverse brain drain. Instead of working on outdated stem cell lines in U.S. labs, many of our brightest scientists are conducting research in the United Kingdom where the government fully funds stem cell research. When progress occurs in British labs, it will be British patients who will be the first to benefit from these new techniques.

Many argue that the President's policy does nothing to inhibit advances in stem cell research since privately funded scientists can work at will. The problem is that as richer States and institutions advance the science of stem cell biology, it will be those institutions and communities that will benefit from an increase in jobs, the boost to the local economy, and increased access to cutting edge medical treatments. Under this scenario, critical patients will be held by a limited number of institutions, further impeding even privately funded research. This will only add to the growing health disparities between the rich and the poor, the urban and the rural, the haves and the have-nots. Our Federal Government must seize this opportunity to counteract this effect that will have devastating impacts on patients, their families, and their friends.

Former first lady Nancy Reagan saw the ravages of unchecked disease, as President Reagan waged his own personal decade-long battle with Alzheimer's. She is now adding her voice to the call for a more rational and progressive stem cell policy. She has stated, "Science has presented us with a hope called stem cell research, which may provide our scientists with many answers that for so long have been beyond our grasp. I just don't see how we can turn our backs on this."

Mr. Speaker, the hope of which former First Lady Reagan spoke must be met, not only with optimism, but also with political will and decisive action. On April 28, more than 200 Members of the House of Representatives

sent a letter to the President urging him to expand Federal funding for stem cell research. On June 4, 58 Members of the Senate sent a similar letter urging that the President relax his restrictions on Federal funds and repeal his antiquated policy. We approached the President with the purpose of honest and healthy debate. The President has refused to hear our arguments. This is an issue that could bring Americans together to save lives. Instead, we are wasting time and taxpayer dollars, playing politics—debating divisive issues that are going nowhere.

Now is the time to reverse the negative effects of the administration's policy. It is time to implement a policy that encourages science, creates jobs, expands health care, and saves lives. It is time for an expansion of Federal funding for stem cell research in America.

#### AMERICANS NEED THE RIGHT TO VOTE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Illinois (Mr. JACKSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. JACKSON of Illinois. Mr. Speaker, the Congressional Black Caucus today will be hosting here on the floor a special order regarding the protection of the fundamental right to vote for all Americans. Given the crucial nature of the up and coming election, the caucus' chairman, the gentleman from Maryland (Mr. CUMMINGS) and other members of the CBC have requested this time to talk with all Americans about some fundamental flaws that exist in our system.

Mr. Speaker, the Bible tells us, in the story of Matthew, of a wise man who built his house on a rock, and when the rain fell and the floods came and the winds blew and beat upon his house, it did not fall because he built it on a rock. But there was a foolish man who built his house on sand, and when the rain fell and the floods came and the winds blew and beat against his house, it fell.

Mr. Speaker, elections in the United States are like the foolish man who built his house on sand. Our election system is built on the sand of States' rights. We need to build it on a rock, the rock of a new amendment to the Constitution, affirmatively guaranteeing every American an individual right to vote and granting Congress the authority to create a unitary voting system.

The United States sees itself as the center of world democracy, so most Americans will be surprised, even shocked, to discover that we do not have the right to vote. Unlike the Constitution's First Amendment guarantee of an individual right to freedom of religion, to freedom of press, to freedom of assembly, the individual right to vote is not in the Constitution.

Most Americans are also unaware that, according to a joint study by Caltech and MIT, somewhere between 4 and 6 million votes nationally were not

counted in 2000. Many States had similar problems to what occurred in Florida. My State of Illinois was the worst. Florida got the attention only because of the closeness of their vote.

Voting in America is overseen by 13,000 different election administrations, all separate and unequal, which is reminiscent of the legal theory that established Jim Crow segregation for 58 years as a result of the 1896 Plessy v. Ferguson decision.

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The 15th, 19th and 26th amendments prohibit discrimination in voting on the basis of race, sex and age respectively, but they do not affirmatively guarantee the right to vote. Voting in America is essentially a 10th amendment issue, States rights, and therefore we end up with 50 different State systems, 3,067 different county systems and 20,000 different municipal systems in the United States.

The Supreme Court ruled in Bush v. Gore that the individual citizen has no fundamental constitutional right to vote for electors for President of the United States. In other words, Florida's State right to oversee the election took precedence over counting every individual vote; or legally, States rights triumphed over individual rights. In essence the Court said since there is no affirmative right to vote in the Constitution, what does the Florida State statute say? It says that the former Secretary of State is in charge of the election, and according to Florida law, all of the votes must be counted by midnight, December 12.

Since the Court decision came down at 10 p.m. on December 12, the Secretary of State said, in essence, if you cannot count all of the votes in the next 2 hours, President Bush is the President. But just in case the Court had ordered all of the votes counted and it turned out that Vice President Gore had won the most popular votes in Florida, the Republican controlled, or it could be a Democratic controlled, legislature had a backup plan: Based on the fact there is no right to vote in the Constitution of the United States for the individual citizen, that the Constitution says the right to elect electors resides in the State legislature. The Florida State legislature was prepared to ignore the 6 million popular votes, elect their own electors and send them to Congress for certification. That would have been both legally and constitutionally permissible.

The Help America Vote Act, or HAVA, is not the answer. It is built on sand, States' rights. I am convinced if Congress had the will, under our current Constitution it could do much more than HAVA to strengthen the administration of a unitary voting system and protect and fully count all votes.

But I am unconvinced, absent a voting rights amendment, that any solution to these and any of our other most pressing voting rights problems will be

universal or sustainable. How do we change the current system and prevent another Florida, another Illinois, or some Ohio or some other State from undermining our election system? How can we achieve equal protection under the law in 13,000 separate and unequally administered voting jurisdictions? Some voting jurisdictions use computers. Others use punch card voting. Some allow Internet voting, others do not. Some allow lever voting systems. Some voters simply write an "X" next to the candidate of their choice; all separate and all unequal.

If we as Americans can guarantee for the people of Afghanistan the fundamental right to vote, and we can guarantee the fundamental right to vote for the people of Iraq, then of course we should be able to guarantee for every single American the fundamental right to vote.

Look at the issue of felons. In the State of Illinois if one commits a felony, after one has served their time, the State of Illinois under State law re-enfranchises felons. In Florida once one commits a felony, one will never be re-enfranchised because the State prohibits felons who have served their time from ever regaining the franchise. But in Vermont, even if you are in jail you are still allowed to vote in presidential and local elections, in some local elections.

Mr. Speaker, we need to guarantee the fundamental right to vote for every single American in our Constitution and only by adding an affirmative right to vote amendment to the Constitution, such an amendment would give Congress the power to establish a unitary voting system, ensure that every vote is counted, and grant equal protection under the law for all voters.

House Joint Resolution 28 is such an amendment, and I urge Members to sign on as cosponsors.

Mr. Speaker, no one has been traveling across the country as much, analyzing the Nation's voting system and trying to raise the consciousness of the Congress to guarantee and secure democracy for all Americans quite like the chairman of the Congressional Black Caucus, the gentleman from Maryland (Mr. CUMMINGS).

#### FIGHTING FOR A RIGHT TO VOTE CONSTITUTIONAL AMENDMENT

(By Congressman Jesse L. Jackson, Jr.)

Most Americans believe that the "legal right to vote" in our democracy is explicit (not just implicit) in our Constitution and laws. However, our Constitution only provides for non-discrimination in voting on the basis of race, sex, and age in the 15th, 19th and 26th Amendments respectively.

The U.S. Constitution contains no explicit affirmative individual right to vote!

Even though the "vote of the people" is perceived as supreme in our democracy—because voting rights are protective of all other rights—the Supreme Court in Bush v. Gore constantly reminded lawyers that there is no explicit or fundamental right to suffrage in the Constitution—"the individual citizen has no federal constitutional right to vote for electors for the President of the United States." (Bush v. Gore, 531 U.S. 98, 104 (2000)).