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No. 53

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. BIGGERT).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 25, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend John F. Baldwin, Captain, Chaplain Corps, U.S. Navy-Retired, and priest, Archdiocese of Chicago, Illinois, offered the following prayer:

Bless the Lord, all works of the Lord.

Praise to You, Creator God, for singularly blessing these United States from the creative hopes and labors of our Founding Fathers until this session of the 107th Congress.

We, the people, bless our forefathers' memory, their vision, their passion for freedom, their acceptance of personal responsibility, their recognition of Your grace and providence.

Life is God's gift to us. What we do with our lives is our gift to God.

As we nourish and cherish our lives, so may we respect and nourish the most fragile, the weakest, the most destitute among us.

Thanks be to the living God for placing a spirit of service in the hearts of the men and women of this House. Through their work, create unity without uniformity, justice that is blind, civility and respect without retribution or revenge. Let their voices ring with truth, their lives echo integrity.

So bless this day, Lord God, our country and this Congress to Your

service, a beacon of justice for all God's children. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kansas (Mr. RYUN) come forward and lead the House in the Pledge of Allegiance.

Mr. RYUN of Kansas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 66. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled "Women in Congress, 1917-1990".

CONGRESSIONAL RESEARCH SERVICE EMPLOYEES

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

Mr. PITTS. Madam Speaker, I rise today to commend Dr. James Billington and the employees of the Library of Congress, particularly those working in the Congressional Research Service. On almost a daily basis, my

staff and I rely on the expertise and wealth of knowledge that that staff provides.

Since CRS employees work across the street from us, over in the Library, their dedication and work often go unnoticed. So thank you to all of you at CRS.

In particular, I would like to thank a few individuals who have been extremely helpful to my office: Mr. Wayne Riddle in education; Mr. Christopher Bolkom in National Defense; Ms. Kerry Dumbaugh in Foreign Affairs; Mr. David Brumbaugh in Public Finance; Ms. Barbara Leitch LePoer in Foreign Affairs; and yesterday, Mr. Len Krueger and Ms. Angela Gilroy in Telecommunications.

Madam Speaker, I commend these individuals for their important and tireless service to the Congress and to our Nation.

TRIBUTE TO HUGH MCCOLL, CHAIRMAN AND CEO OF BANK OF AMERICA

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

Mr. WATT of North Carolina. Madam Speaker, I rise today to pay tribute to Hugh McColl, who is retiring today as chairman and CEO of Bank of America, which is headquartered in my congressional district in Charlotte, North Carolina.

Under the leadership of Hugh McColl, Bank of America has grown into the Nation's third largest bank and McColl has helped make Charlotte the second largest banking center in the country, after New York.

In less than 20 years, McColl built the former North Carolina National Bank from a company with \$12 billion in assets and 7,600 employees to a national bank with \$642 billion in assets and 140,000 employees. He has been a

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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community leader in Charlotte, volunteering his time and resources to make it a better place to live.

Last year, Bank of America received the National United Way Spirit of America Award for the community service commitment shown by their employees.

I wish all the best to Hugh McColl as he begins the next chapter of his life. I count him as a real ally, mentor, and friend.

A JOURNEY OF A THOUSAND MILES BEGINS WITH A SINGLE STEP IN FINDING A CURE FOR AUTISM

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

Ms. ROS-LEHTINEN. Madam Speaker, my good friends Charles and Patience Flick have two children, Bonnie and Willis, who have autism, a developmental disorder that has robbed them of their ability to communicate and to interact with their family and with their playmates.

Autism is a brain disorder that impacts an individual's ability to respond appropriately to the environment and to form relationships. It affects at least one in every 500 children in America and some suggest that those numbers are actually one in 200.

Today, our Committee on Government Reform will investigate this dramatic rise in autism. We need to fully fund research that will help lead to better treatment options and, indeed, even a cure.

As a member of the House Autism Caucus, I am committed to work toward an increase of \$6 million for the National Institutes of Health and, in addition, \$5 million to the Centers for Disease Control and Prevention for the cure for autism.

A journey of a thousand miles begins with a single step, Madam Speaker; and I ask my colleagues to join me in supporting this increase in research funding, which may lead to a cure to help thousands of America's families.

HIV/AIDS, A DISEASE OF INTERNATIONAL SCOPE

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

Mrs. CHRISTENSEN. Madam Speaker, I want to take this first opportunity, since the case against South Africa by the pharmaceutical industry has been withdrawn, to applaud the recent agreement that has been reached. The HIV/AIDS pandemic represents a major human disaster, with Sub-Saharan Africa bearing the brunt of the devastation. More than 70 percent of the 35 million people infected lived in Sub-Saharan Africa.

South Africa, with 4.2 million infected as of 1999, has the world's largest

number of HIV-infected individuals, with an estimated 250,000 AIDS deaths in that year. Last week, with this landmark agreement, a major barrier to help and health has been removed. We can now and must now move forward to address the multiplicity of issues that challenge us, forge a better health care infrastructure, support government and community-based programs, increase and improve prevention efforts and make up-to-date and effective treatment available on the African continent.

As we continue to struggle against this pandemic, we must not forget that this is truly a disease of international scope and that people of African descent in the United States and the Caribbean have rates of HIV infection and AIDS that are similar in face and only slightly less in proportional magnitude than that of our brothers and sisters on the mother continent.

TIME AND MONEY COULD BE BETTER SPENT

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

Mr. GIBBONS. Madam Speaker, about 10 days ago, millions of American families made their annual trip to the post office to mail their Federal income tax returns. The IRS estimates that 65.8 million Form 1040 filers spend an average of 13 hours and 1 minute getting that return together; nearly two full working days.

That time could be much better spent with their families, and would not American families that spend millions of dollars on professional tax preparers, tax accountants and computer software be better off spending that money elsewhere? Perhaps on their family, their retirement, or investing in their children's education.

Unfortunately, working Americans have become slaves to the IRS. It is time to give these American families their freedom.

Madam Speaker, I encourage my colleagues to support meaningful tax relief as part of this year's and next year's national budget, and I yield back the valuable time and money spent this year by hard-working Americans not on their families but on preparing and filing tax forms.

HANDS OFF THE GUN BRA

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

Mr. TRAFICANT. Madam Speaker, it started with the training bra and then it came to the push-up bra; the support bra, the Wonder bra, the super bra. There is even a smart bra. Now, if that is not enough to prop up your curiosity, there is now a new bra. It is called the holster bra, the gun bra. That is right, a brassiere to conceal a

hidden handgun. Unbelievable. What is next? A maxi-girdle to conceal a stinger missile? Beam me up.

I advise all men in America against taking women to drive-in movies who may end up getting shot in a passionate embrace. I yield back all those plain old Maidenform brassieres and chainlink pantyhose.

THE UNBORN VICTIMS OF VIOLENCE ACT

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

Mr. RYUN of Kansas. Madam Speaker, I rise today in support of a bill that will protect the inalienable rights of pre-born children. This week I will be voting to pass H.R. 503, the Unborn Victims of Violence Act. I urge my colleagues to join me on this vote.

Under current Federal law, when someone commits a crime in which a woman and her pre-born baby are harmed, the accused can only be prosecuted for harm to the mother. This sends a message that there is only one victim in this situation. Nothing could be further from the truth. There are two victims involved in this crime, the mother and her pre-born child. Twenty-four States already have laws on the books protecting unborn life from criminal acts. This bill would simply extend the protection to the Federal level.

We must not ignore the fact that when a criminal harms a pregnant woman, there is a small defenseless life that is also a victim. I urge my colleagues to join me in voting to protect life, both born and unborn.

WHO IS TAKING CARE OF OUR CHILDREN?

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

Ms. WOOLSEY. Madam Speaker, I want to know who is taking care of our children. This weekend will mark 100 days since President Bush delivered his inaugural address. In that speech, he promised this Nation that he would leave no child behind.

□ 1015

Yet since then the President has focused almost all of his attention on promoting his multi-billion dollar tax break.

This tax package would use up so much of our surplus that it actually leaves millions of children behind; behind in terms of reduced funding for child care, behind in terms of cuts to juvenile justice programs, and behind in terms of education programming.

Madam Speaker, Americans do not want tax breaks for the wealthiest 1 percent of Americans; they want safe schools and a bright future for our children. In the past 100 days, the President has shown us who is taking care of

billionaires; but, like me, the American people want to know who is taking care of our children.

CONGRESS MUST PASS VICTIMS' RIGHTS AMENDMENT NOW

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

Mr. CHABOT. Madam Speaker, this week is National Victims' Rights Week. I would like to take this opportunity to ask my colleagues in Congress to follow the lead of 32 States, including my State of Ohio, and pass a Victims' Rights Constitutional Amendment.

The amendment would allow crime victims to confront their assailants in court, at sentencing and parole hearings, require that they be notified about the release or escape of a perpetrator from custody, and guarantee them the right to seek restitution from their attackers.

For far too long, victims of crime in this country have had to stand on the courthouse steps with meaningful justice just beyond their reach, not allowed to view proceedings in person, too often not permitted to speak out on behalf of a murdered loved one, not even notified when a violent abuser is turned loose.

Crime victims deserve to be treated better. They deserve to be treated with dignity in our criminal justice system. With the adoption of this amendment, we will finally say loud and clear that victims have inalienable rights too, which should be recognized by our Constitution.

INVESTIGATION DEMANDED IN PERUVIAN PLANE SHOOTING

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, though many of us recognize the importance of the international drug war, enough is enough. A mother, a baby, now dead; the CIA involved, suggesting that they gave information and requested that the plane with the missionaries be watched.

Well, I will say if the United States is collaborating with drug fighters of another nation and you have no more power than to say something and to be ignored, then you need to get the heck out of the fight. It is a tragedy that occurred.

Madam Speaker, there are still questions as to whether or not these kinds of border activities even do any good. Why do we not spend our dollars on treatment and prevention? If nothing else, when we have a collaborative effort with our neighbors to the South, why is it not a real collaborative effort, where we work together? And if we raise questions of concern about our own citizens or the possibility that it

is not a drug plane, why does not someone listen? This was an unnecessary loss of life. An immediate investigation of all persons who were involved is demanded now.

Let me close, Madam Speaker, by saying in addition, we have got our young men back from China, but let us investigate the reason why they are holding one of our young women, who has a 5-year-old son and a husband here, and why are they holding religious leaders.

We have got to do a better job of demanding the kind of human rights around the world that we beg for in this country. China needs to acknowledge that it is important to be part of the world family and to respect the human rights of our citizens and friends as well as their own.

PROVIDING FOR CONSIDERATION OF H.J. RES. 41, TAX LIMITATION CONSTITUTIONAL AMENDMENT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 118 ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 118

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limitations. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment in the nature of a substitute printed in the Congressional Record pursuant to clause 8 of rule XVIII, if offered by the Minority Leader or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend and distinguished member of the Committee on Rules, the gentleman from Texas (Mr. FROST), 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.

Madam Speaker, House Resolution 118 is a structured rule providing for the consideration of H.J. Res. 41, proposing an amendment to the Constitution of the United States with respect to tax limitation.

The rule provides for 2 hours of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides for

one amendment printed in the CONGRESSIONAL RECORD if offered by the minority leader or his designee, which shall be considered as read and shall be separately debated for 1 hour, equally divided and controlled by the proponent and an opponent. Finally, the rule provides for one motion to recommit, with or without instructions.

Madam Speaker, another April 15 tax day has come and gone, leaving most Americans frustrated by the size and complexity of our tax system. I, too, am one of those who is confused and dazed and frustrated by this complexity of the system.

The humor columnist Dave Barry described this season in these words: "It is income tax time again, Americans; time to gather up those receipts, get those tax forms, sharpen up that pencil, and stab yourself in the aorta."

Today, the average American pays more in taxes than he or she does in food, clothing, shelter, or transportation combined. For too long the tax burden imposed by the government has been going up, not down.

The tax limitation amendment starts from this very simple premise: It should be harder, not easier, for the government to raise taxes. Raising taxes should be an absolute last resort, not an easy, quick fix for excessive government spending.

Opponents may cynically dismiss this important legislation by saying that we have debated the tax limitation amendment before. Madam Speaker, we have indeed been here before; and we will hopefully continue to debate this issue on the House floor until we see its passage.

I have observed with great interest the spirited debate surrounding the tax cut that now is taking place in the Halls of Congress. Over the last few months, debate about tax cuts have evolved from whether we should have a tax cut, to how much of a tax cut the American people should be given.

No longer should we argue about whether or not reducing the tax burden is good for individuals as well as America's economy, because it is good. Instead, discussion is focused on the extent of a tax cut.

We have seen the people across this Nation overwhelmingly support tax reduction. I am pleased that the consensus is finally being attained within this Congress to reflect the sentiment of the American people. In the same way a balanced budget took place years before the consensus was achieved, so we are fighting that battle today.

I recall when I was running for Congress in 1994, people said we would never have a balanced budget; and indeed in 1993, I recall a Senator in the other body once stated that if we ever had a balanced budget by the year 2002, he would take a high dive off the top of the Capitol. Thank goodness 2002 is a year away, but, Madam Speaker, we have now balanced the budget for 6 years.

The annual floor consideration of the tax limitation amendment gives us the

opportunity to take a stand on the side of the taxpayer. By enacting the tax limitation amendment we protect the taxpayer and pledge that we as a Congress will focus inward on cutting waste, fraud and abuse, instead of immediately raiding the pockets of the American taxpayer.

Passage of this rule today will allow the House to begin debate on one of the most serious matters to be considered by the Congress, an amendment to the Constitution of the United States.

When our Founding Fathers met more than 200 years ago to draft what became the Constitution of the United States, there was an agreement on potential problems our Nation faced. Our Constitution was drafted to address those problems. In many instances they wrote specific language protecting the people from what at times could be oppressive, intrusive, or an overbearing Federal Government. They protected bedrock foundations to our liberty and freedom, such as life, the pursuit of happiness, freedom of speech, and freedom of religion.

Our founding fathers were so insightful and ingenious in their preparation of our Constitution that they provided within our system of checks and balances a Constitution which would clearly enumerate occasions where a supermajority would be appropriate as the guardian of the people.

A vote of two-thirds of both Houses, for example, is required to override a Presidential veto; a two-thirds vote of the Senate is required to approve treaties and to convict and impeach a Federal official; but a two-thirds vote of Congress is not yet required for raising taxes.

In my view, our Founding Fathers would recognize that under the current system there is an inherent bias towards raising taxes and might support this constitutional provision.

There has long been a bias towards raising taxes under our current system. The Federal budget is currently in balance in part due to the spending constraints by Congress, as well as hard work and global leading productivity of American workers. But short economic downturns can be expected. Future Congresses may not be as fiscally responsible and return to the ways of deficit spending and take the easy way out by raising taxes.

Making it more difficult to raise taxes balances the options available to Congress as it makes decisions on the size of government. It is critical that this balance be achieved.

By requiring a supermajority to raise taxes, an incentive for government agencies could be created to eliminate waste and create efficiency, rather than simply turning to more deficit spending or increased taxes.

It is important to remember that there was no Federal income tax when our Founding Fathers drafted the Constitution. Not until 1913 was the 16th amendment of the Constitution passed to allow Congress to tax the American

people. The first tax ranged from 1 to 7 percent and only applied to the wealthiest Americans.

Medieval serfs gave 30 percent of their output to the lord of the manor. Egyptian peasants gave 20 percent of their toils in the fields to the Pharaoh. God required 10 percent from the people of Israel. Yet in America, Federal, State and local taxes eat up 40 percent of the average family income. Increasing further the burden on the taxpayer, sometimes the taxes are passed retroactively, sometimes they are passed from generation to generation, and sometimes they are forced upon us even after death, all from the Federal Government.

So, today I stand before you with a bipartisan coalition to put forth a question of liberty. Will we make it harder for Congress to raise taxes on its own citizens? Will we require a two-thirds vote of both houses of Congress to pass a tax increase on to the American families and our children? Will we pass this amendment to the Constitution and require a supermajority, not just a simple majority, to raise taxes?

□ 1030

That is the question that we face today.

This amendment will apply to all tax increases from the Federal Government, not just income tax hikes. The legislation recognizes that there may be times of extenuating circumstances, such as during a time of war or a national emergency, when taxes need to be raised. The tax limitation amendment would allow Congress to raise taxes in those circumstances. But, in the meantime, it would prevent the intrusive and penalizing tax increases that have been enacted with recklessness to fund unlimited government expansion over the last few decades.

Madam Speaker, it is time the Federal Government joined the States and listened to the voice of the American people. It should be harder to raise taxes. Had this amendment been adopted sooner, the four largest tax increases since 1980, which have occurred in 1982, 1987, 1990, and 1993, all would have failed. These tax increases totaled \$666 billion. The bottom line of this debate is that we must make it more difficult to raise taxes.

Those that support this amendment will do so because they believe that the American people deserve a right to also have it more difficult to take money from them. Those that oppose it will do so because they want to make it easier to raise taxes on the American people.

Madam Speaker, this is a defining issue. Make no mistake about it. The Members who support this amendment are here to support hard-working taxpayers of America. Those Members who oppose it are here to defend the tax collectors of America. It is really that simple.

We will hear rhetoric from opponents of this legislation criticizing jurisdiction procedures and a slew of other

glossary terms, but nothing can hide the reality that America supports a two-thirds tax limitation constitutional amendment.

Madam Speaker, like many Members of this body, I not only oppose raising taxes, I support making our Tax Code fairer, simpler, and flatter. Albert Einstein was once quoted as saying that the hardest thing to understand in the world is the income tax. The tax limitation amendment allows for tax reform, provided that any tax reform is revenue-neutral or provides a net tax cut. Also, any fundamental tax reform which would have the overall effect of lowering taxes could still pass with a simple majority. The tax limitation amendment allows for a simple majority to eliminate tax loopholes. The de minimis exemptions would allow nearly all loopholes to be closed without the supermajority requirement.

Madam Speaker, we may hear from opponents that the government will be unable to function if a supermajority vote is required. However, I would encourage all Members to look at our States. Eleven States require a supermajority to raise taxes. The millions of Americans living in these States have shown that greater economic growth and better job creation by the tax limitation can be brought to all Americans, just the same as they have in those States. The amendment protects the American people. It makes it harder for the Federal Government to raise taxes on its own citizens, and that is why I am here today.

Today, we can take one step closer to regaining liberty and ensuring future generations the freedom our Founding Fathers intended for America to enjoy. The debate is about liberty. This debate is about requiring a two-thirds vote to raise taxes on America.

Madam Speaker, at this time I would remind my colleagues that this is a fair rule that was adopted by the Committee on Rules yesterday. It is a standard rule under which the proposal has been considered in years past, and I urge my colleagues to support this rule.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, almost every year since my Republican colleagues took control of this body, Democrats on the Committee on Rules have had to come to the floor to speak against consideration of this proposal to amend the Constitution of the United States. Our feelings about the misguided intentions of this proposal have not changed, Madam Speaker. It appears that the Republicans in this body fear the will of the majority, and, therefore, they have to impose a supermajority, because they fear a simple majority.

Accordingly, I rise to oppose this rule. I also rise to oppose this joint resolution which seeks to amend the Constitution to require a two-thirds vote of Congress in order to pass a revenue increase.

Madam Speaker, this House has considered and defeated this ill-conceived measure five times in the past 6 years. The idea that the Constitution should be changed to accommodate this blatantly political scheme to defund the Federal Government was not only a bad idea in the 104th Congress, it was also a bad idea in the 105th and the 106th Congress when this body failed to pass this very same constitutional amendment another four times. The House should reject it again today, because this proposal is still a very bad idea.

Madam Speaker, over the past few months, this body has merrily gone about passing tax reductions that will, in all likelihood, squeeze the Federal Treasury dry. By doing so, those tax cuts will take away the ability of the Federal Government to live up to its basic responsibilities. If this resolution were to become a part of the Constitution, it would nail the coffin shut. While some on the other side of the aisle may cheer at that prospect, there are many in this body who recognize the importance of the government's ability to pay for such things like Social Security, Medicare, education, and our military defense.

Madam Speaker, any Member who voted for those tax cuts should vote against this joint resolution. Every Member who has voted to drain the Federal Treasury dry should be required to stand up and take responsibility for his or her actions when the future of Social Security and Medicare are endangered, or when there is no money to make the educational reforms the President has promised to the country, or when there is no money for farm programs or improving our military or providing real and meaningful prescription drug coverage for seniors. This resolution should be rejected by every Member who takes seriously his or her responsibility as a representative of the people of his congressional district and as a Member of the United States House of Representatives.

Madam Speaker, our Constitution has been amended only 27 times in the 212 years since it was adopted. Amending our Constitution is very serious business and should be done only when absolutely necessary to promote the well-being of our country and its citizens. Over the past 6 years, the Republican majority has used the Constitution as a political plaything and that is, quite frankly, a shameful record for Republicans to stand on. What we have before us today is no different.

Our Nation's Founding Fathers carefully designed and drafted our Constitution, not to meet their own personal political agendas, but to ensure the foundation of our republic could endure and meet the needs of its citizens for centuries to come. The actions of the Republican majority in the past few months, combined with the proposal now before us, make a mockery of the intentions of our Founding Fathers.

I find it ironic that my Republican colleagues continue to contemplate the imposition of a two-thirds supermajority requirement in order to pass revenue bills. If my colleagues will recall, at the beginning of the 104th Congress, the new Republican majority changed the Rules of the House to impose a three-fifths majority requirement for any tax increase. Well, guess what? A funny thing happened on the way to ideological purity. Whenever a bill containing a tax increase came along, the Republican majority conveniently used the Committee on Rules to waive that three-fifths requirement.

The Republican majority waived this rule for the Contract with America, for the Medicare Preservation Act, the Balanced Budget Reconciliation Act, the Health Insurance Reform Act and, finally, the Welfare Reform conference report. In short, Madam Speaker, during the first Congress they were in the majority, Republicans waived their three-fifths requirement every single time it applied.

In fact, the Republican majority found this rule change to be so unworkable and unenforceable that it had to be fixed in the 105th Congress rules package. If the Republican majority could not make that provision work in the House rules, how can they possibly make a tougher requirement work if it is embodied in the Constitution. The Committee on Rules will not be there to bail them out. I certainly hope my Republican friends understand that one cannot waive or rewrite a constitutional amendment if it is not "convenient."

Furthermore, I wonder if Republicans need a lesson in basic civics. It is an easily understood principle that when one requires a supermajority vote for passage of a measure, control is effectively turned over to a small minority and that will be the case even when an idea is supported by the majority in Congress, and a majority of the American people. Some, Madam Speaker, might call that flirting with tyranny.

James Madison in *The Federalist Papers* wisely argued against supermajority, stating "the fundamental principle of free government would be reversed. It would be no longer the majority that would rule: the power would be transferred to the minority."

This proposed constitutional amendment will seriously undermine Congress' ability to pass major budgetary initiatives. It will allow a small minority in either the House or the Senate to stop widely-supported, meaningful legislation containing any revenue measure. It would also lead to cuts and benefits in Social Security and Medicare, an increase in the retirement age, and will close the door on any possibility that a real and meaningful prescription drug benefit would be made available to seniors in this country. This proposal will sharply limit Congress' ability to close tax loopholes or enact tax reform measures. It is pure and simply a bad idea with no merit.

Madam Speaker, I urge my colleagues on both sides of the aisle to reject this rule and this ill-served, ill-advised constitutional amendment. We do not need gimmicks, we need resolve. We do not need political grandstanding, we need the Congress to face up to its responsibilities as guardians of the people's trust. If the Republican majority really wants to dismantle the Federal Government, then let us do it honestly and aboveboard.

I urge my colleagues to reject this rule and this most ill-advised amendment to the Constitution of the United States.

Madam Speaker, I reserve the balance of my time.

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

It is great to be back in Washington after a 2-week break and find out that a lot of my colleagues view the inability to raise taxes easily as kind of like what a vampire would feel about light. They just do not like it. They do not like that threat of taking away the ability to go to the American people and take and take and take and take. We are trying to make it more difficult for that to happen. I am glad to see that we are back in Washington and able to show our differences.

Madam Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), who is the chairman of the Committee on the Judiciary.

Mr. SENSENBRENNER. Madam Speaker, I rise in strong support of H. Res. 118 and I would like to recognize the gentleman from Texas (Mr. SESSIONS), as well as the chairman of the Committee on Rules and all the other members of the Committee on Rules, for their hard work on this fair rule.

As the sponsor of H.J. Res. 41, the gentleman from Texas (Mr. SESSIONS) has played a leadership role on issues such as tax fairness and simplification and deserves credit for his persistence and leadership in advancing the proposed constitutional amendment that is before the House today.

Madam Speaker, this rule is similar to past rules providing for the consideration of proposed constitutional amendments. The rule provides for 2 hours of thorough debate and an opportunity for the minority to offer a substitute amendment. I believe this is a fair rule, which will provide ample time for debate and amendment, and I urge Members to support this rule.

Mr. FROST. Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield such time as he may consume to the gentleman from Cincinnati, Ohio (Mr. CHABOT), who is chairman of the Subcommittee on the Constitution of the Committee on the Judiciary.

Mr. CHABOT. Madam Speaker, I want to commend the gentleman from Texas (Mr. SESSIONS) for his leadership on this very important constitutional amendment.

Madam Speaker, the amendment of money taken out of the pockets of Americans in taxes is simply too high, and it adds to the difficulties many families face in making ends meet. Congress must reduce the tax burden on every American right now, but at the very least, we must act to protect hard-working families from future excessive taxation, which has happened consistently over time. Congress has increased taxes, unfortunately, many times in this body. By making it more difficult to raise taxes, H.J. Res. 41 will do just that.

Specifically, the tax limitation amendment would require any legislative measure changing the Internal Revenue laws to receive the support of two-thirds of the Members of each House voting and present, meaning that any tax increase would require a supermajority vote to become law. The amendment would not apply to legislative measures that are determined not to increase the Internal Revenue by more than a de minimis amount.

This supermajority requirement could be waived when a declaration of war is in effect or a majority of Congress adopts a joint resolution, declaring that the United States is engaged in military conflict, which causes an imminent serious threat to national security.

Additionally, in order to implement the amendment, Congress will ultimately need to adopt legislation defining terms and flushing out the necessary procedures. The tax limitation amendment will cover personal and corporate income taxes, estate and gift taxes, employment taxes, and excise taxes. The amendment would not apply to tariffs or user fees or voluntary payments, or bills that do not change the Internal Revenue laws, even if they have revenue implications.

□ 1045

Madam Speaker, 14 States currently have tax limitation provisions for tax increases. Out of those, 12 States require a supermajority for any tax increase.

We need this amendment to help stem the tax-and-spend policies which have too often ruled Washington. Much of what goes on in this town involves the taking and spending of other people's money. Average Americans now have to spend most of their time working just to cover their tax burden; and, hopefully, have enough left over to maintain a reasonable standard of living for themselves and for their families. That is just inappropriate.

Madam Speaker, in the 1950s, the Federal Government took only about 5 percent of the average American family's money. That was after fighting World War II and the Korean War. Since then in peacetime with a generally strong economy, that figure has increased five-fold. Now 25 percent of what the average family earns comes here to Washington, D.C.

Today the Federal Government takes about a quarter of what we earn, and I

am not sure anyone around here with a straight face could even suggest that government has gotten 500 percent better. Since 1992 alone, the Federal Government has raised taxes at the gas pump, on working seniors receiving Social Security, and on mom-and-pop small businesses. Yet the average family's real after-tax income has not really increased over the years. At best, working families are just treading water, and the Government keeps trying to soak them in order to fund more and more, oftentimes very wasteful, programs which come out of Washington.

The tax limitation amendment would require Congress to focus on options other than raising taxes to manage the Federal budget, help to impose fiscal discipline and to constrain the growth of government, something we definitely need in this town. That is why I think H.J. Res. 41 makes a worthy addition to the Nation's most sacred document.

Madam Speaker, I strongly support this proposed constitutional amendment, and would urge my colleagues to support the rule. I want to commend the gentleman from Texas (Mr. SESSIONS) for putting forward this constitutional amendment which is long overdue.

Mr. FROST. Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, part of the opportunity that we had to have this bill on the floor today was that we had to go through the Committee on Rules. The Committee on Rules is the body which deliberates on what is on the floor.

Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Madam Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me this time.

Madam Speaker, I have to say that I strongly support this rule, but I would be less than forthright if I were to come here and say that I am an enthusiastic supporter of this measure. We have two gentlemen from Dallas, so I can say that I agree with the gentleman from Dallas on this one, and you can choose which one.

It is very painful for me to associate myself with the remarks of the gentleman from Texas (Mr. FROST), but frankly much of what the gentleman has just said, I agree with. Not everything; but much of it.

Madam Speaker, the reason I say that is, when it comes to the issue of reducing the tax burden on working families, I take a back seat to no one. I have had the privilege of serving 10 terms in the House of Representatives. I am now in my 11th term, and I have

never voted for a tax increase since I have been here.

One of the proudest votes that I cast was the first one in August 1981 when I was proud to join with a number of Democrats who helped Ronald Reagan pass the Economic Recovery Tax Act, which brought about marginal rate reduction, something we are seeking today. We want to have a bipartisan compromise working with our friends in the other body to make sure that we reduce that tax burden because, as the gentleman from Texas (Mr. SESSIONS) has pointed out, and as the gentleman from Wisconsin (Mr. SENSENBRENNER) has pointed out, and the gentleman from Ohio (Mr. CHABOT) has pointed out, the tax burden is extraordinarily high. We all know that we have not had such a burden since 1934 during the Second World War, and we need to cut taxes.

I happen to believe that reducing taxes to stimulate economic growth is very important. I want a capital gains tax reduction because we will increase the flow of revenues to the Treasury if we can deal with that lock-in effect.

I want marginal rate reduction because I believe that will encourage savings, investment and productivity. I have said I have now completed 2 decades here and have never voted for a tax increase, and will continue to vote for tax cuts, but that is not the issue that we are debating here. The issue to me is are we going to be so arrogant that we are going to say to the American people that we are going to protect you from your future leaders. If you are going to select someone to represent you in the House of Representatives, a body based on that Madisonian model that the gentleman from Texas (Mr. FROST) was referring to, was established as a majoritarian institution, we are going to say that we are no longer going to be a majoritarian institution, we are going to say that Members who serve in this institution cannot rule by majority, that is basically what this measure is saying.

Madam Speaker, I do not want to be so arrogant. I do not want to be an elitist conservative standing here saying, you know, the people who have selected me, giving me the honor of serving here, maybe will not be so intelligent in the future to select somebody who wants to reduce the tax burden on working Americans and make sure that we do everything that we possibly can to make sure that we do not have any kind of tax increases, that they cannot select somebody who believes that is the right thing to do.

I think it is the wrong thing to do. I believe that a majority of this institution believes that it is wrong to increase taxes, and I believe the majority of the institution believes that it is the right thing to do to cut the tax burden on working Americans. But I think it is the wrong thing for us to say that we have to put into place a supermajority.

To me this is part of the minority mentality. I think that the idea of establishing supermajorities is something that, again, James Madison spent a lot of time anguishing over; and we do have supermajorities for a couple of things that are very important: overriding a Presidential veto, dealing with a constitutional amendment. A supermajority is required to do those. I believe that we should limit supermajorities to that.

Madam Speaker, I support moving ahead with this debate. I will be voting in favor of the rule when we consider it in just a few minutes. But when it comes to a vote on this measure, I will continue to fight hard to reduce the tax burden on working Americans. But I will also continue to fight hard to support the U.S. Constitution as those very, very inspired framers envisaged it. I will, therefore, be voting against this measure when it comes to a vote.

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

I congratulate the chairman of the Committee on Rules for his fine statement. We are in agreement that the majority should rule in this country, not two-thirds.

Madam Speaker, I oppose this constitutional amendment for the same reason that the chairman of the Committee on Rules will oppose it. We should never be fearful of the majority.

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

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

Madam Speaker, I think the words which have been spoken today are very true; and I, too, am not afraid of the majority. I am not afraid of what we do. I am not afraid of how we act. I am not afraid of the ideas that we present forward.

But just as we began talking about a balanced budget years ago, and the need for a balanced budget and the need for us to create fairness in our Tax Code and the need for us to talk about returning power from Washington back to people, is all predicated on a balance, a desire of the people to have balance. So we will have this debate every year until we get it done. We will continue to provide a view and a vision that if America and Members of Congress who come up talk about a balance, that is we balance out, that we believe that people should be more powerful than government, that we believe that people who get up and go to work every day should have an equal right to keep their money against an intrusive Federal government, then that means that we will begin debating issues that decide how easy or how difficult it is to raise taxes.

Part of this debate also means that we have Members who have been here for a long time and some for a short time. One of the long-serving Members, the gentleman from Texas (Mr. HALL), from the Fourth District of Texas, he came to Washington also with a vision

and view that he respected the Constitution, but wants to make it more difficult based upon what he sees today.

But the debate goes on and the ideas will always be presented. Today, as our next speaker we are going to have a gentleman who is one of the newest Members of Congress. He came from a State where he recognized and saw where a balance and an opportunity to make it more difficult to raise taxes was important. He has listened to the debate for years and has become a leader in this endeavor as a message to America that we must make it more difficult to raise taxes.

Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. CULBERSON), who is the lead cosponsor of this bill.

Mr. CULBERSON. Madam Speaker, April 25, 2001, is a very important day demonstrating to every American taxpayer who is tired of paying higher taxes the immense importance and the tremendous achievements of the Republican Congress, the importance of having a Republican President in the White House.

I can testify from personal experience having served 14 years in the Texas legislature that the Democrat majority in the legislature did not even permit this important piece of legislation to come to the floor of the Texas House. It is only because of the Republican majority in Congress that today we stand within 10 years of paying off the national debt, that today we have passed through the House and the Senate a significant tax cut that all Americans will see in their paychecks retroactively, whereas the previous President increased taxes retroactively. A Republican President and a Republican Congress will cut our taxes retroactively, which we will see in our paychecks through our withholding. And the Republican Congress has brought forward today for the American people to see firsthand what we as Republicans hold near and dear as a core principle that the Congress should make as an absolute last resort tax increases. Tax increases should only be done as a last resort when it is absolutely necessary and all other options are exhausted.

Madam Speaker, that is the core principle at work behind this amendment, that a two-thirds supermajority would be required before the Congress could raise taxes. A two-thirds majority of the House, a two-thirds majority of the Senate. To me personally, I think it is a point of great pride that our distinguished chairman of the Committee on Rules, who has throughout his career opposed tax increases, has labored long and hard to control Federal spending and worked hard to allow individual Americans to keep more of their money that they earn in their own pocketbooks, to invest and spend as they see fit, the gentleman from California (Mr. DREIER) who respects and has such deep roots in the

history of this country and understands the Federalist Papers and the works of James Madison. I share his admiration of James Madison, Thomas Jefferson and the founders. It is a terrific day for the country that we can debate this important amendment honestly, all built around the core Republican principle that we share that taxes should only be raised as a last resort, and we are debating simply the mechanism, or the procedure, by which we would make it more difficult or help ensure that this Congress and future Congresses only looks to tax increases as a last resort.

□ 1100

As the gentleman from Texas (Mr. SESSIONS) has pointed out, those States which have adopted two-thirds supermajority requirements have consistently seen an increase in economic growth, about 10 percent higher than those States that do not have tax limitation amendments. Job growth in those States that have the two-thirds supermajority requirement typically see job growth about 20 percent higher.

Above all, it is important for every American listening to this debate today to remember that it is the Republican Congress that has presented this idea to us, consistent with our core Republican philosophy that the power to tax is the power to destroy and should only be exercised as a last resort. This is consistent with everything we do in this Congress.

I am very proud to rise in support of the rule and of this amendment. I thank the gentleman from Texas (Mr. SESSIONS) for bringing it to us today.

Mr. SESSIONS. Madam Speaker, I inquire as to the time remaining.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from Texas (Mr. SESSIONS) has 15 seconds remaining. The gentleman from Texas (Mr. FROST) has yielded back his time.

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

As a result of the gentleman from Texas (Mr. FROST) yielding back his time, it is intuitively obvious to me that I am out of time.

Madam Speaker, I ask for all Members to support this fair and open rule. This is a rule that is good for America and good for American taxpayers.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.J. Res. 41.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TAX LIMITATION CONSTITUTIONAL AMENDMENT

Mr. SENSENBRENNER. Mr. Speaker, pursuant to H. Res. 118, I call up the joint resolution (H.J. Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limitations.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 118, the joint resolution is considered read for amendment.

The text of House Joint Resolution 41 is as follows:

H. J. RES. 41

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE —

“SECTION 1. Any bill, resolution, or other legislative measure changing the internal revenue laws shall require for final adoption in each House the concurrence of two-thirds of the Members of that House voting and present, unless that bill, resolution, or other legislative measure is determined at the time of adoption, in a reasonable manner prescribed by law, not to increase the internal revenue by more than a de minimis amount. For the purposes of determining any increase in the internal revenue under this section, there shall be excluded any increase resulting from the lowering of an effective rate of any tax. On any vote for which the concurrence of two-thirds is required under this article, the yeas and nays of the Members of either House shall be entered on the Journal of that House.

“SECTION 2. The Congress may waive the requirements of this article when a declaration of war is in effect. The Congress may also waive this article when the United States is engaged in military conflict which causes an imminent and serious threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law. Any increase in the internal revenue enacted under such a waiver shall be effective for not longer than two years.”

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 60 minutes of debate on the joint resolution.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

Mr. Speaker, I rise in support of H.J. Res. 41, the tax limitation amendment, which was introduced by the gentleman from Texas (Mr. SESSIONS) and

ordered reported by the Committee on Judiciary on April 4. This important legislation would amend the Constitution by requiring a two-thirds majority vote by Congress for any bill that increases the internal revenue by more than a de minimis amount.

The effect of this amendment would not preclude Congress from amending the internal revenue laws so long as the change in the law did not increase revenue by more than a de minimis amount. For example, a bill that both lowered and increased taxes, if it were revenue neutral would not be subject to the two-thirds requirement, nor would it would a bill intended to raise revenue by reducing taxes.

In addition, the two-thirds majority requirement would be waived when a declaration of war is in effect or when both Houses of Congress pass a resolution which becomes law stating that the United States is engaged in military conflict which causes an imminent and serious threat to national security.

Mr. Speaker, 15 States have adopted similar tax limitation amendments. According to statistics provided by the Bureau of Economic Analysis, these States have benefited from greater rates of increased employment, greater economic growth, decreased government spending, and decreased rates of tax growth.

Although similar amendments have been unsuccessfully considered by the House over the past few years, the need for tax reform has never been greater. According to the Congressional Budget Office, with the exception of 1942, the overall amount of individual income tax revenues is a higher percentage of our gross domestic product than any other time in our history.

The bottom line is the taxes today are too high. Federal, State, and local taxes consume about 40 percent of the income of the average family. That is more than the average family spends on food, clothing, and shelter combined.

As Congress debates meaningful tax relief for the American people, it is also important to recognize that Congress's voracious appetite for spending still endures. That is why I think it is more important than ever for this Congress to reconsider and support a measure that will make it more difficult for Congress to raise taxes in the future.

Inevitably, there will come a time when Congress wishes to spend more but will not have budget surpluses to rely upon. There will be many who will argue that, in order for Congress to spend more from here in Washington, D.C., we will need to take more from the hard-working citizens across our great Nation.

However, I believe this is the wrong approach, and there is another way to meet our Nation's priorities. That is by taking our bill and reducing wasteful spending, ferreting out fraud and eliminating ineffective programs. Raising

taxes should be a last-ditch option and should occur only after careful consideration with broad consensus.

Mr. Speaker, a constitutional amendment is a big step; but I believe our history of tax hikes illustrates that, in this case, it is necessary and an important step that will bring needed discipline to Congress and relief to America's people.

I urge the passage of this resolution.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, to the ladies and gentlemen of the House, I want to begin by thanking the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary, for requesting that this measure pass through the committee of jurisdiction since this is a constitutional subject. In many years passed, that has not been the case. So we begin in a very important way on that point.

Now, I have to presume that the subject of a constitutional matter is being done seriously, that this is a serious discussion about amending the Constitution of the United States. If it is, then I think it is important, that for all of the Members that may not have the seniority that comes from being here for many years, that they understand that this is the sixth time that we have taken up this measure which has been soundly rejected on each prior occasion, not by the Senate, but by ourselves.

So every year, this exercise is one that is brought to the floor and that we have to deal with it in good faith and using up the time of the House of Representatives to determine whether we want to put a tax limitation constitutional amendment in the Constitution.

Now, the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, has coined a phrase that this proposal may be nothing more than elitism gone conservative; that this is a conservative elitist idea; that the Republicans, as a party, know better than the Founding Fathers and the people's will as reflected by the majority of the Congress. They have a better idea.

We go through this every year. But not even within our body do we find that there is a serious enough amount of support to move it to the other body where we think we could predict what would happen there as well.

So I oppose the amendment because it is bad for democratic procedure, but it is also horrific for tax policy. By requiring a two-thirds amendment, a majority to adopt certain legislation, we undercut the majority rule and diminish the vote of every single Member of the Congress.

Now, this matter was taken up when our Founders were together. The framers wisely rejected a rule requiring a supermajority for basic government functions. James Madison argued that, under a supermajority requirement,

the fundamental principle of free government would be reversed. It would no longer be the majority that would rule. The power would instead have transferred to a minority.

It is on that basis that I apply the same logic now as James Madison applied then in determining whether a supermajority would be appropriate in the Constitution. The amendment is unsatisfactory because it is an undemocratic one.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART), a member of the Committee on the Judiciary.

Ms. HART. Mr. Speaker, I rise in support of House Joint Resolution 41 and believe that this is actually a commonsense measure and one that actually enforces some discipline on the Congress to reexamine spending.

As we look at the budgets over recent history, Mr. Speaker, we see that the spending has increased year to year by more than inflation. More importantly, Mr. Speaker, it is increased by higher than the average incomes of Pennsylvanians has increased and higher than the incomes of Americans.

Mr. Speaker, it is only sensible for us as Members of Congress to enforce some discipline on ourselves so that we do not drive Americans to the poor house.

It is a sensible measure that should be supported by all the Members to put this in place, but it is also sensible that to require a tax increase we would have to have bipartisan agreement.

Clearly, Americans are of both parties and many other third parties. Americans do not want to be forced to pay more taxes only because of the decision of one-half plus one of the Congress. It only makes sense for us to heed their wishes and be more careful with their dollars. This measure would only enforce that discipline on us. It would make us more responsive to Americans. It would also make them more sensitive to their families' pocketbooks.

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

Mr. Speaker, apparently, Members of the Congress now all very simplistically refute James Madison. The gentlewoman from Pennsylvania (Ms. HART), the previous speaker, a very important and valuable member of the Committee on the Judiciary, just told us in effect, who cares what Madison was thinking? I mean, that was then, and this is now.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. Of course I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I recall one of the compromises that got the Constitution through the convention in the States was one that permitted slaves to be imported for the first 20 years of the Constitution and

did not specifically omit slavery. Now, was Madison enlightened at that time, or did we need to amend the Constitution to get rid of something that my State fought to get rid of in the Civil War?

Mr. CONYERS. Mr. Speaker, reclaiming my time, that is an interesting question that the chairman poses. If he would entertain hearings on my reparations bill, H.R. 40, which has been pending since 1989, I would be delighted with other witnesses to go in to him with a discussion of what the Members of States from the South who were all slave holding States did.

Mr. Speaker, I did not mean to imply that James Madison or even Thomas Jefferson, perish the thought, was right every time on every issue. But I am referring to the question of whether a supermajority requirement on this subject should be put into the Constitution.

Now, James Madison made many mistakes. By the way, so did all the other Founding Fathers. I mean, do you want to start with George Washington and come forward?

□ 1115

The compromise to include slavery was only made, sir, because it was the only way we could form a Nation. The southern leaders all said that without that compromise they would not do it. What I am saying here is that on the requirement for a supermajority James Madison was entirely correct then and those who cite him, including myself, are entirely correct now.

Mr. SENSENBRENNER. If the gentleman will yield further, with all due respect to my good friend the gentleman from Michigan (Mr. CONYERS), I am certainly happy, Mr. Speaker, that he was not around to promote his earlier argument about Madison's enlightenment at the time the Congress debated the 13th, 14th and 15th amendments 140 years ago. I thank the gentleman for yielding.

Mr. CONYERS. Could I just point out a little bit of history? I do not think Madison was around when the 15th amendment was being debated, sir. I do not think Madison was around when the 14th amendment was being debated.

I do not think he was around when the 13th amendment was being debated. But let us take Madison out of the picture. Apparently there is some problem with Madison. Let us go to the present day. I never thought I would find myself on the floor defending James Madison's positions, but let us talk about what would happen if this amendment were to actually come into our Constitution. The amendment would permanently enshrine some \$450 billion of special corporate tax favors into the Constitution, nearly three times as much as all the means-tested entitlement programs combined, something we have been trying to deal with for many years. Now, Madison does not have anything to do with that. That is a present day, 21st century problem.

Another point that we may want to take into present consideration, it would be impossible to change the law to require foreign corporations to pay their fair share of taxes on income earned in this country or to repeal the loopholes which encourage United States corporations to relocate overseas. Now, Madison aside, do we really want to do that? Or is this an example of conservative elitism carried to an extreme?

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 30 seconds.

I am very interested in the argument of the gentleman from Michigan. Under this constitutional amendment, we could repeal a tax loophole that gave these outrageous benefits to the corporation he mentioned by a majority vote as long as the revenue that was raised was distributed to the American people. If there was just a flat out repeal, it would take a two-thirds vote. This would make it easier to give tax relief to the American people in repealing these loopholes.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Speaker, I rise in strong support of H.J.Res. 41, the tax limitation amendment. I spent Easter with my daughter and her family out in San Francisco. While we were there, her husband was filling out his tax return. This, remember, is a young family. They have two children. They cannot afford to buy a home. They are renting a home. They have a good job but they are starting out as a young family.

When he finished filling out his tax return, he said, you know, we spent almost half of what we earned last year in taxes. That is what the average American worker does, spends about half. Taxes are the highest they have ever been. In January of 2000, the Census Bureau reported that the average family paid more than \$9,000 in Federal income tax, twice what it paid 15 years ago. Americans pay more in taxes than they spend on food, clothing and housing combined. Americans work more than 4 months, almost 5 months, just to pay their tax bill.

A continuation of higher taxes should be better controlled. Congress needs to protect the taxpayer from higher taxes. The trend of big government and higher taxes to maintain it must cease. The government does not have the right to take more than it needs just because it has the power to do so. The requirement of a clear consensus to ensure limited increases in taxes is needed. We need to prohibit irresponsible tax hikes.

It should not be easy to take freedom away from people. When you tax too much, you are taking freedom from people, freedom to earn money and spend it as they want to and to educate their children and to save it and do the things they want to with it. It should not be easy to do that.

Fifteen States currently require some type of supermajority vote for the legislature to raise taxes. In those States, citizens are protected from higher State tax burdens. It is time for the government to follow their example to benefit all taxpayers. The amendment would not prevent raising taxes. Rather, it encourages Congress to look at alternatives before implementing tax hikes. A consensus will force Congress to consider genuine need.

For these reasons and more, I encourage my colleagues to support this constitutional amendment.

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

Here is a new piece of historic information just in about James Madison that may appeal to my colleagues. Actually, they tried a supermajority, and I think they will all find this very interesting. Because under the Articles of Confederation in the 1780s, there was a provision for a supermajority. Adopting a supermajority tax requirement would repeat the very same mistakes made in the 1780s under the Articles of Confederation between the Declaration of Independence and the adoption of a constitution. Under these articles, it required a vote of nine of the 13 States to raise revenue, a supermajority. It is because the system worked so poorly that the Founding Fathers sought to fashion a national government that could operate through majority rule.

So, Mr. Speaker, we would be ignoring a very important fundamental part of our history if we were to give in this area James Madison too hard a way to go. In fact, in the present circumstances, this amendment would take more votes to close a tax loophole engineered by powerful interest groups than to cut Social Security, Medicare and education programs. The amendment would also make the major deficit reduction measures much harder to pass when they are needed. Remember that five of the six major deficit reduction acts that were enacted since 1982, within the memory and experience of many Members here on the floor, included a combination of revenue increases and program cuts. President Reagan, Ronald Reagan, signed three of these measures into law. Presidents George H. Bush and President William Jefferson Clinton signed one each. None of these five measures received a two-thirds majority in both Houses.

So, Mr. Speaker, had this proposed constitutional amendment been in effect during this period, substantial budget deficits would still be with us today.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute to tell the rest of the story. The gentleman from Michigan is so right that the Articles of Confederation did require a supermajority of nine of the 13 States to raise taxes. But the Constitution as originally ratified by the States was

even more severe. It prohibited direct taxes on the people and required a constitutional amendment in the beginning of the last century to allow the income tax to be constitutionally passed by Congress.

So if we are looking at what Madison hath written, Madison put an even greater straitjacket on the Congress' ability to raise taxes than the Articles of Confederation had.

Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, I rise today in strong support of this resolution. I want to thank my colleague and good friend the chairman of the Committee on the Judiciary (Mr. SENSENBRENNER) and the gentleman from Texas (Mr. SESSIONS) for bringing this critical legislation before this body.

Mr. Speaker, America needs this tax limitation amendment. Why? Because this year thousands, or millions even, of hardworking Americans are going to be suffering intaxication. What is intaxication? Let me say that if the word were actually in the dictionary, intaxication would be defined as the euphoric experience when one gets a refund and then realizes that that refund is actually their own money.

This Congress has a duty to make it harder to raise taxes, while ensuring a more responsible Federal budget. In 1994, Mr. Speaker, I fought for Nevada's own tax limitation amendment. As a private citizen I helped gather 85,000 signatures from residents across Nevada to place a similar measure on the ballot before the voters. This legislation, may I say, passed the Nevada vote test in two successive elections, averaging about 75 percent of each vote count. This legislation requires an amendment to the Nevada constitution saying that two-thirds would be required to raise any new State taxes or fees.

The Federal Government needs to be put on the same fat-free diet that my home State of Nevada has been on since 1996. We need to make it more difficult to raise taxes on hardworking American men and women. We need to shift congressional focus to the bloated Federal spending programs in this Federal bureaucracy. Passage of this legislation would ensure that Congress focuses its efforts to balance the budget, cut wasteful spending and not raise taxes as an easier and unneeded Federal revenue excuse.

States that currently limit taxes have experienced faster growing economies, a more rapid increase in employment, lower taxes and reduced growth in government spending. No additional financial burden should be placed on the American working family without overwhelming demonstration of need and support from their elected officials.

Let us stop intaxication plaguing Americans. I urge my colleagues to support this tax limitation amendment.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the dis-

tinguished gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, I rise today in opposition to this resolution, in opposition to this amendment, and in opposition to changing our most basic government document in this way.

The gentleman from Michigan has been doing an admirable job of sparring on these issues, but I wanted to come over and stand up and be counted against this thing, also, with him.

For the last couple of months, I have been putting together a Law Review article on the congressional oath of office. It has been interesting because I have gone back and read through some of the statements of Madison and the framers and Hamilton. These were serious men that put together our most basic document. This very debate that we are having today was a debate that the framers had. This is the kind of discussion that was contemplated by them, what level of vote count should there be in our legislative bodies to make these kinds of changes.

I not only have respect for the seriousness of their debate and their discussions but also respect for their conclusion, and that once they reached that conclusion, I think we would do well as a Nation not to rekindle that debate every 2 years as we seem to have been doing here for the last few years.

I think this amendment would be a mistake. I think it has very little support around the country. Right now the thrust nationally is to lower taxes, not to raise taxes. In the past when we have raised taxes, the majority of the Members of the legislative body felt that was the way to go. That is not the situation today.

□ 1130

This is an amendment that is not necessary at this time in our Nation's history. It was contemplated by the Framers. I think it would be a mistake today to pass this amendment.

Mr. SENSENBRENNER. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, there is another problem that has not been discussed about the amendment that we may want to take into consideration, and that is the possibility that a constitutional amendment of the nature under debate could lead to large cuts in Social Security and Medicare and a return to deficit spending. No constitutional debate on this subject could be concluded without some discussion about this.

These reductions, large ones, in Social Security and Medicare benefits, have been observed by The Washington Post, in which they noted that when baby boomers begin to retire not many years from now, as a matter of fact some have already begun to retire, the country will be in an era of constant fiscal strain. To avoid destructive deficits, there will have to be tax increases

or spending cuts or both. So by making it harder to increase taxes, the amendment would compound the pressure on major spending programs. As a matter of fact, that is what is going on now. We are noticing that with the unprecedented large tax cut we are squeezing many programs that are very valuable and dear to many, if not most, of the people in the country.

What are these major spending programs? Social Security, Medicare, Medicaid and others.

Is this really what the Congress wants to do? The pressure on the programs is great enough as it is.

Now Democratic members offered an amendment in the Committee on the Judiciary to ensure that measures designed to secure the financial solvency of Social Security would not be subject to the supermajority requirement, but the Republicans defeated this measure on a party line vote of 8 to 16. So we have on the record that they do not want to exempt the Social Security and other valuable programs from the possibility of financial insolvency by making an exemption to this Draconian proposal that we have before us.

I think that that should deal a telling message to anybody whose mind may not yet be made up.

Also, the proposed tax limitation would rule out measures to raise Medicare premiums for higher individuals, high-income individuals, as well as modest measures to shore up Social Security and Medicare. They would all be caught by the supermajority requirement.

Example, if Congress attempted to make Social Security payroll taxes more progressive by imposing higher tax cuts on higher-income individuals, there would be an increase in the revenue laws and the supermajority requirement would be triggered, no doubt about it.

Indeed, when the Republican budget reconciliation bill reached the House floor in the fall of 1995, it became more than clear that its proposed increase in Medicare premiums for those at higher income levels constituted, guess what, a tax increase.

Similarly, legislation expanding Social Security to include State and local government employees, which no less than the Advisory Council for Social Security has already proposed, would result in a revenue increase and would therefore be subject to the two-thirds requirement. Do we really want to do that? Do we really want these kinds of provisions caught in this supermajority requirement?

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, it is the same old story. When all else fails, drop the Social Security red herring. This constitutional amendment will not cut Social Security. If there is a revenue pinch, it will force Congress and the Nation to set priorities. Social Security has always

been the top priority, and it always will be the top priority, because it is the principal part of our social safety net for senior citizens. So if the shoe starts to pinch because of a revenue shortfall, or the baby boom generation collecting the Social Security that they have earned, it will force cuts in other programs. We all know that there are huge wastes of money in the other programs, and this will provide the fiscal discipline for Congress to set better priorities than it historically has in the past.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. ARMEY), the distinguished majority leader.

Mr. ARMEY. Mr. Speaker, let me begin by thanking the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary, for bringing this bill to the floor. Let me also thank the gentleman from Texas (Mr. SESSIONS) for his sponsorship of this legislation.

Mr. Speaker, this is an important step and a step I believe we must take. Mr. Speaker, I have had the privilege of serving in this body since 1985. For 10 years, I served in this body as a member of the minority while the Democrats were in control of the House of Representatives, and that was a privilege.

Mr. Speaker, in the last 6½ years, I have had the larger privilege of serving in the majority with the Republicans in the majority. Throughout all of that experience, Mr. Speaker, I have found that there are a few things that are consistent whether the Democrats are in the majority or the Republicans are in the majority. Call it the disposition of the legislative body, whatever is the reason, it has been consistently the case for so long as I have had the privilege of observing us at work that the first easiest thing to do in this body is to increase spending.

Lord have mercy. We must constrain ourselves with all the rigor we can to even bring our increases down to a nominal level.

The second easiest thing to do in this body is to raise taxes. I certainly have seen that done here enough, and with relative ease.

The hardest thing to do in this body, Mr. Speaker, is to cut taxes; and the clearly most difficult thing to do is to cut spending.

All that boils down to one thing: we avail ourselves of nothing that we can call a budget constraint. After all, Mr. Speaker, it is other people's money. Easy come, easy go. We do not spend it all that wisely.

So what we are trying to do today is to give ourselves an institutional lever, a rule in this institution that levels the playing field between raising spending and cutting taxes, just to counter what must be the generic dispositions of a legislative body given the extraordinary privilege of taxing and spending other people's money.

A simple rule that would say that in this business of raising taxes which fa-

cilitates the increased spending, for which we have this crying disposition, that we should have a supermajority vote. It is a constraint. It is a check, a check against our desires to always build government larger.

Is the Federal Government large enough? Most people in America think yes it is, indeed; that and more.

Do we have enough money? We are talking about surpluses, extraordinary surpluses; surpluses that would not have come about except for 2½ years of extraordinary rigor in the restraint on spending that make these surpluses available; the surpluses that are threatened, threatened not by a shortage of tax revenue from the American people but threatened by the worst addiction one finds in this town, the addiction to the spending of other people's money.

So we must put on the brakes. We must find a way to rein ourselves in, to rein in the institution, the institution of the House of Representatives. Indeed, the institution of Congress must be restrained from the all-too-easy business of simply raising taxes whenever we feel we have an insufficient supply of other people's money. If we cannot do that, Mr. Speaker, during a time when the surpluses are running, we cannot do it at any time.

I just noticed the disposition at work here a moment ago in the discussion on this floor. The question was, what if there were a recession and there would be a shortfall of revenues to the United States? We would have an emergency need to raise taxes, it was argued, to raise taxes. Why? What underlies that logic is the belief that the object of our affection is the Government of the United States, not the well-being and the health of the American economy.

Indeed, if there is a recession, Mr. Speaker, the correct thing to do is to lower taxes; thus, solving the problem of the recession; thus, solving the problem of deficiencies in revenue to the Government that come from the recession.

So the logic is faulty because it is built on the false premise that the object of our affection must be, first, the well-being of the Government and then only secondarily the performance of the economy. The correct logic is this: the well-being of the government, as is the well-being of the Nation in things economic, depends upon the performance of the economy.

We are left with very few tools to assure that this economy works at its peak of performance, but the only one that really remains is the lowering of taxes. So barring a volition in this body to ever change our dispositions, we should use a rule, a rule that says that it is relatively easy to lower taxes when those times arrive and it is most rigorously difficult to raise taxes at all times. This rule will give us that. It should be passed. It should be passed as a matter, Mr. Speaker, of respect for the American people because, after all, it is their money.

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

Mr. Speaker, I am delighted that the majority leader of the Congress has come to the floor. Unfortunately, he did not mention how many times the majority, under his leadership, has waived their own House rules requiring a supermajority vote to increase taxes. Maybe he forgot.

I would remind my colleagues that during the 104th Congress, we had to suspend the House rules imposed by the Republican majority when we dealt with H.R. 1215, the Contract with America Tax Relief Act.

□ 1145

We then had the supermajority vote suspended, this is under the leadership of the majority, under the leadership of the distinguished majority leader that just left the well, in the Medicare Preservation Act of 1994, H.R. 2425; in the Budget Reconciliation Act of 1995, H.R. 2491; in the Health Insurance Reform Act, H.R. 3103; and in H.R. 3734, the Welfare Reform Conference Report. The majority, under the Republican leadership, has frequently waived its own rules requiring a supermajority vote to increase taxes.

The unworkability of House Joint Resolution 41 is illustrated by the fact that they frequently ignore their own rule preventing tax rates from taking increase, unless approved by three-fifths of the House, and this was done in the 104th Congress, many times, on six separate occasions. It led our distinguished colleague the gentleman from Texas (Mr. STENHOLM) to write, "The final blow to any hope that the vote on the supermajority tax requirement might be for real comes from the dismal adherence Republicans have made to their own internal House rule requiring a three-fifths vote to raise taxes." This is from the leadership of the gentleman who just left the well.

After much fanfare during the organization of the 104th Congress, the House leadership has waived its own effort to restrain itself in every potential instance but one.

In an attempt to avoid these problems at the beginning of the 105th Congress, the rule was significantly narrowed to limit its application to increases in particular tax rates specified under the Internal Revenue Code, rather than tax rate increases generally. Now, that narrow application does not apply to the constitutional provision; it only applies to what we do in the House of Representatives.

So, such experiences highlight the unworkability of setting forth special procedural rules concerning tax laws and tax rates, and these problems would be greatly compounded in the constitutional context that we face in H.J. Res. 41.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I wish to thank the chairman of the Committee on the Judiciary for this opportunity to speak on behalf of House Joint Resolution 41.

Mr. Speaker, despite my belief that we ought to rarely trifle with the work product of the founders of this country from that balmy summer of 1787, where in the Philadelphia State House they crafted our Constitution, I rise today in strong support of the Tax Limitation Constitutional Amendment that we will vote on today.

I do so, Mr. Speaker, because it is my belief that we live in this year 2001 in an age of reason about tax policy, different than other times in American history. Today, most Americans oppose most tax increases. But, Mr. Speaker, we must recognize that this too shall pass; that some day soon, given the seemingly glacial growth of the Federal Government, the day will come that once again tax increases are no longer broadly objectionable.

So I believe that this Congress should seize upon this season of sensibility to constrain future Congresses from reflexively raising taxes to pay for that ever-growing Federal welfare state. It is a growth in government, Mr. Speaker, that does ultimately erode our economic freedoms and the balance of our liberties.

A tax increase constitutional amendment, if adopted today in the Congress and sent to the States, would be an important restraint on the Federal Government in years ahead, and it would give this Congress and this government the same restraints that some 14 States live under who have tax limitations in their Constitution and in their laws.

Mr. Speaker, tax increases should always be the last resort of this Congress, and the Tax Limitation Constitutional Amendment ensures that it will.

Mr. CONYERS. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT), a distinguished member of the Committee on the Judiciary.

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I join my colleagues in opposition to H.J. Res. 41. H.J. Res. 41 proposes a constitutional amendment that provides that changes in Internal Revenue laws by more than a de minimis amount would require a two-thirds majority to pass, rather than the simple majority now required.

Let me just point out a couple of problems with that idea, Mr. Speaker. The proposed constitutional amendment does not affect spending; only paying for the spending. You can increase spending and enact new programs with a simple majority. To pay for the new programs, you require a two-thirds majority. The limitation that this bill proposes is on whether we will pay for the spending or whether we will resort to deficit spending.

Now, the same analysis applies to correcting mistakes. It would take a two-thirds majority to close a corporate loophole, while it only took a simple majority to create the loophole in the first place. If we cannot come up with a two-thirds majority to close the corporate loophole, then that loophole remains, possibly costing millions, or even billions, of dollars that could be put to use elsewhere.

In fact, changing Internal Revenue laws that change the internal revenue by more than a de minimis amount would also affect passing new laws to enforce the laws that are already on the books if that action would increase the internal revenues. You need a two-thirds vote to pass that.

Now, if we really are being honest about reducing spending and limiting spending, the constitutional amendment ought to require a two-thirds vote not to increase taxes, but a two-thirds vote to increase spending. Now, that would limit spending. The limitation on taxes only limits your ability to pay for the spending that you have already enacted.

Another problem, Mr. Speaker, is that the bill has the statutory language involving de minimis. While two-thirds majority vote is required to increase the internal revenue by more than a de minimis amount, the term "de minimis" is not defined, so, we can debate whether you need a two-thirds vote or not.

Some committee members have suggested that any increase in revenue less than one-tenth of one percent of total revenues would be de minimis. But I would remind you that our total revenues are in the trillions of dollars. One-tenth of one percent of \$1 trillion is \$1 billion. I believe that most of us would consider \$1 billion to be more than just de minimis.

Mr. Speaker, amending the Constitution is serious business which should not be taken lightly. This bill presents very difficult questions that are not even close to being answered. It does nothing to limit spending; and, therefore, ought to be rejected.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, if the House would read the constitutional amendment, they would find that the gentleman from Virginia, with all due respect, is misinterpreting what is in the amendment. The amendment says that a loophole can be closed by a majority vote if the money that is raised as a result of closing the loophole is used to provide tax relief for the American people elsewhere. But where the two-thirds vote comes in is if the loophole is closed and the money is raised and is used to finance increased spending.

So what this Tax Limitation Constitutional Amendment encourages is using the money from closed loopholes to provide tax relief for the American people, rather than financing a spending spree by the Congress of the United States. I think that that is entirely

logical. What the amendment does is it says if you want to spend the money from the loophole, it is two-thirds; if you want to give it in tax relief, it is a majority.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I wanted to come to the floor, and I am not on the Committee on the Judiciary, as these fine ladies and gentlemen, to discuss the technical aspects of this bill.

What I wanted to do was, Mr. Speaker, back in 1995, when I was sworn in as a United States Congressman, a friend of mine from my district brought to me this reprint of a political editorial from 1878. What it is, Mr. Speaker, the Statue of Liberty is standing with a weight around her neck, and her head is bent forward, and on the weight it says "income tax." It further states at the bottom, "the slave of liberty."

I believe sincerely that taxation, excessive taxation, makes the American people slaves to the Federal Government. I think whenever we can bring protection to the American people we should, and that is exactly what H.J. Res. 41 does; it empowers the people through their Representatives here in Washington, D.C.

I believe sincerely that today the American people are paying more taxes than they have ever paid before. When I look at how too many times I think those of us in Washington D.C., and I am one of those, obviously, that many times we forget that the people are the government.

The power should be with the people. The people should be able to say to their representatives that you must have a supermajority to pass taxes on us, and I think this legislation does that.

I compliment the chairman and his committee, because, quite frankly, because every year for the 7 years I have been in the United States Congress, whenever we brought this bill to the floor I have asked for 1 or 2 minutes to come to the floor, because, again, we need to give the power back to the people when we can, and to give the people the opportunity through the process to say whether they want the Congress to have a two-thirds majority to pass taxes.

I think again we are doing the right thing, and I compliment the chairman and each and everyone who has worked on this resolution, and hope we will pass it shortly.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding me time to respond to the chairman's remarks.

Mr. Speaker, if we passed a \$1 million corporate loophole tax benefit that ended up costing us \$10 billion because we miscalculated the impact, we could not close that loophole that passed on a simple majority vote without a two-

thirds vote unless we provided \$10 billion in tax relief somewhere just to close that loophole that we did not intend to create to begin with.

Mr. Speaker, again, this amendment will do nothing to limit spending; it just limits our ability to pay for that spending. You create a new program, simple majority; to pay for it, it takes a two-thirds vote.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I rise today to support the tax limitation amendment. I come from the great State of Arizona where we have had similar legislation as the law for the past 10 years. What we did not do that we should have is cut off the initiative route as we did, because when we want to raise taxes in Arizona, instead of going to the legislature, now it is done by initiative, that not withstanding this year, for the first year, because there is a lack of revenue. Finally, this is holding government spending in check. You see the trepidation on the part of the legislature to actually spend too much, because they would be forced to come back and raise taxes and realize they cannot do it because now it would require a two-thirds majority. It is great legislation.

□ 1200

Mr. Speaker, I am amused continually when we talk about how easy it is to cut taxes and how difficult it is to raise taxes, when history suggests otherwise. Over the past couple of decades, we have had numerous tax increases and just a couple of significant incidences of tax relief. Whenever we can do anything to actually put a lid on taxes, to actually cut taxes and make it more difficult to raise taxes, then we ought to do it.

For the record, it was mentioned that if we are doing this, then we also ought to put a limitation on spending by making it more difficult to spend. I am in favor of that. I would love to offer an amendment to the amendment which would actually require a two-thirds majority to increase spending, but this, as it stands, is a good piece of legislation, and I support it.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), a senior member of the Committee on the Judiciary.

Mr. FRANK. Mr. Speaker, what we are seeing today is a declaration by the Republican Party that they recognize that the majority of Americans cannot be relied upon. One of the previous advocates to this amendment said the power belongs to the people, but he misstates what this amendment does. Power now under our Constitution belongs to the representatives of the majority of the people, taking into account, of course, the two Senators per State, which is nonmajoritarian, but within that the majority rules. Well, apparently the Republicans do not

have much confidence in the majority, so they want to change the rules so that this particular decision cannot be made by a majority.

The gentleman said the power belongs to the people. We used to have a slogan, "power to the people." Well, this amendment would change that slogan to "power to one-third plus one of the people." If the majority of the people, as they are represented in Congress, decide that they want to improve our ability to do environmental cleanup, or if people thought that having the Social Security tax base cut off at \$75,000 so that if one makes \$30,000 every penny one earns is taxed for Social Security, but if one makes \$300,000 the great majority of one's income is exempt, we could not do that without two-thirds.

Not only are they declaring a lack of faith in the people, they are repudiating the legacy of some past Republican presidents. For instance, President George Bush raised taxes in conjunction with the Congress, because he thought it was very important for the economy. We all remember the President's famous slogan, "Read my lips, no new taxes." Well, any future President I guess would have to say, "Read two-thirds of my lips, no new taxes." George Bush asked us to raise taxes. I do not think he was profligate and irresponsible. I think he was responding to the particular needs of the particular time.

At this point, no one is advocating tax increases, but different situations occur at different points.

Ronald Reagan. We have heard a lot about the legacy of Ronald Reagan, but I was here when Ronald Reagan asked Congress to raise taxes on several occasions. I did not always vote for the Reagan tax increases. I thought the Reagan tax increase of 1982, which was to undo some of the Reagan tax decrease of 1981, was not fairly constituted. I did not like the Reagan tax increase for Social Security in 1983. But if we read the history books and if we read the assessments of President Reagan, one of the things they say is that President Reagan, Senator Dole, Speaker O'Neill came together to save Social Security and extend its solvency. They did it in part by reducing benefits in a way that I did not agree with, but they also did it by raising taxes.

Indeed, some of the tax increases that were imposed under President Reagan remain in effect. They not only remain in effect, they remain untouched by the current President's tax reduction proposals. It was in 1983 at the request of Ronald Reagan, with the concurrence of a Republican Senate and a Democratic House, that taxes were first levied on part of a Social Security recipient's income. The taxation of part of one's Social Security benefits for people making \$25,000 in addition, to be recycled into the Social Security system, was part of President Reagan's attempt to extend the solvency of Social Security.

Now, if the Republican constitutional amendment had been in power, I do not think President Reagan would have had the votes. I do not think President Bush would have had the votes.

The point I am making is that despite partisan efforts to make it look as if this is somehow an effort to prevent feckless decisions to raise the revenues, it would have, had it been in effect, prevented the last two Republican presidents from getting legislation through that they thought was important to protect Social Security and to protect the economy.

Now, I have noted a tendency on the part of my Republican colleagues to implicitly acknowledge that the public is not thrilled with some parts of their agenda, and I understand that. They have a right, I suppose, when they are campaigning to kind of soft pedal some things; you should tell them the truth, but you do not always volunteer things. But changing the Constitution because they believe the public is not likely to support their position is a totally inappropriate way to go.

I guess we have to explain why this happens, because if one believes the rhetoric that says it is just the government taking people's money for no good reason and the people have to be protected from that, one has to ask the question, why would people let Members of Congress who, by a majority, would vote to increase the taxes that they pay. The answer is, as President Reagan knew and President Bush knew and President Clinton knew, all three of whom asked that taxes be increased, there are important purposes that the people want that may require more revenue.

I want to go back to Social Security. The Social Security system now is financed by taxes that are paid up to 70-some odd thousand dollars worth of income. Many of us believe that is inequitable. Many of us believe we ought to have a package in which we reduce the Social Security bite on some people in the lower end, but increase it for wealthier people. Maybe we want to have a little gap, but then at \$150,000 or more, start collecting some Social Security tax. Any effort to do that would, by this amendment, require a two-thirds vote. Power to one-third plus one of the people. One-third plus one of the people could block that effort. If we decided that we needed more revenue for other purposes, it is not there.

Mr. Speaker, it seems to me a rational decision for the public to make in a civilized society that at a time of great wealth they might want to spend more on environmental cleanup. They might want to do more for police. They might want to help people with prescription drugs. The Republicans have said, well, we want a major tax cut, so here is what we have to do. We have to end the program that allows public housing authorities to hire police officers to combat drug-related crime. I understand people who think cutting taxes, particularly for wealthy people, is more

important than fighting drug-related crime in public housing. They do not live in public housing, they do not relate to the people in public housing, and in a democracy that is a legitimate view to put forward. But why do they need two-thirds? Are they not confident they can win that one on the merits?

We have people who believe we ought to be increasing the amount we spend on environmental cleanup. Unfortunately, there are people who disagree. I am prepared to debate that. But if we decide that we have these important public needs and the current revenues are not enough to meet them without going into deficit, I do not understand why we should take two-thirds.

Prescription drugs. We have a proposal from the Republican Party that says, to get taxes at the level we think desirable, we cannot help any elderly person needing prescription drugs whose income exceeds \$17,000. I think that is a very grave error. I think making sure that Bill Gates pays no taxes when he dies, or his heirs do not; once one dies, they do not pay any taxes, but the notion that Bill Gates' heirs should be able to inherit billions of dollars, but we cannot afford to help someone making \$20,000 with prescription drugs at the age of 82, I think that is wrong. But I am prepared to debate that without fixing it. I say these things because they are directly relevant to this amendment.

This is why the Republicans feel that they have to change the rules. They understand that there will be times when a majority of the Americans will say, we would rather have more revenue. By the way, while the Republicans claim to dislike taxes at certain times, they come to love them, and that is the other thing I would say to my Republican friends: do not underestimate your capacity to adapt.

For example, when President Clinton in 1993 asked Congress to raise the gasoline taxes, there was a great deal of unhappiness on the Republican side, at least it was expressed and I under the Rules of the House of course take at face value everything said here, and when President Clinton remained in office, time and again the Republicans said, we have to get rid of this gasoline tax increase. Well, we now have a Republican President and we have a Republican House and we have a Republican Senate, and we have tax bills coming forward that would reduce various taxes. Do we know what else we have? The same gasoline tax increase that went into effect in 1993 unchallenged.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman for yielding. Yesterday I introduced a bill to suspend the Federal gasoline tax to provide some relief to our motorists and our truck drivers. I would invite the

gentleman from Massachusetts and others who feel that way to cosponsor this bill.

Mr. FRANK. Mr. Speaker, I am glad that the gentleman is being consistent. He is not only being consistent, he is being unique, because while it is encouraging to some, I thought increasing the gasoline tax was a useful thing to do to help us reduce the deficit in a socially responsible way, the Committee on the Judiciary does not have jurisdiction over it. I will say as I read the Republican program for the year, with \$1.6 trillion worth of tax reduction, they could not find room in there to reduce the gasoline tax. So the Republicans did not think it was a good idea to raise the gasoline tax in 1993, but now that they have complete control over both Houses of Congress and the White House, they are leaving it alone. They have decided, apparently, on second thought, that it was not such a bad idea after all.

Regarding the taxes that people pay on their Social Security benefits, including those that Ronald Reagan asked us to pass in 1983, Ronald Reagan said, if one is making \$25,000 a year or more, we are going to tax 50 percent of your Social Security benefits. That is not a huge amount of money, but that is what Ronald Reagan said. I voted against that bill. Many of my Republican colleagues who are still here voted for it; some Democrats voted for it as well. I had heard that denounced until the Republicans had the power to do something about it, and that is another one which has grown on them.

This is not a debate as to what the level of taxation ought to be; it is a debate about democratic procedures. The Senate, as we know, is not majoritarian. The House is. By Supreme Court decision, the United States House of Representatives represents population very, very closely. What the Republicans are saying is this: we cannot trust the people elected by a majority of the House of Representatives to make this decision, because we do not think they will get it right. Therefore, we will change the Constitution to make it a nonmajoritarian decision as to what level of public expenditure there will be.

Yes, there are two competing sets of needs. There are private needs, best settled by people having money in their own pocket; there are public needs, environmental cleanup, public safety, some others which can only be dealt with if we spend the money together. They are both needs of the people. Some are best done individually, some done together. What we have today is an effort to bias the decision-making process, because the Republican Party does not have any confidence in the people, apparently thinks that Ronald Reagan was wrong on the several occasions when he asked for tax increases, George Bush was wrong when he asked for tax increases.

The point is this: no one today, given our economy, no one is pushing for tax

increases. On the other hand, to say that for all time it should not be a majority decision, but that this decision will have to be made by an extraordinary majority so that a minority can block the decision of a majority of the American people, 40 percent can stop 60 percent from going forward, is bad constitutional government and an unfortunate expression of a lack of confidence in the American people.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Massachusetts and his very articulate self has kind of laid forth the Democratic platform on what they would like the Congress to accomplish during the next 2 years. We are not dealing with prescription drugs and all of the other issues that the gentleman from Massachusetts is talking about. We are dealing with the simple proposition of whether the Constitution should be amended to make it harder for Congress to raise taxes. That is the proposal that is before us, and that is the proposal that we are voting upon today.

Now, I would submit that the American people think that it should be hard to raise taxes, and I would also submit that the American people historically have not trusted Congress very much when the time comes to deal with bills that raise taxes. So all this amendment proposes to do is to force there to be a national consensus on raising taxes, which is required in a two-thirds vote. It is really pretty simple.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Speaker, I would say parenthetically I guess the gentleman has decided to reciprocate.

The SPEAKER pro tempore (Mr. SHAYS). The time of the gentleman from Wisconsin (Mr. SENSENBRENNER) has expired.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 additional minute, and I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Speaker, apparently the gentleman from Wisconsin (Mr. SENSENBRENNER) wants to reciprocate the lack of confidence the American people have in Congress by having a congressional expression of lack of confidence in the majority of the people. But I want to talk about prescription drugs.

Mr. SENSENBRENNER. Mr. Speaker, I will reclaim my time then, because we have a chance to talk about prescription drugs a little bit later on when the prescription drug bill comes to the floor of the Congress. So I think we really ought to defer that debate until when it is really the question that is before us.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Massachusetts, but

let us debate prescription drugs at the time that the bill comes before us.

Mr. FRANK. Mr. Speaker, the gentleman is ignoring the fact that with his amendment that he is putting forward today, and we will cut taxes this year, I think by more than we should but we will, if we decide next year that at the level of revenue available for Medicare we cannot afford a prescription drug program, it will take two-thirds to put one back. That is the flaw in the gentleman's reasoning.

Mr. SENSENBRENNER. Mr. Speaker, reclaiming my time, that is really not true, because if we cut out other wasteful spending in other parts of the government, we can put more money into prescription drugs, and it is a matter of priority.

□ 1215

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Speaker, if that is the case, why is the President not putting adequate money into prescription drugs this year instead of saying only \$17,000 as an income cutoff?

Mr. SENSENBRENNER. Mr. Speaker, as the gentleman knows, the President proposes and the Congress disposes.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, in the Department of Defense, we have 480,000 bureaucrats that buy and sell. They charge 22 percent to the military. Should Congress eliminate a lot of that bureaucracy, and instead of having taxpayers cough up money for more defense, should we just put more money into it without more reform?

In education, we get as little as 48 cents to the dollar because of the bureaucracy in education. This morning the Secretary of Education, Rod Paige, testified. The gentleman from Wisconsin pointed out that the President's budget only puts in 6 percent increase. Six percent. Traditionally we have been increasing it by over 12 percent. The Secretary pointed out that there has been a flatlining; that we put more money in education, but there has not been any change. Can Congress work harder, can we do our job to eliminate Federal bureaucracy and spending or can we afford to give the money back to the American people? I pick on not just education, I pick on defense and all government agencies.

Mr. Speaker, environmental cleanup was mentioned. Seventy percent of Superfund went to trial lawyers. Do we look as a Congress and work with the States on how to clean up the environment, or do we keep dumping in money?

Many of my colleagues fought against welfare reform. Sixteen years was the average. They want to dump more money. We have to raise taxes to pay for that. Welfare reform put people

back to work, and it helped stimulate the economy.

Capital gains, my colleagues said it was only for the rich. Alan Greenspan said it helped stimulate the economy. So we do not reduce taxes? What I am saying is that my colleagues on the other side of the aisle always want to spend more money without reforms.

The SPEAKER pro tempore (Mr. SHAYS). Without objection, the gentleman from North Carolina (Mr. WATT) will control the time of the gentleman from Michigan (Mr. CONYERS).

There was no objection.

Mr. WATT of North Carolina. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I really wish we were gathered here today to engage in serious legislation that confronts some of the concerns that we have here in this country. As I left my district, I noticed on the front page of the business section a number of corporations that are in fact laying off workers. I would imagine that you will see over the next couple of weeks and months, the necessity of increasing compensation for those who are now laid off and cannot in some areas, where there is not the appropriate number of jobs available to provide for them, they will then stay unemployed. That means that families will be without their breadwinners and will be without an income.

Mr. Speaker, we stand here today addressing a situation which has occurred on an annual basis. I believe it is almost going to get the kind of standing like Christmas. We will have it every year. This is the sixth annual year that our colleagues have wasted our time with a constitutional amendment dealing with a two-thirds supermajority on a tax increase.

We have listened to my colleagues suggest to you how confining this kind of procedure would be; but more importantly, how it impacts the Constitution where our Founding Fathers, as wise as they were, suggested that a majority reflects the will of the American people. When we begin to use the supermajority, we begin to get into a desperate situation.

Mr. SENSENBRENNER. Mr. Speaker, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, is the gentlewoman from Texas aware that the Constitution written by the Founding Fathers prohibited Congress from levying direct taxes on the American people, and it required an amendment about 100 years ago in order to allow Congress to even have the power to do what we are talking about?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am certainly aware of that;

and I thank the gentleman from Wisconsin.

Mr. Speaker, it was a hundred years ago; and we have proceeded under that legislation, and I believe we have done very well.

The idea now, of course, is to further diminish the responsibilities of the Members of Congress in the majority vote by again putting over us the supermajority which again eliminates the opportunity to provide financing for issues that we are concerned about. The very fact that this particular amendment has not passed six times in a row suggests the wisdom of this Congress, both Senate and House. My colleagues know that this is a wrong-headed way to go.

Mr. Speaker, here we stand again providing this kind of legislation; and yet the amendment that I had intended to offer, an amendment that would provide for a supermajority not to reduce benefits in Social Security and Medicare, has not been accepted, or has been ruled out of order as it relates to presenting it to the floor.

If it is as important to put a two-thirds supermajority on not raising taxes, and by the way to my colleagues and friend, that means that corporations with tax loopholes, that means that they will have a field day. It means that the assessment by the American people that this administration and this Congress is more business oriented or more paying the piper of the corporate interest, it is true. It means that tax loopholes cannot be closed under this supermajority, because it means if you are suggesting that you raise the taxes of corporations, you will have to have a supermajority. Of course that means that you take away the one vote, one person.

When you talk about Medicare and you talk about Social Security for people, and you say can we have an amendment to ensure that you have a supermajority in order not to reduce the benefit, that has not been accepted.

Mr. Speaker, I would simply say to my colleagues that we realize that a supermajority has been imposed on certain aspects of the business of this House. But I do believe that this idea of a supermajority on taxation eliminates the very vital opportunity of suggesting that even though we may have some prosperity, although I have noted there are layoffs, while we have this prosperity, and the American people may decide to invest in their national parks and their defense by providing increased salaries for our men and women in the Armed Forces, to invest in education, we now stand on the floor of the House to suggest a supermajority so in fact the people of the United States will not have the resources to ensure that their will be done.

Mr. Speaker, I conclude by saying that it is not necessary to have a supermajority to railroad the \$1.6 trillion tax cut that the President wants.

Why we stand for the seventh time on the floor of the House for a two-thirds majority, I do not know. It seems that we want to make this as annual as a Christmas holiday.

Mr. Speaker, I rise to oppose H.J. Res. 41 and to introduce an amendment that I believe will improve it.

Mr. Speaker, my amendment is germane. The underlying legislation, H.J. Res. 41, is an attempt to help the most well to do Americans through a constitutional amendment that limits the ability of Congress to raise taxes and cut deficits. It is no secret that this legislation is designed to disproportionately help the richest people in this country.

Mr. Speaker, my amendment seeks to protect the average person, the neediest, and our seniors by requiring the same two-thirds supermajority as the sponsors of H.J. Res. 41 call for. However, my amendment requires the two-thirds supermajority to cut Social Security and Medicare which help the rest of us.

H.J. Res. 41 could make it difficult to maintain a balanced budget or to develop a responsible plan to restore Medicare or Social Security to long-term solvency. Both of these amendments deal with taxes. Both deal with what we all know is a zero sum game. My amendment is germane because if it is okay to help the rich, it is germane to help the poor and average Americans.

H.J. Res. 41 is a resolution proposing an amendment to the Constitution of the United States of America with respect to tax limitations, that would require any bill, resolution, or other legislative measure changing the internal revenue laws require for final adoption in each House the concurrence of two-thirds of the Members of that House voting and present, unless the bill is determined at the time of adoption, in a reasonable manner prescribed by law, not to increase the internal revenue by more than a de minimis amount.

H.J. Res. 41 also states that for purposes of determining any increase, there shall be excluded any increase resulting from the lowering of an effective rate of any tax and permits the waiver of such requirement, for up to 2 years, if there is a declaration of war or if the United States is engaged in a military conflict which causes an imminent and serious threat to national security and is so declared by a joint resolution which becomes law.

Mr. Speaker, by requiring a two-thirds supermajority to adopt certain legislation, H.J. Res. 41 diminishes the vote of every Member of the House and Senate, denying the seminal concept of "one person one vote." This fundamental democratic principle insures that a small minority may not prevent passage of important legislation.

Mr. Speaker, this legislation presents a real danger to future balanced budgets and Medicare and Social Security. That's why I have offered an amendment to H.J. Res. 41 that would add a new section to H.J. Res. 41 requiring the same two-thirds supermajority when cutting programs that protect Social Security and Medicare. Under H.J. Res. 41, it would be incredibly difficult obtaining the requisite two-thirds supermajority required to pass important, fiscally responsible deficit-reducing packages. And at a time in our history when the Baby Boomers are now retiring, H.J. Res. 41 could make it more difficult to increase Medicare premiums for those most able to pay their fair share of the bill, and could make it

difficult balancing both Medicare and Social Security payroll taxes in the long term.

H.J. Res. 41 would make it nearly impossible to plug tax loopholes and eliminate corporate tax welfare, or even to increase tax enforcement against foreign corporations. H.J. Res. 41 would also make it nearly impossible to balance the budget, or develop a responsible plan to restore Medicare or Social Security to long-term financial solvency.

That's why my amendment would require a supermajority to further challenge these important social programs that serve a great need in this country.

Mr. Speaker, H.J. Res. 41 is the exact same bill that this committee considered in the 105th Congress and my opposition is unchanged. In fact, a phrase in the minority's dissenting views in the 105th Congress stating that "the Framers of the Constitution wisely rejected the principle of requiring a supermajority for basic government functions" still hold true today.

The minority in opposing this tax limitation amendment cited James Madison who vehemently argued against requiring supermajorities, stating that under such a requirement, "the fundamental principle of free government would be reversed." It would be no longer the majority that would rule. Conversely, the power would be transferred to the minority because a small minority could block the necessary supermajority from passing any tax increases. In fact, it is significant to note that because of population patterns, Senators representing some 7.3 percent of the population could prevent a bill from obtaining a two-thirds majority.

Mr. Speaker, I am deeply troubled by the concept of divesting a Member of the full import of his or her vote. As Dean Sameul Thompson, one of the Nation's leading tax law authorities, observed at a 1997 House Judiciary Subcommittee hearing on the same proposal: "The core problem with this proposed Constitutional amendment is that it would give special interest groups the upper hand in the tax legislative process." As such, the potential loss to the Treasury Department from such loopholes is staggering. A Congressional Budget Office study found that over half of the corporate subsidies the Federal Government provides are delivered through "tax expenditures" that selectively reduce the tax liability of particular individuals or businesses. Such expenditures cost the Federal Government \$455 billion in fiscal year 1996 alone—triple the deficit at that time.

Mr. Speaker, this resolution simply dilutes the vote of Members by requiring a supermajority of them to do something as basic to government as acquire the revenue to run government. It is a diminution. It is a disparagement. It is a reduction of the impact, the import, of one man, one vote.

Mr. Speaker, H.J. Res. 41 will also make it nearly impossible to eliminate tax loopholes, thereby locking in the current tax system at the time of ratification. The core problem with this proposed constitutional amendment is that it would give special interest groups the upper hand in the tax legislative process. Once a group of taxpayers receives either a planned or unplanned tax benefit with a simple majority vote of both Houses of Congress, the group will then be able to preserve the tax benefit with just a 34 percent vote of one House of Congress.

In addition, H.J. Res. 41 would make it inordinately difficult to make foreign corporations

pay their fare share of taxes on income earned in this country. Congress would even be limited from changing the law to increase penalties against foreign multinationals that avoid U.S. taxes by claiming that profits earned in the U.S. were realized in offshore tax havens. Estimates of the costs of such tax dodges are also significant. A 1992 Internal Revenue Service study estimated that foreign corporations cheated on their tax returns to the tune of \$30 billion per year.

Another definitional problem arises from the fact that it is unclear how and when the so-called "de minimis" increase is to be measured, particularly in the context of a \$1.5 trillion annual budget. Would we look at a 1-, 5- or 10-year budget window? What if a bill resulted in increased revenues in years 1 and 2, but lower revenues thereafter? It is also unclear when the revenue impact is to be assessed—based on estimates prior to the bill's effective date, or subsequent determinations calculated many years out. Further, if a tax bill was retroactively found to be unconstitutional, the tax refund issues could present insuperable logistical and budget problems.

Mr. Speaker, the amendment to this legislation which I have offered here today, takes this legislation in a different direction. It requires the same two-thirds supermajority as does the underlying bill, but ensures that we fulfill our promise to.

I hope that my colleagues take seriously the path H.J. Res. 41 would lead us down were it to be adopted as is, and I urge my colleagues to support my amendment.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to myself.

Mr. Speaker, in response to the comment that I made, the gentlewoman from Texas (Ms. JACKSON-LEE) said that since the income tax amendment was ratified in 1913, we have done very well. I would agree with her 100 percent. We have done too well. We have done too well having an escalating cascade of taxes on the American people.

What has happened is that we went from the original Constitution that seemed to serve us very well for 140 years prohibiting direct taxes on the American people, to having the pendulum swing far too far in the other direction so that now the Federal tax expressed as a percentage of GDP is the highest in peacetime history of our country.

Mr. Speaker, this amendment pushes that pendulum back in the middle by making it harder to raise taxes. I think the American people would say hooray for that because Congress has been much too eager since 1913 to dip into the pockets of the American taxpayer deeper and deeper.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise as a strong supporter of this constitutional amendment to require a two-thirds vote to raise taxes on the American people. Until the last Congress, this was the Barton tax limitation constitutional amendment. I was very pleased and willing to let the gen-

tleman from Texas (Mr. SESSIONS) and the gentleman from Arizona (Mr. SHAD-EGG) become the original cosponsors in this Congress.

As has been pointed out, when the Constitution was ratified in the late 1700s, there was a supermajority required to raise taxes. It was 100 percent because you could not have a Federal income tax. The Constitution did not allow it. As has been pointed out by the chairman of the Committee on the Judiciary, in 1913 we changed the Constitution to say that income taxes were acceptable.

The first income tax levied on the American people after that income tax was passed, about 99 percent of the American people paid no income tax because you had to have an adjusted income of over \$3,000 cash; and most Americans in the early part of the 20th century did not have \$3,000 cash income. But if you did, if you did, you paid 1 percent; 1 percent of income over \$3,000. And if you were super-rich, in other words if you got up to where you had cash income over, I think it was, \$50,000, you paid an additional 1 percent.

Mr. Speaker, what does the American taxpayer pay today? The income tax levied on the American people had gone up at one point in time 9,000 percent. We got up to a 90 percent tax bracket. Now how is that possible? It is possible because it only requires 50 percent plus one vote in the House and 50 percent plus one vote in the Senate to raise your income taxes. That has been done repeatedly the last 100 years.

What does this constitutional amendment do? It does not say that you cannot raise taxes; but it says if you are going to raise taxes, you need more than a bare majority. You need more than 50 percent plus one; you need two-thirds.

Now our Founding Fathers knew that there would be times when we needed to do things that needed to be a super-consensus. To ratify treaties and to change the Constitution requires a supermajority vote. What is more important to require a consensus more than a bare majority than raising income taxes? It is interesting when you look at the opinion polls around the country, the States that have supermajority requirements to raise taxes, their taxes are lower. They are lower. States that do not have it, their taxes are higher.

Mr. Speaker, we have used the States as a laboratory; and we have proven that it works at the State level. It would work here in Washington. If you look at interest groups, do you know that the interest group that most supports requiring a supermajority to raise taxes, it is not rich, country club Republicans, it is not soccer moms, it is male, head-of-household union members. Now they tend to vote for our friends on the Democratic side of the aisle, which is fine. Eighty percent of them support a supermajority requirement to raise income taxes. That is the

highest number of any segment of our country, 80 percent.

So why is it that we cannot pass this in the House of Representatives? We want it, but to amend the Constitution you have to have a two-thirds votes. It is because some people in this body want to raise taxes. They want to spend more money. We are only going to spend \$2 trillion this year. Let us vote for this tax amendment and send it to the Senate and get them to pass it.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. WATT) has 14½ minutes remaining. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 29 minutes.

Mr. WATT of North Carolina. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Speaker, I thank the gentleman for this time.

Mr. Speaker, it was helpful to have the original author of this bill on the floor to discuss it. In this debate, we have begun to discuss it with some platitude; that this is a bill about having two-thirds of the House and the Senate decide before we raise taxes.

□ 1230

Actually, it is a bit more complicated than that. See, it says that a bill, a resolution or a legislative measure changing the internal revenue laws shall require for final adoption in each House the concurrence of two-thirds of all Members of that House voting and present unless that bill, resolution, or other legislative measure is determined at the time of adoption in a reasonable manner prescribed by law not to increase the internal revenue by more than a de minimis amount.

Well, I guess, then, what we have got to have is a certain amount of litigation, I suppose, about what constitutes a de minimis amount. I think that is really what we need. We need a process around here that makes it even more difficult for us to come to a consensus about how it is that we are going to tax and spend the money that we have to do here each year.

I think it is going to be actually an extraordinary constitutional battle if we pass a constitutional amendment that says it has to be decided by the courts how much a de minimis amount is that we are allowed to raise taxes in order to qualify under this constitutional amendment. Because let us consider what the scenarios will be.

When we pass a budget, there will be a determination, well, it only raises taxes a de minimis amount. Then every interest group under the sun that has a problem with that budget will then have a standing to go into court and say, well, that is not a de minimis amount, it is actually more. Or some other group will come in and say, well, no, no, no, that is less than a de minimis amount, so you should be permitted to do it. We will have nothing but litigation over that point.

Secondly, I think it is interesting to note in all of this discussion about

whether or not we should have a higher burden to raise taxes, why is it no one is proposing that we have a higher burden to spend the money. To be intellectually honest about this debate, one should say, well, we should have two-thirds to spend any dollar of the money coming in, because both of those sides make the same argument that the previous gentleman made, that we have been out of control spending, taxing and building and everything else. If we are truly going to be consistent and want to be sure that we have it right, it should be a two-thirds majority to increase spending as well.

So if one wants to make a philosophical point here, I guess one could. One does not like taxes or one likes taxes. From the point of governance, this thing is a disaster. That is why no one is taking it seriously perhaps outside those of us who get paid to debate these things. It is really and truly a cumbersome way to do things.

I find it fascinating that my colleagues who rail against the overly litigious way that often our society operates should now open the door to a whole new area of constitutional law which is going to be defining de minimis. I think that would indeed be folly.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, very plainly, on page 3, lines 4 and 5 of the constitutional amendment, it says that Congress defines by law what a de minimis amount is. So this does not require litigation.

But having said that, listening to the argument of the gentleman from New York (Mr. WEINER) would have persuaded the Members of the first Congress and the Congress that sat in 1863 to reject the 1st and 14th amendments to the United States Constitution. Because if one looks at the Constitution annotated, those amendments have been the subject of countless court decisions by the Supreme Court as well as the appeals courts and the district courts because they were not, quote, properly drafted, and because they would have, quote, encouraged litigation.

I do not think, had the gentleman from New York been in the first Congress or in the Civil War Congress he would have voted against the 1st amendment and the 14th amendment. But the argument that he used which does not hold water with this amendment is that this amendment does not encourage litigation because it says that Congress defines by law what a de minimis amount is.

Mr. WEINER. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I am happy to yield to the gentleman from New York.

Mr. WEINER. Mr. Speaker, I thank the distinguished chairman for yielding to me.

Mr. Speaker, here is the difference. This is not a question about whether or not we are interpreting whether someone's speech is abridged. This is taking

an inherent constitutional congressional obligation which is deciding these questions and having litigation over what a specific term of art means.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HALL) to demonstrate the bipartisan support this amendment has.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.J. Res. 41, the Tax Limitation Constitutional Amendment. I have been a cosponsor of this legislation since we first started it back in 1995. I have appeared before in front of post offices on April 15 and talked to distraught taxpayers on that particular day. I will get the same answer from all of them.

I am going to continue to support this as long as it takes to provide a constitutional protection against tax increases for hard-working Americans.

It would have a chance. This bill is going to pass sooner or later. I am not sure when it is going to pass, but it will pass. I will tell my colleagues when it could pass. It could pass when every Member of Congress would take the time to walk out into the streets of their own district and ask this simple question: Would you like to make it more difficult for Congress to raise taxes? If my colleagues do not get a yes answer from that 9 out of 10, then it will be different to the various areas that I have made that same inquiry.

The tax increases that have been enacted since I have been in Congress have passed by narrow margins, once I think by a single vote. Legislation that hits everybody's pocketbook ought to require more than a simple majority of passage. A two-thirds vote requirement would give the taxpayers the protection they need and they are entitled to.

The amendment would do more than just provide tax protection. It will help ensure that our efforts to maintain a balanced budget will focus on eliminating wasteful and unnecessary programs and achieving cost savings wherever we can, not raising taxes as a means of achieving this goal.

Now, we are blessed with the projected budget surpluses over the next few years. I do not know if it will last for 10 years. That is the length of our budget. But I do not think anything this Congress can do can screw it up in less than 3 or 4 or 5 years. So I think we have got some real good years directly in front of us.

President Bush and the Congress have pledged to return a portion of that surplus to the American citizens this year in the form of tax relief, and Congress is working out the details on that. However, should the economic environment change and the surplus begin to dwindle, our first line of defense should not be to breach our agreement with Americans by not lowering their taxes. Any serious economic situation that might call for increased taxes has to be addressed with the cooperation and understanding of all Americans and with more than a simple majority.

If we ever have a balanced budget amendment, and I think there will be a time when we will pass a balanced budget amendment, take two-thirds to pass that amendment, but they could comply with it by simply raising taxes with a majority vote. Now, that does not look right to me.

I think that a lot of States have already moved forward on this initiative and have enacted tax limitation measures of their own. Congress ought to recognize their efforts and give the States and the American citizens the opportunity to decide for themselves on this amendment.

I urge my colleagues to join in the passage of this legislation in the 107th Congress.

Mr. WATT of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WEINER).

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

Mr. Speaker, I just want to clarify one point I did not have the opportunity previously in response to the chairman. Unlike the 1st and 14th amendment, when one imagines the 1st and 14th amendments saying thou shall not abridge speech except to a de minimis amount or everyone has equal protection under the law except to a de minimis amount, one would never find that language in the Constitution of the United States because that is not the way constitutions are written, and thank goodness this one will never be part of it.

I mean, the fact of the matter is, as litigious as a society as we have, can anyone recall any time in history that there was a budget resolution that was challenged on constitutional grounds around here? I do not think I have ever seen that. Has there ever been an opportunity where an increase in taxes was challenged on constitutional grounds?

Frankly put, we are going to have, any time we have any change to the IRS budget, for example, if we have an increase in the number of people that the IRS puts on in their ability to enforce the different laws even, if it might increase the amount of tax collection, we are going to have a lawsuit.

This notion that we are somehow are not going to have constitutional conflicts, that we do not have constitutional conflicts in the 1st and 14th amendment, so therefore we should not have done it is absurd. This is not language that goes into the Constitution, because it opens ourselves up to all kinds of litigation.

But a second point is also important. The Framers of the Constitution envisioned this body, Congress, having the ability to make certain decisions about how monies are expended, about how taxes are raised, lowered, either. Do we really want to turn that over to the courts? Is that a desirable outcome to say, well, you think it is de minimis, fine by us. We do not want to be in that circumstance. I am quite certain the

distinguished chairman of the Committee on the Judiciary does not want to be in that position either.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the Framers of the Constitution have used terms of art like due process of law and equal protection under the law and the courts have interpreted it. If the argument of the gentleman from New York (Mr. WEINER) is that we should draft constitutional amendments so tightly that the courts do not interpret it, then I think we probably would have to rewrite the Constitution right from article I, section 1. We do not want to do that. But we do want to give Congress the authority to determine what de minimis is.

Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the chairman of the Committee on the Judiciary for yielding me this time.

The temptation is here, Mr. Speaker, to directly address the curious and clever arguments. The gentleman from New York (Mr. WEINER), for example, he seems to be suggesting that we truncate the role of the judiciary in our separate and co-equal branches from our constitutional Republic.

He also seems to set up an interesting reinterpretation of what our Founders meant in setting up this Constitution. Because, Mr. Speaker, if it was so desirable to have direct taxation of personal income, why did not our Founders include that in the original document called the Constitution or in the first 10 amendments known as the Bill of Rights. They understood the powers that would be abridged, the rights of citizens that would be abridged.

Ultimately, it came through the 16th amendment which required a supermajority for ratification. So the balance we strike today in adopting this constitutional amendment is to strike a balance to say, if a supermajority was required for the amendment process, there should be a supermajority required for raising taxes.

Now, under the realm of I have heard everything, I think it was suggested earlier we have a supermajority for spending. Let us explore that. But today let us vote yes on this amendment.

Mr. WATT of North Carolina. Mr. Speaker, we have no further requests for time and one final speaker. So if the gentleman from Wisconsin is ready to close, then I will proceed.

Mr. SENSENBRENNER. Mr. Speaker, I encourage the gentleman from North Carolina to recognize his final speaker, and then we can wrap this up.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this debate is always interesting at this time of the year. Every year, for the last 6 years, around

April 15, this same or some version of this proposed constitutional amendment has come to the floor of the House, not as a serious legislative initiative, because I think it has always been acknowledged that there is not sufficient support for such a constitutional amendment. Instead, it comes to the floor as a political vehicle to dramatize and have a discussion about whether taxes are too high or whether the expenditures are out of control.

We have a political discussion in the context of a proposed constitutional amendment.

□ 1245

I want to submit to my colleagues, however, that this is not a discussion about whether taxes are too high or not. If you ask probably 10 out of 10 people on the street whether taxes are too high, all 10 of them will tell you taxes are too high. It is not a discussion about whether we spend too much money. I am sure there are people who will have varying opinions about whether the Federal Government spends too much money. My experience has been that they typically vary based on whether the money is being spent for the benefit of the individual who is taking a position or whether it is being spent for the benefit of somebody else. If money is being spent for your benefit, then most likely you are going to support that expenditure, and if it is not being spent for something that you believe is beneficial to yourself or to the country, then you are going to oppose that. So this is not a debate about whether we spend too much either.

I think it is a debate about democratic rule and democracy and majority rule, because there are only two instances in our Constitution where a supermajority such as this is required. That is to declare war, which we seldom use because the Presidents have decided that you do not even need a supermajority to do that and that is not a good idea, so there has been this constant struggle between the executive branch and the legislative branch even in that area. And the other is to amend the Constitution, which brings me to this point. I think our Founding Fathers recognized that there needs to be something special to require a two-thirds majority, because the idea of majority rule was almost synonymous with the concept of democracy and they did not want to do anything that was contrary to that principle.

Now, my colleagues who continue to profess to me that they are conservatives seem to have forgotten that there is something conservative about the concept of majority rule. They seem to have forgotten that there is something conservative about maintaining the integrity of our Constitution.

In 1994, when my Republican colleagues took over the majority in the House in the 104th Congress, we had a total of 118 proposed constitutional amendments. In the next term of Con-

gress under their control, we had a total of 86 proposed constitutional amendments. In the last term of Congress, we had a total of 52 proposed constitutional amendments. Now, these are the people who came in here telling me that they believed in some conservative philosophy. These are the people who are now telling me that somehow or another they have a better idea about this than the historical founders have had. I am a little confused by this. There is something else going on here.

I think this is about democracy. I think this is about democracy, and I think it is about my ability to represent the constituents who have sent me here on an equal footing with everybody else in this body. It is not about winning and losing a vote. It is about every individual in this country having the right to have an equal voice in the government. That is why we redistrict and do a census and based on that census redistrict the whole country every 10 years, to go out of our way to provide every American an equal voice in our government. And when we set up a system in our Constitution that on one subject, such as taxes or spending or whatever else interrupts that balance, requires some supermajority, then basically what we are saying is we are devaluing the representation of some Members of this body, and we are overvaluing the representation of other people.

Now, I am not going to argue with the notion of whether taxes are too high, but I do not think that is what this debate is about. If you go out on the street and you ask 10 people whether they believe that a basic tenet of democracy is majority rule, I bet you 10 out of 10 of them will tell you they believe in majority rule and they believe in the democracy that we have put in place. That is what this debate is about, my colleagues. That is what this debate is about, whether I am going to give you more power in the government to make this decision or whether I am going to have an equal place on behalf of the constituents who sent me here to cast a vote that has equal value to yours.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will be very brief. This amendment is very simple. It makes it harder for Congress to raise taxes. It requires Congress to put fiscal discipline on itself so that if there are loopholes closed, the tax relief would be given to the American people rather than being spent on some type of proposal that maybe the American people would not approve of.

The original Constitution written by James Madison prohibited direct taxes except "in proportion to the census, or enumeration hereinbefore directed to be taken."

When the Congress attempted to pass an income tax in the late 1890s, the Supreme Court declared it unconstitutional. On February 13, 1913, the 16th amendment was ratified by the several States and became a part of our Nation's Constitution which specifically gave the Congress the power to lay and collect taxes on income from whatever source derived without apportionment among the several States and without regard to any census or enumeration. Since that time, boy, have those income taxes taken off. With the constitutional amendment ratified in 1913, the heavy hand of the Congress and of the Federal Government has dipped deeper and deeper into the pockets of the people of the United States of America, so that today Federal income taxes as expressed as a percentage of gross domestic product are higher than at any time in the peacetime history of our country, including during World War II in many of the years.

So I guess the question is really simple. Given the track record of Congress since 1913, do we want to continue making it easy for Congress to raise taxes? Or do we want to force Congress to cut spending, to have better priorities, and then to attempt to achieve a national consensus to raise taxes as a last resort? Because a two-thirds vote does require a national consensus to be formed.

I would hope that the Members of the House would approve this constitutional amendment and send it to the other body, because it will send a message that this Congress is serious about making it tough for future Congresses to raise taxes and to force them to set priorities in spending the public's money, not the Congress' money but the public's money.

I ask for an aye vote.

Mr. UDALL of Colorado. Mr. Speaker, here it comes again.

I was a newly-elected Member of Congress the last time we debated this proposed constitutional amendment—but I was told that the House had already considered it more than once.

So, it was no surprise that the debate about it sounded very rehearsed. I got the impression—and it has only been strengthened today—that many Members have heard all the arguments before. And I am pretty sure the debate will not change many minds about the proposal.

But, as I said last time, this resolution strikes me as one of the oddest pieces of legislation that I've encountered—and I think it's one of the worst.

For one thing, while I'm not a lawyer it seems clear to me that the language of the proposal is an invitation to litigation—in other words, to getting the courts involved even further in the law-making process.

To say that Congress can define when a constitutional requirement would apply, provided that the Congressional decision is "reasonable," is to ask for lawsuits challenging whatever definition might be adopted.

Aren't there enough lawsuits already over the tax laws? Do we need to invite more?

But more important, I must oppose this proposal because it moves away from the basic principle of democracy—majority rule.

If this were part of the Constitution, there would be another category of bills that would require a two-thirds vote of both the House and the Senate.

That's bad enough as it applies here in the House, but consider what that means in the Senate. There, if any 34 Senators are opposed to something that takes a two-thirds vote, it cannot be passed. And, of course, each state has the same representation regardless of population.

Consider what that means if the Senators in opposition are those from the 17 States with the fewest residents.

Looking at the results of last year's census, the total population of the 17 least-populous states is about 21 million people.

That's a respectable number, but remember that the population of the country is more than 280 million.

So, what this resolution would do would be to give Senators representing about 7 per cent of the American people the power to block some kinds of legislation—even if that legislation has sweeping support in the rest of the country, and even if it had passed the House by an overwhelming margin.

Right now, that kind of supermajority is needed under the Constitution to ratify treaties, propose constitutional amendments, and to do a few other things.

But this resolution does not deal with things of that kind. It deals only with certain tax bills—bills that under the Constitution have to originate here, in the House. Those are the bills that would be covered by this increase in the power of Senators who could represent such a very small minority of the American people.

Why would we want to do that? Are the proponents of this constitutional amendment so afraid of majority rule? Why else would they be so eager to reduce the stature of this body, the House of Representatives, as compared with our colleagues in the Senate?

Remember, that's what this is all about—"internal revenue," however that term might be defined by Congress or by the courts. When Congress debates taxes, it is deciding what funds are to be raised under Congress's Constitutional authority to "pay the debts and provide for the common defense and general welfare of the United States." Those are serious and important decisions, to be sure, but what is wrong with continuing to have them made under the principle of majority rule—meaning by the members of Congress who represent the majority of the American people?

So, Mr. Speaker, I cannot support this proposed change in the Constitution. Our country has gotten along well without it for two centuries. It is not needed. I would not solve any problem—in fact, it probably would create new ones—and it would weaken the basic principle of democratic government, majority rule. It should not be approved.

Mr. STARK. Mr. Speaker, this bill will hamstring Congress in an unprecedented manner.

Requiring a two-thirds majority essentially renders Congress unable to increase revenues, as demonstrated by the five major deficit reduction measures enacted between 1982 and 1993. None of these bills passed by a two-thirds majority, yet a majority of this representative body found them necessary to reduce the federal debt and balance the federal budget.

This bill will hurt federal programs when the baby boom generation begins to retire. This could lead to steep reductions in Medicare and Social Security benefits, not to mention other needed federal programs.

Congress needs to impose balance in its budgets but this would be made impossible by requiring a two-thirds majority. Everybody likes the benefits that the federal government provides but nobody likes to pay for them. So it's always easy for a Member of Congress to reduce taxes, yet very difficult to increase taxes—even under a bill that requires a simple majority vote.

A two-thirds majority would be required of any bill seeking to raise federal tax revenues. This includes taxes on corporations that find loopholes to lower their effective tax rates. This also includes businesses that we find pollute the environment. Just last year, the Institute on Taxation and Economic Policy found that forty-one of Fortune's top 250 U.S. companies paid less than zero in federal income taxes at some point between 1996 and 1998. This means that rather than paying the \$9 billion in federal income tax, as required by the 35 percent statutory corporate tax rate, these companies generated so many excess tax breaks that they received rebate checks from the U.S. Treasury totaling \$3.2 billion. One astute University of Miami Law School professor accurately depicted today's bill as the "Tax Loophole Preservation Amendment to the Constitution."

The legislation before us today would mean that corporate welfare could continue to flourish at the expense of American seniors who risk decreased Social Security and Medicare benefits with passage of this devastating bill. This is too big a gift to give to corporate America when we need more money for our children's education, and we need a Medicare prescription drug benefit for our seniors. I urge my colleagues to allow Congress to continue its prescribed work in devising and enacting an annual budget that includes increasing revenues in the same manner as it decreases revenues—by a simple majority vote.

I urge a "not" vote on H.J. Res. 41.

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today to wholeheartedly support House Joint Resolution 41, the Tax Limitation Constitutional Amendment of 2001. I am happy to be an original co-sponsor of this legislation and hope that one day we can see this safeguard in place in order to protect the wallets and pocketbooks of American taxpayers.

This biggest things in life are usually the hardest things to accomplish. The same is true with law and government. Going to war. Impeaching a president. Overriding a veto. So, too, should raising taxes. It should be difficult to raise taxes. Our system of checks and balances can look out for the average taxpayer if the tax limitation amendment were indeed the law of the land.

Over one third of the population of this nation lives in states with tax limitation amendments.

President Clinton's tax hike in 1993—the largest tax increase in American history—would have died a miserable death if the tax limitation amendment existed back then.

If we really need to raise taxes, if we really need to generate more revenue than we are already collecting, then two-thirds of Congress will do the will of the people. If there is a war, there is an exception. But raising taxes ought

to be the very last resort taken in order to solve a fiscal problem.

We need to make it harder for Congress to raise taxes. We need to pass the Tax Limitation Constitutional Amendment.

Mr. GOODLATTE. Mr. Speaker, I rise today in support of House Joint Resolution 41. This joint resolution requires a two-thirds vote in both the House and Senate for any bill that changes the internal revenue laws by more than a de minimis amount. The resolution also allows Congress to waive the supermajority requirement to pass a tax increase (1) during a period of declared war between the U.S. and another country, or (2) when Congress and the president enact a resolution stating that the U.S. is engaged in a military conflict which threatens national security. Tax legislation enacted under this waiver can be in force for no longer than two years after its enactment.

Mr. Speaker, H.J. Res. 41 provides a simple mechanism to curb wasteful and abusive government spending by restraining the government's unquenchable appetite for taking the American people's money. The more the government has, the more it spends. The more it spends, the more it needs. The Tax Limitation Amendment will ensure that when the government needs money, it will not simply look to the American people to foot the bill.

A Constitutional amendment is the only way we can assure the American people that Congress will only take from their pocketbooks that which is truly needed. This Constitutional amendment will force Congress to focus on options other than raising taxes to manage the Federal budget. It will also force Congress to carefully consider how best to use current resources before demanding that taxpayers dig deeper into their hard-earned wages to pay for increased Federal spending.

Furthermore, if Congress has less to spend on programs, it will be forced to act responsibly and choose what is truly important to the American people, and it will be forced to make sure government programs are run as effectively and efficiently as possible. Simply put, the harder it is for Congress to tax the American people, the harder it will be for Congress to spend their money.

Mr. Speaker, Once and for all, it is time for Washington to get off the American people's backs and out of their pockets.

I thank my colleague, Mr. SESSIONS, and I urge my colleagues to support House Joint Resolution 41.

Mr. OTTER. Mr. Speaker, I rise today in support of H.J. Res. 41, the Tax Limitation Amendment to the United States Constitution. This legislation will protect the American people from runaway government spending and keep Uncle Sam out of America's pocketbook.

This Amendment demonstrates the respect this Congress has for the states and taxpayers of the United States. Today, the United States taxpayer faces the highest tax burden ever. I am pleased to have joined a bi-partisan majority in passing President Bush's tax relief package a few weeks ago. But the measure we take up today in the House is a longer-term solution to keep our taxes in check. No longer will a determined, razor-thin majority be able to force through tax increases against the will of the people. In 1993 this country was subjected to massive tax increases that passed each House by a single vote.

I believe that if Washington, D.C. really thinks a tax increase is necessary, we should

be able to convince the representatives of $\frac{2}{3}$ of the states. We require a $\frac{2}{3}$ vote of Congress to change the constitution, we require a $\frac{2}{3}$ vote to overturn the President's veto, we require $\frac{2}{3}$ votes for many important votes. Shouldn't we recognize that to working Americans, how much Washington takes away is the most important issue of all? I am proud to vote for this amendment, and I will recommend its passage to the legislature of my home state of Idaho.

Mr. NADLER. Mr. Speaker, I oppose the constitutional amendment before us because it is flawed and fundamentally anti-democratic. As the ranking Democratic member of the subcommittee of jurisdiction over constitutional amendments, I also want to register my strong objection to the manner in which the majority has once again disregarded regular order and proceeded without any hearings or subcommittee consideration. I would hope that our fundamental governmental document would merit more respect and care.

H.J. Res. 41 disregards the constitutional principle of majority rule, requiring instead, a two-thirds "super majority" vote to raise taxes. The only exceptions to the super majority requirement are: bills that do not increase taxes by more than a "de minimis amount"; when a declaration of war is in effect; or when the United States is engaged in a "serious military conflict" that causes an "imminent and serious threat to national security."

James Madison, in The Federalist Papers No. 58, warned against such super majorities, stating that, under such a requirement, "the fundamental principle of free government would be reversed. It would be no longer the majority that would rule: the power would be transferred to the minority." For example, based on data from a 1996 U.S. Census report, Senators representing only 7.3% of the U.S. population could prevent a tax bill from obtaining the two-thirds super majority required to pass. And the bill would require a far larger vote count to raise taxes than to lower taxes.

This "one way ratchet" mechanism dilutes a member's vote on tax bills that are central and fundamental to the workings of our government. Although the sponsors point out that it is not unprecedented to provide in the Constitution for a two-thirds vote for certain significant actions, such as overriding a presidential veto or congressional impeachments, in the 104th Congress, the then Chairman of this Committee stated "I am troubled by the concept of divesting a Member of the full import of his or her vote. You are diluting the vote of Members by requiring a supermajority . . . it is a diminution. It is a disparagement. It is a reduction of the impact, the import, of one man, one vote."

H.J. Res. 41 is designed to benefit the wealthy and powerful at the expense of the average American family and the poor. This constitutional amendment makes it difficult to close unfair tax loopholes that benefit the powerful corporations and wealthiest Americans, requiring a two-thirds supermajority to do so. For example, the amendment makes it difficult to curb "corporate welfare" and cut unproductive tax expenditures that grant subsidies to powerful special interests. Yet, according to a recent editorial in the Washington Post, "when the baby boomers begin to retire . . . the country will be in an era of fiscal strain. To avoid destructive deficits, there will have to be

tax increases and/or spending cuts. By making it harder to increase taxes, this amendment would compound the pressure on the major spending programs: Social Security, Medicare, Medicaid and the rest." This is wrong, Mr. Speaker; and I think that we ought not to allow it.

This amendment would also endanger important excise taxes that fund public safety and environmental programs whose extension would be subject to a supermajority vote. Many such excise taxes are dedicated to purposes such as transportation trust funds, Superfund, compensation for health damages, taxes on alcohol, tobacco, and pensions, as well as a variety of environmental taxes.

The amendment is also vague and runs the risk of transferring authority from the Congress to the courts. For example, the amendment fails to define the term "internal revenue laws" to which super majority votes would apply, and also fails to define the term "de minimis" to which super majorities do not apply. These vagaries would empower the courts to divine the congressional intent on tax issues that are not the province of the courts, and would bring the courts into fundamental policy disputes that are strictly the province of the Congress.

Finally, the majority has recognized just how unworkable a supermajority requirement can be. On at least six separate occasions waived its own House rules requiring such super majorities to increase taxes where it suits their needs. For example, during consideration of the Contract with America Tax Relief Act in 1995 the majority waived the currently necessary three-fifths majority rule needed to raise taxes. This is wrong.

This legislation would end the ability of the American people, acting through their representatives in Congress, to decide how they want to raise and spend their own money. The democratic principle of one person, one vote is before us today. I believe that we must protect it for this generation, and for generations to come.

Mr. BEREUTER. Mr. Speaker, this Member rises in principled opposition to House Joint Resolution 41, the so-called "tax limitation" constitutional amendment. Certainly it would be more politically expedient to simply "go along" and vote in support of a constitutional amendment requiring two-thirds approval by Congress for any tax increases. However, as a matter of principle and conscience, this Member cannot do that.

As this Member stated when a similar amendment was considered by the House in the past, there is a great burden of proof to be borne for any deviations from the basic principle of our democracy—the principle of majority rule. Unfortunately, this Member does not believe the proposed amendment to the U.S. Constitution is consistent or complementary to this important principle.

There should be no question of this member's continued and enthusiastic support for a balanced budget and a constitutional amendment requiring such a balanced budget. In my judgment, tax increases should not be employed to achieve a balanced budget; balanced budgets should be achieved by economic growth and, as appropriate, tax cuts. That is why this Member in the past has supported the inclusion of a supermajority requirement for tax increases in the Rules of the House. However, to go beyond that and amend the Constitution is, in this Member's

opinion, inappropriate and, therefore, the reason why this Member will vote against House Joint Resolution 41.

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

The SPEAKER pro tempore (Mr. SHAYS). Under House Resolution 118, an amendment in the nature of a substitute, if printed in the CONGRESSIONAL RECORD and if offered by the minority leader or his designee, would be in order at this point. The Chair is aware of no qualifying amendment.

Pursuant to House Resolution 118, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. WATT of North Carolina. 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 232, nays 189, not voting 11, as follows:

[Roll No. 87]

YEAS—232

Aderholt	Culberson	Hastings (WA)
Akin	Cunningham	Hayes
Andrews	Davis, Jo Ann	Hayworth
Armey	Davis, Tom	Hefley
Bachus	Deal	Herger
Baker	DeLay	Hilleary
Ballenger	DeMint	Hobson
Barcia	Diaz-Balart	Hoekstra
Barr	Doolittle	Horn
Bartlett	Duncan	Hulshof
Barton	Dunn	Hunter
Bass	Ehlers	Hutchinson
Berkley	Ehrlich	Isakson
Berry	Emerson	Issa
Biggert	English	Istook
Bilirakis	Etheridge	Jenkins
Bishop	Everett	John
Blunt	Ferguson	Johnson (IL)
Boehner	Flake	Johnson, Sam
Bonilla	Fletcher	Jones (NC)
Bono	Foley	Keller
Boswell	Fossella	Kelly
Brady (TX)	Frelinghuysen	Kennedy (MN)
Brown (SC)	Gallely	Kerns
Bryant	Ganske	King (NY)
Burr	Gekas	Kingston
Burton	Gibbons	Kirk
Buyer	Gilchrest	Knollenberg
Callahan	Gilman	Kolbe
Calvert	Goode	LaHood
Camp	Goodlatte	Largent
Cannon	Gordon	Latham
Cantor	Goss	LaTourette
Capito	Graham	Leach
Castle	Granger	Lewis (CA)
Chabot	Graves	Lewis (KY)
Chambliss	Green (TX)	Linder
Coble	Green (WI)	LoBiondo
Collins	Greenwood	Lucas (KY)
Combest	Grucci	Lucas (OK)
Condit	Gutknecht	Maloney (CT)
Cox	Hall (TX)	Manzullo
Cramer	Hansen	McCarthy (NY)
Crane	Harman	McCreery
Crenshaw	Hart	McInnis
Cubin	Hastert	McIntyre

McKeon	Reynolds	Spence
Mica	Riley	Stearns
Miller (FL)	Roemer	Stump
Miller, Gary	Rogers (KY)	Sununu
Moran (KS)	Rogers (MI)	Sweeney
Myrick	Rohrabacher	Tancredo
Nethercutt	Ros-Lehtinen	Tauzin
Ney	Roukema	Taylor (MS)
Northup	Royce	Taylor (NC)
Norwood	Ryan (WI)	Terry
Nussle	Ryun (KS)	Thornberry
Osborne	Sanchez	Thune
Ose	Sandlin	Tiahrt
Otter	Saxton	Tiberi
Oxley	Scarborough	Toomey
Pallone	Schaffer	Traficant
Paul	Schrock	Upton
Pence	Sensenbrenner	Walden
Peterson (PA)	Sessions	Walsh
Petri	Shadegg	Wamp
Pickering	Shays	Watkins
Pitts	Sherman	Weldon (FL)
Platts	Sherwood	Weldon (PA)
Pombo	Shimkus	Weller
Portman	Shows	Whitfield
Pryce (OH)	Simmons	Wicker
Putnam	Simpson	Wilson
Quinn	Skeen	Wolf
Radanovich	Skelton	Young (AK)
Ramstad	Smith (MI)	Young (FL)
Regula	Smith (NJ)	
Rehberg	Souder	

NAYS—189

Abercrombie	Hilliard	Murtha
Ackerman	Hinchey	Nadler
Allen	Hinojosa	Napolitano
Baca	Hoefel	Neal
Baird	Holden	Oberstar
Baldacci	Holt	Obey
Baldwin	Honda	Olver
Barrett	Hooley	Ortiz
Becerra	Hostettler	Owens
Bentsen	Houghton	Pascrell
Bereuter	Hoyer	Pastor
Berman	Hyde	Payne
Blagojevich	Inslee	Pelosi
Blumenauer	Israel	Peterson (MN)
Boehlert	Jackson (IL)	Phelps
Bonior	Jackson-Lee	Pomeroy
Borski	(TX)	Price (NC)
Boucher	Jefferson	Rahall
Boyd	Johnson (CT)	Rangel
Brady (PA)	Johnson, E. B.	Reyes
Brown (FL)	Jones (OH)	Rivers
Brown (OH)	Kanjorski	Rodriguez
Capuano	Kaptur	Ross
Cardin	Kennedy (RI)	Rothman
Carson (IN)	Kildee	Rush
Carson (OK)	Kilpatrick	Sabo
Clay	Kind (WI)	Sanders
Clayton	Kleczka	Sawyer
Clement	Kucinich	Schakowsky
Clyburn	LaFalce	Schiff
Conyers	Lampson	Scott
Costello	Langevin	Serrano
Coyne	Lantos	Shaw
Crowley	Larsen (WA)	Slaughter
Cummings	Larson (CT)	Smith (WA)
Davis (CA)	Lee	Snyder
Davis (FL)	Levin	Solis
Davis (IL)	Lewis (GA)	Spratt
DeFazio	Lipinski	Stark
DeGette	Lofgren	Stenholm
Delahunt	Lowe	Strickland
DeLauro	Luther	Stupak
Deutsch	Maloney (NY)	Tanner
Dicks	Markey	Tauscher
Dingell	Mascara	Thomas
Doggett	Matheson	Thompson (CA)
Dooley	Matsui	Thompson (MS)
Doyle	McCarthy (MO)	Thurman
Dreier	McCollum	Tierney
Edwards	McDermott	Towns
Engel	McGovern	Turner
Eshoo	McKinney	Udall (CO)
Evans	McNulty	Udall (NM)
Farr	Meehan	Velazquez
Fattah	Meek (FL)	Visclosky
Finer	Meeke (NY)	Waters
Flnder	Menendez	Watt (NC)
Frank	Millender-	Waxman
Frost	McDonald	Weiner
Gephardt	Miller, George	Wexler
Gillmor	Mink	Woolsey
Gonzalez	Mollohan	Wu
Hastings (FL)	Moore	Wynn
Hill	Morella	

NOT VOTING—11

Capps	McHugh	Smith (TX)
Cooksey	Moakley	Vitter
Gutierrez	Moran (VA)	Watts (OK)
Hall (OH)	Roybal-Allard	

□ 1322

Messrs. FORD of Tennessee, CUMMINGS, TURNER, ACKERMAN, and THOMAS changed their vote from "yea" to "nay."

Messrs. PORTMAN, BARTLETT of Maryland, and McKEON changed their vote from "nay" to "yea."

So, two-thirds not having voted in favor thereof, the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. WATTS of Oklahoma. Mr. Speaker, I was unavoidably detained and missed the vote on final passage of H.J. Res. 41, the Tax Limitation Constitutional Amendment (recorded vote No. 87). If I had not been detained, I would have voted "aye" on this important bill.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHAYS). 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.

A NEW CHINA POLICY

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

Mr. PAUL. Mr. Speaker, President Bush deserves much credit for the handling of the spy plane crisis. However, he has received significant criticism from some of his own political supporters for saying he was very sorry for the incident. This seems a very small price to pay for the safe return of 24 American military personnel.

Trade with China, though, should be credited with helping to resolve this crisis. President Bush in the diplomatic handling of this event avoided overly strong language and military threats which would have done nothing to save the lives of these 24 Americans.

This confrontation, however, provides an excellent opportunity for us to reevaluate our policy toward China and other nations. Although trade with China for economic reasons encourages both America and China to work for a resolution of the spy plane crisis, our trading status with China should be reconsidered.

Mr. Speaker, what today is called "free trade" is not exactly that. Although we engage in trade with China, it is subsidized to the tune of many billions of dollars through the Export-Import Bank, the most of any country in the world.

We also have been careless over the last several years in allowing our military secrets to find their way into the

hands of the Chinese government. At the same time we subsidize trade with China, including sensitive military technology, we also build up the Taiwanese military, while continuing to patrol the Chinese border with our spy planes. It is a risky, inconsistent policy.

The question we must ask ourselves is how would we react if we had Chinese airplanes flying up and down our coast and occupying the air space of the Gulf of Mexico? We must realize that China is a long way from the U.S. and is not capable nor is showing any signs of launching an attack on any sovereign territory of the United States. Throughout all of China's history, she has never pursued military adventurism far from her own borders. That is something that we cannot say about our own policy. China traditionally has only fought for secure borders, predominantly with India, Russia, Japan, and in Korea against the United States, and that was only when our troops approached the Yalu River.

It should not go unnoticed that there was no vocal support from any of our allies for our spy missions along the Chinese coast. None of our allies bothered to condemn the action of the Chinese military aircraft, although it technically was cause of the accident.

Do not forget that when a Russian aircraft landed in Japan in 1976, it was only after many months we returned the plane to Russia, in crates.

Although there is no doubt that we technically have legal grounds for making these flights, the question really is whether or not it is wise to do so or necessary for our national security. Actually, a strong case can be made that our national security is more threatened by our patrolling the Chinese coast than if we avoided such flights altogether.

After a half century, it is time to reassess the need for such flights. Satellite technology today gives us the ability to watch and to listen to almost everyone on Earth. If there is a precise need for this type of surveillance for the benefit of Taiwan, then the Taiwanese ought to be involved in this activity, not American military personnel.

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We should not feel so insecure that we need to threaten and intimidate other countries in order to achieve some vague psychological reassurance that we are still the top military power in the world. This is unnecessary and may well represent a weakness rather than a strength.

The Taiwanese Relations Act essentially promises that we will defend Taiwan at all costs and should be reevaluated. Morally and constitutionally a treaty cannot be used to commit us to war at some future date. One generation cannot declare war for another. Making an open-ended commitment to go to war, promising troops, money and weapons is not permitted by the Constitution.

It is clear that war can be declared only by a Congress currently in office. Declaring war cannot be circumvented by a treaty or agreement committing us towards some future date. If a previous treaty can commit future generations to war, the House of Representatives, the body closest to the people, would never have a say in the most important issue of declaring war.

We must continue to believe and be confident that trading with China is beneficial to America. Trade between Taiwan and China already exists and should be encouraged. It is a fact that trade did help to resolve this current conflict without a military confrontation.

Concern about our negative trade balance with the Chinese is irrelevant. Balance of payments are always in balance. For every dollar we spend in China, those dollars must come back to America. Maybe not buying American goods as some would like, but they do come back as they serve to finance our current account deficit.

Free trade, it should be argued, is beneficial even when done unilaterally, providing a benefit to our consumers. But we should take this opportunity to point out clearly and forcefully the foolishness of providing subsidies to the Chinese through such vehicles as the Export-Import Bank. We should be adamantly opposed to sending military technology to such a nation or to any nation, for that matter.

It is interesting to note that recent reports reveal that missiles coming from Israel and financed by American foreign aid were seen on the fighter plane that caused the collision. It should be equally clear that arming the enemies of our trading partners does not make a whole lot of sense either. For American taxpayers to continue to finance the weaponry of Taiwan and to maintain an open commitment to send troops if the border dispute between Taiwan and China erupts into violence is foolhardy and risky.

Don't forget that President Eisenhower once warned that there always seems to be a need for a "monster to slay" in order to keep the military industries busy and profitable. To continue the weapons buildup, something we are always engaged in around the world, requires excuses for such expenditures—some of these are planned, some contrived, and some accidental.

When we follow only a military approach without trading in our dealings with foreign nations, and in particular with China, we end up at war, such as we did in the Korean War. Today, we are following a policy where we have less military confrontation with the Chinese and more trade, so relations are much better. A crisis like we have just gone through is more likely to be peacefully resolved to the benefit of both sides. But what we need is even less military involvement, with no military technology going to China and no military weapons going to Taiwan. We have a precise interest in increasing true free trade; that is, trade that is not subsidized nor managed by some world government organization like the WTO. Maintaining peace would then be much easier.

We cannot deny that China still has many internal moral, economic and political problems that should be resolved. But so do we. Their internal problems are their own. We cannot impose our views on them in dealing with these issues, but we should be confident enough that engaging in free trade with them and setting a good example are the best ways for us to influence them in coming to grips with their problems. We have enough of our own imperfections in this country in dealing with civil liberties, and we ought not to pretend that we are saintly enough to impose our will on others in dealing with their problems. Needless to say we don't have the legal authority to do so either.

During the Cuban missile crisis a resolution was achieved under very dangerous circumstances. Quietly, President Kennedy had agreed to remove the missiles from Turkey that we pointed at the Soviets, making the point that American missiles on the Soviet borders was not unlike the Soviets missiles on the American borders. A few months later, quietly, the United States removed these missiles, and non one suffered. The Cold War was eventually won by the United States, but our national security was not threatened by the removal of those missiles. It could be argued that the fact that our missiles were in Turkey and pointed at the Soviets was more of a threat to our national security because that motivated the Soviets to put their missiles in Cuba. It would do no harm to our national security for us to quietly, in time, stop the potentially dangerous and unnecessary spy missions that we have pursued for over 50 years along the Chinese border.

James Bamford recently wrote in The New York Times of an episode that occurred in 1956 when Eisenhower was president. On a similar spy mission off the Chinese coast the Chinese Air Force shot down one of our planes, killing 16 American crewmen. In commenting on the incident President Eisenhower said, "We seem to be conducting something that we cannot control very well. If planes were flying 20 to 50 miles from our shores we would be very likely to shoot them down if they came in closer, whether through error or not."

We have been pursuing these missions near China for over 50 years. It's time to reconsider the wisdom and the necessity of such missions, especially since we are now engaged in trade with this nation.

Bellicose and jingoistic demands for retaliation and retribution are dangerous, and indeed are a greater threat to our national security than relying on satellite technology for gathering the information that we might need. A policy of peaceful, non-subsidized trade with China would go a long way to promoting friendly and secure relations with the Chinese people. By not building up the military arsenal of the Taiwanese, Taiwan will be forced to pursue their trade policies and investments with China, leading to the day where the conflict between these two powers can be resolved peacefully.

Today, it looks like there's a much better chance of North and South Korea getting together and solving their dispute than was the case in the 1950s, when we sent hundreds of thousands of troops and millions of bombs to resolve the conflict—which was unsuccessful.

We should have more confidence that peaceful trade is a much stronger weapon

than all the military force that we can provide. That same argument can be made for our dealings with Vietnam today. We did not win with weapons of war in the 1960s, yet we are now much more engaged in a peaceful trade with the people of Vietnam. Our willingness over the past hundred years to resort to weapons to impose our will on others has generally caused a resentment of America rather than respect.

It is now time to reassess our entire foreign policy of military worldwide intervention. Staying neutral in world conflicts while showing a willingness to trade with all nations anxious to trade with us will do more to serve the cause of world peace than all the unnecessary and provocative spy missions we pursue around the globe.

I recommend the following article by Orlando Sentinel columnist Charley Reese for its sober analysis of the recent events of China.

[From the Orlando Sentinel, April 22, 2001]

SO YOU WANT TO GO TO WAR WITH CHINA?

(By Charley Reese)

I've been intrigued by the responses to a column I wrote suggesting that our China policy ought to be spelled out and submitted to the American people for approval.

First, some people irately took issue with my calling the airplane a "spy plane." It is not, they stoutly contend, because it is overtly intercepting electronic signals.

Let's suppose a clearly marked police van parked on the public street in front of your house. Let's suppose the officers began to intercept your telephone calls, whatever information appeared on your computer screen and even your verbal conversations. Now, would you feel spied upon or would you say, "Hey, that's only electronic intercepts, and they are operating openly on a public street."

Then there is the more logical argument that we need to spy on the Chinese in case we have to fight them. My point exactly. Why do we have to fight them?

We certainly should not fight them over Taiwan. Our own beloved Jimmy Carter unilaterally abrogated the mutual-defense treaty. Our own tough anti-Communist Richard Nixon publicly agreed that Taiwan is part of China and, therefore, falls under the category of China's internal affairs. What's to fight about?

If Taiwan declares its independence, I would expect Chinese leaders would emulate Abraham Lincoln and use force to prevent it. For all my little old Southern life, I've heard Yankees say Lincoln was right. What's good for Honest Abe is good for Honest Jiang, right?

Then there is the argument that we must not lose our position as a "Pacific power." Geographically, since we granted independence to the Philippines, we are not a Pacific power.

I see no reason why we should wish to be a Pacific power in a military sense. What's to be gained?

The two natural Pacific powers are Japan and China.

The funniest response has been alarm about China's "military buildup." I would say that if China did not engage in a military buildup after watching the United States go bomb and missile crazy during the past 20 years that it would be derelict in its duty. But let's keep this in perspective. The Chinese have about 20 ICBMs; we have hundreds. Their defense expenditures are somewhere around \$50 billion; ours, in excess of \$268 billion.

Furthermore, Chinese strategy, as discussed in their own military journals, is to

develop the ability to defeat us in their immediate vicinity. That means clearly that if we keep our nose out of their affairs, no military clashes are likely to occur.

Civilians, too, need to be reminded that military forces are about making war. We should never have changed from the honest name, War Department, to the Newspeak name, Defense Department. Armed forces are either fighting wars, training to fight wars or planning to fight wars. That's what they do.

It's also what the military forces of every other country do. Just because a country's military makes contingency plans to fight some other country doesn't mean that they intend to initiate a war.

Unfortunately America is full of jingoists, usually pot-bellied gray-hairs or 4-F journalists and policy wonks. They are always eager for the teens and twentysomethings to go somewhere and get killed or maimed. In most cases, within five years of their youthful deaths, nobody can remember why they had to get killed.

Korea ended up divided exactly the same way after the war as before the war. Vietnam became communist, which it could have become without 57,000 Americans dying in it. We went to war presumably to preserve the oil contracts with Kuwait Inc., and now Americans are driving around with gasoline refined from Iraqi oil.

As for you "love-it-or-leave-it" blockheads, you leave it and go fight instead of sending someone else if you are such grand warriors. What I love are the people and the land, not the government.

The lives of a nation's youth are its most precious treasure, and I'm damned if I will stay silent while armchair generals propose to risk that treasure in some stupid, ignorant, corrupt or unnecessary war.

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

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHR-ABACHER) is recognized for 5 minutes.

(Mr. ROHRABACHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Arkansas (Mr. ROSS) is recognized for 5 minutes.

Mr. ROSS. Mr. Speaker, there is a lot of partisan bickering that goes on in Washington these days. Unfortunately, our constituents are often caught in between us, between the Democrats and the Republicans. They are literally caught in the ropes, strangled by our inability, especially on health care.

An issue as important as quality, affordable and accessible health care is not and should not be a political game played by the Democrats or the Republicans. It ought to be about what is best for the American people, the people who have placed their trust and confidence in us.

Over these past 19 days, I have participated in more than 60 events in my district, as many of my colleagues did during the district work period. All across Arkansas' Fourth District, my constituents told me about the health care crisis they face each and every day in their lives.

A health care issue about which I care deeply is providing a voluntary, but guaranteed prescription drug benefit as a part of Medicare. I believe it is time to modernize Medicare to include medicine. Medicare is the only health insurance plan in America that I know of that does not include medicine, yet it is the plan that nearly every single senior citizen in America relies on day in and day out to stay healthy and to get well.

Mr. Speaker, I own a pharmacy in a small town in south Arkansas, and living in a small town and working with seniors there, I know firsthand how seniors end up in the hospital running up a \$10,000 Medicare bill, or how diabetics eventually lose a leg or require perhaps as much as a half a million dollars in Medicare payments for kidney dialysis. All of these instances are real-life examples that I have seen in my hometown in the small pharmacy that I own back there that I used to work at. Every one of these could have been avoided if people had simply been able to afford their medicine or if they had been able to afford to take it properly.

I did a town hall meeting this past week in Hot Springs, Arkansas, one of the more affluent counties and cities in my district. We had more than 100 seniors at that meeting that I conducted in conjunction with the National Committee to Preserve Social Security and Medicare. At that meeting, we said, raise your hand if you have medicine coverage. Less than 10 hands went up in that room.

This is America, and I believe we can do better than that by our seniors, and that is why I will continue to fight to truly modernize Medicare to include medicine, just like we include doctors' visits and hospital visits. It should be voluntary, but guaranteed, and it should be a part of Medicare.

That is why the first bill I introduced as a Member of the United States Congress was a bill that basically tells the

politicians in Washington to keep their hands off the Social Security and Medicare Trust Funds. It is the Social Security and Medicare Off-Budget Lockbox Act of 2001, H.R. 560.

Also, during the district work period, I visited a Christian charitable medical clinic in my district, again in Hot Springs, one of the more affluent cities and counties in my district. At that facility, they literally spend millions of dollars with over 500 volunteers equaling millions of dollars in providing care for those who fall through the cracks. They only see those who live below poverty. That is all they see, people who live below poverty and yet do not qualify for Medicaid or any of the other programs. By and large, we are talking about the working uninsured, people that are trying to do the right thing, people that are trying to stay off welfare, but they are working the jobs that have no benefits.

Mr. Speaker, I relish the opportunity to fight against the unfair inequities that have created an enormous uninsured population and fight against the big drug companies who continue to price Americans out of the market. It is wrong for the big drug manufacturers to invent drugs in America, oftentimes with government-subsidized research. They are invented in America, they are made in America, and then they send them to Canada and Mexico and sell them for 10 cents on the dollar. That is wrong. That is why I am proud to be cosponsoring legislation that tells the big drug manufacturers that whatever the average price that they sell to other countries is, they have to provide that price to our seniors back in America, one of many first small steps that we must take to finally have a voluntary guaranteed Medicare prescription drug package for every single senior citizen in America.

APRIL IS CHILD ABUSE PREVENTION MONTH

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

Mr. SHOWS. Mr. Speaker, I rise today to remind my colleagues that the month of April is Child Abuse Prevention Month. I have been heartened to see so many of my colleagues in Congress and members of my community in Mississippi wear the blue ribbons. This simple act has solidified support and raised attention across the United States to our national concern of child abuse. I am proud to join this effort.

Today I would like to commend the Southwest Mississippi Children's Advocacy Center located in McComb, Mississippi for its fine efforts towards assisting children and families victimized by abuse. This private, nonprofit center was just opened this past January under the excellent leadership of Director Ben Hess, offers a comprehensive program of services, working in con-

junction with law enforcement, the court system, schools, hospitals and parents. This center is a model for the coordination of available community services.

One of the cruelest realities of child abuse is that children often feel victimized again in their experience with the criminal justice system. The Southwest Mississippi Children's Advocacy Center assists in minimizing the chaos of this experience by centralizing many necessary services at their center. Children may now have their initial interview, court school preparation, referral for medical services and therapy services all in the confines of this cheerfully decorated, child-friendly center.

The Southwest Mississippi Children's Advocacy Center is also proactive in implementing preventive programming in the 14 counties they serve. Its staff regularly visits elementary schools to teach children how to be better advocates for themselves through classes teaching communication skills, body safety, positive assertiveness and self-esteem. In addition, its positive parenting classes give parents the opportunity to learn effective ways to control anger and handle conflict.

The anger and sadness we all feel towards the insidious epidemic of child abuse has motivated the Southwest Mississippi Children's Advocacy Center into action. I am extremely proud to have such a fine center in our district, and I call on all of my colleagues to rise with me in recognition of its outstanding advocacy for children.

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

(Mr. DINGELL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A TRIBUTE TO RICHARD AUSTIN

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

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to a pioneer in Michigan politics, Richard Austin.

Mr. Austin passed away this weekend at Henry Ford Hospital in Detroit.

The story of Richard Austin's life is a story of the American dream. It is certainly a story of many firsts and many accomplishments.

Born in 1913 in Alabama, Austin's coal miner father passed away when he was only 11 years old. His family moved to Detroit.

He had to give up a scholarship to Wayne State University in order to support his family.

But he continued to take night classes at the Detroit Institute of Technology while working full time selling and repairing shoes.

In 1941, Austin became the first African-American certified public accountant in Michigan. He made a point of hiring other African-American accountants in his business.

In 1969, he was the first African-American to run for the office of mayor of Detroit.

Although he lost that race for mayor, the next year, he ran successfully to be Michigan's first African-American secretary of state, and Michigan's first African-American statewide elected official.

As secretary of state from 1970 to 1994, Richard Austin fought to make Michigan the first state in the Union to enact a mandatory seat belt law.

He also pushed a motorcycle helmet law and simplified the process for renewing driver licenses.

One of his greatest accomplishments was the passage of Michigan's 'motor-voter' law.

Once again, Michigan was the first state to put in place this system which allows people to register to vote at the same time and place they renewed their driver licenses.

The national motor voter law was not enacted until 18 years later.

Mr. Speaker, Richard Austin was more than a pioneer in Michigan politics and a leader in national highway safety and voter registration.

Above all, Mr. Speaker, what made Richard Austin such a special and rare individual was his strong sense of decency, integrity and grace.

Our thoughts and our prayers are with his wife of 61 years, Ida, and his daughter, Hazel.

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

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A TRIBUTE TO DOUG JAMERSON

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

Ms. BROWN of Florida. Mr. Speaker, I rise today to pay tribute to a longtime friend of mine who passed away this weekend, Mr. Doug Jamerson. He was a former Florida Education Commissioner, Secretary of Labor, and State Representative. He was 53 when he died from cancer this weekend.

Mr. Jamerson was a lively and forceful man. He was a true educator and a great leader. In 1982, Mr. Jamerson and I were both elected to the Florida House of Representatives, where we served together for 10 years. He was a wonderful family man and he is survived by his wife Leatha and his son Cedric. Jamerson was a true Democrat who championed the cause of quality education for all children. He was a close friend of mine, a friendship that we developed when he was elected to the Florida House of Representatives in 1982. For 11 years he represented District 55, which covered South Pinellas County and a small part of Manatee County.

Mr. Speaker, I yield to the gentlewoman from Florida (Mrs. MEEK) who served with Mr. Jamerson along with myself.

Mrs. MEEK of Florida. Mr. Speaker, I thank the gentlewoman for yielding to me. The gentlewoman from Florida

(Ms. BROWN), Doug Jamerson and myself served together in the Florida Legislature, and today he is gone. Doug Jamerson was a patriot. He was a man who loved Florida and who demonstrated it by serving as Labor Secretary and serving as Commissioner of Education. He showed his true love for Florida.

He was instrumental and a driving force in Florida's Blueprint 2000, Mr. Speaker, and that blueprint is what set Florida on the right track in his educational programs. Doug wanted to see accountability in Florida schools, and he fought very hard for that. He was an Air Force veteran. He served from 1967 to 1971.

Mr. Speaker, I do not think that anyone in the State of Florida who had respect for government and respect for love of the people did not know and did not love Doug Jamerson. He is a known man in the State of Florida. He was a loved man. He leaves a wife and a wonderful son to mourn him and the rest of us who served with him. We loved him very much. He will be remembered throughout our lives and throughout the lifetime of Florida's history as a politician and as a public servant who served both God and his people.

Ms. BROWN of Florida. Mr. Speaker, in closing, when I think of Doug, I think of Paul and his great work. He has done great work for the people of Florida, and we will truly miss him.

Jamerson won a national humanitarian award for helping St. Petersburg recover from racial violence in 1996, when he walked the streets, helping cool emotions. It was a natural extension of his years as a school security guard in the early '70s when he spent hours counseling teens going through desegregation at a Pinellas high school.

His parochial school education taught Jamerson the integrity of discipline and one of his first acts as education commissioner was to advocate the socially leveling effect of wearing uniforms in public schools. The idea sank, but Jamerson's reputation rose as a public servant not given to predictable solutions. He was against both paddling and prayer in schools but said both had a place in a loving home. He was a Democrat who oversaw reduction by 50 percent of the state's education bureaucracy.

Jamerson will be remembered as a gifted man whose genial disposition made it hard for even staunch opponents of his causes to dislike him. He will be missed.

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THE BIPARTISAN SENIORS HEALTH CARE BILL OF RIGHTS

The SPEAKER pro tempore (Mr. SHAYS). Under a previous order of the House, the gentleman from New York (Mr. ISRAEL) is recognized for 5 minutes.

Mr. ISRAEL. Mr. Speaker, America's health care crisis affects millions of people, and I rise today on behalf of the 50,000 senior citizens on Long Island who have been kicked out of their Medicare HMOs.

Just 3 years ago, seniors had choices in their medical care. In September of 1999, 12 HMOs offered seniors health plans in my district on Long Island. Now only two remain.

In 1998 and 1999, 700,000 seniors across America were left without coverage when their HMOs decided not to renew their contracts.

This year, HCFA reports that 65 Medicare HMOs did not renew their contracts, leaving an additional 160,000 senior citizens in America with no Medicare HMO option. This is intolerable.

HMOs are choosing not to renew their 1-year contracts because of inadequate and unfair reimbursement rates. They are putting profits ahead of people. Health care should be a right, not a privilege. Ensuring Long Island seniors receive quality care is not a partisan issue; it is common sense. That is why I have been working with my Republican colleague from Long Island on a solution. Our plan, the Seniors' Health Care Bill of Rights, holds HMOs accountable and provides seniors the care they deserve. We will do this by providing carrots and sticks. Our Seniors' Health Care Bill of Rights includes three provisions: first, increase the reimbursement levels to keep HMOs operating in the senior market; second, our bill requires 3-year rather than 1-year contracts. Finally, our bill provides penalties for terminating senior coverage. If HMOs drop senior citizens in the middle of their contract year, they are going to be banned from the very lucrative Federal Employees Health Benefits Plan.

Mr. Speaker, I promised my constituents my very first piece of legislation would be this Seniors' Health Care Bill of Rights. This is only the beginning of the fight for senior health care. Now I ask my colleagues to join me in this fight.

Our senior citizens are the people who built our neighborhoods and schools, paid their taxes, raised their families, and fought our wars. Now it is time to restore the health care choice, access, and quality that they deserve.

Mr. Speaker, I hope that my colleagues will cosponsor the bipartisan Seniors' Health Care Bill of Rights.

TRIBUTE TO MICHIGAN SECRETARY OF STATE RICHARD A. AUSTIN

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

Mr. BONIOR. Mr. Speaker, today I rise and will be joined later by some of my colleagues to pay tribute to a man who was a mentor and a very dear friend, a man who defined the words dignity and respect. I am talking about Michigan's former Secretary of State, Richard A. Austin, who died last Friday at the age of 87.

Dick Austin was a man of great vision and one of Michigan's most distin-

guished and honored, accomplished statesman. He was Secretary of State for 24 years, having been first elected in 1970 and reelected a record five times. I had the great honor of nominating Dick Austin at three of our party's State conventions, and each time I had to struggle a little harder to try to squeeze it all in because Dick had accomplished that much in the preceding 4 years.

Under Dick Austin's direction, Michigan became a leader in highway safety and voting rights. He brought us one of America's first safety belt laws, spearheaded the drive for child passenger safety legislation, and won awards for his efforts to stop drunk driving. Thousands of people are alive in Michigan today because of Dick Austin's tireless dedication to safety.

Mr. Speaker, he helped to enact a landmark voter registration law that served as a model for other States and paved the way for the eventual passage of the national motor voter legislation. Millions of people in Michigan found it easier to exercise the franchise because of Dick Austin's determination to eliminate barriers to voting.

Dick was a great innovator. He automated the Department of State and transformed a department that consumers were upset about for its agonizing inefficiency. He did that, and made it into one of the best run, best managed and most highly acclaimed departments in the Nation.

Dick Austin was a pioneer in many fields, breaking down barriers with his intellect, self-confidence, and his dedication to hard work. He was the first African American certified public accountant in Michigan. He was the first African American candidate for mayor of Detroit, and the longest serving African American elected to statewide office.

He was born in Stouts Mountain, Alabama, the son of a coal miner who died when Dick was just 11 years old. His family moved to Detroit where he worked his way through school, never letting hardship become an obstacle to success. An academic and track star, he gave up a scholarship to Wayne State University when his family faced hardship. Undaunted, Dick sold and took night classes to earn his degree as a CPA.

Dick Austin was the perfect combination of competence and decency. He was full of charm, and he was as honest as the day is long. He was a gentleman in the truest sense of the word. He served the people of Michigan with grace and dignity. He lived by the values that he preached. He was someone who took to heart the words of the prophet: "To do justice, love kindness, and walk humbly with your God."

In good times and hard times, Richard A. Austin was always there. He was calm, reassuring, standing strong.

Mr. Speaker, to his wife of over 60 years, Ida, and his daughter, Hazel, we send our deep regrets and prayers.

All of us in Michigan will profoundly miss Dick Austin. His memory and

sense of justice will carry on for years to come, and the accomplishments of his remarkable life will continue to pave the way.

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

(Mr. SHERMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. SMITH of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MATHESON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A TRIBUTE TO REVEREND LEON SULLIVAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, this morning, I received some very disturbing news about the passing of the Reverend Leon Sullivan, founder and Chairman of OIC International.

Reverend Sullivan was a genuine example of civility and social commitment. He was a leader of human rights, and a true humanitarian. He is best known for his advocacy toward obtaining justice to end Apartheid in South Africa. This feat gained him the respect of all of us.

Through his steadfastness and determination, Reverend Sullivan enlightened history and impacted the world with his grace. He came to this earth with a bright inner glow and a spirit filled with light. Reverend Sullivan had a powerful soul and a judicious conscience. His desire to make a difference in the lives of others will be preserved now in our many memories of him. He was a true example of a public servant, and it was through his vision that many people became familiar with his love for hope and compassion for the welfare of people in underserved nations.

Reverend Sullivan was credited by President Clinton with The Eleanor Roosevelt Human Rights Award, and was the author of the "Sullivan Principles" which will serve as part of his stellar legacy. I have no doubt that the Reverend will continue to work for the benefit of humanity from his eternal state. His faith in humanity brought inspiration to our society. As a poet once said "Do not weep because they are gone, smile because they lived". Today we honor Reverend Sullivan with our everlasting gratitude and admiration. For those who have lived and not just existed, we must remember to carry on their messages. Reverend Sullivan's words will linger beyond existence, for time does not abandon immortals.

CONGRATULATING HAWAII'S 2ND DISTRICT PRUDENTIAL SPIRIT OF COMMUNITY AWARD WINNERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I wish to congratulate four remarkable young women from Hawaii: Lauren Noelani Calhoun, age 16, of Kapaa on the island of Kauai; Celinda Stanton, age 11, of Waimanalo on the island of Oahu; Tessa Munekiyo of Wailuku on the island of Maui, and Kaulani Ostrem of Kaawa on the island of Oahu.

Lauren and Celinda are Hawaii's top two youth volunteers for the year 2001 in the Prudential Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism. They have each been awarded an engraved silver medallion, a \$1,000 award, and a trip to Washington, DC for the program's national recognition event. Hawaii's Distinguished Finalists—Tessa and Kaulani—have been awarded engraved bronze medallions.

Lauren Noelani Calhoun, a junior at Kauai High School, led an effort to establish a homework and learning center for children at a local family abuse shelter. As a volunteer at the shelter, Lauren was disturbed by its often hectic conditions and wondered how the children who stayed there managed to do their schoolwork. She approached the shelter's director with a plan to convert a storage area into a quiet room for the kids to do their homework. After the plan was approved by the director and the shelter's board, Lauren contacted businesses and organizations for donations.

She surpassed her goal and raised over \$1,500 in addition to many in-kind donations. Lauren purchased furniture, a computer, a printer, software, books, and two sets of encyclopedias for the homework center.

Celinda Stanton, a sixth-grader at St. Andrews, brightened the lives of elderly residents of a long-term care facility by teaching them new skills and providing them with recreational activities. After visiting the facility, where her mother works, Celinda noticed that the residents seemed to enjoy the presence of a young girl and realized she could make a difference in their lives. During her volunteer time at the facility, she entertains the seniors by performing Japanese and Hawaiian dances and helps them play games. She also has taught an 80-year-old woman how to use a computer and regularly assists the staff with recreational activities and filing.

Tessa Munekiyo, age 16, a student at Baldwin High School on the island of Maui assisted in conducting interviews with tsunami survivors as part of a museum educational project.

Kaulani Ostrem, age 17, a senior at Kahuku High School, co-chaired an effort in her community to reduce the number of deaths and accidents on the roadways in her community.

I look forward to having the opportunity to meet Lauren and Celinda and to welcome them to Washington when they come to the Capitol in May. Lauren, Celina, Tessa, and Kaulani exemplify the very best of our youth, of Hawaii, and of our nation.

REFORMS NEEDED IN HEALTH CARE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, today I have organized my freshman Democratic colleagues to speak out on an issue of great importance to our country, that is, on the issue of health care. I understand that the gentleman from New York (Mr. ISRAEL) has already spoken, and I thank my colleague for his participation.

Mr. Speaker, many of us were elected in large part because we vowed to reform our health care system, to make quality medical care and prescription drugs affordable for all Americans.

Today nearly 44 million Americans under the age of 65, 11 million of whom are children, do not have health insurance.

In the State of Rhode Island, my home, 1 out of 10 people lack health insurance. As we all know, health insurance is critical to obtaining necessary, affordable care. Those without insurance often pay two, even three times more for medical care than an insured person pays for that very same service. The uninsured are hospitalized at least 50 percent more often than the insured for avoidable conditions. They are also more likely to be diagnosed with later-stage cancer than those with insurance. Even newborn infants born to uninsured mothers have a 31 percent greater risk for adverse health outcomes. This inequity in access to medical care reflects the unfair disparity

and health care costs the uninsured face on a regular basis.

Mr. Speaker, that is why I plan to introduce legislation to require the Department of Health and Human Services to make substantive recommendations on how to eliminate this disparity and report to Congress within 1 year on these findings.

Another facet of today's health insurance quagmire is the high cost employees must pay for health insurance premiums, so high, in fact, that many opt out of this vital benefit. Over one-third of the uninsured are in families where employer-sponsored coverage is declined, and Medicaid does not always cover these families, which is why I plan to introduce legislation to help States subsidize employees and some of the employers' health insurance premium costs. I want to make sure employed workers are able to obtain the health care coverage that they need and deserve.

A third aspect of health insurance I am deeply concerned about is the lack of prescription drug coverage in Medicare; 13 million Medicare recipients lack drug coverage at the present time. In Rhode Island alone, almost 200,000 of our seniors have no drug coverage; and drugs are not cheap. In 1999, prescription drugs accounted for almost 10 percent of individual health spending. In many cases these prescriptions amount to \$500 or more per month. To a senior on a fixed income, this represents a greater share of their monthly check. A disproportionate share, and this is wrong.

With 77 million baby boomers soon to retire, we must curb this trend before it spirals out of control. By requiring drug companies to sell prescription drugs in the United States for the same price they charge in underdeveloped countries, I believe we can alleviate the burden on people lacking drug coverage. I commend the gentleman from Maine (Mr. ALLEN), who has introduced H.R. 1400, of which I am a proud cosponsor, the Prescription Drug Fairness Act for Seniors 2001. This legislation ensures drug companies charge fair prices in the U.S., and it is estimated to reduce prices for brand-name prescription medications on average by 40 percent.

□ 1400

All of these issues that I have mentioned address healthcare affordability, and ensuring and guaranteeing a minimum standard of quality is also important. After all, the health care we must pay for is essential for everyone, and it must provide the care that people need. The Bipartisan Patient Protection Act of 2001, otherwise known as the Patients' Bill of Rights, would ensure patients obtain this quality care and are granted greater control over their health care.

If enacted, this bill would provide access to emergency care, specialty care, and clinical trials and allow external review for all Americans who receive

employer-sponsored health care. This bill represents a critical step toward improving our health care system and placing control of patient care firmly in the hands of patients and their doctors.

Disparity in health care costs, lack of affordable health insurance, a prescription drug plan for our seniors, and patients' rights to control the quality of their own medical care are some of the most pressing health care issues facing America today. I urge my colleagues to work together to solve these problems.

Reforming our health care system is probably one of the most complicated endeavors for Congress to undertake. But let us not lose sight of it. It is a goal that we can and must achieve together. It must happen. I look forward to working with all of my colleagues to make this a reality.

TRIBUTE TO FORMER SECRETARY OF STATE OF MICHIGAN, RICHARD H. AUSTIN

The SPEAKER pro tempore (Mr. SHAYS). Under a previous order of the House, the gentleman from Michigan (Mr. LEVIN) is recognized for 5 minutes.

Mr. LEVIN. Mr. Speaker, tomorrow, Thursday, April 26, the funeral services will be held in Detroit for Richard H. Austin, who served six terms as Secretary of State of Michigan.

As the longest serving Secretary of State in Michigan's history, Dick Austin set the highest standard of service to the public. Whether it was highway safety or citizen participation in the electoral process, he was always ahead of his time.

It was my privilege to be a teammate with Dick Austin as I ran for Governor and he began his first quest for statewide office, breaking down barriers confronting candidates for elective office in Michigan. He became the longest-serving black elected State official in the history of Michigan, as he was Michigan's first black CPA and the first black candidate for mayor.

I had the joy many times of campaigning with him, hearing him in his quiet way spelling out his aspirations, and watching the magic worked by his warm smile and his friendly handshake. That smile is now gone, but the memories of it will always linger. His friendliness is now a legacy not to be forgotten.

Dick Austin never let down the public trust, and the citizens of Michigan responded time after time. He was an intrinsic part of the web of public service in Michigan for many decades. He made Michigan a better place, and he will be missed by many of us as a warm friend and by all of us as an invaluable public servant.

Mr. Speaker, we here today join together to mourn the passing of Richard H. Austin.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of my special order.

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

There was no objection.

HONORING THE MEMORY OF RICHARDSON PREYER, FORMER MEMBER OF THE HOUSE

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

Mr. COBLE. This special order, Mr. Speaker, is to commemorate and honor the memory of one of our distinguished former Members, the Honorable Richardson Preyer.

Judge Preyer, Congressman Preyer, was my congressman for 12 years. His family, Mr. Speaker, and this is probably known to the gentleman from Connecticut (Mr. SHAYS) because he is a man of letters, and this probably will not surprise him, his family was one of the frontiers in the pharmaceutical industry. Vicks VapoRub, for example, was invented, if you will, and the laboratory was actually probably makeshift, probably a modest facility at the time, by his ancestors.

I shared this story with him one day. When I was a member of the Coast Guard in Seattle, Washington, one of my first times out of North Carolina as a young man, I came across a Vicks VapoRub package in a drugstore in Seattle. I saw on that package, Mr. Speaker, Greensboro, North Carolina. That is where it was manufactured. I felt a sense of obvious pride, as my friend in the well is smiling approvingly.

I saw him much years afterward, and I told him that story. He too beamed with pride because I could see in his face the pride of his grandparents perhaps or uncles that preceded him in the development of that drug that became, obviously, a household word.

Mr. Speaker, Richardson Preyer served as a State superior court judge. He served as a United States district judge on the Federal bench. He was a candidate in the Democratic gubernatorial primary for the office of governor. Although he did not win that nomination, he conducted a very credible campaign.

Then in 1968, Mr. Speaker, Richardson Preyer ran what was then an open seat. I guess it was Congressman Kornegay had retired. Richardson Preyer and Bill Osteen, a long-time friend of mine, who is now a United States district court judge himself in the middle district of North Carolina, Rich and Bill, Bill Osteen, paired off in a very spirited, well-conducted campaign. Mr. Preyer, Congressman Preyer was declared the winner; and he went on to serve six terms in the House of Representatives.

Emily and Rich, those names became synonymous with political spousal teamwork. I mean, oftentimes where there was one, there was the other. Or if Rich would be in one part of the district, Emily would be in the other part, carrying the political message. They were very adept campaigners.

In fact, it has been said once that they felt perhaps Emily was, maybe, more comfortable on the hustings than was Rich. I do not know that that is true, but she did have that very natural gift of backslapping. There is nothing wrong with that, because I have been accused of being a backslapper myself. Rich was not a backslapper, but he nonetheless represented our district very ably.

Someone once asked me, Mr. Speaker, "You and Rich Preyer seem to get along very well, and your voting records are probably light years apart." They probably are. I think Rich Preyer's voting record and my voting record would be very dissimilar. But I said, "Just because one does not agree with another on various and sundry political issues, that does not mean that you cannot disagree agreeably."

Rich Preyer, I think epitomized that in his life. He was a very agreeable person although perhaps he did not agree oftentimes with others and with me in particular. But we never drew our sword from our sheaths because of that.

Today, Mr. Speaker, the Federal building, the old Federal courthouse and post office in downtown Greensboro bears the name the Preyer Building. That building, I say to the gentleman from Raleigh, North Carolina (Mr. PRICE), he will remember that that building housed congressional offices, by gosh, probably 30 years. I think Rich's office was there. I know Gene Johnston's was there. Robin Britt's was there. Ours was there.

We had to leave that building some recent months ago as a matter of constituency friendliness. Many of the people who came to call upon me were infirm and were not able to walk the two or three blocks that was necessary to gain admittance to the Preyer Building because there was virtually no on-street parking. So that was a constituency-friendly move, one that I did not want to make. That old building was home to me and to many constituents for that matter. But we did move.

But each time I go back in there, I have fond memories of visiting with staff personnel there. I see that sign, the Preyer Federal Building, and it brings back good memories.

I think that the gentleman from Virginia (Mr. GOODLATTE), Speaker pro tempore, is from the valley, the Shenandoah Valley of Virginia. He probably did not know Mr. Preyer, but he would have liked him. He had many friends, some of whom still serve in this very body.

But I see two of my colleagues, Mr. Speaker, have joined me on the floor.

Mr. Speaker, I yield to the gentleman from Charlotte, North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman from Greensboro, North Carolina (Mr. COBLE), from the adjoining district for yielding to me. Of course they say most of the districts in North Carolina adjoin mine in one way or another, so I have got a lot of adjoining Congress people. This is the first time I have heard the gentleman from North Carolina (Mr. COBLE) yield to me so much time as I may consume so I think that is a dangerous precedent. But I will try not to make him regret that.

Mr. COBLE. Mr. Speaker, will the gentleman yield very briefly?

Mr. WATT of North Carolina. I am happy to yield to the gentleman from North Carolina.

Mr. COBLE. Mr. Speaker, I ask the gentleman from North Carolina (Mr. WATT) do not get me in the doghouse with the gentleman from North Carolina (Mr. PRICE). Do not use too much time.

Mr. WATT of North Carolina. Mr. Speaker, I am going to leave plenty of time.

I have been thinking about a way to personalize this. I never served with Representative Rich Preyer. I met him for the first time in 1992 when I was running for Congress for the first time. Rich and his wife Emily had heard about my candidacy. I, of course, had heard about Rich Preyer for years and years and years; and that was the beginning of a strong personal relationship that I started to develop with Rich Preyer and with Emily Preyer.

□ 1415

I was thinking on the way over here, though, when I was a little boy, my mother used to treat us when we got sick with a big dose of castor oil if we had a stomach virus, but if we were congested, and quite often we were because we lived in kind of an airy house, she would always whip out the Vicks VapoRub and rub it on our chest and heat a heating pad and the smell of Vicks VapoRub would come up. Over time it would release whatever congestion you had.

Now, you probably wonder, well, what in the world does that have to do with Rich Preyer? Rich Preyer's grandfather was the person who patented Vicks VapoRub. He turned it into quite a success story financially for his family. So Rich was really born into a family of privilege as a result of his parents' and foreparents' business dealings and as a result of this innovative patent that people in my age range probably knew as well as anything else for its medicinal impact.

Rich never really worked in that business, but in a sense Rich took over that releasing of congestion and took it to a broader public plane. Because when I first heard about Rich Preyer, he was out there on the cutting edge, paving the way, opening the way, so to

speak, for many people like myself, minorities in particular, who viewed Rich Preyer as a real progressive, human, dignified person who was willing to fight for principles that he believed in. In that sense, he was a rare public official who took risk and stood up for his beliefs. He was ahead of his time and did not sacrifice his principles for political gain.

As a State judge in 1957, Rich Preyer upheld a ruling that enabled five black children to attend the previously all-white Gillespie Park School in Greensboro. This was 1957 in North Carolina. This was the first integrated school in the City of Greensboro. It was 3 years before the historic Greensboro sit-ins at the Woolworth lunch counters that we have heard so much about and read so much about in our history. So Rich Preyer was ahead of his time.

In 1961, Rich Preyer received a lifetime appointment to the Federal bench from his Harvard Law School classmate, a man of privilege again. His classmate happened to be President John F. Kennedy. So he could have had a lifetime appointment on the Federal bench. He was there. It is a lifetime appointment. But 2 years later, he gave up that position to run for governor of North Carolina. He hoped that he would follow in the footsteps of the term-limited governor Terry Sanford, who was known as the most progressive governor in the South.

For those Members who hear about North Carolina and wonder why it has this kind of progressive image that is more progressive than some of our other southern States, Governor Terry Sanford and people like Rich Preyer were building that image. Even though this was almost 10 years after *Brown v. Board of Education*, the State of North Carolina, like all other southern States, was still basically segregated. Although Governor Sanford had started steps toward integration efforts, according to Preyer's former press aide, the Ku Klux Klan burned 50 crosses across the State of North Carolina in protest of Rich Preyer's candidacy for governor of the State of North Carolina.

You talk about a man who was ahead of his time, you have not seen anything until you met Rich Preyer. He led the Democratic primary, but he did not get 50 percent of the vote and the law required at that time in North Carolina that you have 50 percent plus 1 to avoid a runoff. So he ended up in a runoff with a more conservative opponent, and the conservative opponent won the election. A lot of people say that he won the election because Rich Preyer refused to distance himself from the principles that he thought were important. They called him an integrationist and a lover of black people. Rich's response was, "I love all people. That is what I have been taught as part of my religious beliefs." And he never made any overtures toward the segregationists who were supporting the candidacy of his opponent. Rich Preyer was ahead of his time.

Rich lost that governor's race and then ran for Congress in 1968, and he was elected to Congress. Many considered him too liberal and out of step with his district. He opposed the Vietnam War and was one of only two Members of Congress from North Carolina to vote for legislation to end the war. This was a guy ahead of his time. Rich's voting record finally caught up with him again, because he was not going to compromise his principles. It caught up with him in 1980, when he lost in the Reagan landslide by about 3,500 votes. Let me tell you what a class guy this Rich Preyer was. He saw it, the election results are coming in, he could have picked up the phone, called his adversary, his opponent and said, "I concede defeat." Rich Preyer said, "No, I'm going over and I'm going to shake this man's hand." He went all the way across town, into his opponent's headquarters, got heckled by his opponent's supporters, and insisted on shaking his opponent's hand to congratulate him.

In 1980, after he had lost that race, former Congressman Steve Neal said of Rich Preyer, "There is not a man or woman among us who commands greater respect for intelligence, honesty, integrity and courage of conviction." I think that is a fitting tribute to him and a shining tribute to him.

I want to end by just expressing my condolences to the Preyer family and thanking the gentleman from North Carolina (Mr. COBLE) and the gentleman from North Carolina (Mr. PRICE) again for coordinating this special order. Rich Preyer and Emily Preyer were dear, dear people, both ahead of their times in many, many ways that inured to my personal benefit and to this country's benefit.

Mr. COBLE. Madam Speaker, I say in response to my friend the gentleman from North Carolina (Mr. WATT) about the heckling, I have heard about that, that night, and I have been told that that was not done by the gentleman who defeated Rich that night. That was not done under his guise. I think maybe some spirited people were there.

Mr. WATT of North Carolina. If the gentleman will yield for a second, I will clarify that, because I fully agree with him. Everything I have heard about that incident suggests that his opponent quieted his supporters and invited Rich Preyer to the podium with him and accepted the congratulations.

Mr. COBLE. Reclaiming my time, I do not want to defend the hecklers, but sometimes folks become very spirited on election night. I am confident that if there were in fact hecklers, I do not think they meant anything personally by that.

Madam Speaker, I yield to the distinguished gentleman from the Fourth District of North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding and for coordinating this special order for us this afternoon.

Mr. Speaker, on April 3, North Carolina and the Nation lost one of our

most distinguished citizens and public servants, L. Richardson Preyer. It is a privilege today to join with my colleagues in paying tribute to his life and his work, which were memorialized at a moving and majestic service at Greensboro's First Presbyterian Church on April 5.

Rich Preyer served in this body with great dignity and effectiveness for six terms, from 1969 to 1980. He was a senior member of what was then called the Committee on Interstate and Foreign Commerce, and he chaired the Government Information and Individual Rights Subcommittee of the Committee on Government Operations. The Almanac of American Politics noted his reputation for "great integrity and sound judgment" which led the House leadership to call upon him "to serve in some difficult and unpleasant assignments." These included the committee investigating assassinations, where he headed the subcommittee investigating the assassination of President Kennedy, and the House Ethics Committee at the time of the so-called Korea-gate scandal.

Rich Preyer was born in 1919, took his undergraduate degree at Princeton, served as a Navy lieutenant in World War II and was awarded the Bronze Star for action in Okinawa, and then earned his law degree at Harvard University after the war. He became a city judge at age 34, then a North Carolina superior court judge. In 1961 he was appointed judge of the Federal Middle District Court of North Carolina by President Kennedy. He resigned that lifetime appointment to undertake a race for governor, a race that he narrowly lost but that engaged and inspired thousands of North Carolinians, many of whom went on to leadership positions within our State.

When the Sixth Congressional District seat came open in 1968, Rich Preyer was such an obvious choice for that position that he was nominated without opposition. Rich then won reelection year after year by large margins and had an exemplary congressional career. This was when I, having returned to North Carolina in 1973, first got to know him. At first as an academic who studied Congress and the Commerce Committee in particular, I admired Rich from afar. Then as I got more involved in North Carolina politics myself, I was privileged to work with him personally. Like many in my political generation, I admired Rich tremendously as a man who brought conviction and courage, dignity and style to politics, a model of what a Member of this body should be and a model of what political leadership at its best can be.

My admiration was deepened and given another dimension when Rich lost his 1980 race for reelection and I observed how he handled that loss. I remember as executive director of the State Democratic Party sitting with Rich and his dear wife Emily in a television studio in Greensboro waiting to

be interviewed on election morning. He had a premonition of what was to come. But he was at peace with the account he had given of himself in his congressional service and in his campaign. He weathered defeat with equanimity and a remarkable sense of humor. And he never wavered in his political ideals and his expansive citizenship: the years since 1980 have been filled with numerous local and State and national involvements to which Rich Preyer brought remarkable gifts of vision and leadership.

□ 1430

Rich and Emily Preyer had a wonderful family, and their children have carried on the Preyer family tradition of high spirits, love of nature and of athletic competition, generous friendships, and faithful stewardship of time and talent.

We express our sympathy to sons Rich, Jr., and Britt, and daughters Mary Norris, Jane and Emily, and their families, in the hope that the outpouring of affection and admiration that has followed their father's death, and their mother's death not long before, will give them strength and comfort in this time of sorrow.

Madam Speaker, I ask that the obituary from the Raleigh News and Observer be included in the RECORD at this point, as well as the reflections offered at the April 5 memorial service by Jane Preyer, Richardson Preyer, Jr., and Tom Lambeth, Rich Preyer's chief of staff during his time in the House, who recently retired as director of the Z. Smith Reynolds Foundation.

[From the Raleigh News and Observer, April 4, 2001]

THE HONORABLE LUNSFORD RICHARDSON
PREYER

GREENSBORO—The Honorable L. Richardson Preyer, 82, died Tuesday at the Cone Memorial Hospital. A funeral service will be held at 4 p.m. Thursday at the First Presbyterian Church.

Congressman Preyer was a native of Greensboro and attended the public schools. He received his A.B. Degree from Princeton University and his Law Degree from the Harvard Law School.

At the First Presbyterian Church he was an elder, teacher/member of the Young Men's Bible Class for over 40 years and a Chairman of the Board of Trustees.

During World War II he was a Lieutenant in the U.S. Navy served for four years as a Gunnery Officer and Executive Officer on Destroyer duty in the Atlantic and South Pacific; he received the Bronze Star for action in Okinawa.

Mr. Preyer was appointed as a City Judge, and North Carolina Superior Court Judge. In 1961 he was appointed Federal Judge of the Middle District Court by President John F. Kennedy. In 1963 Judge Preyer resigned his Judgeship to become a candidate for Governor of North Carolina. In 1964 he became City Executive for Greensboro at the North Carolina National Bank. In November 1968 he was elected to the United States Congress, 6th District of North Carolina and served until 1980.

The U.S. Federal Courthouse and Post Office are named in his honor as the L. Richardson Preyer Federal Building in Greensboro.

Among his many Congressional Committees he was most proud of serving as Chairman of the Select Committee on Ethics which drew up the Congressional Code of Ethics and Chairman of the House Committee on Assassination of President Kennedy and Martin Luther King.

The Honorable Mr. Preyer served in many other ways and was honored as Chairman of the Board of the North Carolina Outward Bound School; Commissioner, Greensboro Little League and Pony Baseball programs; Honorary Chairman of the Greater Greensboro Open (GGCC); Inter-Club Council's Outstanding Civic Leader of the Year Award; Greensboro Chamber's "Uncle Joe Cannon" Award for outstanding leadership; Distinguished Service Award at the University of North Carolina School of Medicine; and recipient of the Phillip Hart Memorial Award for Conscience by "Washingtonian Magazine."

At the time of his death he was Co-chairman of the Guilford Battleground Company; member of the Board for the National Humanities Center; Chairman of Coastal Futures Committee (appointed by Governor James B. Hunt); Trustee: Mary Reynolds Babcock Foundation; H. Smith Richardson Foundation; NC Institute of Political Leadership; Woodrow Wilson Center (Smithsonian Institute); Uplift, Inc. (past president); and the NC Institute of Medicine.

He had served as a Trustee of the National Nature Conservancy; Hastings Institute of Medicine; Greensboro National Bank; Director of Vanguard Cellular Systems, Inc. and Piedmont Management, Inc. He also served on the Board of Directors of Guilford College, Davidson College, UNC School of Social Work; Robert Wood Johnson Fellows—UNC Medical School; Community Self Help; The American Red Cross, Salvation Army, NC Museum of Natural History; and UNC-G Excellence Foundation.

He was preceded in death recently by his wife Emily Harris Preyer and brother William Yost Preyer Jr. He is survived by his sons and daughters-in-law, L. Richardson and Marilyn Jacobs Preyer Jr. and Britt Armfield and Alice Dockery Preyer; daughters and sons-in-law, Mary Norris Preyer and Henry Patrick Oglesby, Jane Bethell Preyer, and Emily Harris Preyer and Richard Tillman Fountain, III; brothers and sisters-in-law, Dr. Robert Otto and Kitty Preyer, Dr. Norris Watson and Catherine Preyer and Frederick Lynn and Margaret Preyer; sister-in-law, Mrs. Russell H. Tucker and Mrs. Doris Preyer; grandchildren, L. Richardson Preyer, III, Parker Jacobs Preyer, Jane Elizabeth Preyer, Emily Preyer Oglesby, Britt Armfield Preyer Jr., John Calder Preyer, William Harris Preyer, Mary Norris Preyer Fountain, Richard Tillman Fountain, IV, Janie Katherine Fountain, Preyer Harris Fountain, and Peter Richardson Fountain.

The family will receive friends following the service in the Church's Family Enrichment Center and request the memorial contributions be made to one's favorite charity.

Hanes-Lineberry, N. Elm St., Funeral Home is assisting the family.

DAD'S SERVICE, APRIL 5, 2001—L. RICHARDSON PREYER

(By Jane Preyer)

Thank you all so much for being here with us, bringing your love and support, and helping us honor Dad's life. He was such a good and great man. To his family, Dad was nothing less than our hero. From the stories you've shared with us about Dad, we know that to some of you he was a hero, too.

Many people knew him as a man of public service—his children and grandchildren saw and knew him in that way, too, and are very

proud. But my hope today is to share a few thoughts to celebrate Dad's life as the person that so many people loved as a friend, a father, and a grandfather.

Dad loved music. Undoubtedly, some of his happiest times were those hours when he stole away to the den or bedroom to play his beloved saxophone. His mother had given the sax to him, and he seemed truly blissful when listening or playing along with the likes of Miles Davis and John Coltrane.

We were always amazed at the variety of music that Dad loved—from Mozart to Bruce Springsteen to Benjamin Britten to Charlie Parker.

He actually could not read a note of music, but he could play anything on the saxophone. In fact, he was the first white man that Count Basie asked to be in his band. It was 1941, and instead Dad chose to join the Navy and went to WWII.

I will never really know the intensity of some of his days—as a judge, congressman, all the different work he did—but I came to understand that music was a tremendous source of renewal for Dad. And he helped us to welcome music into our own lives, enriching us from childhood onward.

Like music, books were a source of sustenance in Dad's life which he instilled in all his children. Dad's style was to read 3-4 books at a time, which I guess was a way of satisfying his abundant, lifelong curiosity.

Dad's love of reading came in handy on more than one occasion. When I was a young girl, we were invited on a deer hunt in the coastal plain of NC. Hunting was the last thing in the world I wanted to do, but I definitely wanted to go on this adventure with Dad. Like the other hunters, the two of us were dropped at our own spot in the woods. There, Dad finally confided his true plan for "our hunt". He had brought books and cigars in his jacket. . . . so we simply put the gun aside, leaned up against a mighty tree to read—and Dad told me, "Jane, if we sit quietly enough, we may get to see a deer" And so we did.

How did this reserved and gentle man, who loved music and books, who knew how to find serenity in the midst of turmoil—how did he commit so much of his life to the very public business of politics? How did he cope with all those fish fries, barbecues, and all the other exhausting practicalities of being a public figure?

I don't know the complete answer. But I do know that he was always anchored by his core values and guided on a daily basis by his own faith and personal conscience.

I remember in his re-election in the fall 1980, Dad was hit by a series of negative campaign ads on TV, radio, the whole works. All of us children and most of the campaign staff were urging Dad to counterattack—this isn't fair, we would say. You've got to strike back.

But he simply would not. I was mad at him. Later, I came to understand how courageous he was . . . and that integrity is exactly why we all believed in him.

Our family is thankful for the encouragement and support so many of you gave to Dad. Your support made it possible for Mom and Dad to be in politics. It made him willing to step out there and do the right thing time after time.

And oh wow, what a wonderful sense of humor Dad had through thick and thin! He was a great story teller. Many of you have been treated to his favorite stories—maybe once too often!

He did have a mischievous side, too. A few years ago, the pond on the golf course across from my parents' house was drained and became quite a mud sink. After seeing an unclaimed golf ball sitting about 3 feet out into the pond, Mom could not resist venturing in to get that "free" ball.

GOOWOOSH. She was sucked into the mud midway up her thigh. Completely stranded, she called out to Dad "Rich, help me!?" He was laughing so hard, tears streaming down his face, and buckled over the steering wheel of the golf cart. Mom called out again "Rich, come on and help me!"

I don't know—we sort of suspect that this fine gentleman moved a bit slower than usual in making the rescue!

Dad loved the natural world of North Carolina—the piedmont waters and forests, the mountains, the coast. Being in nature was another way he sustained himself, and he taught us the joy and wonder and beauty of this world and our state, that sustains us as well.

Mom's idea of a vacation was to go to the Travel Lodge on Elm Street in Greensboro to spend the night and swim in the indoor pool.

Dad's idea of vacation was to be in the NC mountains or at the coast or on a Piedmont lake—fishing, walking, noticing everything out there—he would constantly say "look at that bird, look at that tree". He never got quite the names of the birds and trees right, but he always appreciated them!

And especially fishing. Dad taught each of us to love fishing and to love the fish. From the earliest days, he was a "throw-it-back man" . . . what we now call "catch and release". He taught us to love the simplicity of a fishing line with worms, the fun of a spinning rod throwing it way out and reeling it in . . . and the pure thrill of casting a fly rod and watching that fly land in close to the bank over dark, clear water and floating there lightly.

Mind you, he was no expert fisherman, and his technique was pretty questionable! Just ask my brothers and sisters sometime for their imitation of Dad stumbling on slippery rocks, getting his line hung up in trees—but still amazingly he got that fly out there on the stream.

In the 1970s, in Congress, Dad became one of the authors of the Clean Air Act and Clean Water Act—He translated his love of nature into creating in these pieces of legislation—and they have transformed the way America treasures and protects our natural resources.

I think it is only in this last year that I have begun to more fully understand the deep, tender, steadfast, and unbreakable bond between my Mom and Dad. They were so devoted to each other . . . and so committed together to their shared life of service as they felt led by God to do.

Growing up, Sunday afternoons at our house were my favorite. Without fail, whether he'd been in DC or given speeches that weekend in the far reaches of his district—he would do something fun with us. Those times were filled with sports and more sports, hikes, fishing, visits with our grandparents, cousins, and aunts and uncles.

And how he delighted in being with his grandchildren! How he enjoyed hearing about all their activities—whether it was soccer, or violin, or tennis or lacrosse, be being in a play or the choir. And he loved their drawings they brought him by the dozens and which he cherished over the years.

Dad was also sustained by his friends, and he especially loved being in Greensboro these last years, close to many of you dear friends here today. And you have been so good to him and us through this last year.

And so this day has come, a day that I did not ever want to come. I feel like the world will never be the same without Mom and Dad.

But even stronger that our grief today is our thankfulness for Dad's life and all that we shared with him. We will go forward beyond today's tears by of us every day of our lives.

We know very well his legacy to us:

His gentleness
 His courage
 His deep honesty and integrity
 His wonderful sense of humor
 His profound commitment to justice and mercy
 His love and zest for life
 His love of children
 His determination
 His true love and partnership with Mom
 His steadfast kindness
 And his trust in God that we can always find a new way to serve, to learn, and to live fully.
 Dad, you will always be our hero.

IN CELEBRATION OF THE LIFE OF L.
 RICHARDSON PREYER—FUNERAL APRIL 5, 2001
 (By L. Richardson Preyer, Jr.)

Dad would have been mighty surprised to see so many of you here today—thinking about him and thanking him for his inspiring life—celebrating his honest decency—his day-to-day caring about his family and his friends and his community. I believe Dad would have been surprised because he just didn't think of himself as anything special. After Dad was beaten in the Congressional election in 1980, I implored him to write a book. Dad laughed it off and said, "Who would ever want to read a book by me?" There are a few of us, Dad. There ARE a few of us.

But—goodness gracious—Dad left us with so many speeches. He spoke all over the state at every sort of gathering—whether a church or synagogue, or college or high school or elementary school—at political rallies, at non-profit gatherings, at garden clubs, at the Kiwanis, at the Rotary—Dad you were there. You had a message you wanted to deliver.

And Dad you did so much teaching mixed in with a good bit of preaching on both serving God and keeping vigilant about freedom and the old beleaguered Republic. You taught the Young Men's Bible Class in this church for 46 years. You taught at UNC Greensboro and Duke and at Chapel Hill . . . which shows you were pretty darn open-minded. You even taught an ethics course in med school to the doctor who was on call for you the last few days of your life.

And Dad, for all your gentleness, you were such a fighter. You fought injustice in the Pacific—on a destroyer—the only one of seven sister ships not to be sunk at Okinawa . . . you kept the Bronze Star medal box in your dresser drawer for the rest of your life. I saw it there, this morning.

You fought racism as a Superior Court Judge and Federal Judge, challenging segregation in the fifties and early sixties. And when the people called out for you to leave the Federal Bench and run for governor in those tumultuous times in 1964, you left a lifetime appointment and ran.

And when you crisscrossed the state on that last day of the campaign—the Ku Klux Klan burned fires against you in fifty different cities and towns . . . you gave a speech that night and said, "We will light the fires of knowledge and not the fires of hate."

Dad, you went on to serve and affect so much change for the good of your district and your state. Your integrity and sense of justice were so admired by your Washington colleagues that midst the Watergate happenings, you were called "the conscience of the House."

And when the Warren Commission's findings on the assassination of John F. Kennedy were thrown in doubt—you were called upon to head up the new commission—because Dad, they knew they could count on you to be fair. All of us here could have always told them that.

And your findings 25 years ago that Oswald did not act alone—were recently—after exhausting technical examinations—upheld. Dad, you always were in all of our hearts, the best doggone Judge around.

And you've all heard Jane's wonderful stories. There is really no one quite like you. As a father for my entire life—you never raised your voice in anger—ever—at your five children—something your oldest son has not been able to master.

An incredibly calm, patient temperament combined with a fierce tennis competitive streak—mix in the love of fishing in a stream, as well as playing the alto and soprano sax—add humor and a sweet disposition—take these qualities and surround them with compassion for your fellow beings and an unwavering love of the law—and you have my father.

Several years ago Dad gave me the complete works of Chekov and along with it a handwritten note at Christmas. It said, "We are proud of you for the things you have done, but we are most proud of your greatest achievement—your marriage to Marilyn and your three beautiful children. For all our ambitions and plans and strategies, the truth is, no other single thing is more precious than family and friends and the sense of belonging to a community."

Thank you Dad for writing us this message.

We're all hearing you now, Dad, about that. We're all here for you now—your family—your friends—your vast and diverse community—we're all here because we love you and believe in you and to thank you for showing us the goodness of being steadfast and true on our brief journey upon God's eternal earth.

So Dad I want to thank you for taking us all fishing on Sunday afternoons after church. I want to thank you for taking my fingers in your hand and putting them down on the blue jazz keys on the alto horn. I want to thank you for teaching us to read the great books in the evening after our daily jobs were done. I want to thank you for showing us a way to live with laughter on our lips—what is it you used to say, "Let no good deed go unpunished."

And I want to thank you for teaching us how to strike, throw, pass, catch, bounce, kick, and serve every manner and size of ball, because Dad you could hit a golf ball farther than anyone your age—period.

And thank you for watching your young grandchildren playing in tennis tournaments for 2½ hours in 95° heat—with the ball going back and forth endlessly. Only a Saint could stand such agony.

And thank you for holding the children on your lap in the den while you read on—totally oblivious as our many young ones sped all around you.

And Dad I want to thank you and Mom for being such a fabulous team—the vitality—the joy—the adventurous attack on life each day. How ya'll had us all on the move—and I mean everyone—in motion—let's get going!

I really believe that with you and Mom gone—watching over us—time has slowed down in Old General Greene's city.

And Dad your friends are going to miss you on the fairways and tennis courts and classrooms and walkways—all around us. And goodness knows, Dad, our family is going to miss you as much as if a trusted nightly star had fallen from the sky.

But though we might not see you, Dad—you shall always be with us.

Your spirit shall help guide us—to be a better human family—through life's push and shove—learning again to use a strong hand to lift a weak shoulder—rediscovering the daily lessons of love. These are your strengths, Dad. These are the strengths of

family and community. These things shall guide us and help us find a more open, goodly path.

That is what you would want, Dad. We'll all keep giving it a try.

We promise.

RICHARDSON PREYER MEMORIAL SERVICE—
 GREENSBORO, APRIL 5, 2001
 (Remarks by Tom Lambeth)

To share this special moment with Rich's children is not to forget that there are all of you out there who pay tribute to Rich by your presence and, indeed, by the example of your own lives made richer because of friendship and love and commitment inspired by his life. I cannot rightly claim to speak for you; only to serve as a reminder of how far beyond his own family he extended the simple eloquence of his humanity.

In 1945 on the morning of the beginning of the battle for Okinawa three destroyers stood in line to begin the pre-landing bombardment. The torpedo officer on the third was a young LtJG from North Carolina named Preyer. The second of the ships ran aground and came under constant, deadly fire from shore batteries. In a subsequent explosion and sinking much of its crew was lost. Years later, telling of that morning, Rich would say "all of those young lives gone."

Rich was not given to the dramatic so he never said that those who survived lived for all of those who did not, but that is the way he lived. In a public career and a private life that defined the good man and the true patriot, he lived for all of them and for their children and their children. He lived for all of us and what a grand life it was, what a splendid example it has been and will be.

We as individuals and as a society are strengthened, we are enriched when we find those values that make us good and great captured in the life of another. Loyalty, faith, service, courage and honor are real to those of us here because we saw them alive. We saw Rich Preyer.

His courage was tested by the torpedos of the North Atlantic, the Kamikazes of the South Pacific and by the attacks of political opponents and he did not falter. His service as a judge at local, state and federal levels, as a six term congressman constantly handed the toughest assignments; his leadership in countless community efforts and many statewide endeavors are his answer to those who despair of our ability to make democracy work. He loved that work and his love for it said to all of us that public service, that politics can be noble because the people are worthy of the best that we have to give.

Rich was competitive and he did not always win (although he would want us to remember that he won much more often than he lost) but he knew that the scoreboard is only an incident in the contest, that true victory is in the heart. In that contest, he never lost.

Years ago I had the great satisfaction of sitting with him when he received an honorary degree from my alma mater at Chapel Hill. When he sat down, finally relieved of the burden of earned degrees at Princeton and Harvard; I leaned over and said to him "Now you are as good as the rest of us." Yet, I knew, as you do, that he was better than almost any of us. It is a tribute to the grace which he carried his accomplishments that realizing his excellence makes us feel better about ourselves.

Now we gather for our moment of remembrance and of celebration of a truly good life; but the most eloquent tribute to Rich will be the way in which we seek to capture for ourselves and our communities that consistency of strength and truth and goodness that defined his life.

It is for those of us—all of you out there—who in some way worked beside him over the years to say with new vigor that simple farewell of so many remembered afternoons:

“Good night Rich. See you in the morning.”

Mr. COBLE. Madam Speaker, I would yield to the gentleman from the Fourth District of North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Madam Speaker, I thank the gentleman from North Carolina (Mr. COBLE) for yielding me this time. Let me also thank the gentleman for putting together this Special Order today.

Madam Speaker, I want to echo my colleagues who have already spoken and also thank them for their participation in this today, because I rise today as they do to celebrate the life and career of a very unique and outstanding human being who was a former Member of this body and really a great North Carolinian. L. Richardson Preyer was a very special individual. His death has saddened all of us in this North Carolina delegation and North Carolinians in general because we have lost one of our great native sons.

Today, as we gather to honor his life and works, not only as a North Carolinian but as a great American, and to celebrate what he did to really make our world a better place, it is my honor to participate in that.

L. Richardson Preyer was a native of North Carolina, but he really was a citizen of the world. He always said that he was lucky to have been born on third base. By this he meant that he had the advantages that most people did not have. His grandfather and namesake Lunsford Richardson invented Vick's VapoRub and Vick's Cough Drops; and as a result, the family had immense personal resources, some would say a fortune, that built the Richardson Merrill Chemical Corporation.

As a result of that, he had an opportunity to attend the best schools. He attended Princeton and the law school at Harvard, as we have already heard; but his family resources allowed him to do that. Instead of living a life in the private sector and taking advantages of the wealth that he could have accumulated and his family already had, he chose instead to make his life one of public service in changing the lot, as we have already heard from my colleague the gentleman from North Carolina (Mr. WATT) and the gentleman from North Carolina (Mr. PRICE), for those who did not have a voice in many cases.

After his graduation from Princeton, as we have heard, he served as a lieutenant with the United States Navy and was on a destroyer in the Atlantic and in the South Pacific and earned a Bronze Star for his heroism and his valor at Okinawa. One did not hear a lot from him about that. He did not talk about it.

Rich Preyer was a great lover of the arts. He used his family resources to

help the lot of many people, and he invested in the arts and in music, which he loved a great deal, and in his church. After serving for several years, as has been indicated earlier, as a State superior court judge, he was appointed by his Harvard Law School classmate, John F. Kennedy, to a position as a U.S. judge. As all of us know, that is a lifetime appointment; but he resigned that post in 1964 to really make a difference in what he saw was an opportunity to change our State. He did not win that election, as we have already heard, but to his credit he continued to take on issues that were important to the people of North Carolina, because that is what Rich Preyer was all about.

For those 5 years he was out of public life, he worked with what was then North Carolina National Bank and then came back in 1968 and ran for and won a seat in this body, representing his hometown of Greensboro and the Sixth Congressional District. He continued to make a difference in this body for the 12 years of his career in the United States Congress. He served as chairman of the Select Committee on Ethics, which drafted the Congressional Code of Ethics that those of us who serve here today live by.

Much of this was what Rich Preyer really believed. As we have heard, he was a member of the Select Committee in this House that investigated President Kennedy's assassination and the Reverend Martin Luther King, Jr., an indication of how he was respected by this body; but also it said a lot about the integrity of an individual who really, in my opinion, was a conscience of the United States Congress.

Although his career ended in this body in 1981, his work on behalf of the people of North Carolina did not end. As I have indicated, he was involved in so many things in his community that one did not see on the surface that dealt with the arts. The thing I want to talk about for just a moment in some detail really is what Rich did for education in North Carolina.

During my term as superintendent of the schools for the State of North Carolina, in 1989 I had the occasion to appoint a statewide commission of business, civic, community, and education leaders to take a look at North Carolina's educational system; and we appointed a commission called Excellence in Secondary Education. We started looking across the State. Where do we find an individual to chair a commission headed by people who are on this commission who are leaders in industry and in banking and in education? Obviously, as we looked across the State, the name of L. Richardson Preyer popped up. We asked him to chair it. Without hesitation, he committed and accepted that challenge and spent the next year providing the kind of leadership that was needed to pull this diverse group together, along with all the data from across the country.

As a result of his strong and visionary leadership, that became the blue-

print that I used for the next 8 years and that many of my colleagues are still using in North Carolina to make a difference in education. I thank his family for allowing him to have the time to do that.

I charged him in that time with coming back with recommendations that would not only make our schools better but would challenge them to have the kind of assessment that we needed to have that would help every child reach their full potential. He was instrumental in making that happen.

As I said, we are grateful for him today; but children who do not know him, did not know his family, are now benefiting from his work. He was a well-rounded individual. Not only was he a model public servant, but he was a father who loved his family and who lived out the ideals of the family values that we hear so many people talk about today.

He and his wife, Emily, were a team; and together they raised five outstanding children, and they truly enjoyed their grandchildren.

I always looked forward to, at Christmastime, receiving his Christmas card because it was not only just his and Emily's, it was the whole family with their grandchildren. On top of that, he was an elder and a teacher in the First Presbyterian Church in Greensboro for more than 40 years. He did not talk a lot about his religion. He lived it.

Madam Speaker, L. Richardson Preyer is one of the greatest public servants my State has ever produced, but he was great not because he had the benefits of political connections and the wealth or because he served for over a decade in this body. He was a remarkable human being because he made the most of his God-given gifts, and he desired to make a difference in the lives of every North Carolinian and the people of this country, but especially in the lives of children.

It is important to point out that during his tenure as a State judge, as has been pointed out today, he upheld rulings that allowed five black children to attend an all-white school in Greensboro; thus, integrating those schools for the first time and literally changing and beginning to change the South and across this country. This was an act of tremendous courage for that day and age. He was a man of unique character and well ahead of his time in the arena of civil rights and, it can be argued, probably cost him the governor's mansion in our State. He was a patriot and a public servant of the highest order. He was a friend and colleague of mine in the fight to improve education for all children.

Many of his ideals have helped to and will help children everywhere to grow up and realize the American dream.

Madam Speaker, the list of names of great men and women who have served in this body is long. All of them used their lives and gifts to serve their communities, States, and this great Nation. Today we honor L. Richardson

Preyer and add his name to that long list of great Americans.

Mr. COBLE. Madam Speaker, the gentleman from North Carolina (Mr. HAYES) and the gentleman from North Carolina (Mr. BURR) expressed interest in speaking on this Special Order, but they are at committee meetings and it appears unlikely that they will be able to come to the floor. So, Madam Speaker, let me conclude.

Much has been said during this Special Order about Emily Preyer, but I do not believe it was mentioned that she pre-deceased her husband by several months.

I recall, Madam Speaker, recently, several days ago, we were at a full House Committee on the Judiciary meeting, and I looked into the faces of several people in the crowded room, and I detected a man who served as a former staffer to Rich Preyer. I called him forward. He came to the podium where I was seated in the Committee on the Judiciary hearing room, and I said to him, Ed, Rich Preyer is not in good health. I said, I am told that he is failing and I thought you needed to know that, because he was very close to Mr. Preyer.

He thanked me for having shared that with him. The next day, Rich Preyer passed away; and that told me in glaring terms, Madam Speaker, about the uncertainty, about the indefinite phase, of life. I am talking to Ed one day. His staffer was going to call him the next day to talk to him and it was too late.

I would extend our condolences and good wishes to the surviving children and their families and conclude with this comment, Madam Speaker. Jim Slosner, one of our well-known reporters at the Breezeberg News and Record, called me for a quote shortly after Rich Preyer's death. I thought for a moment, and I said when you saw Rich Preyer you instinctively uttered or concluded there stands a gentleman. He was, indeed, a rare gentleman.

I want to thank those who took part in this Special Order today, Madam Speaker; and I want to urge those who wanted to be here who were otherwise detained to feel free to submit their comments in a subsequent edition of the RECORD.

Mr. BURR of North Carolina. Mr. Speaker, I rise today to join my colleagues in honoring the memory of the late L. Richardson Preyer who served my home state of North Carolina and our country with distinction. Richardson Preyer has an outstanding record of public service dating back to his time in the U.S. Navy during World War II, for which he was awarded the Bronze Star.

Through his years as a State Superior Court Judge, a United States District Court Judge and then as a Member of the U.S. House of Representatives for six terms, Richardson Preyer saw his responsibility and fulfilled his duty when called upon. Serving with a quiet demeanor but effective in getting the job done, he commanded the respect of his constituents and his peers in the Congress.

Richardson Preyer was always concerned about the welfare of the people and his desire

to help those who were less fortunate was well known. It was the hallmark of his unsuccessful campaign for Governor of North Carolina in 1964 and then of his Congressional career from 1969 to 1981.

Richardson Preyer was never too busy to give of his time and his considerable abilities when he was needed. When Congressman Preyer passed away recently, North Carolina lost a valiant patriot who loved his country, and who served us well.

I am honored to have the opportunity to pay tribute to Richardson Preyer and I extend my sympathy to the Preyer family on their loss.

HEALTH CARE

The SPEAKER pro tempore (Mrs. JO ANN DAVIS of Virginia). Under a previous order of the House, the gentleman from Washington (Mr. LARSEN) is recognized for 5 minutes.

Mr. LARSEN of Washington. Madam Speaker, I rise today to discuss an issue that is a very important issue to my home State, Washington State, and to the people in that State. That issue is health care. As I traveled around my district during the Easter recess meeting with health care consumers, physicians and hospitals, again and again I heard of rising costs, declining reimbursements, and general frustration with our system.

First, I would like to address the issue of prescription drugs. I strongly support adding a prescription drug benefit for Medicare beneficiaries. Today, many seniors are forced to purchase expensive Medigap policies or join HMOs to try and avoid the high out-of-pocket expenses for prescription drugs.

□ 1445

Seniors should not be forced to choose between groceries and their medicines.

In this time of government surpluses, I believe some of the surplus must be used to provide a Medicare drug benefit; and using the surplus for a drug benefit within the framework of reducing the national debt, we can provide for a more prosperous and healthy Nation.

I also have great concerns about Medicare reimbursement, particularly in my home State. Because of a flawed complex formula, the Federal Government provides fewer Medicare dollars for seniors in Washington State. Medicare reimbursements are based on the region's average cost of living, rather than on an individual's personal income, so Washington State senior citizens receive less Medicare support than most other States. Medicare payments in Washington rank fifth from the bottom nationally; and between 1998 and 1999, Medicare payments in Washington experienced the sixth fastest decline of all States.

As a result of the low reimbursement rate in Washington State, many health plans have opted to withdraw from Puget Sound area plans that serve seniors. Last year, as many as 30,000 seniors in Washington State received no-

tice that their health plans would no longer serve them or that they would increase the deductible for the same coverage. That is wrong. I support access and affordability; but, above all, equity for Washington State seniors and will work to rectify this unfair provision.

In addition, according to the Washington State Medical Association study, the average medical practice in Washington State lost \$95,000 in 1999. Reduced Medicare payments have led to a white-coat flight, with physicians leaving the State or retiring early. This is simply unacceptable.

Local hospitals also continue to contact me about their deep financial difficulties related to the cutbacks of the Balanced Budget Act legislation of 1997. As we know, the Balanced Budget Act of 1997 enacted some far-reaching changes in the way Medicare pays health care providers. These changes were intended to both modernize Medicare and save some \$115 billion over 5 years.

Today we know that the actual savings are much larger than Congress had anticipated and those changes are affecting services. Like many Members, I have been hearing from health care providers in my district regarding these cuts in the BBA and how they are affecting and may affect in the future their ability to provide quality health care to our seniors. I take these concerns very seriously.

For instance, Whidbey General Hospital on Whidbey Island has detailed for me their hardship. Approximately 50 cents of every dollar they receive goes to the cost of running their facilities and dealing with insurance plan requirements, not to patient care. These skyrocketing administrative burdens add cost, but little value, to the delivery of health care. Patients must come first.

So, Madam Speaker, I have outlined many of the health care concerns that are of the highest priority to patients and providers in Washington State. I plan to work on these issues in a bipartisan fashion in the 107th Congress so that we can get some much needed relief at home in Western Washington for our seniors, for our physicians, for our hospitals, but, most importantly, for patient care.

EVALUATING THE PRESIDENT'S FIRST 100 DAYS

The SPEAKER pro tempore (Mrs. JO ANN DAVIS of Virginia). Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Madam Speaker, I would like to begin discussing today the first 100 days of the Bush Administration. I know that over the next week you will probably hear from both Democrats as well as from the President about the first 100 days, because

traditionally the first 100 days of a Presidency have been a sort of benchmark for judging the President.

I believe the actual day when Mr. Bush, President Bush, will have been in office for 100 days is next Monday, April 30th.

The first 100 days has been a useful yardstick for measuring new Presidents since Franklin Roosevelt's first term. What I would like to do is give my analysis of why where I think we are.

During the campaign, the President promised to be a compassionate conservative. I am sure many remember that saying. He said he would unite the country behind a common agenda. He said he would promote prosperity with a purpose and be a reformer, that he would be a reformer with results determined to leave no child behind.

I feel very strongly, Madam Speaker, that, to date, President Bush has failed to back up this rhetoric that he used during the campaign with any actions. This is an administration of, by and for the special interests. I see the oil interests, I see the big mining interests, I see them, the defense contractors, holding sway; not the average person.

The President has made a string of decisions that, if you look at it, are extremely partisan, and I think a payback to the special interests who contributed to his campaign. I could go through a list of areas where I could point what I am saying out and be more specific, but I really wanted to focus, if I could, on two areas that are very important to me and I think to the average American, and that is the environment and, secondly, health care and health issues.

Perhaps in no area has the President during these first 100 days been such a disappointment to me, and I think to the average American, than on environmental issues. I think many of us knew that he was not a real environmentalist and he was not going to be what we would like to see in terms of a real environmental President, but the reality has been much worse.

The reality has been that he has determined in the last 3 months or so in these 100 days to roll back the clock on a lot of environmental protection measures that were very important and that were certainly the backbone for progressive legislation and improvements to the environment that we have seen in the last 30 years since Earth Day. I just want to give you an example, if I could, of why I say that, and I will start, if I could, with some of the energy-related issues.

The Bush Administration in the first 100 days has signalled to the rest of the world that it does not really care about global climate change. We know that the President basically has said that he is not going to adhere to the Kyoto climate treaty. There was a real question about whether or not this administration would even participate in any further talks on climate change. Although Mrs. Whitman, the EPA Administrator,

did say over the weekend that they would continue to talk, it is clear that they have no intention of proceeding with the Kyoto Treaty and basically have told all the signers to that treaty to forget it.

The President has also told the Congress that emission controls will not include carbon dioxide. During the course of his campaign, he said that he would address air emission controls for a number of pollutants to try to improve air quality, but we were told about a month ago that that would not include carbon dioxide, which is certainly one of the most important pollutants and one of the ones that has the most negative impact on air quality.

President Bush has also made it quite clear to the general public that his energy goals will stress more production of fossil fuels, most notably drilling in the Arctic National Wildlife Refuge, and he will not stress conservation, increased technological efficiency, or the use of renewables. The budget that the President sent us a couple weeks ago specifically cut research on renewables, solar power, wind power, in half.

I mention these as just an example, because I think that the issue of energy and source of energy and whether there is going to be enough energy is certainly a crucial one. We know that the price of gasoline continues to go up. We are told it might be, who knows, \$2.00, \$2.50 a gallon possibly by the summer.

So we need to have an energy policy. But to suggest that sort of the backbone of the energy policy is drilling in the Arctic National Wildlife Refuge, and we are not going to address global climate change, we are not going to address carbon dioxide, that the only answer is more production rather than use of renewables and conservation, I think is an egregious mistake.

Let me talk about some other environmental issues. I think personally that one of the most important areas where we need to make progress is by cleaning up hazardous waste sites and also by making sure that our drinking water is safe. Yet we were told just a few weeks ago by this administration that the standards for arsenic in water, which are very high, meaning very weak, I should say, 50 parts per billion, would stay in place, and that the new standards that had been suggested by the Clinton Administration to reduce that 50 parts per billion down to 10 parts per billion would not be implemented, that we needed another year or so to study the issue before we could possibly improve on the standards.

That was a major, I think, disaster, because it affects drinking water quality. It affects the water that we drink, one of the basic proponents of life. I think it was also symptomatic of what we are going to see from this administration with regard to environmental concerns.

In my subcommittee of the Committee on Energy and Commerce, the

Subcommittee on Environmental and Hazardous Materials, we had the EPA administrator, Mrs. Whitman, come in and testify a few weeks ago, the day after the President indicated that he was not going to enact stronger arsenic standards, and she talked about the fact that there was a huge backlog of infrastructure needs for safe drinking water; in other words, money that the Federal Government would need to give to the States or to the towns to upgrade facilities so not only would you have hopefully better standards for drinking water, but you would also have good pipes and good process for bringing it to your house so that you can drink it safely.

When we got the Bush budget proposal a couple weeks ago after that hearing, lo and behold, we find that the amount of money set aside for safe drinking water is level-funded. In other words, it does not even meet the authorization level or any of the future needs that the EPA administrator talked about.

So what we are seeing now is that not only is the President implementing either through regulatory action or inaction methods that would cut back on environmental protection, but he is not providing the money in the budget to do anything significant about our energy needs or about our environmental concerns.

Another example with regard to environmental concerns is the Superfund. My state has more Superfund sites than any other state. There is a great need around the country to continue cleanups pursuant to the Superfund program of very severe hazardous waste conditions.

What does the President Bush's budget do? It suggests we are going to provide the money to clean up about 65 sites this next fiscal year, whereas in the last 4 years under the previous administration we had targeted about 85 sites per year to clean up. So cutbacks in the money for the Superfund program.

Nothing in the budget to provide the corporate tax that would fund the Superfund program, so in another year or two there would not be any money in the Superfund trust fund to continue to pay for cleanups.

The list goes on and on. We just passed last year in the last few days of the Clinton administration the Beaches Act. This was a bill that says that each State has to test their water quality before they let anybody swim on the beach and they have to close the beach if it does not meet certain standards and post signs saying you cannot use the beach because the water is dirty and authorize \$30 million annually to pay for that program, to give grants to the States so they would be able to use it to do the water quality monitoring. Very important.

The summer is almost here, another couple of months. People do not want to swim in dirty water any more than they want to drink polluted water. Lo

and behold, the budget comes out, and instead of the \$30 million that is authorized, we see \$2 or \$3 million appropriated for the Beaches Act.

This is what we are seeing over and over again. We are seeing an effort to cut back on environmental programs, to not provide the money for environmental programs, to eliminate progressive regulations that were put in place by the Clinton administration. And if I had to look at environmental and energy issues alone, without looking at anything else, I would say that this first 100 days of the Bush administration has been a total failure and totally out of sync with what the American people want and totally in tune with what the special interests want. Because, after all, what average citizen or what good government group or what citizens group would say that they do not want safer drinking water or they do not want to spend up money to clean up hazardous waste sites or do ocean water quality monitoring? Nobody. The only people against these things are the mining interests, the oil interests, the polluters, who obviously have the President's ear because they were the major contributors to his campaign.

So when the President promised to be a compassionate conservative, I do not think that that meant that he was going to cut back on environmental protection. When he said that he would unite the country behind a common agenda, I would assume that that common agenda would be protecting the environment, because it is very important to most people. But, no, that is not what we are seeing. Then he said he would promote prosperity with a purpose and be a reformer with results and leave no child behind. Frankly, I think a lot of children are going to be left behind if they have to deal with some of these environmental concerns.

□ 1500

Now, I want to go to the next area that I think is just as important in evaluating the President's 100 days, and that is health care. During the course of the campaign, probably the number one issue that we heard about from both President Bush and his Democratic opponent was health care. The President said that when he was the governor of Texas, he let a Patients' Bill of Rights for HMO reform become law. He actually did not sign it, but he said that he supported the Texas Patients' Bill of Rights to try to improve and reform HMOs. The President said he would agree to have something like what they have in Texas, the Patients' Bill of Rights HMO reform, enacted into Federal law, that he had no problem with the Texas legislation, and if we could do that nationally, that would be fine, he would support it.

President Bush also said during the course of the campaign that he wanted to expand Medicare to include a prescription drug program for seniors, because we know that seniors increas-

ingly cannot afford the price of drugs; the price of prescription drugs continue to go up. It is a bigger part of their household budget, their weekly and daily expense, and we need to do something about it. President Bush said during the campaign, oh, yes, I recognize that we must address this issue, and I would be in favor of expanding Medicare to include a prescription drug benefit.

The President also recognized during the campaign that there were an increasing number of Americans who had no health insurance, something like 40 million, now maybe it is 45 million Americans who have no health insurance, no health coverage. He said that he wanted to go about improving the situation with regard to that as well and maybe come up with some sort of tax credit or some kind of program through community health clinics to improve the situation for those who have no health insurance.

Now, again, I would maintain that that entire health care agenda has not only fallen flat on its face in the last 100 days, but it has not even been addressed effectively by President Bush in the first 100 days. It almost disappeared from the radar screen. We do not hear about it any more.

Let me just develop that a little bit on the three health care issues that I mentioned, first with regard to a Patients' Bill of Rights. Within days of the inauguration of President Bush, a bipartisan group of Senators and House Members, Democrats and Republicans, got together and introduced a bill in both Houses, Senator MCCAIN and Senator KENNEDY in the Senate, and the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Commerce, and the gentleman from Iowa (Mr. GANSKE), a Republican, introduced a new Patients' Bill of Rights bill with a lot of cosponsors, including myself; both Houses, within days of the inauguration, exactly the same as the Texas bill that President Bush had talked about during the campaign. No difference. I would defy anyone to suggest that it was any different in any significant way from what exists now in the State of Texas and is working very well.

What have we heard? We have heard statements from the White House that they do not like that bill, it not acceptable. They do not really say why. We have heard statements from the White House saying, we are going to come up with our own proposal, but we have not seen it yet. We have heard statements from the White House suggesting that maybe they like some of the other proposals that have been put out there by those who are not as oriented towards reforming HMOs, but not even any real suggestion as to which of those bills they like.

So in this case, with the Patients' Bill of Rights, I would maintain that basically, the President has taken it off the radar screen. A Patients' Bill of Rights, HMO reform, was so crucial

during the campaign that this was one of the first things that President Bush was going to address. But we are almost at the 100 days on Monday, and he has not, to my knowledge, done anything significant to suggest that he even wants to come to common ground on this issue, or even make some suggestions about what we should do in an effective way.

This Patients' Bill of Rights, the bipartisan bill that was introduced within the few days after his inauguration that was like the Texas bill, should have moved in both of these Houses and been on the President's desk already. The only reason it has not is because the President has not signaled what he wants or what he wants to do about it.

This is a very important issue for Americans. People are denied care all the time by HMOs. People die, people have serious injuries, they are denied care, they do not have a way of addressing their grievances, they cannot go to court, they cannot go to an outside independent agency that would review why the HMO denied a particular operation or a particular medical device. I get these calls every day in my district office in New Jersey. We are not addressing it, and the President has not addressed it in a meaningful way during his first 100 days.

Let me go to the second health care issue. I see I am being joined by some of my colleagues, which is great. Let me just go to the second health care issue, and then I would like to yield some time to one of my colleagues. Medicare prescription drugs. During the course of the campaign, the President said over and over again, this was a high priority, something that he wanted to address. He was not always clear as to exactly what he wanted to do. Most of the time he talked about a benefit primarily, if not exclusively, but primarily for low-income seniors, not an expansion of Medicare that would provide a benefit to all seniors, but just to low-income seniors.

Mr. Speaker, I will be honest that I have been very critical of that, because I think that since Medicare has always been for everyone, because we do not have an income test for Medicare; it does not matter how poor or how wealthy one is, one still gets it, I felt very strongly and continue to feel very strongly that a prescription drug benefit should be universal for every Medicare recipient. It should be affordable and it should be simply latched on to Medicare and handled by Medicare in the way that we traditionally do.

But even if one disagrees with that, the fact of the matter is that I have not seen anything significant coming from this administration other than in a suggestion that in the budget there should be something like \$150 million to pay for a Medicare benefit, and we have already been told by everyone, including our Republican colleagues, that that is not sufficient. But leaving that aside, we do not see any movement here. There has not been any

movement to mark up a prescription drug bill in the House, in the Senate, in any committee, and the President is not pushing for it. It is not a priority. All we heard from this President during the first 100 days is that he wants a big, fat tax cut that is going to primarily benefit wealthy Americans, corporate interests, and actually is at the expense of the middle class and the little guy because it would take so much money away that we would be dipping into the Medicare Trust Fund, into the Social Security Trust Fund, and frankly, we would probably put ourselves back into a deficit situation and hurt the economy.

So that is the legacy. I could go on and on, but I would like to yield to some of my colleagues. The legacy of this first 100 days is no attention to health care concerns, ripping apart environmental protection, actually being negative in terms of the environmental agenda, and just devoting all the time and the resources of the President to a huge tax cut that I think will hurt the economy and certainly not benefit the average American.

Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentleman from New Jersey (Mr. PALLONE) for yielding me time.

President Bush's 100 days, first 100 days. The President has hit that traditional landmark of his first 100 days. These 100 days have seen a charm offensive from the White House. He is able to pay lip service to the people, organizations and ideas.

He can create a classic photo opportunity as evidenced with his recent appearance at the Boys and Girls Clubs in Wilmington, Delaware and other clubs throughout the country while a candidate. But as he posed with those children at these clubs, he took a red pen to their funding in the budget and completely eliminated Federal aid for the Boys and Girls Clubs.

He bragged throughout the campaign about both his wife's and his support for reading and libraries, and then he snatched 70 percent of Reading Is Fundamental's budget.

Is this compassionate? It is surely conservative. And, it highlights the hypocrisy of compassionate conservatism hidden behind a smirk screen.

President Bush has assembled a cabinet of special interests. The average personal worth of the members of the cabinet is \$11 million. He spent his first 100 days bowing to the special interests and corporations in America that financed his run for the White House. According to Democracy 21, President Bush received \$35 million from 103 soft money donors during the election. He is paying those people back with ambassadorships and placements to Federal posts and ignoring the working people of America.

As President Bush pushes his huge tax cut for the wealthiest Americans, he is cutting social programs that peo-

ple rely upon on a daily basis. The other body limited the tax cut at about the same time the Texas State Legislature was lobbying Health and Human Services Secretary Tommy Thompson for aid because of the shortfall caused by the tax cut Governor Bush gave to the people of Texas. We say "no, thanks" to the shortfalls and deficits and demand funding for programs that make our families and children safer, smarter and healthier.

Bush's budget cuts also cuts the unemployment administration and benefit coverage at a time when both the general unemployment rate and the unemployment rate of workers eligible for unemployment insurance are expected to grow from 2001 to 2002.

He cuts work force training and employment programs 9.5 percent, or \$541 million, in training and employment services.

He cuts Section 8 housing assistance vouchers by more than half, supported only 33,700 new vouchers across the country. The proposal also cuts tenant protection by \$62 million and completely cuts tenant protection vouchers provided to disabled persons displaced from public housing designated for the elderly.

The public housing construction and repairs are cut by \$700 million, or 23 percent, after HUD found \$22.5 billion in unmet capital repair needs in public housing. Let us get back to that again. Mr. Speaker, \$22.5 million in unmet capital repair needs, and that program was cut by \$700 million, or 23 percent.

The Public Housing Drug Elimination Program, which funds antidrug and anticrime law enforcement and security in public housing. In 2001, this program was funded at \$309 million. Specifically in the 11th Congressional District, I had a conversation with the head of the Public Housing Authority and she said to me, the elimination of the drug-elimination program funds from her budget was like eliminating the entire Police Department from the Cuyahoga Metropolitan Housing Authority budget.

He went on to cut the Digital Divide Program of the Commerce Department, which provides computers and Internet connections to low-income and underserved areas by 65 percent.

He froze the Ryan White AIDS program at the 2001 level at a time when the drug cocktail and therapies has the number of people seeking AIDS treatment more than doubling since 1996.

He cut the Centers for Disease Control and Prevention by \$109 million, or 2.6 percent below the 2001 freeze level. Areas specifically cut are chronic disease and health promotion activities, such as diabetes, cancer and arthritis.

He cut health professional training programs by \$123 million, or 60.3 percent.

He cut Community Oriented Policing Services, the COPS program, which has placed over 100,000 new police officers in communities, by \$172 million.

He cut the small business budget by 43 percent.

Mr. Speaker, let me go on to just talk about a few other things that he cut. He closed the AIDS office. He closed the Race Relations office. He closed the Women's Bureau office. He provided for more arsenic in water. He went on to talk about maybe salmonella in hamburger in school systems is okay, and came back around and changed his mind. He changed the Kyoto Treaty, where all countries across America had agreed to CO₂ levels. Then add to all of that naming some of the, in my opinion, most unqualified people to head some of the departments within the United States Government, those who are not sensitive to the issues affecting all Americans.

So what I say is do not let the Bush smirk screen fool us. He eagerly reverses programs that will keep our communities and families safe and does it with a smile and a quip. We will have increasingly dangerous streets without the safety programs the President has cut, more people looking for housing assistance, a decreased ability to count on our drinking water, and other environmental programs. He likes to disarm his opponents with charm and allow his hatchet men to do the dirty work, but we know who is sending those hatchet men and whose work they are doing.

Mr. Speaker, do not be fooled by the Bush smirk screen.

□ 1515

Mr. PALLONE. Mr. Speaker, I want to thank my colleague from Ohio.

If I can comment briefly, and then I would introduce another colleague. I want my colleagues here, both Democrats and Republicans, to understand that the reason that we are doing this today and pointing to the first 100 days is not because we dislike the President personally or because we are hoping that he fails. Just the opposite. I hope that he succeeds, and I wish him the best.

Mr. Speaker, personally he seems like a very nice person. The problem is that the policies that he is implementing are not policies or an agenda that is helpful to the country, whether it is economic development of the country or it is environmental or health concerns. I think we have an obligation regardless of party affiliation to point out these problems because we do not want it to continue.

My hope is that public pressure is brought against the administration on environmental issues and health care issues so that the President changes course and actually has an agenda and implements policies, together with Congress, that are positive and that help the average American.

I just think that it is necessary for us to speak out and point out where the shortfalls are because otherwise it is going to continue. I certainly do not want what I have seen for the first 100 days to continue for the next 3½ years of this administration.

I yield to my colleague from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I would note that we are having a Special Order at 3:15 in the afternoon, and that seems to be typical in this Congress. The Republican agenda is tax cuts, and then tax cuts and then tax cuts, all of them directed and weighted to the wealthiest people of the country. But other than that, there is not much of an agenda.

We have learned a couple of things in the first 100 days of the George W. Bush administration. The first thing is that the word "compassionate" was a political slogan for use during the campaign. You cannot find any compassion in the President's budget. Once he gets to the point of putting down numbers, there is nothing compassionate about his particular brand of conservatism.

Second, he came to Portland, Maine, in my district to pitch his tax cut. As he has done all across this country, he said that in effect the tax cut comes from leftover money. He says after we have funded our priorities, there is a huge surplus in this country and it should go back to the people because it is the people's money. In other words he basically was saying this money is not needed to run the programs that benefit people in their districts, in their States right now. That is not true. It is absolutely not true, and once you have the budget you can see that it is not true.

The tax cuts do not come from leftover money. What he gives back to the American people in tax cuts, he takes from them in budget cuts. Let us talk about a few of these that he is clearly going to try to get through.

For example, let us take law enforcement. By and large Democrats and Republicans have agreed that we need to fight crime in this country. We need to help local communities fund law enforcement. That is why we have had this program for a 100,000 police officers. That is why we have tried to encourage community policing across the country. The President's budget cuts the COPS program by 17 percent. All of these cuts, some of which I am going to run through, there is not time to run through them all, what they do is they will grow dramatically over time because the tax cut grows dramatically in each successive year. That is why the budget cuts have to be so severe.

The Bush budget cuts funding for land management programs by \$2.6 billion including the Department of Interior, the EPA, the Army Corps of Engineers; and these funds have helped parks and wildlife refuges in Maine.

The Bush campaign said that he would leave no child behind. The Bush budget leaves many of America's children behind. How does that happen? On the one hand he says we are going to add \$1 billion more for special education. On the other hand he pulls back \$1.2 billion for school construction and renovation. In my State of Maine it means we get \$4.5 million more in spe-

cial education funds, whereas full funding would be \$60 million for the State of Maine. And he takes back \$5.5 million. We lose \$1 million, and yet the President is saying education is one of his top priorities.

This makes no sense. It makes no sense at all. This is the one chance we have had in decades, in fact since the special education law was passed, this is our one chance to pass special education. And if the President's tax cut passes, that chance will be gone for a decade.

It is absolutely clear that the priority is tax cut first, tax cut second, tax cut third; and education, prescription drugs for seniors, Social Security and Medicare, the environment, they are so far down on the agenda that you cannot even see them.

The President says we have an energy crisis. He favors more drilling in ANWR, but his budget cuts funds for renewable energy resources programs and energy conservation programs. What sense does that make?

Mr. Speaker, I think that certainly in my State it is clear that his budget cuts are aimed directly at the heart of Maine municipalities. The cuts in special education or the reduced fund for education overall, the reduced funding for law enforcement, inadequate funding to separate storm and sewer drains, all in all this tax cut is way too large, way too weighted for the wealthiest people in this country; and that is what he is asking the country to judge him by.

A tax cut of the size that the President has proposed will not allow funding for special education. Half the size would allow us to make dramatic progress in a variety of different areas. It would, for example, help with some of those mandates that we really struggle with all of the time. It would allow full funding of a Medicare prescription drug benefit. I want to say something about that, an issue I have worked on for some period of time.

When you look at what the Republicans are trying to do, both in the House and in the other body, and when you look at what the President is proposing, there is no way it works for rural States. I do not care whether you are a Republican, Independent, Democrat, in rural America the privatization of Medicare which is what the Breaux-Frist reform plan is all about, will not work. We learned last August from the Congressional Budget Office that traditional fee-for-service Medicare is cheaper than the services provided to Medicare beneficiaries by managed care companies, by HMOs. Yet the President continues his train down a track that provides that we are going to make sure that at least half, maybe more, of Medicare beneficiaries are served not by Medicare but by Aetna or United or the private insurance companies that have gone in and provided some HMO coverage to Medicare beneficiaries in other parts of the country, not in Maine.

Mr. Speaker, I know this: Medicare does not pick up and leave a State when it is not making money. Private insurance companies do. HMOs do. They pick up and they leave States. Not only that, in any given year if they are not making enough money, this will increase the premium. If they are not making enough money, they will decrease the benefit. What kind of system is the President laying before this Congress? We can already see in this first 100 days what the President's agenda is. It is easy to find. If you want to know his policies on energy or the environment, just look at those policies advocated by the oil industry, by the coal industry, by the gas industry. That is where you will find perfect agreement.

If you want to know his policies on health care, look at the pharmaceutical industry and the health insurance industry. They are the same policies as the President has.

If you want to know his policy on privatizing Social Security, it is the same policy that Wall Street brokerages have been advocating for years because it will make them lots of money. This administration is captured by the special interests of the country. The President talks about running the government like a business. Well, at the rate we are going, the government will be nothing more than a business. It will pay no attention to those values that we deal with every day here because in this Congress, in the people's House, our job is not just about commercial values, it is about making sure that people have a chance to get ahead. That is what this country is all about. In a wide variety of areas, whether education, health care, the environment, we can only do, we can only improve our collective well-being through the Federal Government, the State governments, and the local governments. Abraham Lincoln said in 1854, "Governments exist to do those things which a community of individuals cannot do, or cannot do so well by themselves." That message has been lost on this administration. Lost on this administration.

Mr. Speaker, we need to move in this country from thinking not just about me, not just about our individual welfare, but to thinking about the common good, an old-fashioned phrase, but one that still has meaning and one that the people of America still understand. They know. The people in my State know. Here is a headline from yesterday's paper: "Local Advocates Rally Against Bush Budget Cut." People in Maine know we have an interest in making sure that the young people growing up in public housing projects have a chance for a better life.

The President has zeroed out a \$60 million grant to the Boys and Girls Clubs of this country. A small portion of that money goes into Portland, Maine. Let me tell you what it does. It funds four study centers, after-school study centers for kids. They come out

of school, they have a place to go. They have tutors, and materials to work on. They can improve their education and do better in school.

Four different areas in Portland. It helps pay for a satellite Boys and Girls Club, a peer leadership program through which young people are able to develop leadership skills. It helps fund the Institute for Practical Democracy, a place for girls; and a variety of other programs. One woman who works with these children said if we eliminate this, we eliminate opportunities for our kids. The truth about the Bush tax cut is that it is taking money out of the hides of our kids. It is taking money out of the hides of our seniors. It is taking money out of the hides of the municipalities and communities all across this country, and it is taking money away from our ability to protect and preserve our environment.

Mr. Speaker, there is no free lunch in this country. Revenues are related to expenditures, even though the administration would argue the tax cut as if it were totally separate from the programs that American people and American communities have come to depend on. We need to do a better job, and we can.

A tax cut half this size protects and preserves the kinds of programs which make a difference in the lives of Americans all across the country. This budget and tax cut are bad for my State of Maine. They are bad for the country. They are bad for working men and women all across the country, and it is our hope that they will be rejected.

Mr. Speaker, we may not change the administration; but it is our hope that in this Congress and in the other body we will be able to change the direction to one that is more balanced, more sensible and fairer for ordinary Americans.

□ 1530

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Maine (Mr. ALLEN). If I could just comment a little on what the gentleman from Maine said because there were certain points that I just feel were so well articulated.

I am so pleased that the gentleman kept stressing that there is no free lunch. He started out that way and he concluded that way. Because I do believe that, if we listen to the President in the first 100 days, he is constantly giving the impression that there is this huge surplus and there is all this money that we can spend for everything. The gentleman from Maine and I know that is not the case. Most people know that is not the case.

When the President's budget came out, it was vividly shown that, in order to achieve this huge tax cut that was mostly going to the wealthy and to corporate interest, that we had to make significant cuts and even raid other programs, like Social Security and Medicare. So there is no free lunch.

The other thing that I maintain is that, when we look at the President's

tax initiative, although it is geared toward the wealthy and the corporate interests, it really does not help anyone ultimately, because I am very concerned that if we actually put it in effect that we would end up in a deficit situation again.

When I talk to wealthy Americans, of course, a lot of them do not support his tax cut. Many of the wealthiest people in the country have come out against it. I think the reason is that because they understand that, if we go back into a deficit situation, it is going to hurt the economy. We are going to end up with high interest rates. We are going to have a situation where companies that want to start new production, new techniques will not be able to borrow any money. That is what we had for the period of time going back before the previous administration. We do not want to go back to that. Nobody benefits from that.

The last thing that I wanted to comment that I thought the gentleman from Maine (Mr. ALLEN) pointed out so well, a lot of times we talk about programs, and we use that term "program," and I worry that I do not even want to use the term "program" because it almost has like a bad connotation, Federal program. But the gentleman from Maine (Mr. ALLEN) talks about the COPS program, which I thought was so much on point.

I mean, I had the same phenomenon that he pointed out where he had the newspaper and there were local citizens' rallies. In Asbury Park, which is one of my communities, one of the poorest communities that I represent, the police and some of the local officials just spontaneously, I did not know anything about it, had an event or press conference. They were talking to the press about the COPS program and how important it was to their city and how they had been able to hire extra police and the money was coming from the Federal Government to pay for it and this was helping with their fight against crime. They could not imagine what was going to happen if this program effectively ended.

Although there is some money in the budget for it, it has been cut so much that there will be no new police hired.

So I just would like to point out that we are talking about real things here. This has a real impact. We are not up here talking about the 100 days in some abstract way because we dislike the President or he is of the other party. We are just very concerned about what is happening to the country.

Mr. Speaker, I yield to the gentleman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) for putting this special order together and bringing us together to talk on this first 100 days of President Bush's presidency.

Actually, I am going to talk about energy. But it is clear to me, when we look at the energy policies that have been brought forward or not been

brought forward since President Bush's election that in his first 100 days in office, President Bush has made it very clear that the only promise that he intends to keep is his commitment to leave no special interests behind. Nowhere is that more clear than in his actions and in his inactions surrounding energy and the environment.

In spite of all of his campaign promises and catchy speeches since taking office in January, President Bush has made it clear that our environment is not one of his priorities.

On the campaign trail, however, Bush vowed to strengthen carbon dioxide regulations to keep factories from polluting our air further. Within 2 months of taking the oath of office, he went back on his word, refusing to toughen carbon dioxide standards, making it easier and more effective for big industry to pollute.

Shortly after breaking his word on CO₂s, President Bush repealed tough new regulations that would have reduced the arsenic in our drinking water. Instead of acting to protect the water that our children drink, the President acted to protect mining companies from having to clean up their act and keep our water clean.

In these first 100 days, the President also unilaterally withdrew U.S. support from the Kyoto Treaty, seriously undermining our role as a world leader in environmental protection.

Most alarming to me as a Californian and as the ranking member of the Subcommittee on Energy of the Committee on Science is the President's lack of commitment to environmentally smart solutions for our energy crisis.

All Americans want and deserve reliable, affordable energy. Increasing our reliance on fossil fuels is not the way to solve our energy crisis or protect us from future problems. A serious Federal commitment to renewable energy sources, energy efficiency, and conservation is the only real solution.

But let us face it. The President and his Vice President are oilmen. Enron and other power companies were among Bush's campaign's biggest donors. The bottom line is that Bush-Cheney and their campaign contributors have a lot to gain from maintaining the stranglehold fossil fuels have on our power supply.

Despite the fact that the President stood before this country and said in his State of the Union Address that he was committed to renewable energy research, he has done nothing in his first 100 days except move to further increase our reliance on fossil fuels.

In fact, in his budget, President Bush slashed the funding for renewable energy research by \$200 million. Under the President's plan, 50 percent of the geothermal technology development funding would be cut, 54 percent of the solar energy budget would be cut, and 61 million dollars would be cut from energy efficiency research funding.

Once more, the President's budget ties future funding for renewables to

Federal dollars raised from drilling in the Arctic National Wildlife Refuge. That is an outrage. Destroying one of the most pristine expansions of wilderness in our country for a limited supply of oil is not a solution to the California or our Nation's energy crisis. It is one more environmental problem. It is a problem that he would leave for the future generations to solve.

So while Californians suffer through more blackouts and the Nation struggles to pay skyrocketing energy bills, President Bush has his billionaire oilman Vice President meeting in secret to craft a national energy policy. If it is anything like the Bush budget, and one can be sure it will be, it will be heavy on oil and nuclear energy and light on safe, sustainable energy sources like wind, solar, and geothermal.

Mr. Speaker, the gentleman from New Jersey (Mr. PALLONE) knows as well as I do that 100 days may be a good benchmark for politicians and pundits to assess new presidencies. But it is only a fraction of the time that our President actually spends in office. If President Bush continues this pattern for the rest of his term, big business may be smiling, but the American people will not be.

Over the next 3½ years, President Bush may make good on his commitment to leave no special interests behind. But after 4 years of his anti-environment pro oil company stance, the American people will be ready to leave President Bush behind.

Mr. PALLONE. Mr. Speaker, I want to thank the gentlewoman from California (Ms. WOOLSEY), and I know how important the energy issue is obviously in California and around the country.

The gentlewoman mentioned the issue of renewables. I know that, in the budget, the research on renewables was cut about half. I think she mentioned that. It is so unfortunate because a lot of new technology is out there that is already being tried. The United States is the leader in these new technologies. If we think about it, here we are, the country that could take the leadership role, whether it is global climate change or whatever, and export a lot of these technologies, actually make money and create jobs; and this administration does not want to attend to it. It is just so unfortunate because it is so backward looking.

There are just ways of doing things that could create more jobs, solve the energy crisis over the long-term and at the same time make for a better quality environment, and he just does not listen.

Mr. Speaker, I yield to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) very much for yielding to me.

Let me first of all just congratulate the gentleman on his leadership in the environmental area. I know that the State of New Jersey cares a lot about

the environment, too. He has been a real leader when it comes to renewables and coastal resources and protecting them. So I just want to congratulate the gentleman for all his hard work in that area and thank him for participating today.

I wanted to talk about the 100-day period and talk a little bit about budget priorities. It seems to me that, as President, one puts in one's budget the thing that one cares about, and one cuts the things that one does not care about. Looking at a budget is a real test of where the country is going to head under this President.

So I think the budget speaks louder than words more than anything. I think one can have a lot of talk and one can have action, but the budget reflects where one wants to take the country. That is where I think this budget that has just come out, and by the way, I think it is very interesting that we had all of these votes on tax cuts and overall budget resolutions without ever seeing a budget. I mean, that is the most devastating thing is to not even be able to see a budget before one votes on the revenue side of the picture.

So let us take a look at what this budget reflects on environmental issues. First of all, we have cuts across the board in various agencies that deal with the environment. Let us take the Environmental Protection Agency. This is an agency that enforces the law, that works very hard to make sure that air quality and water quality and toxic waste standards are all met. Those things are very, very important to Americans. Cut EPA 8 percent in the President's budget.

Now, my understanding from talking to some of our members on the Committee on the Budget is these cuts this year even get more severe in succeeding years. So we are talking about serious deep cuts to a very important agency like the Environmental Protection Agency.

Now, in my home State, we have a couple of national laboratories and they are real jewels and they do a lot of great research. But in the past, many, many years ago, they had nuclear waste which they disposed of in improper ways. So there has been a 10-year program to try to get that cleaned up.

Well, basically in this budget what the President is telling places like Los Alamos is we are going to slow that cleanup down because they cut the nuclear waste cleanup budget for the Department of Energy.

One of the other big items in this budget that I think is a very, very important issue is research on alternative and renewable forms of energy. If one looks in that Department of Energy budget for solar, wind, other alternative and renewable sources of energy, big cuts in those budgets. To me, that just does not make any sense.

Now, let us jump to the campaign trail for a minute, because President

Bush talked a lot on the campaign trail about how he was for full funding of the land and water conservation fund. This is a fund that helps the Federal Government, States, localities, cities try to do everything they can to protect parks and to expand parks and to refurbish recreation areas. That is what the land and water conservation funds.

President Bush said in his campaign full funding of land and water conservation fund. The Congress passed by a very, very big margin a bill that, over the next 10 years, put significant monies; and there was another big huge cut to the tune of \$260 million in land and water conservation fund monies going into parks, going in to help people with recreation areas.

□ 1545

This is a shared relationship. This is something that the Federal Government does with a city and a county. They put up half the money, we put up half the money, we go into it together to create a park and a community.

One other department I want to mention because it is very important in the West is the Department of Interior. The President's budget once again has big cuts in the Department of Interior. What we have here, and I think it is a very sad situation, we have a lot of talk about how we are going to take care of the environment. We are going to move towards clean air and clean water. Yet when we look at this budget blueprint, we end up finding out that this President wants to cut in all of these crucial areas, from the Environmental Protection Agency to nuclear waste cleanup in DOE, to research on alternative and renewable forms of energy, to the Land and Water Conservation Fund and the Department of Interior. I find it deplorable that this administration would cut so deeply into those vital environmental programs.

I again applaud the gentleman from New Jersey (Mr. PALLONE) for his efforts on this issue.

Mr. PALLONE. I want to thank my colleague from New Mexico. I just want to mention to my other colleagues, I think we only have another minute or two but they can do 5 minutes after this. I appreciate them coming down and joining us.

I just wanted to comment briefly on what the gentleman from New Mexico said because he talked about open space, which again is so important in the State of New Jersey. Essentially he is right. What the President has proposed for the budget, you could not possibly even fund existing open space and land and water conservation programs, let alone anything new. We have a lot of needs. We had a bus trip last week. We went around the State. I was with the gentleman from New Jersey (Mr. PASCRELL) at the Great Falls in Paterson which he is trying to get designated as a national park. There is no way that you can do that or provide the funding for the Great Falls or any

other new area for open space or historical preservation with this budget. We need to point this out.

Mr. Speaker, in conclusion, the 100 days is over on Monday. Obviously there is going to be a lot more talk about it over the next few days before we get to Monday. The bottom line is that if you look at the first 100 days of this administration, it has been a failure on so many fronts. It is also not in tune with what the President said during his campaign. We are not pointing this out because we want him to be a failure. We are pointing it out because we want the agenda to change and be more proactive and helpful to the average American. We feel that there is a broad bipartisan consensus on a number of these environmental and health care and education initiatives.

There is no reason why we cannot move forward in a positive way. The President in his first 100 days has basically, I think, failed to carry forth with the agenda that he promised in the campaign, which would be good for the average American. Whether it is CO₂ emissions or open space or education, there is a lot of rhetoric but there is not much action and certainly no indication of funding in the budget to carry out what he promised. We will continue to point this out because we want it to change and we think that this country can move in a forward fashion on a bipartisan basis.

FIRST 100 DAYS OF BUSH ADMINISTRATION

The SPEAKER pro tempore (Mr. REHBERG). 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, I want to thank the gentleman from New Jersey (Mr. PALLONE) for holding forth for an hour on what I think is a very important discussion. I think it is also important as we debate this issue that we clarify the reason why we rise to the floor, Mr. Speaker, for some might think that it is clearly to make a very bland or a very superficial analysis of 100 days of an administration.

Might I say as a Member of the United States Congress, I am willing to look at our 100 days as well because frankly what I am concerned about is the future of this Nation, the good future of the Nation, the improved quality of life. As I look to the 100 days, what I say to the American people is we can analyze 100 days because we have certain documents and certain actions that we can determine whether or not there is a vision for the future of this Nation or whether in fact we are going backward.

What I would say to the administration is of course there are analyses that suggest that it has been an okay 100 days, it has been a good 100 days, there is nothing that has been disturbed in the 100 days. That may be the

case, but the question is who have we helped, what vision have we set forward in order to improve the quality of life of so many Americans? What have we done to be bold in our leadership?

This is why, Mr. Speaker, I come to the floor of the House and cite several aspects of concern that I have. I have not seen the bold leadership that is necessary. When we left the last Congress, the 106th Congress, we knew that we had a problem with uninsured children in America. We know that in the last Congress and in the Congress before, we put aside \$24 billion to ensure that children around the Nation could be insured. Yet that has not been fulfilled. And so it would be important that a bold vision for America be a commitment to insure every uninsured child. I believe, Mr. Speaker, that that surpasses any need to give a \$1.6 trillion tax cut on a surplus that is unsteady.

In addition, Mr. Speaker, we had bipartisan support on smaller class sizes for our Nation's schools. Not only smaller class sizes but to rebuild our crumbling schools. Not in someone's district but in America, whether it is rural, suburban or whether or not it is an urban area. There is not one of us who can go to our districts that cannot find a 50-year-old school, a 60-year-old school. Certainly there is great history and many of the old graduates are glad that their building is still standing, but, Mr. Speaker, this is a circumstance where windows have to be opened, where bathrooms are not working, where stairwells are crumbling and our children are going to these schools. Bold leadership, Mr. Speaker, would have meant that in the 100 days of the administration that we are assessing and in this Congress we would have already brought to the floor of the House legislation to rebuild America's schools, collaborating with our local jurisdictions, talking about smaller class sizes.

As a member of the Committee on Science, let me say that I have spent some 6 years dealing with technology, research and development. My colleague from New Mexico spoke about Los Alamos. I went to Los Alamos and visited and saw the needs there. They have hardworking professionals but I would tell you, Mr. Speaker, we need resources in the Nation's labs. We need to rebuild them. We need to ensure that they are safe. And can you believe that we in the Committee on Science have oversight over a proposed budget by the administration that cuts this kind of research and development. In fact, what we are finding out is that there is more money for defense research and less money for civilian research. That means that NASA, the Department of Energy, NOAA, all of these entities that deal with the quality of life of Americans, improving the quality of life of Americans, helping to clean up nuclear waste, are now being proposed to be cut. That is not bold leadership. It falls on the backs of this

Congress and it falls on the back of the administration.

Let me just quickly say, Mr. Speaker, why I am concerned. Both bodies, if you will, both segments have not functioned with the majority in the Senate and in the House that are Republican and this administration. One of the first things we did that now is being muffled over, if you will, in the 100 days is after 10 long years of work, we thought it was important to repeal the ergonomics work safety rule which was helping Americans with skeletal injuries because Workmen's Compensation did not pay. The administration thought that that was a big victory to repeal that long, hard work, starting under Secretary Dole of the Department of Labor and now we are repealing that.

Let me close by saying to you arsenic in the water, lowering emissions, lack of dollars for affordable housing and homelessness. Mr. Speaker, I would hope that we will strike a vision for the American people, come together with some leadership, and respond to what everyday, average Americans need in the 21st century.

FIRST 100 DAYS OF BUSH ADMINISTRATION

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

Mr. INSLEE. Mr. Speaker, we have come to the floor today to offer a critique of the President's first 100 days in office. I think it is only fair that before we offer some of our valid criticisms, that we recognize where praise is due. I think before you give a new person on the job a critique, you always start with something positive. I want to start with something positive for the President. President Bush's FEMA director, Joe Albaugh, has done a good job responding to the Seattle earthquake, Mr. Speaker. We had this earthquake out in Seattle. He sent Mr. Albaugh out there and they have done a crackerjack job responding to my constituents' problems and we have appreciated it out there in Puget Sound country.

But, Mr. Speaker, there has been another earthquake of longer ramifications in my State and that is the earthquake of these incredibly high energy prices, electrical rates that are going up 30, 50, 100 percent, people who are charging wholesale electrical rates five, 10, 20 times higher than were just charged last year. Wholesale electrical generators, many of whom happen to be from the President's home State, who were charging \$20 a megawatt-hour last year are now charging \$250, \$500 a megawatt-hour, 10 to 20 times what they charged last year.

Mr. Speaker, you can imagine what that is doing to the economy of my State. We have had 400 people laid off from a pulp and paper mill that has shut down. We have got small business

owners that are curtailing hours. We have got the prospect of 40,000 jobs lost as a result of these incredible price hikes.

What has this President offered the people of the West Coast, Washington, Oregon and California, in the face of this crisis? Nothing. We have come to this President and offered meaningful price mitigation legislation. We have asked him to urge FERC to ask for a meeting in the next hour or so to potentially consider a response to do something about these incredibly obscene prices that are not justified by cost, not justified by new generating capability but are only occurring due to folks who are gaming the system.

What has he said? "Let them eat cake." He said this is just a California problem. It is a Marie Antoinette energy policy and my constituents are suffering because of it. We are continuing to urge this President to give up this sort of mantra that this is just a California problem. California is still attached to the rest of the country. The earthquake has not caused it to be separated. My constituents in the State of Washington are suffering just as badly as the constituents, if not worse, in California. We need this President to recognize he is the President for all the people, not just those in Texas, not just for the generators in Texas but he has got a responsibility to the people I represent. We need him to work with us to design a price mitigation strategy. If he will do that, he will win the applause of the folks on the West Coast. Until that happens, Mr. Speaker, he is getting a D-inus when it comes to this energy crisis on the West Coast. We need his help and we are here to ask for it.

The second issue, Mr. Speaker, is on the environment. The President's first days, first 100 days, have been tremendously inspirational. They are inspiring people to come up to me in bus stops, in grocery stores, on the ferry boat and they are saying, Jay, can you stop him? Can you fight him? Can you fight him when he is trying to cut the Hanford nuclear cleanup budget? Can you fight him when he is trying to allow drilling in the Arctic refuge? Can you fight him when he wants to loosen the roadless area policies so that they can do clear-cutting in our roadless areas, the last remaining nonclear-cutted areas in the country? He has been an inspirational figure. He has inspired people who have never before lifted a political finger to get out there and get active to try to resist this environmental jihad that is going on right now.

Mr. Speaker, I believe that when the votes come up on the floor of this House, those inspirational messages will be heard and we will defeat this President in his effort to drill in the Arctic and we will have an opportunity to defeat this attack on the roadless area policy, because what my constituents are telling me, Mr. Speaker, is

that in the first 100 days of this President's administration, his environmental message has been, "Leave no special interest behind." We are going to continue this fight.

A NATIONAL ENERGY POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the gentleman from New Mexico (Mr. UDALL) is recognized for 5 minutes.

Mr. UDALL of New Mexico. Mr. Speaker, I wanted to talk about an issue that I know is going to become a very serious issue in this session of Congress, and that is a national energy policy. This administration is going to unveil in the coming weeks their plan for a national energy policy and I thought it was important to talk a little bit about what I think should be in that national energy policy and how we ought to look forward. Energy and energy issues are not just about today. I think the people of this country pay us to look out to the future, 25, 50 years, and put this Nation on a very strong basis where we can be energy efficient.

Are we in that condition today? I do not think so. I think increasingly in recent years, we have gone up and up with imports. We have increased our dependence on foreign oil. In fact, in the 1960s we imported about 20 percent of our oil. We are approaching today about 60 percent of our oil.

□ 1600

So we are getting heavily dependent on imports. Where is the foreign oil coming from that we are importing? Over 55 percent of that oil is coming from seven countries. They are in the Middle East, a volatile region, a region where there is always something going to happen that might impact the oil supply. So we need to look ahead.

I wanted to talk a little bit about what are the components of a national energy policy.

First of all, we have to look at having a strong domestic industry. Many States out in the West, New Mexico is one of them, have strong, vital domestic oil industries. We have to make sure that those industries stay strong and that we give the incentive so that they can develop.

Secondly, we have to look at fuel efficiency. In the last end of this administration, the Clinton administration, we talked about energy efficiency and the Clinton administration, through Secretary Richardson, who is from my home State and a colleague of mine, he put in a requirement that air conditioners in the future have 30 percent energy efficiency. I find it very unfortunate that this administration has rolled that back. Rather than get more energy-efficient air conditioners which use up huge amounts of energy in the summer, that has been rolled back.

We need to look at fuel efficiency. If we just increased our automobile efficiency 3 miles per gallon, that would

equal all of the oil that is in the Arctic National Wildlife Refuge. So fuel efficiency on automobiles is another important component, and I hope that this administration recommends that.

In addition to air conditioners, there are a number of other appliances which could be more energy efficient. We need to look at every one of those, and I hope there are some major recommendations in that area.

Then we need to look at conservation. Since 1900 until today, we have used up enormous sums of oil. Some estimates are that we have used up half of what all there is out there. That, to me, is deplorable. The amount of time that people have been on this earth and just a couple of generations here are using it all. A good conservation ethic says that we should leave the world in a better place for our children. So we should not be using such a vital resource at such a rapid pace. So we need to apply a conservation ethic. I hope this President speaks out and says, in terms of a national energy policy, we need conservation and we need it to be a big part of government and private sector and throughout the economy.

The last area that I think needs to be emphasized here is alternative and renewable forms of energy. If we focus on fuel cells, solar, wind, biomass, do the research, bring down the costs, we can be a country that is energy independent; and we will not be so dependent on this foreign oil. When it comes to those areas, I really do not understand this President cutting solar and wind and some of the other renewable forms.

So in sum, Mr. Speaker, let us look at a true national energy policy in the coming weeks.

EDUCATION, AN IMPORTANT ISSUE IN THE STATE OF UTAH

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

Mr. MATHESON. Mr. Speaker, the House is going to be taking up the issue of education over the next couple of weeks, and I thought it would be important to communicate some of the thoughts that I have learned, having spent a significant amount of time in my district over the Easter recess talking to teachers and superintendents, talking to students, and talking to parents. I can say, I come from a State that is unique. Utah's needs are not often represented in national discussions on education, and I think it is important to point out some of the unique characteristics in my State and how national policy may affect that.

I represent the State with the lowest per-pupil expenditure in the United States. I represent the State with the largest student-teacher ratio in the United States. Utah schools are struggling to keep up. The State Office of Education estimates Utah will add over

100,000 new students over the next 10 years. It is going to require 124 new schools to be built in my State.

These challenges that I mention, these challenges we face in the State of Utah, make the Federal-State relationship very critical. We believe in Utah, and I firmly believe, that education is fundamentally a State and local issue. So as we talk about education policy here in Congress, I want to make sure that we talk about it in the context where we are not creating Federal programs with a number of strings attached. It is important that we maintain local control.

Let me talk about five quick issues that we should consider during our education discussion. The first is class-size reduction. The Federal class-size reduction program has been a great success in my State. That program takes Federal dollars and puts it directly in local school districts. I have talked to all the school districts in my congressional district. They have talked about what a positive program it is, that they have the flexibility to decide what to best do with that money. Some schools hire teachers to create new classes. Other schools hire a reading specialist to move from class to class. But that flexibility has been very important in my State.

The second issue I would mention is the issue of teacher development. As I meet with teachers, they think it is important that they have the opportunity to improve themselves throughout their careers. That is something a lot of people do in the private sector. We should make sure our teachers have that opportunity. We should make sure that the Eisenhower Professional Development Program is maintained and strengthened in the future.

The third issue I want to talk about is the notion of accountability. We all think accountability is a good idea. We just need to be careful that we do not enforce a one-size-fits-all solution at the Federal level. Every State, every community has their own circumstances; and we ought to make sure that those local circumstances can be accommodated in whatever accountability measures that we have.

I can say that in Utah, we have already created a new State testing program. We are in the process of implementing that, and Utah teachers are not afraid of accountability; but we want to make sure that accountability is measured in the broadest sense possible that accommodates all the variables that affect student performance.

Finally, I would like to talk about the notion of decreased bureaucracy. I have met with so many teachers and administrators, and they talk about the problems with special education in terms of the paperwork. The paperwork is such a burden on our teachers and our administrators; and while it is clearly also important that we fully fund the Federal commitment to special education, I think it is also important that in the context of looking at

funding for special ed we also ought to look at trying to reform special ed to reduce the paperwork. That is a view from my own home district, and I think it is important that we put that in the RECORD, these issues and concerns about educators in the State of Utah as we discuss education.

SPECIAL ORDERS GRANTED

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

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

Ms. NORTON, for 5 minutes, today.
 Mr. DAVIS of Illinois, for 5 minutes, today.
 Mr. LANGEVIN, for 5 minutes, today.
 Mr. ROSS, for 5 minutes, today.
 Mr. SHOWS, for 5 minutes, today.
 Mr. BONIOR, for 5 minutes, today.
 Mr. DINGELL, for 5 minutes, today.
 Mr. KILDEE, for 5 minutes, today.
 Mr. LEVIN, for 5 minutes, today.
 Mr. STUPAK, for 5 minutes, today.
 Ms. BROWN of Florida, for 5 minutes, today.
 Mr. SHERMAN, for 5 minutes, today.
 Mr. SMITH of Washington, for 5 minutes, today.
 Mr. MATHESON, for 5 minutes, today.
 Mr. BLUMENAUER, for 5 minutes, today.
 Ms. MILLENDER-MCDONALD, for 5 minutes, today.
 Mr. ISRAEL, for 5 minutes, today.
 Mr. LARSEN of Washington, for 5 minutes, today.
 Mr. INSLER, for 5 minutes, today.
 Mr. DEFazio, for 5 minutes, today.
 Mrs. CLAYTON, for 5 minutes, today.
 Mrs. MINK of Hawaii, for 5 minutes, today.

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

Mrs. KELLY, for 5 minutes, May 2.
 Mr. TAYLOR of North Carolina, for 5 minutes, May 2.
 Mr. ROHRBACHER, for 5 minutes, today.
 Mr. SMITH of Michigan, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.
 Mr. UDALL of New Mexico, for 5 minutes, today.

ADJOURNMENT

Mr. MATHESON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Thursday, April 26, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1591. A letter from the Acting Administrator, Farm Services Agency, Department of Agriculture, transmitting the Department's final rule—Diary Price Support, Dairy Recourse Loan, Livestock Assistance, American Indian Livestock Feed, and Pasture Recovery Programs (RIN: 0560-AG32) received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1592. A letter from the Acting Administrator, Farm Services Agency, Department of Agriculture, transmitting the Department's final rule—2000 Crop Disaster Program (RIN: 0560-AG36) received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1593. A letter from the Acting Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Dairy and Cranberry Market Loss Assistance Programs, Honey Marketing Assistance Loan and LDP Program, Sugar Non-recourse Loan Program, and Payment Limitations for Marketing Loan Gains and Loan Deficiency Payments (RIN: 0560-AG34) received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1594. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Propiconazole; Time-Limited Pesticide Tolerances [OPP-301115; FRL-6778-1] (RIN: 2070-AB78) received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1595. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Metolachlor; Extension of Tolerance for Emergency Exemptions [OPP-301118; FRL-6778-6] (RIN: 2070-AB78) received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1596. A letter from the Chief, General and International Law Division, Department of Transportation, transmitting the Department's final rule—Audit Appeals; Policy and Procedure [Docket No. MARAD-2000-8284] (RIN: 2133-AB42) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1597. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Gasoline Volatility Requirements for Allegheny County [PA160-4107a; FRL-6962-3] received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1598. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—EPA International "Green" Buildings Initiative—received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1599. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Implementation of the Wassenaar Arrangement List of Dual-Use Items: Revisions to Microprocessors, Gratic Accelerators, and External Interconnects Equipment [Docket No. 010108008-1008-01] (RIN: 0694-AC39) received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1600. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions to the Export Administration Regulations as a result of the addition of Brazil, Latvia, and Ukraine to the Nuclear Suppliers Group, and other revisions [Docket No. 001212346-0346-01] (RIN: 0694-AB50) received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1601. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-43, "Closing of a Portion of South Avenue, N.E., S.O. 00-91 Act of 2001" received April 24, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

1602. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-576, "Brownfield Revitalization Amendment Act of 2000" received April 24, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

1603. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation—received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1604. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustments From Cape Falcon, OR to Humbug Mountain, OR [Docket No. 000501119-0119-01; I.D. 031501B] received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1605. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock Within the Shelikof Strait Conservation Area in the Gulf of Alaska [Docket No. 010112013-1013-01; I.D. 032901B] received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1606. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, southeast of Narrow Cape, Kodiak Island, AK [COTP Western Alaska-01-001] (RIN: 2115-AA97) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1607. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Shaw Cove, CT [CGD01-01-018] (RIN: 2115-AE47) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1608. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulations: Hackensack River, NJ [CGD01-01-010] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1609. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Crescent Beach Bridge (SR 206), Crescent Beach, FL [CGD07-01-019] (RIN: 2115-AE47) received April 12, 2001, pur-

suant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1610. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Lessee Construction Allowances For Short-Term Leases [Rev. Rul. 2001-20] received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CHAMBLISS:

H.R. 1580. A bill to provide that Commodity Futures Trading Commission employees may be paid on a par with employees of other government financial institutions; to the Committee on Agriculture, and in addition to the Committee on Government Reform, 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 Ms. DUNN (for herself, Mr. BISHOP, Mr. ALLEN, Mr. BAIRD, Mr. BALDACCIO, Mr. BARTON of Texas, Mr. BLUMENAUER, Mr. BLUNT, Mr. CALLAHAN, Mr. CAMP, Mr. COLLINS, Mr. COOKSEY, Mrs. EMERSON, Mr. ENGLISH, Mr. HERGER, Mr. HILLIARD, Mr. HUTCHINSON, Mr. ISAKSON, Mr. LARSEN of Washington, Mr. LEWIS of Kentucky, Mr. GREEN of Wisconsin, Mr. MCCRERY, Mr. THOMPSON of California, Mrs. JOHNSON of Connecticut, Mr. OBERSTAR, Mr. OTTER, Mr. PICKERING, Mr. ROSS, Mr. SCHAFER, Mr. SHOWS, Mr. SIMPSON, Mr. STUPAK, Mr. SMITH of Washington, Mrs. THURMAN, Mr. WALDEN of Oregon, and Mr. WICKER):

H.R. 1581. A bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities; to the Committee on Ways and Means.

By Mr. GUTIERREZ:

H.R. 1582. A bill to amend the Immigration and Nationality Act to adjust the status of certain long-staying alien children, to lower high school drop out rates for certain immigrant children, and to restore the right of State and local governments to decide whom they will admit to their State and local colleges and universities; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. HILL (for himself, Mr. VISCLOSIO, Mr. PENCE, Mr. ROEMER, Mr. SOUDER, Mr. BUYER, Mr. BURTON of Indiana, Mr. KERNS, Mr. HOSTETTLER, and Ms. CARSON of Indiana):

H.R. 1583. A bill to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. HOEKSTRA (for himself, Mr. TANCREDO, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. WELDON of Florida, Mr. DEMINT, Mr. BAKER, Mr. ARMSTRONG, Mr. SENSENBRENNER, Mr. KOLBE, and Mr. SCHAFER):

H.R. 1584. A bill to amend the Internal Revenue Code of 1986 to require that each employer show on the W-2 form of each em-

ployee the employer's share of taxes for old-age, survivors, and disability insurance and for hospital insurance for the employee as well as the total amount of such taxes for such employee; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1585. A bill to provide for a study regarding the proximity of federally assisted housing to hazardous waste sites; to the Committee on Financial Services, 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.

By Mr. KANJORSKI (for himself, Mr. SHAYS, Mr. SESSIONS, Mr. EVANS, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. TIERNEY, Mr. MCGOVERN, Mr. FRANK, and Mr. DELAHUNT):

H.R. 1586. A bill to amend chapter 84 of title 5, United States Code, to make certain temporary Federal service performed for the Federal Deposit Insurance Corporation creditable for retirement purposes; to the Committee on Government Reform.

By Ms. MCKINNEY (for herself, Mr. EVANS, Mr. REYES, and Ms. BROWN of Florida):

H.R. 1587. A bill to amend title 38, United States Code, to repeal the 30-year manifestation period for a presumption of service-connection for respiratory cancers occurring in veterans who served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975; to the Committee on Veterans' Affairs.

By Mrs. MINK of Hawaii (for herself and Mr. ABERCROMBIE):

H.R. 1588. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for the conversion of cooperative housing corporations into condominiums; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 1589. A bill to amend the Caribbean Basin Economic Recovery Act to provide trade benefits for socks and hosiery; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 1590. A bill to amend the Internal Revenue Code of 1986 to allow up to \$500 of health benefits and dependent care assistance in flexible spending accounts and similar arrangements to be carried forward to the succeeding taxable year or to be included in gross income upon termination of such accounts and arrangements; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Ms. MCKINNEY, and Mr. MCGOVERN):

H.R. 1591. A bill to prohibit the United States Government from providing financing for nongovernmental organizations or individuals to carry out military, law enforcement, armed rescue, or other related operations in the countries of the Andean region, including any operations relating to narcotics control efforts; to the Committee on International Relations.

By Mr. THORNBERRY (for himself, Mr. JONES of North Carolina, Mr. GRAVES, Mr. DELAY, and Mr. OTTER):

H.R. 1592. A bill to amend the Land and Water Conservation Fund Act of 1965 to provide greater protection of private property rights; to the Committee on Resources.

By Mr. PAUL:

H.J. Res. 45. A joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the United States Government from engaging in the business in competition with its citizens; to the Committee on the Judiciary.

By Mr. SKELTON:

H. Con. Res. 106. Concurrent resolution commending the crew of the United States Navy EP-3 Aries II reconnaissance aircraft that on April 1, 2001, while flying in international airspace off the coast of China, was involved in a mid-air collision with a Chinese fighter aircraft for their outstanding performance of duty and exemplary conduct and expressing the sense of Congress concerning continued United States reconnaissance and surveillance flights in the area; to the Committee on Armed Services.

By Mr. WELDON of Florida (for himself and Mr. CRAMER):

H. Con. Res. 107. Concurrent resolution expressing a declaration of space leadership; to the Committee on Science, and in addition to the Committee on Armed Services, 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. SMITH of Michigan:

H. Con. Res. 108. Concurrent resolution honoring the National Science Foundation for 50 years of service to the Nation; to the Committee on Science.

By Mr. LATOURETTE:

H. Con. Res. 109. Concurrent resolution honoring the services and sacrifices of the United States merchant marine; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, 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. FLAKE (for himself, Mr. SHAD-EGG, Mr. TOOMEY, Mr. SESSIONS, Mr. DEMINT, Mr. OTTER, Mrs. MYRICK, Mr. TANCREDO, Mr. SAM JOHNSON of Texas, Mr. DOOLITTLE, Mr. RYUN of Kansas, and Mr. RYAN of Wisconsin):

H. Res. 123. A resolution amending the rules of the House of Representatives to prohibit the inclusion in any legislation of any provision which makes a decrease in Federal income taxes contingent upon another event or circumstance; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. TAUSCHER introduced A bill (H.R. 1593) for the relief of Bruce Watson Pairman and Daniele Paule Pairman; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 10: Mr. PITTS, Mr. DELAY, Mrs. CUBIN, and Ms. SANCHEZ.

H.R. 21: Mr. LOBIONDO and Mrs. NORTHUP.

H.R. 61: Mrs. BIGBERT.

H.R. 68: Mrs. THURMAN.

H.R. 99: Mr. MILLER of Florida.

H.R. 123: Mr. BUYER and Mr. KOLBE.

H.R. 128: Mr. OLVER, Mr. OBERSTAR, Ms. MCKINNEY, Mrs. CAPPS, Mr. GEORGE MILLER of California, and Ms. BALDWIN.

H.R. 169: Mr. CUMMINGS, Mr. GREEN of Wisconsin, Mr. COYNE, Ms. SANCHEZ, Mr. SANDLIN, Mr. MCGOVERN, Mr. KUCINICH, Ms. MCKINNEY, Mr. WELDON of Florida, and Mr. ARMEY.

H.R. 220: Mr. SKEEN and Mr. REHBERG.

H.R. 270: Mr. BONIOR and Ms. SCHAKOWSKY.

H.R. 325: Mr. GEORGE MILLER of California, Ms. KILPATRICK, Ms. NORTON, Mr. GILCHREST, and Mr. MALONEY of Connecticut.

H.R. 353: Mr. TIAHRT.

H.R. 389: Mr. FILNER.

H.R. 397: Mr. SCHIFF, Ms. SOLIS, Ms. SANCHEZ, Mr. HOBSON, and Mr. CLEMENT.

H.R. 435: Ms. WOOLSEY.

H.R. 436: Mr. ROGERS of Kentucky and Mr. GREEN of Texas.

H.R. 458: Mr. GREENWOOD.

H.R. 460: Mr. DEFAZIO and Ms. LEE.

H.R. 490: Mr. BOEHLERT, Mr. ROGERS of Kentucky, Mr. KILDEE, Mr. BLUMENAUER, Mr. REHBERG, Ms. MCKINNEY, Mr. FRANK, Mrs. DAVIS of California, Mr. PICKERING, and Mr. OLVER.

H.R. 499: Mr. PAYNE, Ms. DELAURO, Mr. GONZALEZ, Ms. KILPATRICK, and Mr. RUSH.

H.R. 500: Mr. LANTOS.

H.R. 521: Mr. ABERCROMBIE.

H.R. 525: Mr. COSTELLO.

H.R. 527: Mr. EVERETT and Mr. RILEY.

H.R. 531: Mr. LANTOS.

H.R. 555: Mr. THOMPSON of Mississippi and Mr. CAPUANO.

H.R. 579: Mr. LANGEVIN.

H.R. 594: Mr. FALCONOVAEGA.

H.R. 611: Ms. DEGETTE, Mr. ENGLISH, Mr. ROGERS of Kentucky, Mr. OLVER, Mr. LEWIS of Kentucky, Mr. WAXMAN, Mr. ROSS, Mr. MURTHA, Mr. ENGEL, Mrs. JONES of Ohio, Mr. DOYLE, Mrs. MINK of Hawaii, Mr. ETHERIDGE, Ms. MCCOLLUM, and Mr. INSLEE.

H.R. 619: Mr. MORAN of Virginia.

H.R. 622: Mr. WATT of North Carolina, Mr. GONZALEZ, Mr. MALONEY of Connecticut, Mrs. TAUSCHER, and Mr. BROWN of Ohio.

H.R. 641: Mr. DAVIS of Illinois, Mr. JOHN, Mr. SHOWS, Mr. OWENS, Mr. DOOLEY of California, Mr. MORAN of Virginia, Mr. JEFFERSON, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HANSEN, and Mr. MCINNIS.

H.R. 648: Mr. RYUN of Kansas and Mr. BOEHLERT.

H.R. 662: Mr. WICKER, Mr. PETERSON of Pennsylvania, Mr. RODRIGUEZ, Mr. TERRY, Mr. GEKAS, Mr. KENNEDY of Minnesota, Mr. HALL of Texas, Mr. HAYWORTH, Mr. STUPAK, Mr. LUCAS of Kentucky, Mr. CLEMENT, Ms. MCKINNEY, Mr. SCHAFFER, Mr. HILLEARY, Mr. FOLEY, Mr. ROGERS of Kentucky, Mrs. KELLY, Ms. KAPTUR, Mr. BOEHLERT, Mr. BERRY, Mr. GILCHREST, Mr. HILLIARD, Mr. CONDIT, and Mr. PUTNAM.

H.R. 663: Mr. ISAKSON, Mr. CUNNINGHAM, and Ms. MCCOLLUM.

H.R. 678: Mr. LEVIN and Mr. ISRAEL.

H.R. 712: Mrs. THURMAN.

H.R. 717: Mr. ENGEL, Mr. HUTCHINSON, Mr. ROGERS of Kentucky, Mr. OWENS, Mr. CASTLE, Mr. HOLT, Mr. REYES, Mr. BERRY, Mr. SIMMONS, and Ms. ESHOO.

H.R. 730: Mr. SMITH of New Jersey and Mr. HOLT.

H.R. 739: Mr. FARR of California.

H.R. 744: Mr. LANGEVIN and Mr. BENTSEN.

H.R. 773: Mr. CAPUANO.

H.R. 781: Mr. HINOJOSA.

H.R. 786: Mr. HOFFFEL.

H.R. 793: Mr. PALLONE.

H.R. 818: Mr. HOYER and Mr. RUSH.

H.R. 827: Mr. WELLER.

H.R. 864: Mr. RYUN of Kansas.

H.R. 868: Mr. EVERETT, Mr. ROGERS of Michigan, Mr. TURNER, Mr. BOUCHER, and Mr. WALDEN of Oregon.

H.R. 911: Mr. GUTIERREZ.

H.R. 913: Mr. WEXLER.

H.R. 966: Mr. FLAKE and Mr. RYUN of Kansas.

H.R. 997: Mr. PAUL.

H.R. 1014: Mr. CLAY, Mr. WEXLER, Mr. RANGEL, Mr. UNDERWOOD, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. MCGOVERN, Ms. DEGETTE, Ms. SCHAKOWSKY, Ms. LEE, Ms. WATERS, Mr. BERMAN, Mrs. NAPOLITANO, Mr. CUMMINGS, and Ms. WOOLSEY.

H.R. 1024: Mr. BECERRA, Mr. HAYWORTH, Mr. ARMEY, Mr. LEWIS of Kentucky, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, Ms. DUNN, Mr. DEMINT, Mr. CARDIN, and Mr. CAMP.

H.R. 1032: Ms. SCHAKOWSKY and Mr. LATOURETTE.

H.R. 1073: Ms. SOLIS, Mr. GONZALEZ, Mr. UDALL of Colorado, Mr. PAYNE, Mr. BLAGOJEVICH, Mr. BEREUTER, Mr. LEACH, Mr. BOUCHER, Mrs. LOWEY, Ms. VELAZQUEZ, and Mr. MEEKS of New York.

H.R. 1089: Mr. BOUCHER, Ms. LOFGREN, and Ms. HART.

H.R. 1090: Mr. UDALL of New Mexico.

H.R. 1117: Mr. SABO, Ms. MILLENDER-MCDONALD, Ms. CARSON of Indiana, Mr. LEWIS of Georgia, Ms. MCCARTHY of Missouri, and Mr. HASTINGS of Florida.

H.R. 1139: Ms. MCKINNEY, Mr. GALLEGLY, and Mr. BASS.

H.R. 1146: Mr. SAM JOHNSON of Texas, Mr. HALL of Texas, and Mr. EVERETT.

H.R. 1174: Mr. SCHAFFER, Mr. SUNUNU, and Mr. STEARNS.

H.R. 1177: Mr. SMITH of Washington.

H.R. 1195: Ms. LOFGREN, Mr. OWENS, Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. NADLER, Mr. LAFALCE, Mr. MEEKS of New York, Mr. WYNN, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. ABERCROMBIE, Ms. MCKINNEY, Mr. CROWLEY, Mr. RUSH, Ms. PELOSI, Ms. MCCOLLUM, Ms. VELAZQUEZ, Ms. SOLIS, and Mr. FRANK.

H.R. 1198: Mr. SKEEN, Mr. BAKER, Mr. SIMMONS, Mr. HYDE, Mr. EHRlich, Ms. HOOLEY of Oregon, Mr. WEXLER, Mr. BLAGOJEVICH, and Mr. GOODE.

H.R. 1201: Mr. RUSH.

H.R. 1230: Mr. STUPAK, Mr. KILDEE, Ms. KAPTUR, Mr. BOEHLERT, Ms. BALDWIN, and Mr. GEORGE MILLER of California.

H.R. 1266: Mr. ABERCROMBIE, Mr. BALDACCI, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CAPUANO, Mr. COYNE, Mr. ENGLISH, Mr. EVANS, Mr. FLAKE, Mr. FRANK, Mr. HASTINGS of Florida, Mr. HOLT, Ms. KILPATRICK, Mr. KING, Mr. KUCINICH, Ms. LEE, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. RAHALL, Ms. RIVERS, Mr. SANDERS, Mr. SUNUNU, Mr. UDALL of Colorado, and Ms. WOOLSEY.

H.R. 1291: Mr. HINOJOSA, Mr. FROST, Mr. LUCAS of Kentucky, and Mr. ROGERS of Kentucky.

H.R. 1308: Mr. RYUN of Kansas.

H.R. 1328: Ms. PRYCE of Ohio.

H.R. 1330: Mr. RODRIGUEZ.

H.R. 1331: Mr. BARTON of Texas, Mr. RYUN of Kansas, and Mr. HOFFFEL.

H.R. 1342: Mr. FLAKE.

H.R. 1358: Mr. KUCINICH.

H.R. 1363: Ms. HART.

H.R. 1405: Ms. LOFGREN.

H.R. 1407: Mr. BEREUTER.

H.R. 1408: Mr. SHOWS and Mr. SHERMAN.

H.R. 1413: Ms. CARSON of Indiana, Mr. MOLLOHAN, Mr. REYES, Mr. RODRIGUEZ, Mr. FORD, Mr. RAHALL, and Mr. SMITH of Washington.

H.R. 1429: Ms. MILLENDER-MCDONALD and Mr. BLAGOJEVICH.

H.R. 1441: Mr. BALLENGER, Mr. BROWN of South Carolina, Mr. CULBERSON, Mr. DOOLITTLE, Mr. FLAKE, Mr. HAYWORTH, Mr. HEFLEY, Mr. HOEKSTRA, Mr. ISTOOK, Mr. LARGENT, Mr. MCCREERY, Mr. MILLER of Florida, Mr. OTTER, Mr. PAUL, Mr. PITTS, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. SHADDEG, Mr. SWEENEY, Mr. TANCREDO, Mr. TERRY, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER.

H.R. 1443: Ms. SCHAKOWSKY, Mr. BEREUTER, Mr. MALONEY of Connecticut, Ms. SLAUGHTER, and Ms. KILPATRICK.

H.R. 1459: Mrs. THURMAN, Mr. SHIMKUS, Mrs. JOHNSON of Connecticut, Mr. CRANE, Mr. RAMSTAD, Mr. PETRI, Mr. BOUCHER, and Mr. STEARNS.

H.R. 1462: Mr. UDALL of Colorado.

H.R. 1464: Mr. TOWNS.

H.R. 1485: Mrs. MYRICK.

- H.R. 1486: Mr. STARK.
- H.R. 1487: Mr. TOM DAVIS of Virginia, Mr. ISSA, Mr. COX, and Mr. UDALL of Colorado.
- H.R. 1494: Mr. GUTIERREZ, Mr. NEAL of Massachusetts, Mr. SCHIFF, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Ms. VELAZQUEZ, Mr. ENGEL, Mr. RANGEL, and Mr. COYNE.
- H.R. 1498: Mr. TIERNEY.
- H.R. 1524: Mr. SMITH of New Jersey, Mr. NORWOOD, Mr. RYUN of Kansas, Mr. TOOMEY, and Mr. GANSKE.
- H.R. 1531: Mrs. LOWEY.
- H.R. 1541: Mr. SANDERS, Mr. GUTIERREZ, Mr. KILDEE, Mr. FALCONE, and Ms. MCKINNEY.
- H.R. 1542: Mr. SWEENEY, Mr. GRUCCI, and Mr. TURNER.
- H.R. 1567: Ms. SCHAKOWSKY, Mr. SANDERS, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Ms. BROWN of Florida, and Ms. JACKSON-LEE of Texas.
- H.J. Res. 36: Mr. SMITH of Washington.
- H.J. Res. 38: Mr. STUMP, Mr. GOODE, Mr. BARTLETT of Maryland, and Mr. FLAKE.
- H. Con. Res. 26: Mrs. CAPPS.
- H. Con. Res. 52: Mrs. CAPPS.
- H. Con. Res. 58: Mr. SCHIFF.
- H. Con. Res. 61: Mr. BONIOR, Mr. SIMMONS, and Mrs. JOHNSON of Connecticut.
- H. Con. Res. 81: Mr. BALDACCIO, Mr. FROST, Mr. RANGEL, Mr. MCHUGH, Mr. EVANS, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. HILLIARD, Mr. KUCINICH, Mr. CLEMENT, Mr. LANGEVIN, Mr. WAXMAN, Ms. KILPATRICK, Mr. CONYERS, Mr. LANTOS, and Ms. PELOSI.
- H. Con. Res. 91: Mr. BLAGOJEVICH, Mr. MOORE, Mr. TURNER, Mr. BROWN of Ohio, Mrs. KELLY, Mrs. ROUKEMA, Mr. FRANK, Mr. LAFALCE, Mr. BALDACCIO, Mr. HORN, Mr. GILMAN, Mr. KING, Mr. TOM DAVIS of Virginia, Mr. RAHALL, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. LUCAS of Kentucky, Mr. PLATTS, Ms. ROS-LEHTINEN, and Ms. RIVERS.
- H. Con. Res. 98: Mrs. MALONEY of New York and Mr. LIPINSKI.
- H. Con. Res. 101: Mr. SCHIFF, Mr. FILNER, Ms. BERKLEY, Mr. BERMAN, Mr. LEVIN, Mr. WEXLER, and Mrs. LOWEY.
- H. Con. Res. 103: Mr. SHAYS, Mr. EVANS, Mr. FILNER, Mr. DOYLE, Mr. KLECZKA, Mr. FRANK, Mrs. MORELLA, Ms. KAPTUR, Mr. COSTELLO, Mr. STARK, Ms. MCKINNEY, Mr. SIMMONS, Ms. RIVERS, Mr. LIPINSKI, and Mr. KUCINICH.
- H. Res. 23: Ms. SANCHEZ.
- H. Res. 120: Mr. WELLER.