

present form, pro-lifers will no longer have the same rights as other Americans have. This is not fair, and this body should take no part in this. It is wrong.

I urge my colleagues to join me in opposing the bankruptcy conference report in its present form. We should reintroduce this bill without this abortion amendment and do the job right.

URGING MEMBERS TO JOIN CONGRESSIONAL MISSING AND EXPLOITED CHILDREN'S CAUCUS

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

Mr. LAMPSON. Madam Speaker, today I rise to again urge my colleagues, if they are not already members, to join the Congressional Missing and Exploited Children's Caucus.

In 1997, a little girl named Laura Kate Smither was abducted while jogging near her home in my congressional district. She was later found murdered. We have seen many of those stories, unfortunately too many of them lately. The pain that I saw and the terror that I saw my community go through, as well as the way they came together to search for this little girl, inspired me to want to do something to prevent this kind of loss in the future.

I came to Congress with a lot of ideas and issues on my mind, but soon realized the importance of one that was not being adequately addressed; and so I founded the Congressional Missing and Exploited Children's Caucus to serve as a loud and unified voice for children all over the world.

We have seen lots of stories recently on CNN and in our newspapers, elsewhere, during the summer. It is not that there are more but that we are becoming aware. I urge my colleagues to join this congressional caucus and to help us continue to fight child abduction and exploitation.

REMEMBERING SEPTEMBER 11, 2001

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

Mr. PENCE. Madam Speaker, to state the obvious, tomorrow is September 11 again. Like many Americans, I will be home taking time with family and neighbors for a solemn reflection, remembrance and prayer, and so it should be for all Americans. But my earnest hope, Madam Speaker, is that September 11 of this year not be an anxious time; that in addition to remembering the lost, we actually, Madam Speaker, have much to commemorate.

In the past 12 months, our people have responded with selfless actions of courage and generosity, our military has responded with valor, our President with moral clarity and purpose, and this Congress, Republicans and

Democrats alike, have responded with resources and reform.

□ 1015

America is better prepared and safer this September 11 than the last. Let us also be confident in this, that He who sets this pilgrim's dream on this wilderness shore still watches over us. And I say like Americans have said throughout generations, I lift up my eyes to the hills, and where does my help come from, my help comes from the Lord.

DEFEAT H.R. 2357, ALLOWING CHURCHES TO FUND POLITICAL CAMPAIGNS

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

Mr. EDWARDS. Madam Speaker, the American people need to know that there is legislation pending in this House that would turn our churches into political campaign organizations. This bill would actually allow churches to endorse political candidates and even contribute church funds to political campaigns.

H.R. 2357 is an extraordinarily bad bill. It is a dangerous bill. This bill would demean the spiritual mission of our houses of worship by turning them into a vehicle for campaign contributions and partisanship. If someone wanted to maliciously tear our churches apart, I can think of few ways to do it better than to pit church members against church members each year as they debate which Federal, State, county and local candidates to endorse and how much to contribute to them.

This bill is opposed by numerous religious organizations, including the Baptist Joint Committee, the American Jewish Committee, the General Board of Church and Society, the United Methodist Church, the Congress of National Black Churches, the Interfaith Alliance Foundation and the Baptist General Convention of Texas, just to name a few.

If anyone thinks politicizing churches is a good idea, then they need to review the lessons of world history.

AMERICANS URGED TO REMEMBER SEPTEMBER 11

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

Mr. SMITH of Michigan. Madam Speaker, this week it is important to remember those who lost their lives during the attack on America last year, as well as all of our first responders, our medics, our military personnel, and the people that volunteered and tried to help.

I think our Founding Fathers would be very proud of our new diligence in our quest to preserve liberty and freedom in this country. President Bush

has designated September 11 of each year to be Patriot Day, and calls on all Americans to observe it appropriately.

I urge my Michigan citizens and all Americans to spend some time thinking about what we need to do to protect our liberty and freedom, and to pray for the families of those that died in the terrorist attack in Pennsylvania, Washington and New York. This Wednesday marks the 1-year anniversary. Let us remember what our forefathers did, and what happened to us 1 year ago and our renewed vigor to make sure that we do what is important to sacrifice ourselves in the preservation of liberty and freedom.

MOTION TO INSTRUCT CONFEREES ON H.R. 3210, TERRORISM RISK PROTECTION ACT

Mr. FOSSELLA. Madam Speaker, I offer a motion to instruct conferees on the bill (H.R. 3210) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism.

The SPEAKER pro tempore (Mrs. BIGGERT). The Clerk will report the motion.

The Clerk read as follows:

Mr. FOSSELLA moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3210 be instructed to agree to the provisions contained in section 11 of the Senate amendment, relating to satisfaction of judgments from frozen assets of terrorists, terrorist organizations, and state sponsors of terrorism.

The SPEAKER pro tempore. Under rule XXII, the gentleman from New York (Mr. FOSSELLA) and the gentleman from North Carolina (Mr. WATT) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. FOSSELLA).

GENERAL LEAVE

Mr. FOSSELLA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct conferees on H.R. 3210.

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

There was no objection.

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

Madam Speaker, as we all know, tomorrow marks the first anniversary of the greatest attack on the soil of the United States of America. In that attack, both at the Pentagon in Virginia, in Pennsylvania, and in downtown Manhattan, the Nation lost thousands of innocent human lives.

Since then I think our Nation has been on full alert and in the field combating the war on terrorism, seeking out those evil ones who committed those dastardly acts, so we can ensure that we can keep the peace for future generations. But at the same time, we need to get at the heart of these terrorist organizations in those states that sponsor terrorism.

Believe it or not, if an American citizen seeks a judgment in a court of law and is successful against some of these terrorist organizations or states that sponsor terrorism, and assets are frozen by the United States Government, some of those victims who are successful in a court of law may not and indeed are not recovering those assets.

It is a little ironic that American citizens can sue their neighbor for a mild act, obtain a judgment and recover, and yet we cannot sue a terrorist organization that killed people, and in this case thousands, and not recover unless the Federal Government on a petition or a case-by-case basis determines that those successful plaintiffs should recover. This motion to instruct will attempt to right that wrong.

Under current law, Americans who have been victimized by terrorist and state-subsidized terrorism and are eligible to enforce court judgments against the assets of a terrorist state have had to wait until Congress acts before they can receive their awarded funds. Some victims have gotten compensated, and many have not. As I mentioned today, thousands of Americans and their families are considering and have joined the class action lawsuit aimed at recovering and undermining the ability of these groups to perpetuate their acts of evil.

American victims of international terrorism will all have equal access to the courts and to block assets of terrorists, terrorist organizations, and state sponsors of terror as a small but important token of justice. We impose immediate financial costs on terrorists and states that sponsor terrorism, freezing assets for 20 years or 25 years or 30 years or even 5 years, and then giving them back to the terrorist state does not impose such costs, and that seems to be the policy today, dangling this carrot before these evildoers as if they are going to stop their evil ways.

At present, terrorism is a cheap way to pursue war against Americans. Unless America finds ways to make it more costly, terrorists and those states that sponsor terrorism have no economic incentive to stop. By imposing a direct and immediate cost, this provision represents one effective financial tool, one of many, against terrorists and those who help them, and this will seek to help the victims.

Finally, terrorist-sponsored states will no longer be able to use their diplomatic and intelligence agencies to support terrorists with financial impunity. In other words, hiding behind this veil of diplomatic or intelligence immunity, something that is too often abused and flies in the face of justice.

Terrorism-sponsoring states use those wholly owned and controlled agencies and instrumentalities to raise, to launder, and to distribute funds to terrorist cells, sometimes even in the United States of America. Ironically, these agencies and instrumentalities can claim foreign sovereign im-

munity against victims in U.S. courts because of their relationship with the terrorist-sponsoring states.

By exposing these agencies and instrumentalities to liability, the U.S. further increases the cost of sponsoring terrorism, and goes after the sources of funding for these organizations and cells.

Madam Speaker, tragically and regrettably, I lost a lot of friends and a lot of neighbors; and America lost a lot of friends and a lot of neighbors and brothers and sisters, more than 200 people from Staten Island and almost another 100 from the Brooklyn portion of my district. Those families right now are suffering the shock of it, the shock of losing a father or a mother or a sister or brother or uncle or aunt, and tomorrow marks the anniversary.

The notion that while brave men and women are fighting the war overseas in seeking out these terrorists and those who help them and harbor them and finance them because they are thinking of doing it again, the notion that this government, our government, could prevent my neighbors and friends one day, if successful in a court of law in obtaining judgment, to be unable to recover assets of a terrorist organization or a state that sponsors terrorism to me is the most unjust thing in this Nation.

Madam Speaker, I urge all Members to support this motion to instruct, to be compatible with the other body and bring justice to these families, these victims of terrorism.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I applaud the gentleman from New York (Mr. FOSSELLA) for bringing this motion to instruct forward and pursuing a very good idea. I see that the gentleman has a number of speakers, so I am going to reserve my comments until some of his speakers can proceed.

Madam Speaker, I reserve the balance of my time.

Mr. FOSSELLA. Madam Speaker, I yield 5 minutes to the gentleman from Utah (Mr. CANNON), a man who deserves much, if not all, of the credit for bringing this to the floor today.

Mr. CANNON. Madam Speaker, I thank the gentleman from New York (Mr. FOSSELLA) for moving this issue today and giving me an opportunity to speak.

Madam Speaker, I rise in support of the motion to instruct conferees on H.R. 3210, the Terrorism Risk Protection Act, which provides for continued availability of insurance against terrorism risks and addresses multiple insurance and liability issues arising from the September 11 attacks.

The Senate passed a similar version overwhelmingly supported by the House, and this motion will allow the House to show its support for the issue with a vote to instruct conferees. I

would like to talk particularly about what I think is one of the most important issues in that bill which fell within the Committee on the Judiciary's jurisdiction.

Under current law, Americans who have been victimized by state-subsidized terrorism and are eligible to enforce court judgments against the assets of a terrorist state have had to wait for Congress to act before they could collect their awarded funds. Some victims have gotten compensated. However, most have not.

Under the Fossella-Cannon language in section 15(e) of the Terrorism Risk Protection Act passed by the House, American victims of international terrorism will have equal access to the courts and to blocked assets of terrorists, terrorist organizations, and state sponsors of terror as a small but important token of justice.

This language imposes immediate financial costs on the states that sponsor terrorism. Freezing assets for 20 years and then giving them back to the terrorist states does not impose such costs. At present, terrorism is a cheap way to pursue war against Americans. Unless the U.S. finds ways to make it more costly, terrorists and states which sponsor terrorism have less economic incentive to stop. By imposing a direct and immediate cost, this language represents one effective financial tool against terrorists and also helps their victims.

After the Senate pulled the language from their version of the Terrorism Risk Protection Act, the gentleman from New York (Mr. FOSSELLA) and I introduced a stand-alone bill to ensure a solution to this problem. However, language identical to the bill introduced by the gentleman from New York (Mr. FOSSELLA) and me was added to the Senate bill on the floor by a vote of 81-3. With this provision now included in both the Senate and the House version of the Terrorism Risk Protection Act, there is no reason why we should not be able to preserve the express will of both houses in conference by maintaining this language.

Madam Speaker, there are many people who would benefit from this, and with recent attacks on the World Trade Center, there are many from the district of the gentleman from New York (Mr. FOSSELLA) which this legislation would directly affect.

□ 1030

Others affected by it include people like Terry Anderson and other former hostages held by Hezbollah who successfully sued and won judgments against Iran but have not been able to collect from the seized assets. The provision in this bill today will allow access to the frozen assets of terrorists, terrorist organizations and terrorist-sponsored states, and American victims of international terrorism who obtain judgments against those terrorists.

I would like to once again thank the gentleman from Ohio (Chairman

OXLEY); the gentleman from Wisconsin (Chairman SENSENBRENNER); my colleague and friend, the gentleman from New York (Mr. FOSSELLA); and my colleague and friend, the gentleman from North Carolina (Mr. WATT), for their efforts on this issue.

I urge my colleagues to support the motion to instruct conferees. Allowing victims to go directly after the frozen assets of terrorists and their sponsors will help us to allow our Nation and economy to go forward.

Mr. FOSSELLA. Madam Speaker, again I would like to thank the gentleman from Utah for his leadership.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GRUCCI).

Mr. GRUCCI. Madam Speaker, I thank my colleagues, the gentleman from New York (Mr. FOSSELLA) and the gentleman from North Carolina (Mr. WATT), for their leadership on this. I would like to thank our chairman, the gentleman from Ohio (Mr. OXLEY), for his guidance and leadership on the Committee on Financial Services for bringing many pieces of legislation to reality that will help us to not only track the assets, to track the money of terrorists, but now, with this piece of legislation, hopefully we will be able to access that for the victims.

Madam Speaker, I rise today in strong support of H.R. 3210, in an attempt to locate the assets, to seize the assets, and to deliver them back to the victims of terrorists, terrorist nations, et cetera.

Tomorrow we will stand around and we will be in solemn prayer in some places, we will be at services at other places, and remember the tragic attacks on America of almost a year ago. Many of us have borne the pain of seeing families torn apart by this terrible, terrible tragedy. I myself have had over 70 families in my district torn apart. Two of them I knew personally.

It is a terrible ordeal for the families, not only to lose the ones they love, but then to face the uncertainty of what is going to happen to them economically. Their financial needs have all been torn apart. Their communities are reaching out to them, but they still do not have the strength of knowing what they have to go forward with.

Hopefully, if we can get this legislation moving forward, if we can move this piece of legislation forward, hopefully we can bring some peace to their minds, knowing that they will have access to not only the love and the compassion that has been contributed from Americans, but also they will be able to punish the terrorists even more by seizing their assets, seizing their money, which in turn will slow down their operations.

Madam Speaker, I could not be more in support of this legislation. Once again, I thank my colleagues for their leadership on this.

Mr. FOSSELLA. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. OXLEY), chairman of the

Committee on Financial Services, one who has been leading this effort, both before and after September 11, in tracking down the assets of terrorists and states that sponsor terrorism.

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

Mr. OXLEY. Madam Speaker, let me first recognize the gentleman from New York (Mr. FOSSELLA) and the gentleman from North Carolina (Mr. WATT) for their leadership on this very, very important issue.

The whole concept of taking terrorist assets that have been seized and compensating victims seems so elemental to our system of justice that it has clearly been one that has been incorporated in this legislation, both in the House and in the Senate; and I would say without the leadership of these two gentlemen, we would not be here today.

As we know, the House passed our version of the terrorism insurance legislation back last year. The Senate finally moved in June. We just appointed conferees right before the August recess. We are ready to go to work on this side.

I will say I have had some discussions with participants from the other body. They seem ready and prepared to move forward. There is no reason why we cannot get this legislation, this conference committee work, completed and on the President's desk as quickly as possible, I would hope certainly by the end of September. That is not an unrealistic possibility.

I just saw a study the other day that the amount of construction sites that are standing idle and the amount of money in those construction sites now is over \$10.5 billion. That is an awful lot of jobs that we are losing as a result of this. Somebody once predicted without terrorism insurance we could have a loss of 1 percent of our Gross Domestic Product off the growth numbers. That is an awful lot of jobs, an awful lot of economic activity.

So, Madam Speaker, let us dedicate ourselves today to first passing this excellent motion to instruct conferees. I want to assure both gentlemen that my main task over the next few weeks will be to bring this conference report to the floor of the House and get it signed by the President.

Mr. FOSSELLA. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. BAKER), who again has been at the forefront and working closely with all of us to bring the terrorists to their heels.

Mr. BAKER. Madam Speaker, I thank the gentleman for yielding me time and wish to express my appreciation to both the gentleman from New York and the gentleman from Ohio (Chairman OXLEY) for their leadership on this important issue.

Madam Speaker, in this country when we find someone engaged in the sale of drugs to minors, we think it is such a terrible offense that we not only give them jail time when convicted, we

seize all their assets. We take the car from which the material was hauled; we take anything we can find related to that activity.

How more appropriate when some state-sponsored activity takes the life of or tortures innocent individuals for no apparent reason, that we should go after not only those who commit the acts of terror, those who engage in it, but their assets as well?

The United States Government has seized millions of dollars of assets that could be made available to the victims of these heinous acts, but the Congress must act.

So I commend these individuals for taking the leadership in bringing forth this motion to instruct, which will, in some small way, bring relief to those who have been gravely harmed, and, more importantly, send a very strong message to those who engage in acts of terror: when you engage in these acts, there will be a very high price to pay. Money is not enough. We need more.

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

Madam Speaker, I want to express my thanks again to the gentleman from New York (Mr. FOSSELLA), to the gentleman from New York (Mr. GRUCCI), to the chairman of the Committee on Financial Services, the gentleman from Ohio (Mr. OXLEY), the gentleman from Louisiana (Mr. BAKER), and to the gentleman from Utah (Mr. CANNON), all of whom have viewed this issue as being important enough to come and support this motion to instruct conferees.

I am personally not a big proponent of motions to instruct conferees, because our experience has shown that when we instruct the conferees, they seldom pay much attention to what we are instructing them to do anyway. They kind of have minds of their own. But this seems to me to be one of those situations where there is a growing sense of unanimity that this is a good idea; and I want to thank my friend, the gentleman from New York (Mr. FOSSELLA), for picking up the idea and running with it.

Let me kind of trace the history of how we got here so that my colleagues will understand it. There have been several kinds of odd references to me as one of the moving forces in this. My colleagues should know that this was an idea that I originated in a very crude amendment which I offered to the terrorism bill when it was being considered a year or so ago in the Committee on Financial Services.

I had two objectives in offering the crudely drawn, quickly drawn amendment to that bill. One of those was the obvious kind of frustration and feeling of helplessness that all of us had in the aftermath of the events of September 11 and the feeling that, as the gentleman from Ohio (Chairman OXLEY) said, this was a pretty elementary notion, that if the Federal Government was going to freeze assets of terrorists

and terrorist groups, that it should not necessarily be the Federal Government that benefited from freezing those assets, but that those assets ultimately should be available to the individuals whose lives had been taken, the families of those individuals and the individuals who had been injured by acts of terrorism.

So the first reason that I had was just a sense of frustration and wanting to do something in response to the acts of September 11 and to other acts of terrorism.

The second rationale I had, really I have to reveal to my colleagues in honesty, was kind of to make a point, because when we were debating the terrorism reinsurance bill, one of the issues that came up in the committee was whether we would do some kind of tort reform in the context of the terrorism reinsurance bill.

I was frustrated by the notion that my colleagues would take a terrorism reinsurance bill and inject a highly political issue of tort reform in that bill, and I wanted to try to demonstrate to my colleagues how unreasonable I thought this whole concept of tort reform was. I thought the best way to do that was to point out to them that if they did tort reform, they would be capping as part of that tort reform the recoveries that individual citizens could obtain for acts of terrorism.

I could not imagine that my colleagues would want to put an arbitrary cap of \$250,000 in punitive damages, or any kind of arbitrary cap, on the recovery by the family of a constituent of mine who had been killed in the violence on the U.S.S. *Cole*. My constituent, Lakeina Francis, who had lost her life, her family was there in North Carolina, and my colleagues were playing politics with this bill. I thought that one of the ways I could illustrate to them that what they were doing was unreasonable was to offer this amendment in the context of that terrorism reinsurance bill, and I did.

Of course, as I thought, it did put my colleagues who were supporting tort reform in a pretty tough position. They finally started to understand that these arbitrary caps that they were talking about in this bill did not make sense when somebody gets blown up, or when somebody gets injured by extreme negligence of another party. My colleagues thought this was a good idea, and they adopted this amendment in the terrorism reinsurance bill. They adopted my amendment to the bill.

Well, I conceded at the outset that this was a crude effort, an effort that started to build steam right there in the committee. After the committee markup and the passage of the House terrorism reinsurance bill, I am happy to say that the gentleman from New York (Mr. FOSSELLA) and the gentleman from Utah (Mr. CANNON) picked up on this idea and introduced a free-standing bill that was much, much better than the crude language that I had offered in the committee; and when the

bill was considered in the Senate, the Senators put the language in the bill which was much better than I had introduced in the Committee on Financial Services and much better even than the free-standing bill that the gentleman from New York (Mr. FOSSELLA) and the gentleman from Utah (Mr. CANNON) introduced, which is why we are here with the motion to instruct conferees, to leave the provision in the bill.

□ 1045

That is how we got here. This is a great idea. Not because I started with the idea but just because of what the gentleman from Ohio (Mr. OXLEY) said, the chairman of the Committee on Financial Services, this is so elemental. Why would we freeze the assets of a terrorist group, a terrorist country, terrorist, and not make those assets available to satisfy a judgment that an individual who has been injured or the family of an individual who has been killed in a terrorist attack, why would we freeze the assets if we were not doing it for this honorable purpose?

So I just think this is something whose time has come. I do not think it is going to be controversial. The U.S. Treasury has blocked over \$3 billion from organizations or countries designated as terrorists or state sponsors of terrorism. Blocking this money may cripple these organizations and these terrorist states, but it does little to assist the victims of their terrorist acts unless we put this provision in the bill. The bill allows Americans who have suffered as a result of terrorist acts to receive compensation from these blocked assets. Compensating victims will not end terrorism as we know it, but it does raise the price, and it sends a message to terrorist organizations and the states that sponsor them, we will not stand for the murder of innocent Americans. Those who target Americans will be punished and not only will you be punished criminally, you will be punished financially as a result of this language. Using terrorists' assets to compensate victims punishes terrorists and deters future acts of violence, hopefully; maybe, may not, but whether it does or does not, we want them to pay for what they have done. Terrorist states and organizations should not go unpunished for murdering innocent Americans.

Just this past summer, five Americans were murdered in the cafeteria at Hebrew University, and the organization that claims responsibility for that has funds blocked by the U.S. Treasury. Those people ought to have access to those funds and be able to get to them.

The gentleman from New York's bill is fair. It gives all American victims of terrorism an opportunity to receive compensation from terrorist assets, and I urge my colleagues to retain this important provision in the final version of the terrorism insurance bill. By doing so, we demonstrate our com-

mitment to the victim of terrorist acts and show our resolve to punish those states and organizations that sponsor terrorism. This language holds terrorists accountable for their crimes against Americans. It is a great idea. I applaud the gentleman from New York and all of the people who picked it up and ran with it.

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

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

At the outset, let me really thank the gentleman from North Carolina (Mr. WATT). We really would not be here but for his efforts, his ideas, his support, and his leadership. And the victims of terrorism owe thanks to the gentleman from North Carolina as well as the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from Ohio (Mr. OXLEY), the gentleman from Louisiana (Mr. BAKER), the gentleman from New York (Mr. GRUCC), and the gentleman from Utah (Mr. CANNON), who really brought us here today.

And underscore what we have all said, and I am not going to repeat it, but every day and especially tomorrow, September 11, 2002, we honor the heroes and the victims who perished last year, our fellow American citizens, those who just want an ordinary way of life, a peaceful life, who sought to raise a family in this great Nation, who sought to do a job and do it right, and those valiant heroes from EMS and the police department and the port authority and especially the firefighters, 78 of whom were from Staten Island alone, and names like Egan and Olsen and Curatola and Esposito and Siller and Leahy and Doyle, and tragically thousands of others. They are names, yes, but they are families. They have left behind children, they have left behind wives, husbands, parents, and grandparents, and what they were seeking is all what I think we are all about, the right to live in freedom with liberty and in peace, and that was robbed from them. That was robbed from them. It was robbed from their families. And, yes, we are a stronger and better country, and we are fortunate to have brave men and women to wear the uniform to go get those people, wherever they may be across the globe, with the commander in chief, President Bush, leading the way.

But at the same time, I think it is unbelievable that these families down the road, in the event that they will obtain a judgment, would have to come back to Congress or to their own government to petition against a terrorist organization or a state that sponsors terrorism to recover some of those assets.

We should not be here next year or 10 years from now debating this. We should end the subject right now, put it to a close, and bring justice to those victims who suffer today and will be suffering for a long time. But at least this Congress is speaking with one

voice and saying that we are going to right that wrong and provide equity for all.

Mr. SHAYS. Madam Speaker, I rise in strong support of the motion offered by the gentleman from New York and the gentlemen from North Carolina.

Now and then, a proposal comes before Congress that makes such good sense, it's a wonder no one thought of it sooner. We have just such a proposal before us today.

Under Section 11 of the Terrorism Risk Insurance Act, Americans who are victims of cowardly terrorist acts will get the justice they deserve—not just an IOU.

Allowing victims to enforce judgments against terrorists and state sponsors of terrorism will serve two vital purposes. First, it will compensate the victims of terrorism and their families. These brave men and women have suffered unimaginable losses, and they shouldn't have to worry about whether the State Department will release frozen terrorist assets in the event they prevail in a lawsuit and be awarded funds.

Second, this provision will cut financing for terrorism off at the knees. The assets of terrorist states shouldn't simply be frozen—they should be seized. That's what we're doing here today.

Madam Speaker, I would like to thank Chairman MIKE OXLEY for his commitment to this legislation, and urge all of my colleagues to vote for this common-sense motion to instruct.

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

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. FOSELLA).

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

Mr. FOSELLA. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 5011, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2003

Mr. HOBSON. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5011) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OLVER

Mr. OLVER. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. OLVER moves that the managers on the part of the House on the conference of the disagreeing votes of the two Houses on the bill, H.R. 5011, be instructed to insist on the higher of House or Senate funding levels, with regard to funding for planning, design, construction, alterations and improvements of military facilities; including environmental remediation, barracks, hospitals, childcare facilities, and family housing.

The SPEAKER pro tempore. Under rule XXII, the gentleman from Massachusetts (Mr. OLVER) and the gentleman from Ohio (Mr. HOBSON) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

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

Madam Speaker, this is a straightforward motion that all Members will be able to support. It instructs the House conferees to work toward the highest funding levels possible.

Madam Speaker, as the ranking member for this subcommittee, I have visited many military installations with the chairman, the gentleman from Ohio (Mr. HOBSON), installations which are both on shore and offshore.

We both agree that there is a tremendous backlog in providing decent housing, modern workplaces, and critical security for our service men and women and their families. The needs are well beyond the funding available in either the House or the Senate bill, but I strongly believe we need to get every cent available for military construction to the Department of Defense.

I urge Members to support this motion to instruct.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, we are willing to accept the gentleman's motion.

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

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Massachusetts (Mr. OLVER).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. HOBSON, WALSH, DAN MILLER of Florida, and ADERHOLT, Mrs. GRANGER, Messrs. GOODE, SKEEN, VITTER, YOUNG of Florida, OLVER, EDWARDS, FARR of California, BOYD, DICKS, and OBEY.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 5010, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2003

Mr. LEWIS of California. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5010) making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

MOTION TO INSTRUCT OFFERED BY MR. OLVER

Mr. OLVER. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. OLVER moves that the managers on the part of the House on the conference of the disagreeing votes of the two Houses on the bill, H.R. 5010, be instructed to insist on the higher funding levels permitted within the scope of conference with regard to chemical and biological defense programs, projects, and activities.

The SPEAKER pro tempore. Pursuant to rule XXII, the gentleman from Massachusetts (Mr. OLVER) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

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

Madam Speaker, I offer this motion on behalf of the ranking subcommittee member, the gentleman from Pennsylvania (Mr. MURTHA), who has been detained.

Madam Speaker, it has become obvious to all that chemical and biological warfare is a clear and present danger to our country.

□ 1100

The two gentlemen who lead the Subcommittee on Defense of the Committee on Appropriations, the gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA), have recognized this fact for many years and have steadfastly worked to increase the funding for the variety of promising technologies in development to protect us from these weapons of mass destruction. We want, through this motion, to continue this.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I am prepared to accept the gentleman's motion.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Massachusetts (Mr. OLVER).