

The scope and complexity of the challenges facing children affected by AIDS cannot be overstated. Children become responsible for their own survival while providing care for dying parents. They are forced to abandon school and face the stigma and isolation far too frequently associated with AIDS. Tragically, orphan children who are the most vulnerable are often forced into labor, sexual exploitation, and the hopelessness of a life of mere survival.

This amendment can help transform the future of communities filled with AIDS orphans by committing to reinvest into communities that have faith-based organizations and other groups that are committed to working with orphans. We are ensuring by doing this that an entire generation of children in Africa will not be lost.

We have the responsibility today to make a firm commitment to ensure that the resources in this bill go to provide the most basic needs of every child; food, shelter, safety, medicine, education, and, most importantly of all, hope for the future.

I urge my colleagues to join me today in supporting the millions of children orphaned by AIDS. I respectfully ask my colleagues to support this amendment and to make a strong commitment to the millions of AIDS orphans and vulnerable children who desperately need our help today.

Mr. HYDE. Mr. Chairman, will the gentlewoman yield?

Ms. MCCOLLUM. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, the children and orphans who are affected by this scourge could have no better champion than the gentlewoman from Minnesota, and we are very pleased to accept her excellent amendment.

Mr. LANTOS. Mr. Chairman, will the gentlewoman yield?

Ms. MCCOLLUM. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to congratulate and commend my friend from Minnesota for offering this most important amendment, which dramatically improves the underlying bill. On this side we are proud and pleased to accept her amendment.

Ms. MCCOLLUM. Mr. Chairman, reclaiming my time, I am very honored to have this amendment accepted, and I thank both my mentors for their help in preparing this amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

The amendment was agreed to.

Mr. HYDE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GREEN of Wisconsin) having assumed the chair, Mr. SWEENEY, Chairman pro tempore of the Committee of the Whole

House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1298) to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER CONSIDERATION OF AMENDMENT NO. 6 OUT OF SEQUENCE DURING FURTHER CONSIDERATION OF H.R. 1298, UNITED STATES LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA ACT OF 2003

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that Amendment No. 6 in House Report 108-80 be considered out of sequence in the Committee of the Whole.

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

There was no objection.

UNITED STATES LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA ACT OF 2003

The SPEAKER pro tempore. Pursuant to House Resolution 210 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1298.

□ 1306

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1298) to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes, with Mr. SWEENEY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, Amendment No. 8 printed in House Report 108-80 offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) had been disposed of.

Under the recent order of the House, it is now in order to consider Amendment No. 6 printed in House Report 108-80.

AMENDMENT NO. 6 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. SMITH of Michigan:

Page 81, beginning on line 22, strike "\$30,000,000 for each of the fiscal years 2004 through 2008" and insert "\$2,000,000,000 for fiscal year 2004, \$2,500,000,000 for fiscal year 2005,

\$3,000,000,000 for fiscal year 2006, \$3,500,000,000 for fiscal year 2007, and \$4,000,000,000 for fiscal year 2008".

The CHAIRMAN pro tempore. Pursuant to House Resolution 210, the gentleman from Michigan (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment brings back the level of funding for the first year to the level recommended by the President, the amount of \$2 billion, which is the amount that is also in our budget resolution.

The third reason is I would like to document and persuade to my colleagues, expert witnesses from Africa that are suggesting that it is going to be much more effective to start gradually and then increase the spending over the year.

My amendment does not decrease the total 5 year commitment of \$15 billion, but, rather, is consistent with what the President has requested, starting at \$2 billion and then growing each year.

I would like to read a letter from a former United States ambassador to several of those African countries.

"As the son of a medical missionary to Africa, a career State Department diplomat with over 28 years of service, mainly in Africa, and as the former United States Ambassador to Rwanda and Mali, I am well aware of the problems making foreign aid genuinely benefit the populations it was intended to impact. Throughout my career, I have been involved in rural health initiatives in Africa, and while there is great need to meet the challenge of AIDS in Africa, front-loading a program might well do more harm than good. There is great risk in squandering precious funds when expenditures are made without adequate controls or accountability. We also risk forcing our big-ticket solutions on Africans who may need more modest help in finding local solutions and building up their own capacity to deal with the challenge in the early year.

"Accordingly, I support the original emergency plan for AIDS relief proposed by the President that would launch this new initiative to \$2 billion in '04 and steadily escalate spending over 5 years."

Again, because we can maximize this money over the 5-year period, because it would be consistent with the President and the budget resolution, I hope Members support the amendment.

Mr. LANTOS. Mr. Chairman, I claim the time in opposition to this amendment.

The CHAIRMAN pro tempore. The gentleman from California (Mr. LANTOS) is recognized for 5 minutes.

Mr. LANTOS. Mr. Chairman, I am delighted to yield such time as he may consume to my distinguished friend the gentleman from California (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I thank the distinguished gentleman from California for yielding me time.

Mr. Chairman, it is with extreme regret that I must oppose the amendment offered by my good friend, the gentleman from Michigan (Mr. SMITH). He never offers an amendment, but what it is not well thought out, and this is a well thought-out amendment. But, unfortunately, it disturbs the balance that we have carefully, and as I have said, painstakingly negotiated with the many different elements of our body who have particular points of view.

The \$2 billion limitation which the gentleman from Michigan would impose is indeed what the President said in his budget, but I hasten to point out that the President supports our bill, and our bill authorizes, and I stress the word "authorizes," \$3 billion for 5 years.

The gentleman from Michigan's formula does not, in any way, deduct this money, the total is still \$15 million over 5 years, but it is a question of how much for the first year and how much for the succeeding years.

I respectfully request that this amendment be defeated, because it would unbalance what has been very carefully put together. I suggest that the President does support our bill and has issued a statement this morning doing so.

Mr. Chairman, I thank the gentleman for his contribution. We considered the gentleman's amendment in committee and it was defeated, and, with great respect and admiration, I hope this is defeated too.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, our distinguished chairman, the gentleman from Illinois (Mr. HYDE), expressed my views. In order to save time, I merely concur with his comments. I also oppose the amendment.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I rise in strong opposition to this amendment. As our chairman indicated, we did defeat this amendment in committee.

Several days ago at the White House, the President illustrated quite well the cost of delaying these funds to those who are so desperately in need. As President Bush said, time is not on our side. Since the State of the Union address, he said that an estimated 760,000 people have died from AIDS, 1.2 million people have become infected and more than 175,000 babies have been born with the virus.

Imagine how many more will die and become infected if we accept this amendment and deny the \$1 billion in funding this year to those who desperately need this help? Clearly we cannot wait. There are programs out there that can use our funding immediately. Even the executive director of UNAIDS, Dr. Piot, has said Africa could absorb \$6.57 billion in AIDS funding without any improvements toward infrastructure.

Therefore, I urge all my colleagues to vote against this bill and to maintain the compromise that we worked so hard to negotiate with the gentleman from Illinois (Chairman HYDE).

Mr. SMITH of Michigan. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, I rise today in support of the amendment offered by my friend and colleague, the gentleman from Michigan (Mr. SMITH), and, in deference to my chairman, for whom I have great respect, I am still speaking.

I think that this would ensure that we stay within the President's plan originally and within the budget. He did say on the 29th of April that, with the approval of Congress, this plan will direct \$15 billion to fight AIDS abroad over the next 5 years, but beginning with \$2 billion in 2004.

□ 1315

The reason I think it is important to stay within our budget is because due to the war and the economic downturn we, unfortunately, are running the largest budget deficits in American history this year and next. We cannot continue to just overspend every year, piling debt on our children and grandchildren. It does not mean this program is not important. I support it. But there are many important programs, and there is a limited amount of money.

So passing the President's proposal, with this amendment, is still a huge increase in our commitment to this problem.

The CHAIRMAN pro tempore (Mr. SWEENEY). The Chair would inform Members that the gentleman from California (Mr. LANTOS) has 2 minutes remaining, and the gentleman from Michigan (Mr. SMITH) has 2 minutes remaining.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my good friend, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I rise in opposition to this amendment. I understand the good heart of the gentleman from Michigan (Mr. SMITH) and where he is coming from. But, Mr. Chairman, this is money that is needed now.

The President has stated, "Seldom has history offered a greater opportunity to do so much for so many." This year, the President made an unprecedented commitment to fight HIV/AIDS on a global scale, and we must not thwart that momentum by cutting this year's authorization by a third.

The President has stated that his HIV/AIDS initiative is intended to prevent 7 million new infections, treat 2 million HIV-infected people, and care for 10 million HIV-infected individuals and AIDS orphans. There is no reason I can think of to limit the immediate flow of money. There are children in Africa going to school without teachers and then going to a home without parents, and we have to deal with that.

Mr. Chairman, I commend President Bush for taking such a bold step in committing these funds and the gentleman from Illinois (Chairman HYDE) and the ranking member, the gentleman from California (Mr. LANTOS), for moving it through this Chamber. I think we need to maintain the full \$3 billion authorization as it is.

Mr. SMITH of Michigan. Mr. Chairman, I would just say that this is exactly what the President recommended. My amendment is what the President recommended.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding me this time.

I too rise in reluctance to support this amendment in that the chairman does not support it. But I respect the gentleman from Michigan (Mr. SMITH), and I believe that we need to take into account that this is the first bill of the year, I believe, that actually goes over budget. We are 50 percent over budget. What the President asked for was \$2 billion in the first year. We are going for \$3 billion. I think it sets a bad precedent for the rest of the year if we are starting out this way.

As the gentleman from Michigan (Mr. SMITH) also pointed out, the U.N. Global Fund and others that will absorb this money may have a hard time absorbing it that quickly anyway, and I believe that is why the President only asked for \$2 billion in the first place.

We should note that the Global Fund has been criticized by its head, who is currently Secretary Tommy Thompson, who said that it has some inefficiencies. One thing that has been noted is that the Office of the Secretariat spent \$11 million on salaries last year for 65 staff members. That is an average of \$170,000 per employee.

I would challenge those who say that we need to put this money in that quickly. We ought to go with the original request from the President, and I would urge support of the amendment.

Mr. LANTOS. Mr. Chairman, I yield the remaining 1 minute of our time to my good friend, 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. Chairman, I want to express my great appreciation for the leadership of the gentleman from Illinois (Chairman HYDE) and the ranking member, the gentleman from California (Mr. LANTOS), and the Members of the Committee on International Relations. Might I remind this body that the Global Fund was implemented in 2000, signed by President Clinton, and worked on very hard by Members of this body, Democrats, and certainly we were joined by members of the Republican Conference.

Mr. Chairman, 40 million children will be orphaned in sub-Saharan Africa on the basis of losing their parents to

HIV/AIDS. This is a time when we cannot wait. It is imperative that the funding be as it is designated in the legislation to begin fighting this crisis now. I join with the chairman and the ranking member to say we are fighting an epidemic, a pandemic, a crisis; lives are being lost. Absolutely we cannot stop one moment to defer funding to this Global Fund and the necessity of moving on this as fast as we can.

Mr. Chairman, I ask my colleagues to reject this amendment.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself the remaining time.

Let me conclude by simply saying that this is what the President suggested, starting at \$2 billion. It is consistent with our budget resolution that we passed just 2 weeks ago. It still maintains the \$15 billion over 5 years. So there is no disagreement; there is no reduction in total funding.

Again, I quote from Ambassador Rawson who says, "While there is great need to meet the challenge of AIDS in Africa, front-loading a program might well do more harm than good," and he recommends that we support the Smith amendment, which is the President's suggestion, to launch this new initiative at \$2 billion in 2004 and steadily escalating that spending.

Mr. Chairman, I also am reluctant to go against my chairman on this amendment, but I thought sure that the gentleman from Illinois would support this amendment with all of the good, rational, logical reasons that I have. I yield my remaining time to the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, it is always a pleasure to engage with the gentleman from Michigan in debates, but the gentleman keeps citing the President. That has been overtaken by a statement of position from the White House supporting our version and in opposition to yours. The fact is, under the Smith amendment, there is no net saving. There is a reshuffling of money within the 5-year framework, but it still adds up to \$15 billion. With respect, I hope the gentleman loses the amendment.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. SMITH) has expired.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent for 5 additional seconds.

The CHAIRMAN pro tempore. That request may not be entertained.

All time has expired. The question is on the amendment offered by the gentleman from Michigan (Mr. SMITH).

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

Mr. SMITH of Michigan. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. SMITH) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 4 offered by Mr. STEARNS of Florida and amendment No. 6 offered by Mr. SMITH of Michigan.

The Chair will reduce to 5 minutes the time for the second vote in this series.

AMENDMENT NO. 4 OFFERED BY MR. STEARNS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 4 printed in House Report 108-80 offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 276, noes 145, not voting 13, as follows:

[Roll No. 155]  
AYES—276

Aderholt	Costello	Gutknecht
Akin	Cox	Hall
Alexander	Cramer	Harris
Baca	Crane	Hart
Bachus	Crenshaw	Hastings (WA)
Baker	Cubin	Hayes
Ballenger	Culberson	Hayworth
Barrett (SC)	Cunningham	Hefley
Bartlett (MD)	Davis (CA)	Hensarling
Barton (TX)	Davis (TN)	Herger
Bass	Davis, Jo Ann	Hobson
Beauprez	Deal (GA)	Hoekstra
Bell	DeFazio	Holden
Bereuter	DeLay	Hostettler
Berkley	DeMint	Hulshof
Berry	Diaz-Balart, L.	Hunter
Biggart	Diaz-Balart, M.	Hyde
Bilirakis	Doolittle	Isakson
Bishop (UT)	Duncan	Issa
Blackburn	Dunn	Istook
Blunt	Edwards	Janklow
Boehkert	Ehlers	Jenkins
Boehner	Emerson	Johnson (CT)
Bonilla	English	Johnson (IL)
Bonner	Everett	Johnson, Sam
Bono	Fattah	Jones (NC)
Boozman	Feeney	Kanjorski
Boswell	Ferguson	Keller
Bradley (NH)	Flake	Kelly
Brady (PA)	Fletcher	Kennedy (MN)
Brady (TX)	Foley	King (IA)
Brown (SC)	Forbes	King (IA)
Brown-Waite,	Ford	King (NY)
Ginny	Fossella	Kingston
Burgess	Franks (AZ)	Kirk
Burns	Frelinghuysen	Kline
Burr	Gallely	Knollenberg
Burton (IN)	Garrett (NJ)	LaHood
Calvert	Gerlach	Lampson
Camp	Gibbons	Lantos
Cannon	Gilchrest	Latham
Cantor	Gillmor	LaTourette
Capito	Gingrey	Leach
Cardoza	Goode	Lewis (CA)
Carter	Goodlatte	Lewis (KY)
Castle	Gordon	Linder
Chabot	Goss	Lipinski
Choccola	Granger	LoBiondo
Coble	Graves	Lucas (KY)
Cole	Green (TX)	Lucas (OK)
Collins	Green (WI)	Lynch
Cooper	Greenwood	Manzullo
		Marshall

Matheson	Putnam	Souder
McCollum	Quinn	Spratt
McCotter	Radanovich	Stearns
McCrery	Ramstad	Stenholm
McHugh	Regula	Stupak
McInnis	Rehberg	Sullivan
McIntyre	Renzi	Sweeney
McKeon	Reyes	Tancredo
Meehan	Reynolds	Tanner
Mica	Rogers (AL)	Tauzin
Miller (FL)	Rogers (KY)	Taylor (MS)
Miller (MI)	Rogers (MI)	Taylor (NC)
Miller, Gary	Rohrabacher	Terry
Moran (KS)	Ros-Lehtinen	Thomas
Murphy	Ross	Thornberry
Musgrave	Royce	Tiahrt
Myrick	Ruppersberger	Tiberi
Nethercutt	Ryan (WI)	Tierney
Ney	Ryun (KS)	Toomey
Northup	Sabo	Turner (OH)
Norwood	Saxton	Turner (TX)
Nunes	Schiff	Udall (CO)
Nussle	Schrock	Udall (NM)
Oberstar	Scott (GA)	Upton
Obey	Sensenbrenner	Vitter
Osborne	Sessions	Walden (OR)
Ose	Shadegg	Walsh
Otter	Shaw	Wamp
Oxley	Shays	Weldon (FL)
Paul	Sherman	Weldon (PA)
Pearce	Sherwood	Weller
Pence	Shimkus	Wicker
Peterson (PA)	Shuster	Wilson (NM)
Petri	Simmons	Wilson (SC)
Pickering	Simpson	Wolf
Pitts	Skelton	Wu
Platts	Smith (MI)	Wynn
Pombo	Smith (NJ)	Young (AK)
Porter	Smith (TX)	Young (FL)
Portman	Smith (WA)	
Pryce (OH)	Snyder	

NOES—145

Abercrombie	Hastings (FL)	Miller, George
Ackerman	Hill	Mollohan
Allen	Hinchey	Moore
Andrews	Hinojosa	Moran (VA)
Baird	Hoefel	Murtha
Baldwin	Holt	Nadler
Ballance	Honda	Napolitano
Berman	Hoolley (OR)	Neal (MA)
Bishop (GA)	Houghton	Olver
Bishop (NY)	Hoyer	Pallone
Blumenauer	Inslee	Pascrell
Boucher	Israel	Pastor
Brown (OH)	Jackson (IL)	Payne
Brown, Corrine	Jackson-Lee	Pelosi
Capps	(TX)	Peterson (MN)
Capuano	Jefferson	Pomeroy
Cardin	John	Price (NC)
Carson (IN)	Johnson, E. B.	Rahall
Carson (OK)	Jones (OH)	Rangel
Case	Kaptur	Rodriguez
Clay	Kennedy (RI)	Rothman
Clyburn	Kildee	Roybal-Allard
Crowley	Kilpatrick	Rush
Cummings	Kind	Ryan (OH)
Davis (AL)	Kleczka	Sanchez, Linda
Davis (FL)	Kolbe	T.
Davis (IL)	Kucinich	Sanchez, Loretta
Davis, Tom	Langevin	Sanders
DeGette	Larsen (WA)	Schakowsky
Delahunt	Larson (CT)	Scott (VA)
DeLauro	Lee	Serrano
Deutsch	Levin	Solis
Dicks	Lewis (GA)	Stark
Dingell	Lofgren	Strickland
Doggett	Lowe	Tauscher
Dooley (CA)	Majette	Thompson (CA)
Doyle	Maloney	Thompson (MS)
Emanuel	Markey	Towns
Engel	Matsui	Van Hollen
Eshoo	McCarthy (NY)	Velazquez
Etheridge	McDermott	Visclosky
Evans	McGovern	Waters
Farr	McNulty	Watson
Filner	Meek (FL)	Watt
Frank (MA)	Meeks (NY)	Waxman
Frost	Menendez	Weiner
Gonzalez	Michaud	Wexler
Grijalva	Millender-	Woolsey
Gutierrez	McDonald	
Harman	Miller (NC)	

NOT VOTING—13

Becerra	Combest	Gephardt
Boyd	Conyers	
Buyer	Dreier	

McCarthy (MO) Owens Slaughter  
Ortiz Sandlin Whitfield

ANNOUNCEMENT BY THE CHAIRMAN PRO  
TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY) (during the vote). The Chair wishes to inform Members that there are 2 minutes remaining on this vote.

□ 1343

Mrs. NAPOLITANO and Messrs. DEUTSCH, LANGEVIN, and MENENDEZ changed their vote from "aye" to "no."

Ms. MCCOLLUM and Messrs. BACA, DAVIS of Tennessee, RUPPERSBERGER, ROSS, CRAMER, SHERMAN, TIERNEY, and MEEHAN changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO  
TEMPORE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remaining question will be a 5-minute vote.

AMENDMENT NO. 6 OFFERED BY MR. SMITH OF  
MICHIGAN

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 130, noes 288, not voting 16, as follows:

[Roll No. 156]

AYES—130

Alexander Cubin Hefley  
Baker Culberson Hensarling  
Barrett (SC) Cunningham Herger  
Bartlett (MD) Davis, Jo Ann Hoekstra  
Barton (TX) Davis, Tom Hostettler  
Bass Deal (GA) Hulshof  
Beauprez DeLay Isakson  
Bereuter DeMint Istook  
Berry Diaz-Balart, M. Jenkins  
Bilirakis Doolittle Johnson, Sam  
Bishop (UT) Duncan Jones (NC)  
Blackburn Ehlers Keller  
Boehner Everett Kennedy (MN)  
Bonilla Feeney King (IA)  
Boozman Flake Kingston  
Brady (TX) Foley Kirk  
Brown-Waite, Forbes Kolbe  
Ginny Fossella LaHood  
Burgess Franks (AZ) Lewis (KY)  
Burr Garrett (NJ) Linder  
Burton (IN) Gillmor Lucas (OK)  
Camp Gingrey Manzullo  
Cannon Goode Mica  
Cantor Goodlatte Miller (FL)  
Carter Granger Miller (MI)  
Chabot Graves Miller, Gary  
Chocola Green (WI) Moran (KS)  
Coble Gutknecht Musgrave  
Collins Hastings (WA) Myrick  
Crane Hayes Norwood  
Crenshaw Hayworth Nussle

Otter Ryan (WI)  
Paul Sensenbrenner  
Pence Sessions  
Petri Shadegg  
Pitts Sherwood  
Pombo Shimkus  
Putnam Shuster  
Radanovich Smith (MI)  
Rehberg Souder  
Rogers (KY) Stearns  
Rogers (MI) Stenholm  
Rohrabacher Sullivan  
Royce Tancredo

NOES—288

Abercrombie Gibbons  
Ackerman Gilchrest  
Aderholt Gonzalez  
Akin Gordon  
Allen Goss  
Andrews Green (TX)  
Baca Greenwood  
Bachus Grijalva  
Baird Gutierrez  
Baldwin Hall  
Ballance Harman  
Ballenger Harris  
Bell Hart  
Berkley Hastings (FL)  
Berman Hill  
Biggart Hinchey  
Bishop (GA) Hinojosa  
Bishop (NY) Hobson  
Blumenauer Hoeffel  
Blunt Holden  
Boehlert Holt  
Bonner Honda  
Bono Hooley (OR)  
Boucher Houghton  
Bradley (NH) Hoyer  
Brady (PA) Hunter  
Brown (OH) Hyde  
Brown (SC) Inslee  
Brown, Corrine Israel  
Burns Issa  
Calvert Jackson (IL)  
Capito Jackson-Lee  
Capps (TX)  
Capuano Janklow  
Cardin Jefferson  
Cardoza John  
Carson (IN) Johnson (CT)  
Carson (OK) Johnson (IL)  
Case Johnson, E. B.  
Castle Jones (OH)  
Clay Kanjorski  
Clyburn Kaptur  
Cole Kelly  
Cooper Kennedy (RI)  
Costello Kildee  
Cramer Kilpatrick  
Crowley Kind  
Cummings King (NY)  
Davis (AL) Kleczka  
Davis (CA) Kline  
Davis (FL) Knollenberg  
Davis (IL) Kucinich  
Davis (TN) Lampson  
DeFazio Langevin  
DeGette Lantos  
DeLaunt Larsen (WA)  
DeLauro Larson (CT)  
Deutsch Latham  
Diaz-Balart, L. LaTourette  
Dicks Leach  
Dingell Lee  
Doggett Levin  
Doolittle Lewis (CA)  
Doyle Lewis (GA)  
Dunn Lipinski  
Edwards LoBiondo  
Emanuel Lofgren  
Emerson Lowey  
Engel Lucas (KY)  
English Lynch  
Eshoo Majette  
Etheridge Maloney  
Evans Markey  
Farr Marshall  
Fattah Matheson  
Ferguson Matsui  
Filner McCarthy (NY)  
Fletcher McCollum  
Ford McCotter  
Frank (MA) McCreery  
Frelinghuysen McDermott  
Gallegly McGovern  
Gerlach McHugh  
McInnis

Tanner Snyder  
Taylor (MS) Solis  
Terry Spratt  
Thornberry Stark  
Tiahrt Strickland  
Tiberi Stupak  
Toomey Sweeney  
Upton Tauscher  
Vitter Tauzin  
Wamp Taylor (NC)  
Weldon (FL) Thomas  
Wicker Thompson (CA)  
Thompson (MS)

Tierney Watt  
Towns Waxman  
Turner (OH) Weiner  
Turner (TX) Weldon (PA)  
Udall (CO) Weller  
Udall (NM) Wexler  
Van Hollen Wilson (NM)  
Velazquez Wolf  
Visclosky Woolsey  
Walden (OR) Wu  
Walsh Wynn  
Waters Young (AK)  
Watson Young (FL)

NOT VOTING—16

Becerra Cox Sandlin  
Boswell Dreier Slaughter  
Boyd Gephardt Whitfield  
Buyer McCarthy (MO) Wilson (SC)  
Combest Ortiz  
Conyers Owens

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY) (during the vote). The Chair will advise Members that there are less than 2 minutes remaining in the vote.

□ 1350

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KIRK. Mr. Chairman, on May 1, 2003, on rollcall vote No. 156, an amendment by Mr. NICK SMITH of Michigan to H.R. 1298, I voted "yea" in error mistaking this amendment which I opposed for one by Mr. SMITH of New Jersey, which I support. I meant to vote "no".

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 9 printed in House Report 108-80.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON-  
LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill, add the following (and conform the table of contents accordingly):

**SEC. 404. ASSISTANCE FROM THE UNITED STATES PRIVATE SECTOR TO PREVENT AND REDUCE HIV/AIDS IN SUB-SAHARAN AFRICA.**

It is the sense of Congress that United States businesses should be encouraged to provide assistance to sub-Saharan African countries to prevent and reduce the incidence of HIV/AIDS in sub-Saharan Africa. In providing such assistance, United States businesses should be encouraged to consider the establishment of an HIV/AIDS Response Fund in order to provide for coordination among such businesses in the collection and distribution of the assistance to sub-Saharan African countries.

The CHAIRMAN pro tempore. Pursuant to House Resolution 210, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself 5 minutes.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, to the ranking member and

the chairman, I am not sure how momentous a day or how historic a day this will eventually be, whether or not it translates to the American psyche or the international psyche.

This is probably a day long in coming. And that is this bipartisan but very responsible response to a devastating deadly disease permeating the entire world, if you will. I think it is appropriate to thank the ranking member and chairman of this committee and all of the negotiators, including my good friend, the gentlewoman from California (Ms. LEE) for where we are today.

All I would like to do with this amendment, Mr. Chairman, is to be helpful, to be able to move the process along. And what I think is so innovative and so particularly unique about this particular initiative, H.R. 1298, is that we are dealing with HIV, tuberculosis and malaria.

One of the challenges that many of us who have dealt with this issue for a long period of time was the conflicting themes that may have been throughout to have been coming from sub-Saharan Africa. I recall a period of time in our history when the head of state of South Africa, the present president, made a very, very startling point, and that is how nutrition impacts on the condition of individuals. I recall the debate about nutrition. Here we have come full circle to understand that there are many variables that impact the devastation of HIV/AIDS malaria and tuberculosis.

This legislation goes right to the heart and understands the interrelatedness of the crisis in sub-Saharan Africa. It applauds nations that have been able to move forward such as the Ugandan effort, the ABC. It recognizes that we must do this collaboratively. And it also acknowledges, as I said on the floor of the House just a few minutes earlier, 40 million sub-Saharan children will be orphaned by this disease; but more importantly, Mr. Chairman, businesses, industries, are being devastated because young and vibrant workers are being cut down by AIDS.

This is sub-Saharan Africa, Mr. Chairman. I have been to India. It is growing there. China, it is growing there. So this amendment is based upon my experience in history that there are many who want to contribute to the finality of this disease, and that is by encouraging the business community to be able to contribute to the U.N. Global Fund, in particular, and to contribute to a resource pool that will shuttle those monies to the U.N. Global Fund, as I indicated, a fund established just a few years ago in 2000 by many of us who worked on this with the leadership of this Committee on International Relations, President Clinton and many Members of Congress. This amendment that will engage the business community in a very real way.

Mr. HYDE. Mr. Chairman, will the gentlewoman yield?

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

Mr. HYDE. Mr. Chairman, I thank the gentlewoman for yielding. We are very pleased to accept this amendment which adds to the quality of bill. I thank the gentlewoman and we are pleased to accept it.

Mr. LANTOS. Mr. Chairman, will the gentlewoman yield?

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

Mr. LANTOS. Mr. Chairman, I want to commend my friend, the gentlewoman from Texas (Ms. JACKSON-LEE) for her excellent amendment. We are delighted to accept it on this side.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I thank both the chairman and the ranking member.

I close by simply saying that this language squarely places a very firm hand of encouragement on our business community and a firm hand toward the U.N. Global Fund and a firm hand to finally or maybe moving towards stamping out this terrible devastation of HIV/AIDS, along with tuberculosis and malaria. I ask my colleagues to support it.

Mr. Chairman, I offer this amendment to the "United States Leadership Against HIV/AIDS, Tuberculosis, and malaria Act of 2003" to encourage American businesses to help sub-Saharan African governments and communities fight the spread of HIV/AIDS in their countries.

Many U.S. corporations operate in sub-Saharan Africa. From my home State of Texas, the oil industry conducts business operations in Africa. Businesses such as pharmaceutical companies, computer companies, food companies, and businesses from practically every economic segment of the country operate in Africa.

These companies earn substantial profits from their operations in Africa. Accordingly, they should be encouraged to provide financial assistance to sub-Saharan communities and participate in fighting the spread of HIV/AIDS.

I fully support and applaud the efforts of the Global Fund. My amendment, which establishes a Response Fund, will neither conflict with the activities and mission of the Global Fund, nor create unnecessary bureaucracy. The Global Fund was established by the United Nations Secretary General in April of 2001. The stated purpose is to, "attract, manage and disburse additional resources through a new public-private partnership that will make a sustainable and significant contribution to the reduction of infections, illness and death, thereby mitigating the impact caused by HIV/AIDS, tuberculosis, and malaria in countries in need."

The Response Fund that I propose in my amendment will work in conjunction with the Global Fund not in opposition to it. My Response Fund will create more flexibility for corporations to contribute to the fight against HIV/AIDS, and give corporations more options. My Response Fund will be a vehicle to getting funds to sub-Saharan communities, medical facilities and patients with utmost speed.

The Response Fund and the Global Fund will share the same goal, and they would certainly have opportunities to collaborate and work together in the fight against infectious diseases. I want to be clear that the Response Fund will not create an extra step in getting funds to sub-Saharan Africans suffering from HIV/AIDS.

I encourage U.S. businesses to contribute to both the Response Fund established in my amendment and also to the United Nations Global Fund.

Mr. Chairman, I offer this amendment because the fight against HIV/AIDS should be waged by the Congress, the sub-Saharan African community, and the American business community as well. I encourage the American business community to contribute needed funds to both the Response Fund in my amendment and The United Nations Global Fund.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 10 printed in House Report 108-80.

AMENDMENT NO. 10 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SMITH of New Jersey:

Page 54, line 21, insert before the period the following: " , or to endorse, utilize, or participate in a prevention method or treatment program to which the organization has a religious or moral objection".

The CHAIRMAN pro tempore. Pursuant to House Resolution 210, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

First of all, let me begin by thanking the gentleman from Illinois (Mr. HYDE), our chairman, for the extraordinary job he has done in this legislation. This has been a work in progress as we all know for several months, over last year and into this year. This legislation, in the end, is something that will save millions of lives and something we can be proud of.

I have an amendment that is co-sponsored by the gentleman from Illinois (Mr. HYDE), the gentleman from Michigan (Mr. STUPAK) and the gentleman from Arizona (Mr. RENZI) that I think is a critical clarification needed to make sure that the many successful and compassionate organizations are not inadvertently disqualified from participating in our international HIV/AIDS prevention and treatment efforts.

The amendment is a one-phrase all-important clarification of the existing language in the bill. It will ensure that a qualified grantee that does not want to participate in all aspects of a treatment or prevention strategy is not disqualified from participating in our HIV/AIDS efforts. For example, if a Muslim or Catholic organization is excellent in abstinence education or

AIDS testing, they should not be disqualified from U.S. funding because they have a moral objection to condoms.

The bill already says, I would point out, that organizations shall not be required as a condition of receiving the assistance to endorse or utilize a multi-sectorial approach to combatting HIV/AIDS. While this language is intended to protect organizations that are qualified in one phase of prevention or treatment from being disqualified if they have a moral or religious objection, the concern is that the language might be too vague. The word "multi-sectorial" has many meanings and might not protect organizations. That ambiguity—that infirmity—in the underlying bill is remedial by our amendment.

Thus the amendment which we are offering today would clarify, according to the original intent of the bill, that organizations should not be disqualified if they have moral or religious objections to one part of a treatment or prevention strategy. The one phrase that would be added is this: "To endorse, utilize or participate in a prevention method or treatment program to which the organization has a religious or moral objection."

□ 1400

It could not be more clear. It could not be more transparent.

Some of my colleagues may say faith-based organizations do not need this protection, but I assure them that the problem is real. In one case, a Catholic doctor who worked in sub-Saharan Africa for 31 years, caring for thousands of young people suffering from AIDS, was approached by USAID in Uganda and asked to draw up a program to prevent HIV/AIDS. Her group presented a project proposal which involved AIDS awareness and behavior change programs. In the project proposal, the emphasis was on abstinence and faithfulness as a way of preventing the spread of HIV and was for people of all faiths. USAID, however, responded by asking them to put in a component of promoting and distributing condoms. When this organization said they were not prepared to do so because of a religious objection, they were denied funding.

This is one of many stories. And the ones who are harmed when this kind of action takes place are those who are suffering the most and are at greatest risk and need services. This provision would not require, I would say to my colleagues, a change in the overall strategy to fight HIV/AIDS. The overall strategy would stay the same even if certain groups only worked on parts of that strategy where they are qualified and successful.

Let me say, finally, the Catholic Church, today, cares for one out of every four AIDS patients. One out of every four. If the bill remains unclear, this could potentially prohibit, could proscribe the funding of many of the

initiatives of the Church, and I said earlier Muslim groups or Catholic Relief Services, which today cares for about 2 million people who are at risk or perhaps have been affected by AIDS, mostly in Africa but around the world as well. Two million by one Catholic agency alone.

We want inclusion. We want more people involved. I ask that this amendment be approved. This conscience protection is real and it would be impossible for anyone, at anytime to misconstrue Congressional intent.

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

Mr. LANTOS. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore (Mr. SWEENEY). The gentleman from California (Mr. LANTOS) is recognized for 10 minutes.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the Smith amendment.

First, I would like to thank the gentleman from New Jersey (Mr. SMITH) for his long-standing leadership on human rights' matters and for his support for this critically important legislation. His vote in committee in favor of H.R. 1298 was greatly appreciated.

I would also like to note that the amendment being offered today is different from the one that was offered in committee. The amendment offered in committee during markup was deeply offensive in that consciences were only granted to faith-based organizations.

The amendment before us today builds upon language already in H.R. 1298. The bill currently states that an organization receiving funds under this act shall not be required to endorse or utilize a multisectorial approach to combating HIV/AIDS. In other words, a group does not need to endorse condom use or hand out condoms or endorse abstinence and promote abstinence education to receive money under this act.

The Smith amendment adds a new clause to the current language. It states that groups shall not be required to endorse, utilize, or participate in a prevention method or treatment program to which the organization has a religious or moral objection. I certainly agree, Mr. Chairman, that no organization should be required to have anything to do with a program to which it has religious or moral objections. However, I remain concerned that some organizations will use this clause to implement programs designed to undermine other HIV/AIDS prevention strategies, including effective condom use.

I am also concerned that groups utilizing one approach to HIV/AIDS prevention and treatment will refuse to refer someone to another organization which offers a different method of HIV/AIDS prevention.

Mr. Chairman, it is critically important that organizations which receive HIV/AIDS funds from the United States work closely and collaboratively sup-

porting each other's work. Abstinence-only groups should not use United States' funds to tell men and women in Uganda that condoms do not work and are morally wrong and condoms-only groups should not use U.S. funds to denigrate abstinence.

Mr. Chairman, I greatly respect the work of faith-based organizations around the world, which are playing a critical role in battling HIV/AIDS; but until we clarify these questions, I cannot support the amendment in its current form.

Mr. Chairman, I would like to ask my good friend, the gentleman from New Jersey (Mr. SMITH), whether he would be willing to add the following words at the end of his amendment by unanimous consent: "Except that such organization may not undermine interventions that it does not endorse, utilize or participate in."

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend, and with all due respect, and I have a great deal of respect for the gentleman from California (Mr. LANTOS), I would have to respectfully decline.

Earlier we had spoken, and the gentleman had indicated he wanted to do a colloquy on identical language. The problem is the word "undermine." If a group opposes a certain type of prevention such as condom use that could be construed in the eyes of someone who is making a grant or letting a grant, that organization should not get funded. The proposed Lantos language nullifies any conscience clause so I must reject it.

Our hope with our amendment is that we empower the maximum army of volunteers and professional people to care and assist people who are at risk of HIV/AIDS as well as people who have already contracted this horrific disease. We should not limit our response to this crisis; we need to have a more flexible response. Be reminded, we are talking about grant money. So it is still up to the grantor—the United States Government—to decide whether or not the grant request that we are in receipt of meets the criteria in terms of what the project is all about, whether it be dealing with actual treatment of AIDS patients or hospice care or some prevention strategy or mother to child transmission initiatives.

So with all due respect, I would have to decline.

Mr. LANTOS. Reclaiming my time, Mr. Chairman, I want to thank my good friend from New Jersey for his very clear answer.

Mr. Chairman, the sponsor's unwillingness to make this clarification makes me even more concerned about the amendment as it is drafted. I believe that this amendment could be used by some organizations to undermine and denigrate the effective use of condoms and other HIV prevention strategies overseas.

Mr. Chairman, use of condoms is an effective way to prevent HIV/AIDS. If we allow this clause, conceivably scientific misinformation could be disseminated and it would undermine a proven prevention strategy, which means people would die. I must, therefore, reluctantly oppose the passage of the Smith amendment and ask all of my colleagues to join me in voting "no."

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. RENZI), one of the sponsors of the amendment.

Mr. RENZI. Mr. Chairman, I thank the gentleman from New Jersey for yielding me this time, and I am grateful for his leadership on this important amendment.

It is said to those that have been given much, much will be expected. It is with this sense of duty and obligation that the President has turned the Nation's attention, America's attention, to the realization that our Nation can use a portion of its wealth to help eradicate the devastating effects of AIDS in some of the most impoverished portions and regions of our world.

Yet without passage of the Smith amendment, certain worthy organizations, who have proven themselves successful in taking on this fight, organizations who have been there from day one on the front lines, would not qualify, possibly would be disqualified if they have moral or religious objections to just one part of a three-part strategy. This amendment makes necessary distinctions which ensure that faith-based organizations can continue to educate and change people's hearts, minds, and souls towards a more moral way of life.

While it has been said they undermine, the fact is, again, reiterating, these faith-based organizations, particularly the Catholic-based organizations, care for one out of every four AIDS sufferers in the world. I urge support of the amendment.

Mr. LANTOS. Mr. Chairman, I yield the balance of my time to the gentleman from California (Ms. LEE), and I ask unanimous consent that she be allowed to control that time.

The CHAIRMAN pro tempore (Mr. DUNCAN). Without objection, the gentleman from California (Ms. LEE) is recognized for the balance of the time.

There was no objection.

Ms. LEE. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment offered by my colleague, the gentleman from New Jersey (Mr. SMITH). Early on in the drafting of this bill, we decided really not to let ideology drive the process and drive the contents of this bill. I believe, as our ranking member said, that the language we worked on and negotiated in committee addresses the issues and

concerns raised in this amendment, and it addresses it quite well.

Now, it seems to me, quite frankly, that social conservatives are looking at a way to carve out a specific exemption. All of us support faith-based organizations, but it looks like one group of individuals in this country wants to carve out for religious organizations a specific exemption. The amendment looks tame on its face, but I really think there is another motive behind this amendment.

I do not believe that we should subject this very important piece of legislation to the ideological whims of either side. The compromise that we negotiated in the bill was specifically intended to avoid this. Both sides made some major concessions with an understanding that the needs of those who are living and dying with AIDS would trump our political differences. It appears now that this amendment would give an organization the ability to affirmatively tell those suffering and dying of AIDS not to use one method over another. This could be deadly.

Now, there were several amendments that I would have offered to shape the bill more to my liking, more to many of my colleagues' liking on our side; but we refrained from doing this because we felt quite strongly that the delicate balance established in the bill should not be upset. So I would encourage Members to oppose this amendment. The language in the bill is very clear with regard to faith-based organizations, and I ask the gentleman to withdraw his amendment.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Ms. LEE. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from California has 2 minutes remaining.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, first of all, I just want to make it very clear, and I wish the gentleman had not gone the route of saying there is another motive here. The motive—my motive—is to say that there are a vast array of other people who are very competent in mitigating this crisis called AIDS, and maybe even ending it some day who are on the ground providing essential services as we speak. Others—if the wherewithal exists—will soon join them.

I mentioned Catholic Relief Services earlier in the debate. Catholic Relief Services, today, provides HIV/AIDS services to 2 million people. They do it without a brass band or self promoting press releases and are very much underheralded. These saints who care for the afflicted are on the ground, village after village, heavily embedded in Africa, helping people with this horrible scourge and helping the people who are trying to cope with it and prevent it. Catholic Relief Services is made up of the most caring and com-

passionate people on earth. Let's hope they apply for more funding.

I mentioned earlier the one case of a diocese, five dioceses in Uganda in the 1990s that had hoped to develop an AIDS plan with some funding augmented by the United States Government. And because the organization said they did not want to embrace the condom part, they were precluded from U.S. funding. So there is a real world tragedy and dark consequence as a direct result of not having an air-tight conscience clause.

Again, we can fund condoms till the cows come home in this bill; but we are saying there are providers among the best an earth—the CRS—who are deeply respected in the community, with access to the at risk populations, yet who would not get funding without real conscience clause protection. Catholic and Muslim groups are the ones we are mostly talking about, and it seems to me that it is counterproductive in the extreme to everything we are trying to do here—to prevent their full participation.

I thank the gentlewoman for yielding to me.

Ms. LEE. Mr. Chairman, I yield myself the balance of my time, and I thank the gentleman for his comments, but let me just say that the language that was negotiated that is in the base bill, in the bill before us today, takes care of all of the issues that we care about in terms of allowing for a multifaceted, multisectoral approach to addressing this pandemic.

What we do not want to do, and what I believe will happen with the gentleman's amendment, is that organizations now will be allowed to say "do not use one method versus the other." We crafted the language in a way that would allow organizations, if for whatever reasons decided that they were not going to promote abstinence, to be faithful, or condom use, that they would not necessarily have to promote it.

□ 1415

But what I believe the gentleman's amendment will do will be to allow organizations to tell individuals that one approach is not going to work, or there is danger in an approach that allows for the distribution of condoms. I think that is downright wrong. The ABC approach is the approach that works. Organizations can choose whichever approach they want to address.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Chairman, I rise in strong support of the Smith amendment.

Mr. Chairman, in Congress we talk. It is what we do. But in Africa at this very hour, as the gentleman from New Jersey (Mr. SMITH) just said with passion, there are Catholic Relief workers and Christian missionaries in medical missions elbow deep in a crisis that has struck 42 million souls and rising, the

AIDS pandemic. Only by passing the Smith amendment will we make certain that not only those who would be willing to come to the aid of people, but the overwhelming majority of those who are thanklessly, and without the klieg lights of publicity or public support, are coming to their aid at this very hour.

Only by creating a conscience exception for faith-based organizations to say that they can accept some of this \$15 billion that will avalanche from Washington, D.C. into Africa without violating their own moral conscience, will we ensure that those who do the work continue.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I am on the floor here today to support an amendment that will simply clarify existing language in this bill. Our amendment is short and simple. It says that otherwise qualified organizations shall not be required as a condition of receiving assistance to endorse, utilize or participate in a prevention method or treatment program to which the organization has a religious or moral objection.

We should all be working together, Muslims and Catholics, to fight AIDS. In fact, Catholic organizations alone are caring for one in every four AIDS victims in the world. It makes no sense to disqualify them.

Our language will give organizations of all faith an opportunity to join in this monumental effort to fight the pandemic. This provision will make sure that we do not arbitrarily disqualify organizations that have proven their ability to provide excellent care to those afflicted with this dreaded disease. I congratulate my colleagues for joining together to address this tragedy that can no longer be ignored.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise to support this conscience protection amendment. Faith-based organizations are often the most effective in preventing the spread of HIV; and despite their effectiveness in caring for millions with the disease and working to prevent the spread of it, many relief organizations continue to disregard the right of faith-based organizations to object to condom distribution.

In the hearing we had, we cited the quotations from the U.N. representatives in this regard. This amendment will provide protection for faith-based groups, like the Catholic Church, who apply for Federal funds but who object to distributing condoms as a form of HIV prevention. It is meant to make sure that we do not arbitrarily disqualify any organization from one part of our strategy because they do not participate in another.

We should have the best organizations working within our overall plan on parts of the plan that they do best.

We should not discriminate against organizations that are saving lives. I urge Members to support the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. HYDE) to close debate on the bill.

The CHAIRMAN pro tempore (Mr. DUNCAN). The gentleman from Illinois (Mr. HYDE) is recognized for 2 minutes.

Mr. HYDE. Mr. Chairman, this is an effort to make the army in opposition, the army that is fighting AIDS as inclusive as possible. Just think for a moment, put biases aside. Here is an organization that takes care of 1 in 4 people afflicted with AIDS, the Catholic Relief Services. Without this amendment, they stand very much in jeopardy of being excluded from this program. Why should we hobble ourselves as we are attacking the deadly scourge of AIDS?

There are religious people who do not believe in condoms who can teach, who can go from village to village administering medicines. There are so many things that need to be done on the human level, and why should we exclude them because they have moral scruples against condoms. This is a 3-part attack: Abstinence, as well as being faithful and using condoms. We can certainly do some good teaching abstinence, teaching fidelity in the family, and many other creature comforts that can be administered by Muslim groups that do not support condoms. Why exclude people from this force that is going to attack AIDS?

I think it is irrational. The purpose of the bill is to get as many forces together to attack AIDS. If we exclude people because they do not believe in condoms, we are tying our hands and it is a big mistake. I hope this amendment passes. It in no way at this diminishes the efficacy of this bill. It simply says there are people who do not subscribe to the "C" of the ABC, but they do to the "A" and "B," and we need all of the people we can muster in this struggle. I hope the Smith amendment passes.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 11 printed in House Report 108-80.

AMENDMENT NO. 11 OFFERED BY MR. PITTS

Mr. PITTS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. PITTS:

Page 83, line 10, insert before the semicolon the following: ", of which such amount at least 33 percent should be expended for abstinence-until-marriage programs".

Page 83, line 22, add at the end the following new sentence: "For fiscal years 2006

through 2008, not less than 33 percent of the amounts appropriated pursuant to the authorization of appropriations under section 401 for HIV/AIDS prevention consistent with section 104A(d) of the Foreign Assistance Act of 1961 (as added by section 301 of this Act) for each such fiscal year shall be expended for abstinence-until-marriage programs."

The CHAIRMAN pro tempore. Pursuant to House Resolution 210, the gentleman from Pennsylvania (Mr. PITTS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, H.R. 1298 endorses Uganda's ABC model that focuses on abstinence, but it does not ensure that money is actually directed to abstinence programs.

Abstinence works. In Uganda, which has been cited as the ABC model, "A" for abstinence first; "B" for being faithful to one partner; and "C," condom use, and this focus on abstinence first lowered HIV infection rates from 21 percent in 1991 to 6 percent in 2000. The ABC model saves lives, and this amendment will ensure that these funds save more lives by moving taxpayer dollars to life-saving strategies that have been proven to work.

It mandates a percentage: 33 percent of the prevention funds disbursed under the bill for abstinence. Now that is not all of the bill, that is just prevention funds, and one-third of those.

Other countries have begun implementation of the ABC model and are already showing great success, as they did dramatically in Uganda. But countries like Kenya, which have stuck mainly to the social marketing of condoms, are experiencing huge increases in HIV prevalence rates, and this amendment takes that fact seriously.

It makes sense to guarantee that this money will fund what works. This amendment makes sure that there is sufficient flexibility for the AIDS coordinator. It only mandates 33 percent of the prevention funds to go to abstinence. It leaves the remaining 67 percent of prevention money to be disbursed as the coordinator sees fit.

Opponents claim that abstinence just is not possible. Dr. Edward Green, a researcher at Harvard University was an opponent of the ABC model, in particular abstinence, until he saw what happened in Uganda. He testified before the Committee on Energy and Commerce, and he said, "Many of us in the AIDS and public health communities did not believe that abstinence, or delay, and faithfulness, were realistic goals. It now seems we were wrong."

In Uganda the proportion of young males age 15 to 24 reporting premarital sex decreased from 60 percent in 1989 to 23 percent in 1995. For females, the decline was 53 percent to 16 percent. The program actually changed the behavior in women and men, a fact I hope my colleagues take seriously.

This amendment will make sure that funds get to what works. It maintains

flexibility, makes the bill better. It will save lives. I urge Members to support this amendment.

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

Mr. LANTOS. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from California (Mr. LANTOS) is recognized for 10 minutes.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I had the honor on Tuesday to join Senators LUGAR and BIDEN and the gentleman from Illinois (Chairman HYDE) at the White House as the President called for Congress to quickly approve comprehensive HIV/AIDS legislation. The President has since announced his strong support for our bill. When the President spoke to us, he asked that Congress make the ABC strategy used in Uganda and elsewhere as the model for our prevention efforts. I could not agree more with the President. To quote him, "The ABC strategy is effective by emphasizing abstinence, marital fidelity as well as condoms to prevent HIV transmission."

Mr. Chairman, I quote President Bush on the ABC strategy because there is some confusion in Washington as to what it means. Some Members of Congress attribute the dramatic success of Uganda's HIV/AIDS prevention program solely to abstinence and marital fidelity programs. While these components of the ABC strategy have been effective, Ugandans also use an average of 80 million condoms per year, and that figure is increasing.

While I certainly respect the fact that some religions may have moral objections to the use of condoms, many other faiths actively promote their use as a medically proven way to stop the transmission of HIV. The legislation before us explicitly authorizes the use of funds to promote programs which promote abstinence and faithfulness. However, the Pitts amendment would require that one-third of the HIV/AIDS prevention funds be set aside for the exclusive use of abstinence before marriage programs.

Mr. Chairman, I agree with the President of the United States. The ABC approach does work, but the Pitts amendment undermines the ABC approach by earmarking funds solely for the abstinence program. The Pitts amendment also raises a whole series of very disturbing questions to which we have been given no answers.

□ 1430

Does the Pitts amendment seek to replicate certain abstinence-only programs under which educators are explicitly prohibited from giving full and complete information about condoms to high-risk populations? Under these abstinence set-aside programs, will people who are already sexually active be given any information about condoms? Will any information provided about condoms be medically ac-

curate and complete? Will faith-based groups such as the Anglican Church of Uganda be eligible to receive these abstinence funds if their priests discuss condom use in the context of abstinence education? Do abstinence programs that are part of a multisectoral approach count towards this set-aside? And questions along these lines too numerous to mention.

Mr. Chairman, all of these questions remain unanswered. I therefore urge all of my colleagues to support the ABC approach to HIV/AIDS prevention and to oppose the Pitts amendment. I also want to call my colleagues' attention to the fact that today in an editorial, the Washington Times, no liberal publication, says, "The revision expected to be offered by Representative Joe Pitts, Pennsylvania Republican, which would set aside up to one third of the money specifically for abstinence and monogamy programs, seems less wise since such decisions should be made by the experts in the field."

I fully agree on this issue with the Washington Times, the President of the United States, and the experts working in the field; and I urge all of my colleagues to reject the Pitts amendment.

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

Mr. PITTS. Mr. Chairman, the Uganda model was developed by Ugandans themselves.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise in strong support of the Pitts amendment. According to the World Health Organization data, abstinence education programs work to reduce the premarital sex rate for Ugandan males, as the gentleman from Pennsylvania earlier said, in 1989 60 percent to 23 percent. For females the decline was 53 percent to 16 percent. The proportion of males reporting three or more sexual partners fell from 15 percent to 3 percent. With each successive sexual partner one has, their probability of contracting HIV goes up proportionally and by reducing the income of sexual partners, increasing the age of sexual debut, by increasing the incidence of abstinence before marriage, faithfulness in marriage, the rate in Uganda declined by half.

I think this is a very modest amendment. I actually think we should be putting substantially more money than he is proposing into abstinence education because it has been shown scientifically to be the most effective way and cost-effective way to prevent the spread of this disease. I strongly urge all of my colleagues on both sides of the aisle to support the Pitts amendment, a very well-thought-out amendment.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE), who has led this fight on our side.

Ms. LEE. Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) for yielding me this time.

I rise in strong and very vigorous opposition to this amendment offered by the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Illinois (Mr. HYDE). Again, we see attempts to unravel the delicate compromise established by our negotiations on this bill. We have already dealt with this issue in another forum in the Committee on International Relations when the gentleman from Pennsylvania (Mr. PITTS) pushed for the prioritization of abstinence over condom use in the ABC model of prevention. Abstinence, fidelity, and the use of condoms should all be placed on equal footing; and that is what we agreed to in committee. So I hope that we similarly defeat this amendment. Even the Washington Times, as the gentleman from California (Mr. LANTOS) points out, agrees that a balanced approach should be implemented and should be part of this bill.

The Uganda model is based upon the ABC approach, which is prevention, abstinence, and condoms. In fact, the former director of the largest organization in Uganda dealing with HIV and AIDS treatment says that that is what has worked and that it is wrong for those who want only one approach to pull out one element of a bigger picture. And she said this is a very small percentage of the whole picture. What works is what worked in Uganda, and that is abstinence, be faithful, condoms; and that is the only strategy that makes sense.

Mr. PITTS. Mr. Chairman, I yield 1 minute to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Chairman, as we look at a disaster such as this, it is hard to comprehend the misery and the suffering. We look at women and the children and the men that are dying such horrible deaths, and it is hard to take it all in. But what we look for in Africa is a ray of hope, a ray of hope for these people; and we see this ray of hope in Uganda. And we see a ray of hope with abstinence education. Abstinence is not just a moral issue. It is an issue of whether or not we will teach people what the healthy life-style is. If we are compassionate about the people in Africa, if our hearts go out to the people that are dying, that are in incredible suffering and misery, we want to do something that works. We want to have something that will give these people hope, that will give them life; and I am in strong support of this amendment.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I rise in strong opposition to this amendment. My colleagues and the chairman have worked very hard to ensure a proven approach to HIV and AIDS funding which is based on the successful Ugandan model. The President himself has seen the wisdom of this approach and supports it. We agree that abstinence is a great approach,

but it cannot be used alone, and it cannot be dictated where it absolutely cannot work. And where it works best is in a comprehensive educational program. Our own CDC experience attests to this; and as a family physician who has worked in family planning and HIV and AIDS, I know this is the best approach. It is the one that delays sexual activity, reduces partners, and more importantly saves lives.

I strongly urge all of my colleagues, no matter what their personal or religious convictions might be, not to impose them on others but to allow these funds that are so very important to the lives of millions of people to be used how and where they can be most effective. And this needs to be done globally as well as in our domestic programs.

Mr. Chairman, I urge my colleagues to reject this amendment and do a great thing here today by passing H.R. 1298 with the good amendments that have already been passed.

Mr. PITTS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Chairman, I rise in strong support of the Pitts amendment, and along with the gentleman from California (Mr. LANTOS), ranking member, whom I have labored with on other issues and will labor still, I was there in the East Room of the White House when the President of the United States described a compelling and compassionate vision for addressing this pandemic AIDS crisis in Africa. The President insisted that we not just send billions of dollars to Africa, but we send values that work; and he encouraged us in this Congress to put a priority on the values of abstinence and monogamy before condom distribution in that room. In fact, in a statement of administration policy, Mr. Chairman, the administration said they, quote, "support additional provisions that would prioritize the abstinence component of the ABC approach which has been successfully implemented in Uganda."

The administration supports the Pitts amendment; and those who would embrace this vision of abstinence and endorsement of faithfulness in marriage and then condom distribution must, and by all means should, support the Pitts amendment to this bill.

Mr. LANTOS. Mr. Chairman, I yield 45 seconds to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I strongly oppose this amendment. Abstinence or monogamy or condom use, it just does not work. What worked in Uganda was abstinence and be faithful and condom use. It is essential to pursue all approaches to prevention. Promote and value abstinence, encourage monogamy in both men and women,

and teach that lifesaving use of condoms works. Using all three options, men and women can be approached differently according to the cultural values of a village or religion or a region. United States policy reflects that by funding faith-based organizations as well as secular organizations that may focus on one area or health concern.

Abstinence, be faithful and condom use worked in Uganda.

Each approach is different, and may be suitable at different stages in life. But each approach can and does work together.

Many of us believe that abstinence is most realistic in the years before sexual activity begins—because it can delay sexual activity, and that's important. But abstinence may not be an appropriate message for a girl who has no say in the extent of her sexual activity.

Once sexual activity begins—keeping in mind that the sexual activity may not be consensual—it's critical that accurate information about condoms and other prevention methods be available, to limit exposure to sexually transmitted diseases, including HIV.

It is essential to pursue all approaches to prevention. Promote and value abstinence, encourage monogamy in both men and women and teach the life saving use of condoms. And, if married, monogamy is both a social and a public health value, and it should be strongly promoted for both men and women.

Using all three options, men and women can be approached differently, according to the cultural values of a village, a religion, or a region. U.S. policy reflects that, by funding faith-based organizations as well as secular organizations that may focus on one area or health concern.

Many Members have spoken about Uganda, a country in east central Africa. But I want to focus on another part of Africa—the West African region, and the countries of Cote d'Ivoire and Burkina Faso. About 10 percent of the population in each of these countries is infected with HIV.

In both countries, the health care infrastructure is poor and strained—18 months ago, Cote d'Ivoire was in better shape than Burkina Faso, but the civil war has had a devastating impact on its health care sector. In Burkina Faso, a HIV diagnosis has been akin to a death certificate, because there has been no access to treatment at all.

In these countries, it's not uncommon to arrive in a village and see that the local business is coffinmaking.

In these countries, it's not unusual to see children who are raising each other because there are no parents.

In West Africa, many villages are politically, culturally, and economically dominated by men. Women are married as young as 12 or 13, and begin bearing children immediately. The cultural values of these villages enforce monogamy for women, but positively encourage men to have multiple partners. Men make all the decisions, and the community reinforces that tradition.

Economic realities also impact behavior. Men often travel to find employment—even work in another country, hitchhiking up and down major roadways, looking for work in trade centers where prostitutes gather. He might be away for months, or seasons, at a time. Whether single or married, these men

often have sexual encounters while on the road, and subsequently bring HIV into their home villages.

In fact, HIV can be tracked from cities, to major highways, and into completely rural, isolated villages, simply by following the travels of the men who call those villages home.

Many women in Africa infected with HIV were abstinent before marriage, and monogamous in it, and yet still they are wasting away from AIDS.

That's today's reality. And to combat that reality, we believe it's essential to pursue all approaches to prevention—promote and value abstinence, encourage monogamy in both men and women, and teach about the life-saving use of condoms.

Each of those approaches involves education. People must learn that it's possible to refuse sexual activity. And if refusing isn't realistic, they can learn to negotiate with their partner to wear a condom. In West Africa, health workers put on plays for villages and at trading centers, to show an audience gathered by music and comedy how a wife might persuade her husband to wear a condom, or how a migrant worker can use condoms to protect himself—and his wife—from devastating disease. Villagers of all ages, men and women, attend. Local cafes offer condoms, alongside information about monogamy and abstinence.

This kind of education is respectful of local tradition, but it's also appropriate to the public health emergency that is AIDS in Africa. It will take years of sustained effort to make it easier for women to negotiate more equally with men, because it's an issue that goes well beyond sexual relationships. It will take years of effort to end prostitution as a means of supporting a family, because in some places, it's all there is.

While these societies work to change behavior, and the world unites to help them—young women bear 5, 6, 7 children in rapid succession by a husband who may have infected her with HIV.

Again, she's married, she's faithful . . . she's dying.

We can have it all—we can have monogamy and condoms, we can have abstinence before marriage and access to condoms too. It's just a matter of deciding that saving lives matters more than how it's done.

Because abstinence works. Monogamy works. Condom use works. Together.

Mr. PITTS. Mr. Chairman, I yield 45 seconds to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, the global HIV epidemic issue cannot and must not be ignored. People are dying from this disease, and we know how to help them. Our duty is to promote good public policy that saves lives, and we have an opportunity today to do that. As we look for the method of reducing HIV/AIDS infection rate, we have to look no further than to Uganda to find a very successful program. Uganda has led the way in drastically reducing its infection rate of HIV/AIDS from 21 percent in 1991 to 5 percent in 2001. This has been accomplished through the ABC program, a model of behavior that we need to follow. First of all, abstinence; second, be faithful; and, third, using a condom. The stunning drop in HIV proves that

the behavior can change and save lives, and I encourage my colleagues to support this Pitts amendment.

Mr. LANTOS. Mr. Chairman, I yield 45 seconds to the distinguished gentleman from Pennsylvania (Mr. GREENWOOD).

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

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman for yielding me this time.

I agree with my colleague from Pennsylvania on the value of abstinence. I would be opposed to a penny of this money going to any program that did not preach and teach abstinence. It is absolutely necessary. My concern with the amendment is it would allow money to go to programs that do abstinence only. The problem with that, and I have friends from Africa who are with us today who have just explained to us, if we take a woman whose husband has contracted HIV and she needs a condom and the only program in her community is a program that simply does abstinence and nothing else, then we have done nothing for her and it will cost her her life, and it will cost the lives of the children that she bears. If every program provided abstinence, I would be for the Pitts amendment completely. But the Pitts amendment, by allowing a third of the money to go to programs that provide abstinence, will allow programs that provide abstinence only and that certainly is insufficient, as everyone has agreed.

Mr. PITTS. Mr. Chairman, I yield 45 seconds to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Chairman, I think we all serve here with the same purpose. Each of us in our own hearts would like somehow to make the world a better place and we have before us an amendment, and the technology of this amendment is very straightforward. It is very simple. Abstinence is the only tool we have that works 100 percent. So it is not a matter of whether we like the morality of abstinence or not. The fact is that technology-wise it works. It is the only thing that is 100 percent effective. We are only talking about one third of the money. So we could pass a law here to repeal the law of gravity, but it would not do us much good. The scientific fact is a flat fact that abstinence works, and that is why we have to use the very best tool with at least a portion of this money to deal with this serious crisis.

Mr. LANTOS. Mr. Chairman, I yield 45 seconds to the distinguished gentleman from Maryland (Mr. CUMMINGS), chairman of the Congressional Black Caucus.

Mr. CUMMINGS. Mr. Chairman, I rise in opposition to the Pitts amendment which detracts from this consensus bill.

This bill endorses the successful ABC Ugandan model of abstinence, be faithful, and condom. This system works, and it should be the only prevention

program that receives funding. The Pitts amendments would devote 33 percent of precious prevention resources to disproportionately fund an abstinence-until-marriage model that has not proven to be effective.

Mr. Chairman, we do not have time to play Russian Roulette with millions of lives while testing politically charged prevention methods. In fact, a 2001 report issued by the National Institutes of Health concluded that beyond mutual lifelong monogamy among uninfected couples, condom use is the only method for reducing the risk of HIV infection and STDs available to sexually active individuals.

I urge my colleagues to oppose this amendment.

Mr. PITTS. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. TAUZIN), the distinguished chairman of the Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Chairman, I rise in strong support of the Pitts amendment.

The Federal program on abstinence is not a mandated program on the States. In fact, States have to put up dollars to get into the abstinence program. And States readily do. Do my colleagues know why? Because it works. We have heard story after story after story before the Committee on Energy and Commerce that abstinence works. Not only does it help prevent the kinds of disease we are talking about, but it literally is the best way to make sure that other venereal diseases are not spread and other cases of awful calamity are avoided for young women as they are growing up.

□ 1445

We learned, for example, that condoms do not stop the spread of many new venereal diseases that are viral in nature, and nevertheless ruin a woman's chance of reproduction as they grow up and try to become young married women and have a family.

We learned a great deal in the Committee on Energy and Commerce. The most important thing we learned is that abstinence works. It works in our States, it works in this country, and it can work in this program.

The second thing to keep in mind is that every time we have promoted abstinence programs in this country, the argument on the other side is abstinence-only should not be the deal. This is not abstinence-only, this is abstinence as one-third of the program.

I urge Members to support the Pitts amendment.

Mr. LANTOS. Mr. Chairman, I am delighted and honored to yield the balance of my time to my good friend and neighbor, the gentlewoman from California (Ms. PELOSI), the distinguished Democratic Leader.

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to the Pitts amendment. First I want to commend the gentleman from Illinois (Chairman HYDE) and the ranking member, the

gentleman from California (Mr. LANTOS), for the strong, and effective bipartisan bill they produced in the Committee on International Relations.

I also want to acknowledge the tireless efforts of the gentlewoman from California (Ms. LEE), who has fought for years to strengthen our efforts in the fight against the AIDS pandemic, both domestically and internationally.

We know the statistics. They are staggering, and they should move us to action. Every day, over 16,000 people become infected with HIV, primarily in the developing world. This crisis is too severe and our response is too important to let our efforts be undermined by politics.

We must support what works. We are talking about saving lives. If we do, experts say that a strong global response could prevent nearly two-thirds of the 45 million new infections that are projected by 2020, saving tens of millions of lives.

The successes are there for us to replicate. We can look to Uganda as a model and for inspiration. We can learn a lot from their experience. Over the past decade, Uganda's infection rates have dropped from 30 percent to 5 percent. It can be done. This success was achieved using the model of prevention that is a key component of the Hyde-Lantos bill, a model that gives equal weight to the full range of options and relies on the best scientific information.

H.R. 1298 is not anti-abstinence. It supports a balanced approach to HIV-AIDS prevention. This is a debate about whether or not we use the model that has been effective in Uganda and that gives flexibility to those fighting this disease on the ground.

In July 2001, NIH confirmed the effectiveness of condoms in preventing HIV transmission. The Pitts amendment asks us to abandon what we know and has been proven to work.

H.R. 1298 is a bipartisan bill that we can all proudly support. It is a bill that President Bush supports. Why sacrifice that broad support in the name of politics, especially when so many lives are at stake?

Keeping information from people does not keep them safe. And when that information is about AIDS, it can be a death sentence.

I strongly urge my colleagues to oppose the Pitts amendment and to support the original Hyde-Lantos bill, and again commend the gentleman from Illinois (Mr. HYDE), the distinguished chairman, the very distinguished chairman, the about-to-have-his-picture-unveiled chairman, and the gentleman from California (Mr. LANTOS), for their very important contribution to saving lives.

The CHAIRMAN pro tempore (Mr. DUNCAN). All time of the gentleman from California (Mr. LANTOS) has expired.

Mr. PITTS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Chairman, I have heard a lot of speeches on this floor supporting the President's program and supporting ABC and the program of Uganda, yet being opposed to the Pitts amendment. The Pitts amendment is the Uganda program. It is the President's program. So we should support the Pitts amendment because it is what the President is asking us to do.

Every day, 2,000 more children are infected with the HIV/AIDS virus. Entire generations of communities in Sub-Saharan Africa are being obliterated by a preventable disease.

AIDS in Africa is not just an epidemic, it is an emergency. But there is something we can do about it. President Bush, I wish Members on the other side of the aisle would listen, has called upon us to marshal the virtue and resources of the American people to help save a continent in crisis. This is his initiative, and, as such, our legislation should reflect his ideals for it.

Mr. Chairman, abstinence-based prevention programs work, and the President supports the Pitts amendment. After years of trial and error and research, the facts, and the striking success of Uganda's abstinence program, are very clear. No other method has produced the success rates or saved as many lives as Uganda's ABC approach.

Because of this, the discovery of a new and effective weapon in the war against AIDS, the President has endorsed the Uganda model. So have experts in the field, who were once skeptical of abstinence as a solution.

Despite the evidence, some still suspect proponents of abstinence-based prevention of simply being on a moral crusade. I would say in response that this entire bill is a moral crusade. Not to impose our values on anyone, but to save a continent of the Great Plague of our age.

This debate is not about supporting one political agenda over another. It is about supporting proven methods of AIDS prevention over the failed policies that have tragically contributed to the infection of 30 million Africans. The disease is running rampant across Sub-Saharan Africa, and the only places returning encouraging news are those nations committed to abstinence-based prevention programs. It works, and we cannot let the fog of politics obscure that fact.

In Uganda, 10 years of the abstinence-based approach have slowed the march of the disease, and in Zambia recent results are showing similar success.

To meet the moral responsibility of this crisis, we must promote policies that work, not ones that have been proven failures.

So, Mr. Chairman, I believe this amendment is a test of our seriousness about this issue. People are dying and politics will not save them. The United States has a real chance to do good in the world with this bill, but only if we do the job right.

Mr. PITTS. Mr. Chairman, I yield the balance of my time to the gentleman

from Illinois (Chairman HYDE), the co-sponsor of this amendment, to close.

The CHAIRMAN pro tempore. All time of the gentleman from Pennsylvania has expired.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on International Relations, be granted such time as he may consume to make a concluding statement.

The CHAIRMAN pro tempore. By unanimous consent, the Chair will provide an equal amount of time on both sides.

The gentleman from Illinois (Mr. HYDE) is recognized for 2 minutes.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Needless to say, I am very moved by the generosity of my friend from California.

Mr. Chairman, I have just a couple of simple thoughts in closing on the Pitts amendment. First of all, please note what the amendment actually does. It simply says 33 percent of the funds to be expended for prevention under this total program shall go to support abstinence. That is all it says. It does not downgrade or denigrate condoms or family fidelity, marital fidelity. It simply says as we move forward in this war, do not forget abstinence, which is the one sure preventative for AIDS. One need not be a microbiologist to know that if abstinence were practiced, you would have far less of a serious problem.

So, this amendment does not distort the balance of ABC. This amendment reinforces the balance by saying abstinence, family fidelity and condoms, but to not forget abstinence. That is all it says.

I hope those of you who are convinced with me that this is a bill that has to pass, that this is a statement that has to be made, will understand that this amendment does not distort the spirit nor the principle nor the thrust of our bill in chief. It actually reinforces the balance.

I hope Members will support this so we can pass this bill this afternoon and say we did a great day's work.

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

The CHAIRMAN pro tempore. The time of the gentleman from Illinois (Mr. HYDE) has expired.

All time of the gentleman from Pennsylvania (Mr. PITTS) has expired.

The gentleman from California (Mr. LANTOS) is recognized for 2 minutes under the unanimous consent request.

Mr. LANTOS. Mr. Chairman, I yield such time as she may consume to my friend, 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. Chairman, with great respect for the chairman of this committee, I humbly oppose this amendment, because I do

believe in abstinence and I believe in options, and I believe in options to save lives. We need to pass this legislation with the ABC in place and the flexibility in place in order to save lives.

Mr. Chairman, I rise in opposition to the amendment offered by Mr. PITTS and Mr. HYDE to H.R. 1298, the "United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003." I oppose this amendment because it severely diminishes the flexibility and choices available to those suffering from infectious diseases by allocating funds to organizations that only promote abstinence until marriage programs.

I am a strong proponent of the ABC Model used in Uganda. The elements of the ABC Model are: Abstinence, Being Faithful, and Condom use. The ABC Model recognizes that in communities worldwide, whether in sub-Saharan Africa, India, China, or the United States, there are different approaches and different preferences for fighting HIV/AIDS and other infectious diseases. When the patient and the health care administrator cannot agree on the method of prevention, yet another life may be lost to HIV/AIDS.

The amendment offered by Mr. PITTS and Mr. HYDE will limit the prevention methods available to those suffering with infectious diseases. Organizations that only promote abstinence and refuse to promote condom use deny those at risk with a reliable prevention tool. I agree with the sponsors of this amendment that abstinence is the only 100 percent effective means of preventing the transmission of infectious diseases, and should be fully endorsed by the House of Representatives as a prevention tool.

However, for many in sub-Saharan Africa and around the world, abstinence is not a reasonable option. In the cases of those individuals, health care advocates should present several prevention methods as options. The ABC Model provides those options, the amendment sponsored by Mr. PITTS and Mr. HYDE does not.

I am a proponent of HIV/AIDS prevention. I am a proponent of abstinence, and I am a proponent of options, flexibility, and choice. The amendment offered by Mr. PITTS and Mr. HYDE will allocate one-third of the funds allocated under H.R. 1298 to programs that do not promote condom use. By doing so, the amendment limits the infectious disease prevention options available to millions of people at risk to contract HIV/AIDS. I do not support limiting life-saving prevention methods to anyone at risk.

For that reason, Mr. Chairman, I oppose the amendment offered by Mr. PITTS and Mr. HYDE, and I urge my colleagues to do the same.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank my colleagues on all sides. Particularly I want to thank my friend, the gentleman from Illinois (Chairman HYDE), I want to thank the gentleman from Iowa (Mr. LEACH) on the other side, and I want to pay tribute to the gentlewoman from California (Ms. LEE), who has done an outstanding job.

We are on the verge of passing one of the most significant pieces of legislation in this session. I am deeply grateful for the contribution of all of my

friends on the Republican and the Democratic side.

Ms. SLAUGHTER. Mr. Chairman, I rise today to express my opposition to the Pitts/Hyde amendment to H.R. 1298, the Global AIDS bill. The President's commitment to supporting Global AIDS outreach is commendable, and this bill, without amendments, has the approval of the Bush Administration. It is widely supported by Republicans and Democrats.

However, some of my colleagues want to "improve" this bill with a controversial amendment that further wages war against family planning and reproductive health. At the heart of my concern with the "abstinence-only" curricula is its insistence that a "mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity." This program emphasizes that sex outside of marriage is physically and psychologically harmful and should be avoided for these reasons.

Abstinence-only education is simply not effective. Many of the women who are infected with HIV/AIDS are in monogamous marital relationships. Abstinence education that elevates the marital relationship as the only place where sex is appropriate would still leave these women vulnerable to infection. Abstinence education would also ignore the needs of women involved in the sex trade. Prostitution is a reality in all parts of the world, and it is one of the most vicious vehicles for spreading diseases. The Pitts amendment would do nothing for these women and for the children they will bear.

Abstinence-only education has been proven to be ineffective time and time again, while only truly comprehensive sex education really prevents unwanted pregnancies and deadly diseases. There is no scientific evidence that abstinence-only education is effective. Congress should not tie the hands of health care professionals as they attempt to stop the spread of AIDS.

This discussion is about more than promoting "proper" sexual behavior. This is a matter of life and death. We should not be willing to gamble with the lives of millions of men, women, and children across the globe.

It is pure common sense that if you are trying to prevent a disease, you apply the remedy that has been shown to work, rather than fueling millions of dollars into an idea that has been proven not to work. If what we care about is AIDS prevention, then we should put our money into programs, like the Ugandan ABC program, where it might actually be effective.

Mr. LANTOS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS).

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

RECORDED VOTE

Mr. LANTOS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 220, noes 197, not voting 18, as follows:

[Roll No. 157]

AYES—220

Aderholt	Gillmor	Otter
Akin	Gingrey	Oxley
Alexander	Goode	Paul
Bachus	Goodlatte	Pearce
Baker	Goss	Pence
Ballenger	Granger	Peterson (MN)
Barrett (SC)	Graves	Peterson (PA)
Bartlett (MD)	Green (WI)	Petri
Barton (TX)	Gutknecht	Pickering
Beauprez	Hall	Pitts
Bereuter	Harris	Platts
Bilirakis	Hart	Pombo
Bishop (UT)	Hastert	Porter
Blackburn	Hastings (WA)	Portman
Blunt	Hayes	Pryce (OH)
Boehner	Hayworth	Putnam
Bonilla	Hefley	Quinn
Bonner	Hensarling	Radanovich
Bono	Herger	Rahall
Boozman	Hill	Ramstad
Bradley (NH)	Hoekstra	Regula
Brady (TX)	Holden	Rehberg
Brown (SC)	Hostettler	Renzi
Brown-Waite,	Hulshof	Reynolds
Ginny	Hunter	Rogers (AL)
Burgess	Hyde	Rogers (KY)
Burns	Isakson	Rogers (MI)
Burr	Issa	Rohrabacher
Burton (IN)	Istook	Royce
Calvert	Janklow	Ryan (WI)
Camp	Jenkins	Ryun (KS)
Cannon	John	Saxton
Cantor	Johnson (IL)	Schrock
Capito	Johnson, Sam	Sessions
Carter	Jones (NC)	Shadegg
Chabot	Keller	Shaw
Chocola	Kennedy (MN)	Sherwood
Coble	Kildee	Shimkus
Cole	King (IA)	Shuster
Collins	Kingston	Simpson
Costello	Kline	Skelton
Cox	Knollenberg	Smith (MI)
Cramer	LaHood	Smith (NJ)
Crane	Latham	Smith (TX)
Crenshaw	LaTourette	Souder
Cubin	Lewis (CA)	Stearns
Culberson	Lewis (KY)	Stenholm
Cunningham	Linder	Stupak
Davis, Jo Ann	Lipinski	Sullivan
Davis, Tom	LoBiondo	Tancredo
Deal (GA)	Lucas (KY)	Tauzin
DeLay	Lucas (OK)	Taylor (MS)
DeMint	Manzullo	Taylor (NC)
Diaz-Balart, L.	McCotter	Terry
Diaz-Balart, M.	McCrery	Thomas
Doolittle	McInnis	Thornberry
Duncan	McIntyre	Tiahrt
Dunn	McKeon	Tiberi
Ehlers	Mica	Toomey
Emerson	Miller (FL)	Turner (OH)
English	Miller (MI)	Turner (TX)
Everett	Miller, Gary	Vitter
Feeney	Mollohan	Walsh
Ferguson	Moran (KS)	Wamp
Flake	Murphy	Weldon (FL)
Fletcher	Musgrave	Weldon (PA)
Foley	Myrick	Weller
Forbes	Nethercutt	Wicker
Fossella	Ney	Wilson (NM)
Franks (AZ)	Northup	Wilson (SC)
Frelinghuysen	Norwood	Wolf
Galleghy	Nunes	Young (AK)
Garrett (NJ)	Nussle	Young (FL)
Gerlach	Osborne	

NOES—197

Abercrombie	Brady (PA)	Davis (IL)
Ackerman	Brown (OH)	Davis (TN)
Allen	Brown, Corrine	DeFazio
Andrews	Capps	DeGette
Baca	Capuano	DeLahunt
Baird	Cardin	DeLauro
Baldwin	Cardoza	Deutsch
Ballance	Carson (IN)	Dicks
Bass	Carson (OK)	Dingell
Bell	Case	Doggett
Berkley	Castle	Dooley (CA)
Berman	Clay	Doyle
Berry	Clyburn	Edwards
Biggert	Conyers	Emanuel
Bishop (GA)	Cooper	Engel
Bishop (NY)	Crowley	Eshoo
Blumenauer	Cummings	Etheridge
Boehlert	Davis (AL)	Evans
Boswell	Davis (CA)	Farr
Boucher	Davis (FL)	Fattah

Filner	Lee	Roybal-Allard
Ford	Levin	Ruppersberger
Frank (MA)	Lewis (GA)	Rush
Frost	Lofgren	Ryan (OH)
Gilchrest	Lowe	Sabo
Gonzalez	Lynch	Sanchez, Linda
Gordon	Majette	T.
Green (TX)	Maloney	Sanchez, Loretta
Greenwood	Markey	Sanders
Grijalva	Marshall	Schakowsky
Gutierrez	Matheson	Schiff
Harman	Matsui	Scott (GA)
Hastings (FL)	McCarthy (NY)	Sensenbrenner
Hinche	McCollum	Serrano
Hinojosa	McDermott	Shays
Hobson	McGovern	Sherman
Hoefel	McNulty	Simmons
Holt	Meehan	Smith (WA)
Hooley (OR)	Meek (FL)	Snyder
Houghton	Meeks (NY)	Solis
Hoyer	Menendez	Spratt
Insee	Michaud	Stark
Israel	Millender-	Strickland
McDonald	Jackson (IL)	Sweeney
Miller (NC)	Jackson-Lee	Tanner
Miller, George	(TX)	Tauscher
Moore	Jefferson	Thompson (CA)
Moran (VA)	Johnson (CT)	Thompson (MS)
Murtha	Johnson, E. B.	Tierney
Nadler	Jones (OH)	Towns
Napolitano	Kanjorski	Udall (CO)
Neal (MA)	Kaptur	Udall (NM)
Oberstar	Kelly	Upton
Olver	Kennedy (RI)	Van Hollen
Ose	Kilpatrick	Velazquez
Pallone	Kind	Vislosky
Pascrell	King (NY)	Walden (OR)
Pastor	Kirk	Waters
Payne	Kleczka	Watson
Pelosi	Kolbe	Watt
Pomeroy	Kucinich	Waxman
Price (NC)	Lampson	Weiner
Rangel	Langevin	Wexler
Reyes	Lantos	Woolsey
Rodriguez	Larsen (WA)	Wu
Ross	Larson (CT)	Wynn
Rothman	Leach	

NOT VOTING—18

Becerra	Gibbons	Owens
Boyd	Honda	Ros-Lehtinen
Buyer	McCarthy (MO)	Sandlin
Combest	McHugh	Scott (VA)
Dreier	Obey	Slaughter
Gephardt	Ortiz	Whitfield

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. DUNCAN) (during the vote). The Chair announces that there are 2 minutes remaining in this vote.

□ 1519

Mr. RYAN of Ohio changed his vote from "aye" to "no."

Mr. RAHALL changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. There being no further amendments in order, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SWEENEY) having assumed the chair, Mr. DUNCAN, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1298) to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and

malaria, and for other purposes, pursuant to House Resolution 210, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill 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 bill.

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

#### RECORDED VOTE

Mr. LANTOS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 375, noes 41, not voting 19, as follows:

[Roll No. 158]

AYES—375

Abercrombie Carson (OK) Fattah  
Ackerman Case Ferguson  
Aderholt Castle Filner  
Akin Chabot Fletcher  
Alexander Chocola Foley  
Allen Clay Forbes  
Andrews Clyburn Ford  
Baca Coble Fossella  
Bachus Cole Frank (MA)  
Baird Collins Frelinghuysen  
Baker Conyers Frost  
Baldwin Cooper Gallegly  
Ballance Costello Gallegly  
Ballenger Cox Gibbons  
Barrett (SC) Cramer Gilchrist  
Bass Crane Gillmor  
Beauprez Crenshaw Gingrey  
Bell Crowley Gonzalez  
Bereuter Cubin Goodlatte  
Berkley Cummings Gordon  
Berry Cunningham Goss  
Biggett Davis (AL) Granger  
Billrakis Davis (CA) Green (WI)  
Bishop (GA) Davis (FL) Greenwood  
Bishop (NY) Davis (IL) Crijalva  
Blackburn Davis (TN) Gutierrez  
Blumenauer Davis, Tom Gutknecht  
Blunt DeFazio Hall  
Boehrlert DeGette Harman  
Boehner Delahunt Harris  
Bonner DeLauro Hart  
Bono DeLay Hastert  
Boozman DeMint Hastings (FL)  
Boswell Deutsch Hastings (WA)  
Boucher Diaz-Balart, L. Hayworth  
Bradley (NH) Diaz-Balart, M. Hefley  
Brady (PA) Dicks Hensarling  
Brady (TX) Dingell Herger  
Brown (SC) Doggett Hill  
Brown, Corrine Dooley (CA) Hinchey  
Burns Doolittle Hinojosa  
Burr Doyle Hobson  
Burton (IN) Dunn Hoeffel  
Calvert Edwards Hoekstra  
Camp Ehlers Holden  
Cannon Emanuel Holt  
Cantor Emerson Honda  
Capito Engel Hooley (OR)  
Capps English Houghton  
Capuano Eshoo Hoyer  
Cardin Etheridge Hulshof  
Cardoza Evans Hunter  
Carson (IN) Farr Hyde

Inlee  
Isakson  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee (TX)  
Janklow  
Jefferson  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowe  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McCotter  
McCree  
McDermott  
McGovern  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez

Bartlett (MD)  
Barton (TX)  
Bishop (UT)  
Bonilla  
Brown-Waite,  
Ginny  
Burgess  
Carter  
Culberson  
Davis, Jo Ann  
Deal (GA)  
Duncan  
Everett  
Feeney

Becerra  
Berman  
Boyd  
Brown (OH)  
Buyer  
Combust  
Dreier

Mica  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Ney  
Northup  
Nunes  
Nussle  
Oberstar  
Olver  
Osborne  
Ose  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.

#### NOES—41

Flake  
Franks (AZ)  
Garrett (NJ)  
Goode  
Graves  
Hayes  
Hostettler  
Istook  
Jenkins  
Johnson, Sam  
Jones (NC)  
Keller  
King (IA)  
Miller (FL)  
Miller, Gary  
Musgrave  
Norwood  
Otter  
Paul  
Petri  
Schrock  
Sensenbrenner  
Sessions  
Shadegg  
Smith (MI)  
Stearns  
Tancredo  
Taylor (MS)

#### NOT VOTING—19

Gephardt  
Green (TX)  
McCarthy (MO)  
McHugh  
Obey  
Ortiz  
Owens  
Ros-Lehtinen  
Sandlin  
Scott (VA)  
Slaughter  
Whitfield

Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schiff  
Scott (GA)  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tanner  
Tauscher  
Tauzin  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). The Chair reminds Members that there are less than 2 minutes remaining in this vote.

□ 1537

Mr. COLLINS changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BROWN of Ohio. Mr. Speaker, on rollcall vote 158, I was unavoidably detained. Had I been present, I would have voted “yes.”

#### PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 155, 156, 157, and 158 due to medical reasons. Had I been present, I would have voted “aye” on rollcall vote 158 and “nay” on rollcall votes 155, 156, and 157.

#### PERSONAL EXPLANATION

Mr. OWENS. Mr. Speaker, because of an emergency in my district, I missed rollcall votes Nos. 155, 156, 157, and 158. If present I would have voted “nay” on rollcall votes Nos. 155, 156, and 157. I would have voted “yea” on rollcall No. 158.

#### ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 1261, WORKFORCE REINVESTMENT AND ADULT EDUCATION ACT OF 2003

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

Mr. LINDER. The Committee on Rules may meet the week of May 5 to grant a rule which could limit the amendment process for floor consideration of H.R. 1261, the Workforce Reinvestment and Adult Education Act of 2003. The Committee on Education and the Workforce ordered the bill reported on March 27, 2003, and filed the report with the House today, May 1, 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 5 p.m. on Tuesday, May 6th. Members should draft their amendments to the text of the bill as reported by the Committee on Education and the Workforce, which is available for their review on the Web sites of both the Committee on Education and the Workforce and the Committee on Rules today.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their