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House of Representatives

The House met at 9 a.m.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE) for 5 minutes.

SUPPORT OF THE PRESIDENT'S ENERGY PLAN

Mr. OSBORNE. Mr. Speaker, I recently heard a member of the Committee on Resources make an interesting statement. This individual said that the United States currently has only 3 percent of the known oil reserves in the world. The truth is that we really do not know. We do not know whether it has 3 percent or 5 percent or 15 percent or 20 percent, because for the last 10, 15, 20 years we have done absolutely no exploration. We have had no energy plan.

Mr. Speaker, think about what corporation, what military unit, what athletic team would proceed without a plan and without knowing what its assets were. This is precisely what we have done here in the United States.

I would really encourage people to support the President's energy plan because, number one, it provides a blueprint where there has been none, a plan of action that provides conservation practices and development of alternative fuels. It also provides for exploration which allows us to know what our assets and limitations are. In the event of an international crisis, it will be critical that we know what is there.

SUPPORT FOR A DAY OF DEMOCRACY

The SPEAKER pro tempore (Mr. PENCE). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this morning the Ford-Carter Commission on Election Reform will release its report. One of the striking aspects of its report, and I say striking because it is sometimes rare for commissions to study an issue and offer to give the American people another day off; but I believe this is an important step in acknowledging the very important and pivotal role that the American people play in fostering democracy in this Nation. That is the election of the President of the United States, election of their Federal officials that come about in one group every 4 years. The President, in many instances, Senators and, of course, Members of the House of Representatives are running for reelection.

The Ford-Carter Commission was to assess the plight of elections in this Nation. Certainly a laboratory was the election of November 2000. Not only was Florida a prime example where things can go wrong, but as I traveled around the country listening to voters in many many jurisdictions, this is a problem that is systemic to our Nation and one that we must fix in order to enhance democracy.

We must ensure that every voter has a right to vote. We must ensure that they are knowledgeable about where to vote. We have to ensure that voters are not purged from the list that is kept by their local governmental officials. We must ensure that voters are educated on how to vote and that they are able to utilize high technology equipment.

There are many legislative initiatives that are fostering or looking to improve the election system. I support the Dodd-Conyers legislation and I have offered legislation myself to determine the best technology that this Nation should use.

Many jurisdictions who have the resources have already begun to improve their election system. We must keep in mind, however, that the rush to judgment to improve our election system should not replace one bad system with another. So it is imperative that we create standards and I hope the Ford-Carter commission includes that.

I have a bill, H.R. 934, that has spoken to the issue of a national holiday.

Why a national holiday? One more day for us to be in the shopping malls? I think not. A day that everyone can focus on their most important responsibility, and that is the maintenance of democracy in this Nation, the upkeep of the Constitution. This will allow college students and high school students and working people from all walks of life to participate in a day of democracy. That is what we should call it.

My bill, H.R. 934, says it is a sense of Congress that private employers in the United States should give their employees a day off on the Tuesday next, after the first Monday in November in 2004 and each fourth year thereafter to enable the employees to cast votes in the presidential and other elections held on that day.

But, more importantly, we will not hear of the young mother or the young father or the hard-working individual who says, I just did not get the time to vote. I tried to get back to my polling place, but it was closed. Traffic kept me from voting. Transportation kept me from voting. My employer would not let me have time off to vote.

College students who might want to be poll workers at the polls, a most important responsibility on that day,

knowing the laws, assisting people in exercising their democratic right, having those kinds of poll workers assist us along with other professionals as well as the wonderful volunteers we have had to date.

Mr. Speaker, I think it is high time for us to be able to give the kind of credible evidence and the kind of respect for the election system that is long overdue in this Nation. There are many countries around the world that fight for the meager chance to cast their vote. There are many that do not have that chance. There are others who look to us for our leadership and many countries have had us as election monitors.

We can do no less for our citizens than to ensure that every vote counts, to ensure that we have a working system that allows every vote to count, to respect the military votes, to respect those who have done their time in prisons and now want to be the kind of citizens that will have their rights restored, to respect those who have registered and yet now are purged.

There are many things we can do to fix the election system. But I believe one that we can all rally around is the Ford-Carter commission. As I said, this national holiday will not be a shopping day. It will be a day of freedom, a day that we will recognize that every single American goes to the polls acknowledging and respecting our democracy.

When our men and women offer themselves for the ultimate sacrifice in the United States military, they do so so that freedom will reign. Support H.R. 934 as we move to the process of enhancing democracy in this Nation.

CELEBRATING THE CITY OF THOMASVILLE'S 150TH BIRTHDAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from North Carolina (Mr. COBLE) is recognized during morning hour debates for 5 minutes.

Mr. COBLE. Mr. Speaker, the city of Thomasville, North Carolina, will celebrate its 150th birthday in 2002.

When one thinks of Thomasville, there are many things that come to mind: Thomasville Furniture Industries, the Big Chair, the Baptist Children's Orphanage, Everybody's Day, textiles, and high school football.

Thomasville was named for State Senator John W. Thomas, who helped pioneer the construction of the first railroad across North Carolina and, in 1852, created the town of Thomasville around the hustle and bustle of the State's first railroad. In 1857, Thomas finally obtained a charter for the town from the North Carolina General Assembly.

The town of Thomasville grew rapidly with wooden household furniture manufacturing becoming the mainstay of the local economy. Eventually, Thomasville became known as ''The Chair Town'' due to the fact that the products that the Thomasville Chair Company, which eventually became Thomasville Furniture Industries, were almost exclusively simple, sturdy, straight-back chairs.

Today, Thomasville remains an international center for furniture manufacturing; and Thomasville Furniture Industries, its leading manufacturer, has made the name Thomasville known around the globe.

In 1922, in an effort to take advantage of its reputation as ''The Chair Town,'' Thomasville Chair Company erected a gigantic chair in the middle of the town square. The project kept three men working 20 hours a day for 1 week and took the same amount of lumber that would have been required to construct 100 ordinary chairs.

Unfortunately, after 15 years of exposure, the local chair was torn down in 1936. Due to the Depression and the advent of World War II, another chair was not built until 1948. In 1948, once again, Thomasville Chair Company spearheaded the effort to construct another chair, and a decision was made to construct a chair that would stand the test of time.

The concrete chair was a reproduction of the original Duncan Phyfe armchair. Today, the monument stands almost 30 feet high and overlooks the downtown square. In addition to the chair, downtown Thomasville is home to North Carolina's oldest railroad depot which today houses the Thomasville Visitors Center.

Another one of Thomasville's significant contributions is its commitment to the Mills Home Baptist Children's Orphanage, the largest orphanage in the South outside of Texas. The orphanage provides a wide array of very important children's services to the local and State communities.

One of the longest held traditions in Thomasville, Mr. Speaker, is Everybody's Day. We continue to observe it. The first Everybody's Day Festival was held in Thomasville in 1908 and is North Carolina's oldest festival.

In 1910, the Amazon Cotton Mill, one of the Cannon chain of textile mills, opened its doors as did the Jewell cotton mills that same year. Jewell was a result of investments contributed by local investors in the community. Both these mills served as a catalyst for what would become a very vibrant industry, which still exists today.

Last, but certainly not least, Thomasville is home to a long and rich high school football tradition, a tradition of champions begun under the days of Coach George Cushwa, a beloved coach and teacher. In fact, the current football stadium bears his name. Under Cushwa's tutelage emerged an individual in whom many place their hopes for continued success. This man, Coach Allen Brown, did not let the fans down.

Leading the Bulldogs to several State champions and guiding them through the maze of several conference realignments, he was always able to keep his team focused and the fans engaged, continuing in the great tradition of his predecessor.

Today, Mr. Speaker, the Bulldogs are led by yet another great leader and former quarterback, Benjie Brown, who follows in the footsteps of his dad, Allen Brown, and Coach Cushwa.

Needless to say, Mr. Speaker, Thomasville is a vibrant city whose future looms bright, and it is truly an honor for me to be able to recognize this fine city, the Chair Capital of the World on the House floor and wish it well as it begins its celebration for its 150th birthday next year.

TAKING ANOTHER LOOK AT SPRING VALLEY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, this morning's editorial in the Washington Post calls for a second look at Spring Valley. This is the area in an exclusive residential neighborhood in Washington, D.C., immediately adjacent to the American University campus, that was 83 years ago the site of American chemical weapons testing and production during World War I. It is one of over 1,000 sites across America where we have unexploded ordnance, military toxins, environmental waste left from the past.

I could not agree more with the Washington Post that it is time for a second look at what is happening in Spring Valley.

Last spring, the gentlewoman from Washington, D.C., (Ms. NORTON) and I led a group of media and concerned citizens to visit the site where we have saw the areas of the concentration of arsenic, the vacant child care center that had many, many times the level of recommended contaminants before it was vacated, that now stands empty where just a few months ago there were young children.

Or looking at the back yard of the Korean Ambassador that is all scratched away where they are trying even now after the second cleanup to finish the job.

Yes, it is time for a second look at the Spring Valley situation to see what happened, who knew the information, to see if people were adequately warned of the dangers. But I think there is a much larger issue here than the management of the Spring Valley site.

As I mentioned, this is one of over 1,000 sites across the country. Indeed, it is hard to find a congressional district that does not have at least one of these situations that is there dealing with a potential threat to the local environment.

It is important that Congress not be missing in action with the issue of unexploded ordnance, which has claimed 65 lives that we have known of,

perhaps more, where we have no real understanding of how many thousands, how many hundreds of thousands indeed. Indeed, the estimates are that it could be as many as 50 million acres that are contaminated.

Until Congress gets on top of this issue, I fear that we are going to be putting the Department of Defense in a situation where, with an inadequate budget, they are given no choice but to go from hot spot to hot spot, from the focus of emergency from the media, political pressure or some other contingency forces their attention.

A much better approach is for us to take a comprehensive look. I would suggest that my colleagues join me in cosponsoring H.R. 2605, the Ordnance and Explosive Risk Management Act that calls for the identification of a single person who is in charge. Right now there is not a single point of contact.

It calls for increased work in terms of research so that we know how best to clean up these sites, that we do a comprehensive inventory so at least we know how big the problem is. Of course, we all need to make sure that we are adequately funding this problem.

People who followed this in the news noticed that American University has filed suit against the United States Government for almost $100 million in damages.

Ultimately, we were responsible for cleaning up after ourselves in terms of Federal Government. Those of us who care about promoting livable communities that make our families safe, healthy and economically secure and who believe that the single most powerful tool available to us is not new fees, new laws, new requirements, but rather the Federal Government led by this bill, modeling the behavior that we expect of other Americans whether they are families, businesses or local government.

We have an opportunity to do that right now in moving forward with legislation, with adequate funding to make sure that the toxic legacy of over a century of unexploded ordnance and environmental degradation is taken care of, is addressed, that we do clean up after ourselves.

Mr. Speaker, I strongly urge my colleagues join me in support of H.R. 2605 and that we urge our colleagues on the Committee on Appropriations and the Armed Services Committee to make sure we are all doing our job, making the framework so that Congress is no longer missing in action on the issue of unexploded ordnance.

HONORING THE KABOOM! CORPORATION AND NASCAR FOR THEIR PUBLIC SERVICE CONTRIBUTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Georgia (Mr. Isakson) is recognized during morning hour debates for 5 minutes.

Mr. ISAKSON. Mr. Speaker, last night about 10 hours ago this Congress passed the VA–HUD appropriations bill for the year 2002. In so doing, we have appropriated billions of dollars to assist low- and moderate-income Americans in the purchase or rental of their housing.

Mr. Speaker, 13 years ago when George Herbert Walker Bush, the former President of this country, made his acceptance speech, he made a speech about the ''Thousand Points of Light,'' those Americans who go unnoticed every day but do so much good for their fellow man without credit or without compensation.

Today in Washington, D.C., a point of light will shine brightly. Under the auspices of a not-for-profit playground construction company known as KaBOOM! In the Jetu Washington apartment complex where over 500 children reside, a new playground will be dedicated to improve the quality of life and the environment for those children, a safe, attractive and accessible playground. The KaBOOM! Corporation, over the course of many years, has built 270 playgrounds in America for disadvantaged children and assisted in the renovation of 1,200 such playgrounds.

They do so by partnering with the private sector to provide the manpower, the resources and the funding. I am pleased today to acknowledge the Home Depot Corporation and NASCAR, who have partnered to provide the manpower, the funding and the resources for the playground that will be built today.

I particularly want to pay tribute to the Home Depot Corporation. Its founders, Bernie Marcus and Arthur Blank, when they started their company not too many years ago in their first store, insisted on community participation on behalf of their employees, and themselves were philanthropic in the gifts of their money to support good causes.

Last year alone the Home Depot Foundation donated $75 million in America for our at-risk youth, for their recreation and their quality of life, and for their health care. They truly are points of light that make our community better.

So as last night we celebrated the expenditure of billions of dollars in taxpayer money to assist Americans, let us also pay tribute today to the untold billions of dollars in manpower, manhours and actual money donated by those points of light in America who for no reason but the goodness of their hearts make the quality of life for the less fortunate better.

Today in Washington, D.C. that will happen at the Jetu Apartment complex thanks to the not-for-profit company, KaBOOM!, the for-profit companies of NASCAR and Home Depot, two points of light that will make a difference in the lives of hundreds of children.

IN SUPPORT OF CLEAN PATIENTS' BILL OF RIGHTS LEGISLATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, many of us know now that the Republican leadership postponed any debate or vote on the patients' bill of rights, the HMO reform even though it was scheduled for last week. Now, of course, we are hearing that it may come up this week perhaps as early as Thursday, later on this week.

Mr. Speaker, I mention it because myself and many other Democrats have come to the floor frequently over the last year, and perhaps over the last 2 or 3 years, demanding that we have an opportunity for a clean vote on a real patients' bill of rights because we know of the problems that Americans and our constituents face with abuses when they are in the managed care system, where they have an HMO as their insurer.

What I fear though, Mr. Speaker, from the pronouncements that we are hearing from the Republican leadership is that there will not be an opportunity for a vote on HMO reform unless they have the votes for a weaker version of HMO reform or they call it the patients' bill of rights than what the majority of the Members of this House have been seeking.

The majority of the Members of the House, almost every Democrat and a significant number of Republicans, in the last session of Congress voted for a very strong patients' bill of rights, the one sponsored by the gentleman from Michigan (Mr. DINGELL), who is a Democrat and also by some Republicans, the gentleman from Iowa (Mr. GANSKE), and the gentleman from Georgia (Mr. NORWOOD), who are Republicans.

It is very important that the opportunities be presented here in the House if it is going to happen this week to have a clean vote on the real patients' bill of rights.

I think it is crucial that my colleagues and the public understand that there is a difference between some of the different versions that have been sort of circulating around this Chamber, and to suggest that we are going to have a vote on the patients' bill of rights but not have the opportunity to deal with the really effective strong one, I think would be a major mistake.

Let me give an example of the differences and why I think it is important that we have a vote on the real bill, on the one that is going to make a difference for the average American.

President Bush has said over and over again that he does not support a real patients' bill of rights. He does not support the Dingell-Ganske-Norwood bill because, first of all, there will be

too much litigation, too much opportunity to go to court. Secondly, because it will drive up the cost of health insurance.

We know from the Texas insurance, and there are ten other States that have the good bill of rights including my own in New Jersey, that the fear of lawsuits is not real and the fear about increased cost of health insurance or people having their health insurance dropped is not real. In the case of Texas, it is well documented since 1997 when the patients' bill of rights went into effect in that State there were only 17 lawsuits. The average cost of health insurance in Texas has not gone up nearly as much as the national average. So we know that these fears that President Bush talks about are not legitimate.

What the President has been supporting and what the Republican leadership has been supporting is a weakened version of the patients' bill of rights that has been introduced by the gentleman from Kentucky (Mr. FLETCHER).

Just to give an example of what the differences can be on these bills, let me talk about some of the patients' protections that are guaranteed in the real patients' bill of rights that we would not have in the Fletcher Republican leadership bill. For example, we know that what we want is we want doctors to be able to practice medicine and be able to provide us with the care that they think we need. Well, under the Fletcher bill, for example, doctors could be told by their HMO that they cannot even talk to a patient about a medical procedure that they think a patient needs. It is called the gag rule.

Doctors also would continue to be provided financial incentive, or could under their Fletcher bill by their HMO, financial incentives not to provide us with care because they get more money at the end of the month if they do not have as much procedure, if they do not care for as many people, if they do not do as many operations.

Another very good example is with regard to specialty care. Under the real patients' bill of rights, the Dingell-Norwood-Ganske bill, we basically are able to go to a specialist on a regular basis without having to get authorization each time we want to go. Well, that is not true under the Fletcher bill. For example, under the real patients' bill of rights, a woman can have her OB–GYN as her family practitioner. She does not have to have authorization each time she goes.

Under the real patients' bill of rights, if we need pediatric care, we are guaranteed specialty care for our children, for speciality pediatric care. Under the Fletcher bill neither of these things are true.

So there are real differences here. That is why it is important that we have an opportunity this week to vote on the real patients' bill of rights. I ask the Republican leadership, do not put any roadblocks procedurally in the way through the Committee on Rules so that we do not have a clean vote on the real patients' bill of rights.

Let me talk about another area. Well, I guess my time has run out, Mr. Speaker. But I would ask that we have an opportunity this week to vote on a clean bill.

GRANTING PRESIDENT BUSH TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. BRADY) is recognized during morning hour debates for 2 minutes.

Mr. BRADY of Texas. Mr. Speaker, the House of Representatives will consider legislation granting President Bush trade promotion authority. I urge my colleagues to support this legislation.

Why do we need restored trade promotion authority to the President and to America? The answer is jobs and our children's future. Currently the United States is at a severe disadvantage when we have to compete with the rest of the world. Not because of the quality of our products. They are high. But because of the trade barriers we face abroad. According to a report released earlier this year of the estimated 130 free trade agreements around the world, only two today include the United States.

Giving the President this authority to negotiate on our behalf would help give America the tools we need to break down the barriers abroad so we can sell American goods and services around the world and the potential is huge. Ninety-six percent of the world lives outside the United States. Ninety-six percent of the world lives outside our borders. While they cannot all buy the products we buy today, someday they will, and we want them to buy American products.

Here is an interesting static. Half the adults in the world today, half the adults in the world have yet to make their first telephone call. Well, if it is European countries to sell those telephone systems, they will create European jobs. If they are Asian companies that sell those telephone systems, they will create Asian jobs. If they are American companies that sell those telephone systems, we will create American jobs.

These are jobs for our future and for our children going through the schools today.

Countries around the world are hesitant to negotiate trade agreements with us. They are scared Congress will change every agreement 1,000 different ways after it has been negotiated. What trade promotion authority does, it gives Congress, your representatives, a final say on whether an agreement is fair and free. I want that say.

Mr. Speaker, in order to keep America the greatest economic power in the world, we have to be able to compete in the trade arena. The only way we will be able to do this is by granting President Bush trade promotion authority on our behalf.

PRIVATE PENSION BILL FOR RETIRED RAILROAD WORKERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, it is a great morning, but I am going to talk about a disconcerting bill that we might be taking up today or maybe tomorrow. It is the private pension bill for the railroad workers in this country.

The gentleman from Texas (Mr. SAM JOHNSON) and I are sending out a dear colleague this morning, Mr. Speaker. I hope all staff and workers and Members who are concerned about reaching into the Social Security-Medicare trust fund next year will take a look at this dear colleague, and then take a look at the railroad retirement bill that cost $15 billion.

I have been working on Social Security since I came here in 1993. In working with the Social Security system and researching its origins back to 1934, I discovered that the railroad employees were included in the social security system at that time in 1934.

The railroad workers and employers who were tremendously influential politically back in the 1930's as they are today, came to Congress and said we do not want to be part of the Social Security system, we want our own pension system. So government passed a law and took them out, and it became sort of a quasi-governmental pension system for this private industry—the only private industry that has sort of this government back-up of a private pension system.

The railroad retirement system was established during the 1930's on a pay-as-you-go basis just like Social Security; but unlike Social Security, which now has three workers to support every one retiree, the railroad retirement system has three beneficiaries being supported by every one worker. That is why they have come back to Congress so many times to ask the American taxpayer to bail out their pension system.

The disproportionate ratio of beneficiaries to workers is a direct result of historical decline in railroad employment. Since 1945, the number of railroad workers has declined to 240,000 from 1.7 million. So we can see as there are fewer workers, but all the existing retirees are living longer life spans, it has come to a tremendous burden on that workers asking each worker to have the kind of contribution that would support three retirees, so they have not been able to do it.

Declining employment. Many benefit increases have produced chronic deficits. The railroad retirement system has spent more than it has collected in

payroll taxes every year since 1957. I want to say that again. The railroad retirement system has spent more than it has collected in payroll taxes every year since 1957. The cumulative shortfall since 1957 is $90 billion. That $90 billion has come from other taxpayers paying into this private taxpayer system.

So I think everybody can believe me, Mr. Speaker, when I say the influence of the railroad workers and the railroad system has been very influential in the United States Congress. Although railroad workers and their employers currently pay a 33.4 percent payroll tax excluding Medicare and unemployment, the railroad retirement system still spends $4 billion more than it collects in payroll deductions each year. So every year we are subsidizing and putting money back into the railroad retirement system out of the general fund.

Despite the payroll tax shortfall, the railroad retirement system remains technically solvent thanks to these generous taxpayer subsidies. The American taxpayer has bailed out the retirement system to the extent that those retirement funds now claim a $20 billion surplus, not a $90 billion deficit. So this bill that is proposed to come up takes $15 billion out of the general fund next year and gives it to a railroad retirement board investment effort where they invest it and spend it for current retirees.

But the challenge is while we are passing these bills, we are reducing the payroll tax that these workers pay in and we increase benefits. We have increased benefits for widows, and we allow those workers to retire in the railroad system, under this proposed legislation that is coming before us, to retire at 60 years old with full benefits. Of course, on Social Security what we have done over the years is we have increased that, and now we are in the mode of taking that full benefit eligibility up to 67 years old for Social Security.

So in this railroad bill, we have reduced the tax they pay; we have increased the benefits. I hope everybody will study this issue very closely because if we are going to pass this kind of legislation, we should at least take American taxpayers off the hook in the future.

RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m.

Accordingly (at 9 o'clock and 40 minutes a.m.) the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GUTKNECHT) at 10 a.m.

PRAYER

The Reverend Monsignor John Brenkle, St. Helena Catholic Church, St. Helena, California, offered the following prayer:

Father, Your name is indeed Alpha and Omega, the beginning and the end. How fitting it is to begin all of our enterprises conscious of Your guiding Spirit and to give You praise when our affairs have ended well.

As we join together to begin today the work of making this Nation a land of peace and justice, may we humble ourselves before You, acknowledging that who we are and what we do is Your gift, Your grace.

Help us always to remember that You have called us to be servants and that the greatness of our life as a nation and as individuals is to be measured by how generously and wisely we serve each other.

Let Your presence and Your blessings descend upon this Chamber and upon each of its Members as they begin this new day and may they at its end experience the rewards of a day well spent in the service of others. For this we pray. Amen.

THE JOURNAL

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

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

Mr. MCNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

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

WELCOMING THE REVEREND MONSIGNOR JOHN BRENKLE

(Mr. THOMPSON of California asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of California. Mr. Speaker, I am honored to have such a truly genuine servant and good friend lead us in today's opening prayer. Father John Brenkle—Monsignor John Brenkle—has humbly and effectively served our diocese for over 30 years and has been pastor at the St. Helena Catholic Church for nearly 20 years.

He has worked tirelessly with local, State and Federal officials, housing advocates and the wine industry within the Napa Valley to improve farm worker housing in our area.

In addition to St. Helena, Father Brenkle has served the diocese by leading two other parishes and serving as a school principal. He has been both a forceful presence and silent leader and has the respect and the admiration of our entire community regardless of their religious affiliation.

I thank my colleagues for allowing him to lead us in prayer today.

CLONING

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

Mr. PITTS. Mr. Speaker, the columnist Charles Krauthammer called legislation that we are going to consider today to permit cloning human embryos a ''nightmare and an abomination.'' It truly is.

Some of those who support this proposal are so eager to clone human beings that they have taken to twisting the truth to promote their arguments. The latest thing they are saying is that cloned embryos are not really embryos at all. They say that if you use body cells instead of sperm to fertilize an egg, that that really is not an embryo.

Mr. Speaker, that is ridiculous. Take a look at this picture of Dolly the sheep. Everybody knows that Dolly is a clone. Dolly was made by fertilizing a sheep egg with a cell taken from the mammary gland of another sheep. It took 277 tries before they got a clone that worked. Now she is 5 years old.

Those who argue that cloned human embryos are not really embryos might as well argue that Dolly is not a sheep. That is ridiculous.

Cloning human beings is wrong. Eighty-eight percent of the American people do not want scientists to create human embryos for the purpose of experimentation, harvesting and destruction. We will be voting later today to ban all human cloning. Support the Weldon-Stupak bill.

IRS COMMISSIONER ROSSOTTI

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

Mr. TRAFICANT. The legal group Judicial Watch has charged IRS Commissioner Rossotti with conflict of interest involving a company he founded.

Rossotti still owns stock in the company, his wife works there, and Rossotti buys software from this company for the IRS.

That is right. Rossotti buys from Rossotti. If that is not enough to roast your chestnuts, the charge claims, and I quote, Rossotti got a conflict waiver from the Clinton administration in exchange for targeting and auditing Clinton's opponents.

What is the surprise? In addition, Rossotti is scheduled for another big, fat bonus from Congress.

Beam me up. The Internal Rectal Service does not need bonuses, they need abolished.

I yield back the fact that if a Member of Congress did what Rossotti did, you would go straight to the slammer.

ENERGY PRODUCTION NEEDED FOR OUR FUTURE

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

Mr. GIBBONS. Mr. Speaker, the energy crisis America is facing is still with us. Americans need our country to invest in and produce more energy from the few sites we have available on our public lands. That is the goal of the bipartisan Energy Security Act which will allow for the production of wind, solar and geothermal energies on public lands. These are clean energies, renewable energies that leave our environment untouched.

We cannot keep pretending our energy challenges will take care of themselves if we just wait long enough. When we fail to act, prices rise and our seniors and small businesses, our farmers and low-income families suffer. They suffered last winter. They suffered this spring. They are suffering now under the hot summer sun. Be assured, without a comprehensive plan they will suffer next year, and the year after that.

We need to have the courage and the vision to realize that increased energy production plays a key role in a sound national energy policy. We need to pass the Republican energy package for the sake of our future, for the sake of America.

H.R. 2540, VETERANS BENEFITS ACT OF 2001

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

Mr. SHOWS. Mr. Speaker, I am so proud to be here as a member of the House Committee on Veterans' Affairs to share my strong support of H.R. 2540, the Veterans Benefits Act of 2001.

These men and women, uprooted from their families and communities, served our country with honor and dignity. Yet when it was time for the VA to serve them, thousands were categorically denied.

Earlier this year, I introduced H.R. 612, the Persian Gulf War Illness Compensation Act of 2001 with two other outstanding advocates for veterans, the gentleman from Illinois (Mr. MANZULLO) and the gentleman from California (Mr. GALLEGLY). This legislation garnered strong bipartisan support from over 225 Members of the House.

The Veterans Benefits Act of 2001 will now clarify VA standards for compensation by recognizing fibromyalgia, chronic fatigue syndrome, multiple chemical sensitivity, and other ailments as key symptoms of undiagnosed or poorly defined illnesses associated with Gulf War service. Additionally, this bill extends the presumptive period for undiagnosed illnesses to December 31, 2003. This is a true victory for veterans.

Mr. Speaker, these veterans put their lives on the land to protect, defend and advance the ideals of democracy.

Vote for this bill. It is the right thing to do.

TRADE PROMOTION AUTHORITY

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

Mr. KNOLLENBERG. Mr. Speaker, Congress must pass trade promotion authority. International trade is an essential part of the U.S. economy. But when it comes to trade agreements, the U.S. is lagging behind significantly. Of the 130 preferential trade agreements that exist, the U.S. is a party to only two: NAFTA and a free trade agreement with Israel. That is it. The European Union has 27, 20 of which have been negotiated in the last 10 years. While the rest of the world is moving rapidly ahead, we are not.

Canada, our neighbor to the north, has agreements throughout the southern hemisphere. There are currently over 12 million U.S. jobs that depend upon exports. American jobs that export goods pay up to 18 percent more than the U.S. national average. As we can see, trade agreements are a crucial element for the success of the U.S. economy. Remember, the jobs stay here; the products are exported overseas.

Mr. Speaker, in order to get back in the game and develop a stronger economy, I urge my colleagues to join me in supporting trade promotion authority.

PROUD TO SALUTE THE HONORABLE DONNA SHALALA, NEW PRESIDENT OF THE UNIVERSITY OF MIAMI

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to salute the Honorable Donna Shalala who has assumed the reins as the fifth president of the University of Miami. Donna Shalala was U.S. history's longest serving Secretary of the U.S. Department of Health and Human Services. During her tenure, Dr. Shalala distinguished herself on a broad range of issues, including taking care of the needs of our elderly and our Nation's children.

She led campaigns for child immunization, for biomedical research, and played a key role in reforming our welfare system. In fact, the Washington Post described her as ''one of the most successful government managers of our time.''

Donna brings to UM more than 25 years of experience in education, also, including serving as President of Hunter College. As chancellor of the University of Wisconsin-Madison, she was the first woman to head a Big 10 university.

The University of Miami is already a leader in international and medical education, biomedical research and environmental sciences, but with Donna Shalala at its helm, UM will be certain to reach great new heights.

The Florida congressional delegation welcomes Donna Shalala back to Washington, D.C. today and looks forward to helping her achieve her vision for the future of the University of Miami and for our South Florida community.

MANAGED CARE LEGISLATION

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, some health plans systematically obstruct, delay and deny care. That is a fact.

Earlier this year, Republicans and Democrats negotiated a bill that contains the minimum protections necessary to get health insurance back on track. Ganske-Dingell reminds HMOs that they are being paid to provide coverage, not excuses. And it contains a right to sue with enough teeth in it to deter health plans from cheating their enrollees, and enough definition to preclude frivolous lawsuits.

Recourse in the courts is essential. If we tell HMOs that they are accountable, we must hold them accountable. Unfortunately, the Fletcher bill compromises away the two most important patient protections, leaving HMOs thrilled and consumers no better off. It provides a right to sue that cannot actually be exercised and a right to an external appeals process that simply cannot be trusted.

We need to enact legislation that does not just sound like it protects patients but actually does protect patients. Ganske-Dingell fits that bill. I ask for House support.

□ 1015

SUPPORT FLETCHER HEALTH CARE REFORM

(Mr. SAM JOHNSON of Texas asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am going to talk about Benny Johnson, no relationship.

Benny Johnson of Logic I sales in Richardson, Texas, employs 18 people and pays over $80,000 a year for health insurance for himself, his employees, and their families. Benny has paid for their health insurance for nearly 20 years.

If health insurance premiums rise much higher, Benny is going to have to reduce benefits, drop coverage, or change plans, ending relationships with doctors they trust and know. Why would his premiums go up? Because of the McCain-Kennedy legislation in the House and Senate, which everybody knows would drive costs up.

This potentially could add Benny and his employees, and their families, to the 43 million Americans without health insurance.

It is just plain wrong. It has to stop. We have to think of Benny, his employees, and his families. Let us support the Fletcher bill.

STRENGTHENING AMERICA'S LEADERSHIP ON TRADE

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

Mr. DREIER. Mr. Speaker, in just a few minutes, the gentleman from California (Chairman THOMAS) will begin the debate on the very important U.S.-Jordan Free Trade Agreement, but I want to take a moment to talk about a very important issue which we are going to be phasing in in the not-too-distant future, and that is the issue of Trade Promotion Authority.

Since that authority expired in 1994, our trading partners have been very busy negotiating a web of trade agreements that excludes the United States. Today we sit here wasting valuable time that the President and his trade negotiators could be using to improve the lives of families here in the United States and around the world.

Free trade has been a boom for the American family, from higher paying jobs to lower prices. The North American Free Trade Agreement and the World Trade Organization have increased the overall national income by $40 billion to $60 billion. Continued efforts to open new markets help working families that bear the brunt of hidden imported taxes on everyday items like clothes, food, and electronics. And, with 97 percent of exporters coming from small or medium-sized companies, increased exports mean better, higher paying export jobs for workers that make up the heart and soul of this country.

Along with American workers, open trade has helped to raise more than 100 million people out of poverty in the last decade. A recent World Bank study showed that developing countries that participate actively in trade grow faster and reduce poverty faster than countries that isolate themselves.

We should grant the President Trade Promotion Authority as soon as possible to ensure that the United States continues to lead in the global economy and the fight to spread democracy and freedom throughout the world.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken later today.

UNITED STATES-JORDAN FREE TRADE AREA IMPLEMENTATION ACT

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2603) to implement the agreement establishing a United States-Jordan free trade area, as amended.

The Clerk read as follows:

H.R. 2603

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Jordan Free Trade Area Implementation Act''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to implement the agreement between the United States and Jordan establishing a free trade area;

(2) to strengthen and develop the economic relations between the United States and Jordan for their mutual benefit; and

(3) to establish free trade between the 2 nations through the removal of trade barriers.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) AGREEMENT.—The term ''Agreement'' means the Agreement between the United States of America and the Hashemite Kingdom of Jordan on the Establishment of a Free Trade Area, entered into on October 24, 2000.

(2) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States.

TITLE I—TARIFF MODIFICATIONS; RULES OF ORIGIN

SEC. 101. TARIFF MODIFICATIONS.

(a) TARIFF MODIFICATIONS PROVIDED FOR IN THE AGREEMENT.—The President may proclaim—

(1) such modifications or continuation of any duty,

(2) such continuation of duty-free or excise treatment, or

(3) such additional duties,

as the President determines to be necessary or appropriate to carry out article 2.1 of the Agreement and the schedule of duty reductions with respect to Jordan set out in Annex 2.1 of the Agreement.

(b) OTHER TARIFF MODIFICATIONS.—The President may proclaim—

(1) such modifications or continuation of any duty,

(2) such continuation of duty-free or excise treatment, or

(3) such additional duties,

as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Jordan provided for by the Agreement.

SEC. 102. RULES OF ORIGIN.

(a) IN GENERAL.—

(1) ELIGIBLE ARTICLES.—

(A) IN GENERAL.—The reduction or elimination of any duty imposed on any article by the United States provided for in the Agreement shall apply only if—

(i) that article is imported directly from Jordan into the customs territory of the United States; and

(ii) that article—

(I) is wholly the growth, product, or manufacture of Jordan; or

(II) is a new or different article of commerce that has been grown, produced, or manufactured in Jordan and meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—

(i) GENERAL RULE.—The requirements of this subparagraph are that with respect to an article described in subparagraph (A)(ii)(II), the sum of—

(I) the cost or value of the materials produced in Jordan, plus

(II) the direct costs of processing operations performed in Jordan,

is not less than 35 percent of the appraised value of such article at the time it is entered.

(ii) MATERIALS PRODUCED IN UNITED STATES.—If the cost or value of materials produced in the customs territory of the United States is included with respect to an article to which this paragraph applies, an amount not to exceed 15 percent of the appraised value of the article at the time it is entered that is attributable to such United States cost or value may be applied toward determining the percentage referred to in clause (i).

(2) EXCLUSIONS.—No article may be considered to meet the requirements of paragraph (1)(A) by virtue of having merely undergone—

(A) simple combining or packaging operations; or

(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(b) DIRECT COSTS OF PROCESSING OPERATIONS.—

(1) IN GENERAL.—As used in this section, the term ''direct costs of processing operations'' includes, but is not limited to—

(A) all actual labor costs involved in the growth, production, manufacture, or assembly of the specific merchandise, including fringe benefits, on-the-job training, and the cost of engineering, supervisory, quality control, and similar personnel; and

(B) dies, molds, tooling, and depreciation on machinery and equipment which are allocable to the specific merchandise.

(2) EXCLUDED COSTS.—The term ''direct costs of processing operations'' does not include costs which are not directly attributable to the merchandise concerned, or are not costs of manufacturing the product, such as—

(A) profit; and

(B) general expenses of doing business which are either not allocable to the specific merchandise or are not related to the

growth, production, manufacture, or assembly of the merchandise, such as administrative salaries, casualty and liability insurance, advertising, and salesmen's salaries, commissions, or expenses.

(c) TEXTILE AND APPAREL ARTICLES.—

(1) IN GENERAL.—A textile or apparel article imported directly from Jordan into the customs territory of the United States shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) only if—

(A) the article is wholly obtained or produced in Jordan;

(B) the article is a yarn, thread, twine, cordage, rope, cable, or braiding, and—

(i) the constituent staple fibers are spun in Jordan, or

(ii) the continuous filament is extruded in Jordan;

(C) the article is a fabric, including a fabric classified under chapter 59 of the HTS, and the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process in Jordan; or

(D) the article is any other textile or apparel article that is wholly assembled in Jordan from its component pieces.

(2) DEFINITION.—For purposes of paragraph (1), an article is ''wholly obtained or produced in Jordan'' if it is wholly the growth, product, or manufacture of Jordan.

(3) SPECIAL RULES.—

(A) CERTAIN MADE-UP ARTICLES, TEXTILE ARTICLES IN THE PIECE, AND CERTAIN OTHER TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, subparagraph (A), (B), or (C) of paragraph (1), as appropriate, shall determine whether a good that is classified under one of the following headings or subheadings of the HTS shall be considered to meet the requirements of paragraph (1)(A) of subsection (a): 5609, 5807, 5811, 6209.20.50.40, 6213, 6214, 6301, 6302, 6304, 6305, 6306, 6307.10, 6307.90, 6308, and 9404.90.

(B) CERTAIN KNIT-TO-SHAPE TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, a textile or apparel article which is knit-to-shape in Jordan shall be considered to meet the requirements of paragraph (1)(A) of subsection (a).

(C) CERTAIN DYED AND PRINTED TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D), a good classified under heading 6117.10, 6213.00, 6214.00. 6302.22, 6302.29, 6302.52, 6302.53, 6302.59, 6302.92, 6302.93, 6302.99, 6303.92, 6303.99, 6304.19, 6304.93, 6304.99, 9404.90.85, or 9404.90.95 of the HTS, except for a good classified under any such heading as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) if the fabric in the good is both dyed and printed in Jordan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(D) FABRICS OF SILK, COTTON, MANMADE FIBER OR VEGETABLE FIBER.— Notwithstanding paragraph (1)(C), a fabric classified under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) if the fabric is both dyed and printed in Jordan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(4) MULTICOUNTRY RULE.—If the origin of a textile or apparel article cannot be determined under paragraph (1) or (3), then that article shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) if—

(A) the most important assembly or manufacturing process occurs in Jordan; or

(B) if the applicability of paragraph (1)(A) of subsection (a) cannot be determined under subparagraph (A), the last important assembly or manufacturing occurs in Jordan.

(d) EXCLUSION.—A good shall not be considered to meet the requirements of paragraph (1)(A) of subsection (a) if the good—

(1) is imported into Jordan, and, at the time of importation, would be classified under heading 0805 of the HTS; and

(2) is processed in Jordan into a good classified under any of subheadings 2009.11 through 2009.30 of the HTS.

(e) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this section.

TITLE II—RELIEF FROM IMPORTS

Subtitle A—General Provisions

SEC. 201. DEFINITIONS.

As used in this title:

(1) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

(2) JORDANIAN ARTICLE.—The term ''Jordanian article'' means an article that qualifies for reduction or elimination of a duty under section 102.

Subtitle B—Relief From Imports Benefiting From The Agreement

SEC. 211. COMMENCING OF ACTION FOR RELIEF.

(a) FILING OF PETITION.—

(1) IN GENERAL.—A petition requesting action under this subtitle for the purpose of adjusting to the obligations of the United States under the Agreement may be filed with the Commission by an entity, including a trade association, firm, certified or recognized union, or group of workers that is representative of an industry. The Commission shall transmit a copy of any petition filed under this subsection to the United States Trade Representative.

(2) PROVISIONAL RELIEF.—An entity filing a petition under this subsection may request that provisional relief be provided as if the petition had been filed under section 202(a) of the Trade Act of 1974.

(3) CRITICAL CIRCUMSTANCES.—Any allegation that critical circumstances exist shall be included in the petition.

(b) INVESTIGATION AND DETERMINATION.—

(1) IN GENERAL.—Upon the filing of a petition under subsection (a), the Commission, unless subsection (d) applies, shall promptly initiate an investigation to determine whether, as a result of the reduction or elimination of a duty provided for under the Agreement, a Jordanian article is being imported into the United States in such increased quantities, in absolute terms or relative to domestic production, and under such conditions that imports of the Jordanian article alone constitute a substantial cause of serious injury or threat thereof to the domestic industry producing an article that is like, or directly competitive with, the imported article.

(2) CAUSATION.—For purposes of this subtitle, a Jordanian article is being imported into the United States in increased quantities as a result of the reduction or elimination of a duty provided for under the Agreement if the reduction or elimination is a cause that contributes significantly to the increase in imports. Such cause need not be equal to or greater than any other cause.

(c) APPLICABLE PROVISIONS.—The following provisions of section 202 of the Trade Act of 1974 (19 U.S.C. 2252) apply with respect to any investigation initiated under subsection (b):

(1) Paragraphs (1)(B) and (3) of subsection (b).

(2) Subsection (c).

(3) Subsection (d).

(d) ARTICLES EXEMPT FROM INVESTIGATION.—No investigation may be initiated under this section with respect to any Jordanian article if import relief has been provided under this subtitle with respect to that article.

SEC. 212. COMMISSION ACTION ON PETITION.

(a) DETERMINATION.—By no later than 120 days (180 days if critical circumstances have been alleged) after the date on which an investigation is initiated under section 211(b) with respect to a petition, the Commission shall make the determination required under that section.

(b) ADDITIONAL FINDING AND RECOMMENDATION IF DETERMINATION AFFIRMATIVE.—If the determination made by the Commission under subsection (a) with respect to imports of an article is affirmative, the Commission shall find, and recommend to the President in the report required under subsection (c), the amount of import relief that is necessary to remedy or prevent the injury found by the Commission in the determination and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition. The import relief recommended by the Commission under this subsection shall be limited to that described in section 213(c).

(c) REPORT TO PRESIDENT.—No later than the date that is 30 days after the date on which a determination is made under subsection (a) with respect to an investigation, the Commission shall submit to the President a report that shall include—

(1) a statement of the basis for the determination;

(2) dissenting and separate views; and

(3) any finding made under subsection (b) regarding import relief.

(d) PUBLIC NOTICE.—Upon submitting a report to the President under subsection (c), the Commission shall promptly make public such report (with the exception of information which the Commission determines to be confidential) and shall cause a summary thereof to be published in the Federal Register.

(e) APPLICABLE PROVISIONS.—For purposes of this subtitle, the provisions of paragraphs (1), (2), and (3) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)) shall be applied with respect to determinations and findings made under this section as if such determinations and findings were made under section 202 of the Trade Act of 1974 (19 U.S.C. 2252).

SEC. 213. PROVISION OF RELIEF.

(a) IN GENERAL.—No later than the date that is 30 days after the date on which the President receives the report of the Commission containing an affirmative determination of the Commission under section 212(a), the President shall provide relief from imports of the article that is the subject of such determination to the extent that the President determines necessary to prevent or remedy the injury found by the Commission and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition, unless the President determines that the provision of such relief is not in the national economic interest of the United States or, in extraordinary circumstances, that the provision of such relief would cause serious harm to the national security of the United States.

(b) NATIONAL ECONOMIC INTEREST.—The President may determine under subsection

(a) that providing import relief is not in the national economic interest of the United States only if the President finds that taking such action would have an adverse impact on the United States economy clearly greater than the benefits of taking such action.

(c) NATURE OF RELIEF.—The import relief (including provisional relief) that the President is authorized to provide under this subtitle with respect to imports of an article is—

(1) the suspension of any further reduction provided for under the United States Schedule to Annex 2.1 of the Agreement in the duty imposed on that article;

(2) an increase in the rate of duty imposed on such article to a level that does not exceed the lesser of—

(A) the column 1 general rate of duty imposed under the HTS on like articles at the time the import relief is provided; or

(B) the column 1 general rate of duty imposed under the HTS on like articles on the day before the date on which the Agreement enters into force; or

(3) in the case of a duty applied on a seasonal basis to that article, an increase in the rate of duty imposed on the article to a level that does not exceed the column 1 general rate of duty imposed under the HTS on the article for the corresponding season occurring immediately before the date on which the Agreement enters into force.

(d) PERIOD OF RELIEF.—The import relief that the President is authorized to provide under this section may not exceed 4 years.

(e) RATE AFTER TERMINATION OF IMPORT RELIEF.—When import relief under this subtitle is terminated with respect to an article—

(1) the rate of duty on that article after such termination and on or before December 31 of the year in which termination occurs shall be the rate that, according to the United States Schedule to Annex 2.1 of the Agreement for the staged elimination of the tariff, would have been in effect 1 year after the initiation of the import relief action under section 211; and

(2) the tariff treatment for that article after December 31 of the year in which termination occurs shall be, at the discretion of the President, either—

(A) the rate of duty conforming to the applicable rate set out in the United States Schedule to Annex 2.1; or

(B) the rate of duty resulting from the elimination of the tariff in equal annual stages ending on the date set out in the United States Schedule to Annex 2.1 for the elimination of the tariff.

SEC. 214. TERMINATION OF RELIEF AUTHORITY.

(a) GENERAL RULE.—Except as provided in subsection (b), no import relief may be provided under this subtitle after the date that is 15 years after the date on which the Agreement enters into force.

(b) EXCEPTION.—Import relief may be provided under this subtitle in the case of a Jordanian article after the date on which such relief would, but for this subsection, terminate under subsection (a), but only if the Government of Jordan consents to such provision.

SEC. 215. COMPENSATION AUTHORITY.

For purposes of section 123 of the Trade Act of 1974 (19 U.S.C. 2133), any import relief provided by the President under section 213 shall be treated as action taken under chapter 1 of title II of such Act.

SEC. 216. SUBMISSION OF PETITIONS.

A petition for import relief may be submitted to the Commission under—

(1) this subtitle;

(2) chapter 1 of title II of the Trade Act of 1974; or

(3) under both this subtitle and such chapter 1 at the same time, in which case the Commission shall consider such petitions jointly.

Subtitle C—Cases Under Title II Of The Trade Act of 1974

SEC. 221. FINDINGS AND ACTION ON JORDANIAN IMPORTS.

(a) EFFECT OF IMPORTS.—If, in any investigation initiated under chapter 1 of title II of the Trade Act of 1974, the Commission makes an affirmative determination (or a determination which the President may treat as an affirmative determination under such chapter by reason of section 330(d) of the Tariff Act of 1930), the Commission shall also find (and report to the President at the time such injury determination is submitted to the President) whether imports of the article from Jordan are a substantial cause of serious injury or threat thereof.

(b) PRESIDENTIAL ACTION REGARDING JORDANIAN IMPORTS.—In determining the nature and extent of action to be taken under chapter 1 of title II of the Trade Act of 1974, the President shall determine whether imports from Jordan are a substantial cause of the serious injury found by the Commission and, if such determination is in the negative, may exclude from such action imports from Jordan.

SEC. 222. TECHNICAL AMENDMENT.

Section 202(a)(8) of the Trade Act of 1974 (19 U.S.C. 2252(a)(8)) is amended in the first sentence—

(1) by striking ''and part 1'' and inserting '', part 1''; and

(2) by inserting before the period at the end '', and title II of the United States-Jordan Free Trade Area Implementation Act''.

TITLE III—TEMPORARY ENTRY

SEC. 301. NONIMMIGRANT TRADERS AND INVESTORS.

Upon the basis of reciprocity secured by the Agreement, an alien who is a national of Jordan (and any spouse or child (as defined in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)) of the alien, if accompanying or following to join the alien) shall be considered as entitled to enter the United States under and in pursuance of the provisions of the Agreement as a nonimmigrant described in section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), if the entry is solely for a purpose described in clause (i) or (ii) of such section and the alien is otherwise admissible to the United States as such a nonimmigrant.

TITLE IV—GENERAL PROVISIONS

SEC. 401. RELATIONSHIP OF THE AGREEMENT TO UNITED STATES AND STATE LAW.

(a) RELATIONSHIP OF AGREEMENT TO UNITED STATES LAW.—

(1) UNITED STATES LAW TO PREVAIL IN CONFLICT.—No provision of the Agreement, nor the application of any such provision to any person or circumstance, that is inconsistent with any law of the United States shall have effect.

(2) CONSTRUCTION.—Nothing in this Act shall be construed—

(A) to amend or modify any law of the United States, or

(B) to limit any authority conferred under any law of the United States,

unless specifically provided for in this Act.

(b) RELATIONSHIP OF AGREEMENT TO STATE LAW.—

(1) LEGAL CHALLENGE.—No State law, or the application thereof, may be declared invalid as to any person or circumstance on the ground that the provision or application is inconsistent with the Agreement, except in an action brought by the United States for the purpose of declaring such law or application invalid.

(2) DEFINITION OF STATE LAW.—For purposes of this subsection, the term ''State law'' includes—

(A) any law of a political subdivision of a State; and

(B) any State law regulating or taxing the business of insurance.

(c) EFFECT OF AGREEMENT WITH RESPECT TO PRIVATE REMEDIES.—No person other than the United States—

(1) shall have any cause of action or defense under the Agreement; or

(2) may challenge, in any action brought under any provision of law, any action or inaction by any department, agency, or other instrumentality of the United States, any State, or any political subdivision of a State on the ground that such action or inaction is inconsistent with the Agreement.

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each fiscal year after fiscal year 2001 to the Department of Commerce not more than $100,000 for the payment of the United States share of the expenses incurred in dispute settlement proceedings under article 17 of the Agreement.

SEC. 403. IMPLEMENTING REGULATIONS.

After the date of enactment of this Act—

(1) the President may proclaim such actions, and

(2) other appropriate officers of the United States may issue such regulations,

as may be necessary to ensure that any provision of this Act, or amendment made by this Act, that takes effect on the date the Agreement enters into force is appropriately implemented on such date, but no such proclamation or regulation may have an effective date earlier than the date the Agreement enters into force.

SEC. 404. EFFECTIVE DATES; EFFECT OF TERMINATION.

(a) EFFECTIVE DATES.—Except as provided in subsection (b), the provisions of this Act and the amendments made by this Act take effect on the date the Agreement enters into force.

(b) EXCEPTIONS.—Sections 1 through 3 and this title take effect on the date of the enactment of this Act.

(c) TERMINATION OF THE AGREEMENT.—On the date on which the Agreement ceases to be in force, the provisions of this Act (other than this subsection) and the amendments made by this Act, shall cease to be effective.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, first of all I want to thank the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Chairman SENSENBRENNER), for their willingness to expedite this process. As you know, many committees share jurisdiction over issues; and on this particular piece of legislation, notwithstanding the Committee on the Judiciary's jurisdictional prerogative, they were willing to exchange letters with us so that we might move forward.

As Chair of the Committee on Ways and Means, I include these letters for the record and thank the gentleman from Wisconsin (Chairman SENSENBRENNER).

COMMITTEE ON WAYS AND MEANS,
Washington, DC, July 30, 2001.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR JIM: Thank you for your letter regarding H.R. 2603, the ''United States-Jordan Free Trade Area Implementation Act of 2001.''

As you have noted, the Committee on Ways and Means ordered favorably reported, H.R. 2603, ''United States-Jordan Free Trade Area Implementation Act of 2001,'' on Thursday, July 26, 2001. I appreciate your agreement to expedite the passage of this legislation despite containing provisions within your Committee's jurisdiction. I acknowledge your decision to forego further action on the bill was based on the understanding that it will not prejudice the Committee on the Judiciary with respect to its jurisdictional prerogatives or the appointment of conferees on this or similar legislation.

Finally, I will include in the Congressional Record a copy of our exchange of letters on this matter. Thank you for your assistance and cooperation. We look forward to working with you in the future.

Best regards,

BILL THOMAS,
Chairman.

COMMITTEE ON THE JUDICIARY,
Washington, DC, July 30, 2001.

Hon. WILLIAM M. THOMAS,
Chairman, House Committee on Ways and Means, Longworth HOB, House of Representatives, Washington, DC.

DEAR BILL: Thank you for working with me regarding H.R. 1484, the ''United States-Jordan Free Trade Areas Implementation Act,'' which was referred to the Committee on Ways and Means and the Committee on the Judiciary. As you know, the Committee on the Judiciary has a jurisdictional interest in this legislation, and I appreciate your acknowledgment of that jurisdictional interest. Because I understand the desire to have this legislation considered expeditiously by the House and because the Committee does not have a substantive concern with those provisions that fall within its jurisdiction, I do not intend to hold a hearing or markup on this legislation.

In agreeing to waive consideration by our Committee, I would expect you to agree that this procedural route should not be construed to prejudice the Committee on the Judiciary's jurisdictional interest and prerogatives on this or any similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over the provisions within the Committee's jurisdiction is in no way diminished or altered, and that the Committee's right to the appointment of conferees during any conference on the bill is preserved. I would also expect your support in my request to the Speaker for the appointment of conferees from my Committee with respect to matters within the jurisdiction of my Committee should a conference with the Senate be convened on this or similar legislation.

Again, thank you for your cooperation on this important matter. I would appreciate your including our exchange of letters in your Committee's report to accompany H.R. 1484.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

Mr. Speaker, approval of this agreement will do a number of things. One, it will provide some degree of recognition, and, if you will, a small acknowledgment of the gratitude that the people of the United States have for the people of the Hashemite Kingdom of Jordan.

Jordan has played a constructive role through 2 generations of leadership in the Middle East. Their steadfast advocacy for peace and cooperation in fighting terrorism not only needs to be recognized in symbolic ways, but I believe with this particular trade pact it will be recognized in a very realistic way as well.

Although Jordan is a small market, Jordan is a trusted friend and ally; and, as importantly, it is strongly committed to liberalizing its economy. Once this agreement is ratified, more than 50 percent of the tariffs between our two countries will be eliminated overnight, and then gradually the more difficult areas will be worked down to zero, so that at the end of the 10 years, it truly will be a free trade relationship.

In addition to that, the quality of particular areas of this agreement are unsurpassed. The intellectual property rights provisions contain the highest levels of copyright protection ever included in a trade agreement. In addition, Jordan will be the first of our trading partners to bind itself to no customs duties on electronic commerce. Clearly this agreement will open Jordan's markets to U.S. services and U.S. markets to Jordan's products, whereby they can earn their way by trade.

Mr. Speaker, the reason that we are now in front of the House is that, notwithstanding those excellent portions of the agreement that I indicated, there was an attempt in this particular agreement in dealing with our friend and ally to dictate the way in which sanctions would be dealt with; that is, to expand beyond historical parameters, that for the first time, this agreement includes treating labor and the environment equally with trade. That in itself is not necessarily not a good thing to do, but what it did do was lock in the old-fashioned trade sanctions, while expanding it to new areas. That, to the present administration, to this majority, is an unacceptable structure.

Not wanting to go back and require a revision of the agreement, what we were able to do was to exchange between the Hashemite Government of Jordan and the United States Government an exchange of letters in which, notwithstanding the Clinton Administration's attempt to use this particular agreement to further its own agenda, neither the Government of the United States nor the Government of Jordan intend to exercise trade sanctions in the areas in the agreement, especially in terms of formal dispute resolution. Rather, they have committed themselves to a cooperative structure in the exchange of these two letters, especially looking for alternate mechanisms that will help to secure compliance without recourse to, as I said, those traditional trade sanctions that are the letter of the agreement.

Mr. Speaker, I include for the RECORD the exchange of letters between the Hashemite Government of Jordan and the United States Government.

U.S. TRADE REPRESENTATIVE,
Washington, DC, July 23, 2001.

His Excellency MARWAN MUASHER,
Ambassador of the Hashemite Kingdom of Jordan to the United States.

DEAR MR. AMBASSADOR: I wish to share my Government's view on implementation of the dispute settlement provisions included in the Agreement between the United States of America and the Hashemite Kingdom of Jordan on the Establishment of a Free Trade Area, signed on October 24, 2000.

Given the close working relationship between our two Governments, the volume of trade between our two countries, and the clear rules of the Agreement, I would expect few if any differences to arise between our two Governments over the interpretation or application of the Agreement. Should any differences arise under the Agreement, my Government will make every effort to resolve them without recourse to formal dispute settlement procedures.

In particular, my Government would not expect or intend to apply the Agreement's dispute settlement enforcement procedures to secure its rights under the Agreement in a manner that results in blocking trade. In light of the wide range of our bilateral ties and the spirit of collaboration that characterizes our relations, my Government considers that appropriate measures for resolving any differences that may arise regarding the Agreement would be bilateral consultations and other procedures, particularly alternative mechanisms, that will help to secure compliance without recourse to traditional trade sanctions.

Sincerely,

ROBERT B. ZOELLICK,
U.S. Trade Representative.

EMBASSY OF THE HASHEMITE
KINGDOM OF JORDAN,
Washington, DC, July 23, 2001.

Hon. ROBERT B. ZOELLICK,
U.S. Trade Representative,
United States of America.

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the Agreement would be bilateral consultations and other procedures, particularly alternative mechanisms, that will help to secure compliance without recourse to traditional trade sanctions.

Sincerely,

MARWAN MUASHER,
Ambassador.

Mr. Speaker, with these letters, it means that, notwithstanding the narrow, specific wording of the document, the attempt to drive a particular political agenda with this agreement, in which all are in favor of increasing trade to the point of free and open trade between the United States and Jordan, this agreement becomes acceptable, especially when this is the first instance in which the 21st century needs to be addressed with clearly a better way to deal with perceived violations and actual violations of agreements.

Alternate mechanisms beyond the old-fashioned 19th and early 20th century tools are really what is needed to develop and grow trade in this century. I am pleased to say that with the exchange of letters, notwithstanding the specifics of this agreement, we have begun to move down that direction; and we continue to work together to present to this House a Trade Promotion Authority which builds on this exchange of letters between the Government of the United States and the Hashemite Government of Jordan.

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

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

Mr. Speaker, this agreement indeed is an important one. It is important in terms of national security. Jordan is important in the quest for peace and security in the Mideast.

This agreement is important economically. A healthy Jordanian economy is important in and of itself, and for Jordan to play a constructive role in the Middle East.

This agreement is important because it addresses essential ingredients of the economic relationship between our two nations.

It is important because it recognizes that included in that economic relationship are labor and environmental standards.

This agreement is so important that it should have been presented to this House for approval many months ago. The delay was because some did not like the provisions relating to labor and the environment. That position was and is misguided.

Domestic labor markets and environmental standards are relevant to trade and competition within a nation and competition and trade between nations. That has become increasingly true as the volume of international trade has increased dramatically and as nations with very different economic structures trade and compete with one another. Recognition of that reality is simply inescapable in this era of trade. It is not a political question, it is a matter of sheer economic reality.

The Government of Jordan was willing from the start, and I emphasize that, to address that reality. Some in the United States were not. As a result, after several different notions have been suggested, there has been an exchange of letters between the two governments. They do not amend the agreement, they do not forego any of its provisions; they say what their intention and expectations are as to implementation of all the provisions in the agreement.

Both nations have strong practices on labor and environmental standards. The governments say in the letters that if either fails to meet their commitments to enforce such standards, or any other provisions of the agreement, and I emphasize that, any of the other provisions of the agreement, they do not expect or intend to use traditional trade sanctions to enforce them.

That was unnecessary and unfortunate. It is unwise to say that regardless of the violations of a trade agreement, the expectation is that any method of enforcement will not be used. Trade sanctions are always a last resort, but to set a precedent in any agreement that under no circumstances is there any expectation that they may have to be used as to any provision is a mistake, an unwise precedent.

It was unnecessary because the agreement carefully sets up a framework for all kinds of consultations and mediation over a long period of time before either party could use sanctions, and only after recurring violations affecting trade, and only with appropriate and commensurate measures.

I support our approving this agreement because of the importance of the U.S.-Jordanian relationship and because the agreement within its four corners still stands.

□ 1030

But cutting corners on the important issues of labor and environmental standards and trade agreements is a step backwards for future constructive action on trade. But today, to proceed on Jordan is important, and we should do so.

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

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

I would say to the gentleman the only unfortunate circumstance in this agreement was the unfortunate consequences of taking advantage to push a domestic agenda on trade with as important and vital a strategic partner as Jordan. We would have preferred that this domestic agenda on trade be done in a slightly different way. The letters, in fact, go a long way toward correcting that attempt, to grab the initiative on a domestic agenda on trade by using this agreement.

Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentleman from California (Mr. DREIER), one of the leading advocates and spokesmen for trade in the House of Representatives and the chairman of the Committee on Rules.

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

I, of course, was going to begin by talking about the great importance of bringing about stability in the region and the benefits of this U.S.-Jordan Free Trade Agreement to economic growth and all, but since both the gentleman from California (Mr. THOMAS) and the gentleman from Michigan (Mr. LEVIN) have gotten to the issue of labor and the environment and this very important exchange of letters, and I congratulate the chairman for having put that arrangement together. I think it is important to underscore why it is that there seems to be this disagreement.

We believe very passionately that the best way to deal with those important issues of labor and the environment is through economic growth. Mr. Speaker, there is a great arrogance that exists as we proceed with this debate on trade for the United States of America to try to impose on developing nations around the world, nations that are struggling to get onto the first rung of the economic ladder, standards with which they cannot comply. They cannot comply.

I recall so well, following the very important December 1999 Seattle ministerial meeting of the World Trade Organization, the cover of the Economist Magazine the week after that meeting was very telling. It said, when they talked about the imposition of sanctions, when President Clinton talked about the imposition of sanctions on issues of labor and the environment, the cover had a picture and above that picture was the caption: ''Who Is the Real Loser at Seattle?'' The photograph, Mr. Speaker, was of a starving baby in Bangladesh.

It is so apparent that those countries which we hope to help get into the international community are being prevented because of, as the gentleman from California (Mr. THOMAS) said appropriately, the imposition of a domestic agenda on other nations. It is unfortunate that Jordan was caught in the middle on this issue; however, we do want to see environmental standards and worker rights improved in Jordan.

We believe that the economic growth that is going to follow this kind of effort is important for the stability of the region. It is very important for bringing about greater stability as it expands throughout the Middle East. I hope this is just really the second, following the U.S.-Israel Free Trade Agreement, the second in steps that will help us bring about the very, very important economic growth and stability that is needed there.

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

Mr. Speaker, I want to move on to other speakers, but I want the RECORD to be clear: I was in meetings with the Jordanian Government from the outset, at least in discussions with this

body, and the King said they were willing to negotiate on labor and environmental standards. Do not talk about shoving this down somebody's throat. It is not true.

Secondly, imposition of our standards? Nonsense. When it comes to core labor standards, these are ILO standards that most nations have already agreed to.

Child labor? Forced labor? The ability of workers to associate and organize? That is imposing our standards? These are international standards. Are we imposing our standards when we insist on intellectual property or on subsidies in agriculture? The gentleman uses a different standard when it comes to one or another.

Environmental standards. The President withdrew from Kyoto because developing nations were not in the Kyoto Accord, and now someone comes to this floor and says because we want countries to enforce the environmental standards, in this case, their own, it is a domestic agenda or it is a political agenda. It is not. This relates to the terms in competition of countries, and there are some basic standards that need to be applied and to be implemented.

Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. CARDIN).

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

Mr. Speaker, I strongly support the agreement that is before us. Jordan is a friend of the United States in the Middle East. They are moving forward in opening direct trade between their country and Israel, and they are truly our ally in seeking peace in the Middle East and in fighting terrorist activities.

I also support this agreement because it is a good agreement. It is a good agreement from the point of view of the United States. We already have a Free Trade Agreement with Israel. This Free Trade Agreement will open up opportunities for American producers and manufacturers. And we have made progress, as the gentleman from Michigan (Mr. LEVIN) has pointed out, on labor and environment; that is, removing barriers to fair trade because of the standards of other countries being far below the standards here in the United States. That works to the disadvantage of U.S. manufacturers and producers. We made progress in this agreement because Jordan agreed to enforce its own laws in the trade agreement. What is wrong with that?

Now, Mr. Speaker, I must tell my colleagues, I am concerned about the letters that were exchanged between Jordan and the United States that the distinguished Chairman of the Committee on Ways and Means put in the RECORD. These letters were requested by the United States. Make no mistake about it, this was not Jordan's idea, this was the United States' idea. It was because we were concerned that we were painting new territory in allowing us to have in the core agreement labor and the environmental standards.

Mr. Speaker, if we are going to enforce labor and environmental standards, they have to be in the core agreement. We have seen that every time we have tried to put them in side agreements, it has been ineffective in enforcing the standards that we told the American public that we were fighting for. This letter puts labor and environment as a second tier issue. That is wrong. It should not be a second tier issue. Most of the other provisions in the Jordanian agreement can be enforced through WTO since they are in the multinational agreement.

Mr. Speaker, this letter, I hope, will not be precedent for the future, because we can make progress in bilateral agreements on increasing world standards for labor and environment; we can make progress so that American producers and manufacturers and farmers can effectively compete internationally by raising international standards in labor and environment. We make progress in the bilateral agreement such as with Jordan so that we can move the WTO, the multinational agreements, so that they can move forward in these areas.

Mr. Speaker, this is a good agreement. It should be supported. We made a mistake by requesting the exchange of letters.

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

Mr. Speaker, I can understand the perplexity of my friends on the other side over the letters in which they say the letters were not Jordan's idea. Well, let us return to the negotiation between the Clinton administration and the Jordanians.

I cannot believe it was the Jordanians' idea to lay on the table old-fashioned sanctions in which products are used to retaliate against violations extended to labor and the environment. I have a hunch it was the Clinton administration that laid these on the table. And, of course, my friend from Michigan then says, they did not object to them. Of course they are not going to object to them. They are going to say, yes, to whatever is laid on the table.

So I do not think the argument about basic standards being implemented is the issue. It was the fact that the Jordanians were required to agree to a sanctions structure that was imposed upon them by the Clinton administration. The letters were not Jordan's idea, but the basic document was not Jordan's idea either.

What we have is an ability to reach agreement and move forward. Frankly, we would not be here today without the letters. So I think the letters were a very good thing.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a member of the Committee on Ways and Means.

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

Mr. Speaker, our relationship with Jordan is a strategic one, and that alone is reason enough for this trade agreement to be desirable. But H.R. 2603 is also a model for how we can pursue a balanced trade relationship with a developing country whose legal system and workplace environment is radically different from our own.

This trade agreement with Jordan represents the first free trade agreement with an Arab Nation and will give us closer trade ties to the Arab world. Trading with Jordan will be mutually beneficial and strengthen them as our ally.

But Jordan also represents a country that plays a critical role in the Middle East peace process. Beyond that, this agreement negotiated by the last administration provides us with a sensible and balanced approach to addressing blue and green issues in trade agreements, discouraging a race to the bottom by countries seeking to attract investment and lure jobs.

This agreement will benefit not only Jordanians, but American workers by creating an export market for high value-added U.S. products in a nation that cannot make these products for themselves. The bill phases out all tariffs during a 10-year period and establishes the first-ever bilateral commitment regarding e-commerce. It also addresses intellectual property rights and the protections for copyrights, trademarks and patents, as well as makes a specific commitment to opening markets in the services sector.

But as a truly inclusive trade agreement, H.R. 2603 addresses various labor and environmental concerns. This agreement does not seek to place further labor and environmental regulations on Jordan, but rather, requires that they enforce the law that they already have on their books. Jordan cannot relax environmental standards to attract trade, and they have agreed to fully enforce national labor laws. This agreement provides us with a model, perhaps not the only one, but a very promising one, for engaging in fair trade with a developing country, and I urge my colleagues to support it.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I certainly support this agreement, as I did in committee, but the handling of this bill really represents another foreign policy failure for the Bush Administration.

During the last week alone, this Administration has stood alone and isolated from 178 other countries on how to resolve climate change and global warming. It has stood alone and isolated from seven years of negotiations about how to make an international agreement on germ warfare more effective. And it reasserted its intention to unilaterally reject the Antiballistic

Missile Treaty that has contributed to three decades of peace.

Little wonder that this week's conservative Economist magazine raises the question: ''Stop the World, I Want to Get Off: Has George Bush Ever Met a Treaty that He Liked?'' Well, it is not this one, because today the Republicans here on the House floor display their real paranoia about any attempt to protect workers and the environment from the potential adverse consequences of international trade.

Mr. Speaker, this is an outmoded trade policy that the Bush Administration is advancing at the very time that a number of our trading partners are recognizing that environmental issues need to be addressed as we look at the question of international trade. It is a policy that is consistent only with the Bush Administration's anti-environmental attitudes and policies here in the United States.

□ 1045

Trade is certainly vital to our country, but if more international commerce with a particular country leads to the reliance on more child labor or the destruction of rain forests or endangered species, those are important considerations to be avoided through negotiation.

This agreement with the small, but important, country of Jordan fortunately did not involve any of those particular concerns; but the Clinton Administration, wisely working with the country of Jordan, provided that if there were repeated violations of a country's own laws, not our laws in Jordan but Jordan's laws in Jordan to protect workers and the environment, then that could be the subject of trade sanctions.

That scares the Republicans to death, the very thought that on an international level we might give consideration to the way trade impacts workers, child laborers, the environment, endangered species, rain forests, or other sensitive environmental areas.

They are opposed to even the most modest safeguards like those contained in this agreement, so they have not fast-tracked this agreement; rather, they have slow-tracked it. They have slow-tracked it for the last six or seven months, refusing to present this trade agreement to the Congress to act upon.

Today they rush it to the floor with minimum debate because they do not want any attention on the contradictions in their own trade policy. That is a trade policy of slow-tracking that tells us a great deal about this so-called fast track proposal.

I support more trade, but not by granting President Bush a blank check, open-ended trade authority to do anything he wants. It is clear from his rejection of these modest safeguards that he will not do right by workers and the environment unless we put strict conditions on any trade negotiating authority that Congress decides to delegate to him.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

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

I rise in very strong support of this agreement, Mr. Speaker, and I urge my colleagues on both sides to support passage.

The U.S.-Jordan Free Trade Agreement will provide economic benefits to both countries. That is what we are really here about. This agreement will eliminate tariffs on virtually all trade between the two countries within 10 years. Passage of this agreement offers the prospect of rapid growth in the U.S.-Jordan trade relationship.

In addition to economic benefits, this agreement will help to strengthen our association with a key ally in the Middle East. Jordan is a trusted friend and ally of the U.S. and is strongly committed to liberalizing its economy. The agreement provides important support to Jordan's commitment.

In addition, the U.S.-Jordan FTA builds on other U.S. initiatives in the region designed to encourage economic development and regional integration. This includes, of course, the 1985 U.S.-Israel Free Trade Agreement and its extension to areas administered by the Palestinian Authority in 1996.

Again, Mr. Speaker, I urge my colleagues to vote yes on this agreement.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend, the gentleman from Michigan, for yielding time to me.

Let me preface my statement by saying that I support the Jordan-U.S. trade agreement and plan to vote for it. That said, this agreement illustrates why this Congress must not relinquish our right to amend future trade agreements and why we must vote down Fast Track.

When we look closely at this, we see the fingerprints of the brand-name drug industry all over it. This agreement provides protections for the drug industry more stringent than those established by the World Trade Organization.

Look at the fine print of section 20 of Article 4 on intellectual property. Not only does this agreement impose barriers to generic access in Jordan that are greater than those in place here, it prevents the United States from using a WTO sanction mechanism, compulsory licensing, to bring down grossly inflated drug prices.

The Jordan trade pact blocks the U.S. from ever enacting compulsory licensing law, now or in the future, to combat excessive drug prices.

While Congress waited for the trade agreement to be negotiated, our drug industry convinced the U.S. Trade Representative to tie our hands and to tie Jordan's hands. It is outrageous that the drug industry can have this kind of influence, particularly when their pricing practices are robbing Americans blind. But that is what happens when Congress has too little oversight in trade agreements.

If Fast Track passes, what will the future hold once the drug industry and other special interests know that Congress cannot amend the trade agreement? How many poison pills will we have to swallow or will the American public have to swallow?

It is provisions like these, slipped into trade agreements, which are the reason why Fast Track is such a threat to the best interests of our constituents. While trade agreements go to great lengths to protect investors and protect property rights, these agreements rarely include enforceable provisions to protect workers in the U.S. or abroad. Like the Jordan agreement, corporations will slip provisions into the text that will abuse the most vulnerable of society.

Three years ago, Fast Track was defeated in Congress, 243 to 180. Vote for the Jordan trade agreement but defeat Fast Track, which allows bad provisions in good trade agreements.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in yielding time to me to speak on this issue.

Mr. Speaker, I have a slightly different perspective than my friend, the gentleman from Ohio. I happen to believe very strongly that trade promotion authority is important and that our future, not just from our region but for our country and for developing nations around the world, lies in fairer, freer trade.

I supported the trade promotion authority for the last administration. I hope to be able to support it for this administration.

But I would look at this agreement today as a model for an approach that we can have trade promotion authority, which I think is important, but do it in a way that brings us together, where we can have 300 or 400 people on this floor, as the gentleman from Michigan is looking for ways to be able to express these concerns about environment, about worker standards.

This agreement that we have before us can be a template in a way that does not divide us but actually strengthens free trade. It brings it in a way that does not have to have a partisan edge to it, and actually encourages countries to be able to develop their own labor and environmental standards.

We have a number of companies around the world that are doing pioneering work in their own work to be able to advance higher standards for the environment and the workplace; international corporations that are showing the way in terms of how to treat their employees in patterns of compensation and worker safety.

I would strongly urge that we approve this agreement before us, and

that we look at this as a template for how we ought to put together trade promotion authority.

I commend the gentleman from Michigan for the work that he is doing on our side of the aisle to have a broader conversation. He, I think, has shown through his work on China that there are ways to bring us together. I encourage this Chamber to look at this agreement as a way that we can do this in a way that we will not lose the opportunity to develop the consensus. I thank the gentleman for his efforts.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Arizona (Mr. KOLBE), who through his time and talent has assisted for a long time. I look forward to working with him as we move trade promotion authority.

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

Mr. Speaker, I rise today in strong support of the U.S.-Jordan Free Trade Agreement. I want to begin by thanking President Clinton, acknowledging his role in negotiating this agreement. I want to praise President Bush for bringing this agreement forward in a determined fashion.

I really want to commend the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), and the gentleman from the subcommittee, the gentleman from Illinois (Mr. CRANE), and the ranking member, the gentleman from Michigan (Mr. LEVIN), for their bipartisan support in bringing this agreement forward.

Mr. Speaker, this agreement is critical to the foreign policy of the United States. It is of enormous political significance to us. Jordan is a vital ally of ours in the Middle East. It has been in the past; and it continues to be a leader in this peace process, this Middle East peace process.

Let there be no doubt, we have relied heavily on Jordan to play a constructive role in building peace in the region, and certainly the least we can do today is extend our hand in free trade.

This role that Jordan has played is a very difficult one. It is located geographically between Iraq and Syria and the west bank of the Jordan. Over half of its population is of Palestinian descent. In short, it is in the heart of a region that is plagued by centuries of conflict. It lies on the edge of a potential conflict all along all of its borders.

Despite this, it has had strong political leadership over the years that has taken repeatedly difficult steps towards peace, started by former King Hussein with a peace agreement between Jordan and Israel in 1994, and that continues today under the leadership of his son, King Abdullah II.

We must implement this free trade agreement, not because of the economic benefits the U.S. may receive, although there are some. We must implement this agreement because it will help Jordan develop economically and become more prosperous. With the prosperity and the prospect for economic stability, we can help it continue to lead by example in a region where greater, stronger leadership is so desperately needed.

Just a couple of months ago, I led a delegation of members of the Committee on Appropriations to Israel, Egypt, and to Jordan. In all of those countries, we appreciated the importance of trade as a driver of regional economic growth.

Mr. Speaker, this is an important agreement. I urge my colleagues to support it.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR), our distinguished whip.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding time to me, and I thank him and others who worked on this agreement.

Mr. Speaker, the agreement we face today is a good agreement. It furthers our relationship with our friends and allies; and it increases the prospect, as we have heard, for economic and political stability in the Middle East. It contains modest yet meaningful standards for worker rights and the environment. For the first time, Mr. Speaker, these values are considered as terms of the agreement, just as tariffs, just as intellectual property traditionally have been.

But what I am concerned about is the interjection of these side letters. The administration, I think, is undermining a good deal with these side letters. The side letter effectively removes the possibility of enforcing labor and environmental violations by tough enforcement mechanisms of sanctions. The side letter places a higher value on commercial provisions which are still enforceable by sanctions through the WTO.

Overall, the side letters suggest that we value our goods over our workers. It has been the nexus, the heart of the problem we have had on the trade issue. This was a solid agreement negotiated in good faith by two strategic friends and partners. It deserves to be implemented as such.

This agreement was once a good step forward, including worker rights and environmental standards in a trade agreement. Now, with the side letter, it becomes yet another reflection of the trade policies of the past that deny the realities of today.

We must remember the administration's actions to gut these modest worker rights and environmental provisions when we look to future agreements in this Congress, especially Fast Track. Fast Track requires us to put all our faith in Presidential authority. The action on the Jordan agreement should warn us against that. This administration gives with one hand while trying to take away with the other.

Mr. Speaker, I will vote for this trade agreement because I believe in the deal that was negotiated, and that is on the floor today. It is a step forward. But I am deeply disappointed with the administration's attempt to undermine the deal and to turn the clock back.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Virginia (Mr. CANTOR).

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

Mr. Speaker, I rise today in support of H.R. 2603, which, in a comprehensive fashion, eliminates barriers to bilateral trade in goods and services between the United States and the Hashemite Kingdom of Jordan.

I would posit that this agreement does bring us together by providing a positive structure for dealing with trade violations, rather than controversial and potentially ineffective sanctions.

Economic prosperity, stability, and religious tolerance form the foundation of our foreign policy in the Middle East. In a region where daily violence has almost become a fact of life, the establishment of economic cooperation is a vitally important aspect of creating an environment where the nations of the Middle East can exist in peace and with prosperity.

This agreement will enable the United States to have a productive economic exchange with a valuable trading partner that has been a stabilizing factor in that region. The spirit of bilateral economic cooperation between these two countries will be beneficial to both our nations, and sends a signal to the world that nations that share our values and desire for peace will prosper.

Jordan has been a steadfast partner for promoting peace and fighting terrorism, and I welcome this agreement.

□ 1100

I commend the gentleman from California (Mr. THOMAS) for his leadership on the issue and again urge my colleagues to support this important legislation.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank my good friend, my very distinguished colleague from Michigan, Mr. LEVIN, for yielding me this time.

I strongly support this resolution that approves the U.S.-Jordan Free Trade Agreement. The United States rarely gets a chance to score a clear victory that will promote economic growth, regional stability, reward a trusted ally, and affirm our most basic democratic values. We have such an opportunity right now with this agreement. Even though Jordan is only our 100th largest trading partner, the Jordan Free Trade Agreement is crucial to our national interest.

First, this agreement holds the potential of jump-starting a process of trade liberalization that has slowed down considerably since 1995. Under this agreement, duties on almost all goods would be phased out over a 10-year period. Jordan commits itself to

opening its markets fully to U.S. manufacturers, farmers, and service providers. The Jordan FTA is the first such agreement ever to address issues related to electronic commerce and the Internet, with Jordan promising to ratify international agreements ensuring the protection of software and audio recordings on the Internet. Also under this agreement both sides pledge much greater openness in the resolution of disputes.

More significant than this contribution to open trade is what the Jordan FTA should mean for our continuing pursuit of peace and stability in the Middle East. Since coming to power after the death of his legendary father, King Hussein, 2 years ago, King Abdullah has launched a series of progressive reforms intended to modernize Jordan's economy. The nation has joined the World Trade Organization, deregulated some of its service industries, and strengthened its intellectual property laws. It has also stood with the United States politically, helping to enforce our trade embargo against Iraq, and serving as a voice of moderation among the Arab states.

By entering into this agreement, we are promoting regional economic growth, and sending a strong and positive signal of support to a crucial ally. If we were to delay this trade agreement that the previous Clinton administration worked out so constructively, it would send the opposite and wrong signal. This trade agreement marks a new approach to addressing labor and environmental provisions that I think is reasonable and realistic.

Approval of this agreement should give us some momentum now to move forward on our larger bipartisan trade agenda, most notably trade promotion authority. Global agreements can be values driven as well as profits driven, and that is why I urge my colleagues to approve this agreement and reaffirm our commitment to this vital ally in the Middle East.

Mr. LEVIN. Mr. Speaker, I yield the balance of my time, a long 30 seconds, to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, so much to say.

Mr. Speaker, I am here to vote for the Jordan treaty, but the world will little note nor long remember what we do here today. But what was important about today was the President of the United States showed his hand. He is not trustworthy. He will take an agreement, and when it is being out here on the floor he will then write a letter and undo it.

Now, let us give them trade promotion authority, shall we? He will go and negotiate, he will bring a treaty in here, we will vote for it, and as we vote ''aye'' or ''no,'' he will be putting in the mailbox at the White House a letter to somebody saying, ''I didn't mean it, guys. This does not really count. You know we didn't really mean what's in this.''

Watch and remember what happened with those letters on this issue. Vote for this but do not forget.

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

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) has 2 minutes remaining.

Mr. THOMAS. Well, gee, Mr. Speaker, I guess I am a little bit confused. Apparently the gentleman from Washington thinks that President Bush negotiated this agreement. Perhaps I should shock him into reality and indicate that the proper response on this floor should have been shame on you. Shame on your administration in trying to push your domestic trade agenda by making an offer to Jordan you knew they could not refuse. What kind of diplomatic relationship is that?

The mistake of using Jordan as a pawn has partially been corrected by the exchange of letters. And so when my colleague stands up here and says piously, gee, we are trying to reverse an agreement in which we just want some standards for labor and the environment, I would note, as I said at the very beginning, there is nothing wrong with that. We need to move in that direction. Get over it. The previous administration tried to sneak an agreement through, and it was not done. Now, let us sit down and work together and talk about not using antiquated sanctions in resolving these new issues.

The bottom line is this, Mr. Speaker. This agreement is on the suspension calendar. We all agree that our friend and ally is long overdue this recognition. Let us vote ''yes'' on H.R. 2603.

Mr. GILMAN. Mr. Speaker, the U.S.-Jordan Free Trade Agreement with the United States is good for Jordan, good for the United States and good for peace in the Middle East. By eliminating trade barriers between both our countries, it will increase trade. In doing so, it will strengthen one of the most constructive regimes in the Middle East regarding the Peace Process.

Under King Abdullah's leadership, Jordan has already made significant strides in modernizing its economy and in opening its markets to the outside world. For example, Jordan has embarked on a major privatization program that includes its telecommunications sector, and has improved its record on intellectual property rights.

This agreement will accelerate that process by guaranteeing:

The elimination of all tariffs on industrial goods and farm products within 10 years;

Free trade in services, giving American service providers full access to services of key importance;

Modern intellectual property rights commitments, which will provide prospects for technology-based industries, copyright-based industries, and pharmaceutical companies;

A joint commitment to promote a liberalized trade environment for e-commerce that should encourage investment in new technologies, and avoid imposing customs duties on electronic transmissions.

Just as Jordan has been a model for constructive participation in the Peace Process, the U.S.-Jordan Free Trade Agreement can help to make it an economic model for the rest of the Arab world.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise to support H.R. 2603, the United States-Jordan Free Trade Implementation Act.

Jordan is a small Arab country with abundant natural resources such as oil. The Persian Gulf crisis aggravated Jordan's already serious economic problems, forcing the government to put a hiatus on the International monetary Fund program, stop most debt payments, and suspend rescheduling negotiations. However, the economy rebounded in 1992, thanks to the influx of capital repatriated by workers returning from the Gulf.

After averaging 9 percent in 1992–95, GDP growth averaged only 2 percent during 1996–99. In an attempt to spur growth, King Abdallah of Jordan has undertaken some economic reform measures, including partial privatization of some state-owned enterprises. These actions culminated with Jordan's entry in January 2000 into the World Trade Organization (WTO).

I have personally met with King Abdallah on several occasions. I was pleased to host the King and Queen in 1999, when they visited Northern Virginia to discuss possible investment opportunities in Jordan with regional high technology and telecommunications companies. The King and representatives from his government showed a keen interest in exploring trade opportunities with our technology sector. The attendees, which included CEOs and Presidents of national high-tech organizations and companies, were overwhelmingly impressed with the King's knowledge of the industry and his openness towards working with them.

Mr. Speaker, I believe passage of H.R. 2306 will have significant and positive economic and political impacts for both Jordan and the United States. The U.S.-Jordan Free Trade Agreement (FTA) will increase levels of trade in services for both nations, boost the Jordanian economy, contribute to easing unemployment, attract foreign direct investments from both U.S. and other foreign-based companies, and reinforce momentum for additional economic reform in Jordan. In the year 2000, total bilateral trade between the U.S. and Jordan was approximately $385 million, with U.S. exports to Jordan accounting for about 80 percent or $310 million of this total. In the same year, U.S. imports from Jordan totaled $73 million and accounted for approximately 20 percent of total bilateral trade.

The FTA builds on other U.S. initiatives in the region that are designed to encourage economic development and regional integration, including: the 1996 extension of the U.S.-Israel Free Trade Agreement to areas administered by the Palestinian Authority; and the 1996 creation of Qualified Industrial Zones (QIZ), which are areas under joint Israeli and Jordanian control whose exports are eligible for duty-free treatment in the United States.

Once passed by the Congress and the Jordanian Parliament, the U.S.-Jordan FTA will be the first U.S. free trade agreement with an independent Arab country, and Jordan will be the fourth country in the world to have a bilateral free trade agreement with America-all of which reflects the close bond between the two nations, and reaffirms our commitment to this burgeoning relationship.

Mr. CROWLEY. Mr. Speaker, I rise as a cosponsor of H.R. 2603, the United States-Jordan Free-Trade Agreement.

This legislation, as approved, would implement H.Doc. 107–15 as it was submitted to Congress on January 6, 2001 by former President Clinton, and would make the trade agreement we negotiated with the Hashemite Kingdom of Jordan operational.

Jordan is a moderate Arab nation and an ally of both the United States and Israel. The free trade agreement negotiated by the Clinton administration will help to solidify trade and commerce between the United States and Jordan.

As you know Mr. Speaker, free trade is vital to political stability and economic development not only in the Middle East but also around the world. With free trade nations are not only able to exchange goods but also ideas. It is the ideas of freedom and democracy that is the greatest export the United States can offer to the rest of the world.

Under the agreement negotiated by the United States and Jordan, both nations have committed themselves to removing almost all duties on trade in ten years. The two countries have also committed themselves to safeguarding intellectual property and copyrights.

Most importantly the agreement includes provisions to protect worker rights and the environment.

The Middle East is an emerging region and the United States should do all it can to help the nations of the Middle East develop their economic potential. Jordan has played an integral role in leading the region to a freer and a more secure future.

King Abdullah has made important commitments to implement necessary economic and political reforms. Jordan has also been an important partner in the Middle East peace process, and a leading voice among moderate Arab nations for normalizing relations with the State of Israel.

By supporting free trade with Jordan the United States Congress will be recognizing Jordan's role as a peace partner in the Middle East.

Free trade will give American companies more access not only to the Jordanian market but also to markets in Israel and Egypt. While at the same time providing for greater economic development in the region.

Currently, New York State conducts $23 million worth of trade with Jordan. In the next ten years this volume is expected to increase as Jordan's economy continues to grow. This will create more jobs for my constituents and more prosperity for the people of Jordan.

Mr. Speaker, it is important for the United States to continue playing its historic role in the Middle East as a voice for peace and democracy. Free trade with Jordan recognizes both Jordan's role as a peace partner in the Middle East and it reasserts America's commitment to peace and stability in the Middle East. I would also like to point out the United States-Jordan Free Trade Agreement is supported by Israel, evidence of Israel's continued commitment to peace and stability in the region.

At this hour of crises in the Middle East it is important for the United States Congress to stand with the people of Israel and Jordan by supporting free trade and democracy in the region.

Mr. BENTSEN. Mr. Speaker, I rise in support of this legislation, which provides for implementation of a free trade agreement between the United States and Jordan, eliminating duties and commercial barriers to bilateral trade in goods and services.

The U.S.-Jordan Free Trade Agreement was negotiated during the Clinton Administration, although it was completed too late to secure Congressional action last year. If enacted, Jordan would become only the fourth country, after Canada, Mexico and Israel, with which the United States has a free-trade arrangement. I support implementation of the Jordan FTA because I believe it will help advance the long-term U.S. objective of fostering greater Middle East regional economic integration, while providing greater market access for U.S. goods, services, and investment.

The Jordan FTA not only sends a strong message to Jordanians and its neighbors about the economic benefits of peace, but significantly contributes to stability throughout the region. This Agreement is the culmination of our economic partnership with Jordan, which has also included U.S.-Jordanian cooperation on Jordan's accession to the World Trade Organization (WTO), our joint Trade and Investment Framework Agreement, and our Bilateral Investment Treaty. This Agreement also represents a vote of confidence in Jordan's economic reform program, which should serve as a source of growth and opportunity for Jordanians in the coming years.

I am pleased that the Jordan FTA includes the highest possible commitments from Jordan on behalf of U.S. business on key issues, providing significant liberalization across a wide spectrum of trade issues. The FTA builds on economic reforms Jordan has made by requiring it to eliminate tariffs on agriculture goods and industrial products within a decade, strengthen intellectual property protections and liberalize services trade.

Perhaps most importantly, the Jordan FTA contains provisions in which both our countries agree not to relax environmental or labor standards in order to enhance competitiveness. For the first time, these provisions are in the main body of the agreement. It is important to note that the FTA does not require either country to adopt any new laws in these areas, but rather includes commitments that each country enforce its own labor and environmental laws. While I understand that the Bush administration has exchanged letters with Jordan pledging neither country would use sanctions to enforce that part of the pact, I believe the approach taken under this bill is the right approach—it allows this body to move forward on an agreement of strategic importance that emphasizes the importance of labor and environmental standards to existing and future U.S. trade policy. In light of the agreement on this issue, it would serve this body well to work toward a similar compromise that can garner broad bipartisan support for Trade Promotion Authority, which the House may consider as soon as this week.

I am pleased that the House moved the Jordan FTA largely as negotiated. However, with less than $400 million in two-way trade between the U.S. and Jordan—about the same volume of trade the U.S. conducts with China in a single day—the real impact of congressional approval of this agreement is to show our support for a key U.S. ally in a troubled region of the world. Given the relatively small volume of trade with Jordan, the strategic significance of the U.S.-Jordanian relationship, and the importance Jordanians place on this free trade agreement, it is highly unlikely that any Administration, Democrat or Republican, present or future, will be forced to impose trade sanctions on Jordan. However, since this agreement includes language that neither mandates or precludes any means of enforcement, it signifies a critical shift in U.S. priorities; one that reflects growing concerns over the effect of globalization on U.S. jobs and economic opportunity.

Mr. Speaker, passage of the Jordan FTA is more significant than the trade benefits included in this legislation. Passage of this implementing bill sends an important signal of support to our allies and our trading partners that the U.S. intends to be an important player in promoting trade policies that open markets to U.S. exports and create U.S. jobs, while addressing concerns related to the effects of increased globalization on our economy. We may never reach consensus on the issue of the most appropriate means of enforcing labor and environmental violations, but I think that all Members can agree on the importance of expanding exports and creating good paying jobs for Americans, while providing adequate safeguards to preserve our economic interests. With passage of the Jordan FTA, I believe we are taking an important first step in achieving these goals, and I urge my colleagues to approve this bill.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 2603, which implements the United States-Jordan Free Trade Area Agreement. This Member would like to thank the distinguished gentleman from California (Mr. THOMAS), the Chairman of the House Ways and Means Committee, for introducing this legislation and for his efforts in bringing this measure to the House Floor.

The U.S.-Jordan Free Trade Agreement, which was signed by President Clinton on October 24, 2000, will eliminate commercial barriers and duties to bilateral trade in goods and services originating in Jordan and the United states. The agreement will eliminate virtually all tariffs on trade between Jordan and the U.S. within ten years.

The U.S.-Jordan Agreement is part of the broader U.S. effort to encourage free trade in the Middle East. For example, in 1985, the U.S.-Israel Free Trade Agreement was signed and it was extended to areas administered by the Palestinian Authority in 1996. In addition, the U.S. has also signed Trade and Investment Framework Agreements with Egypt in 1999 and Turkey in 2000. It should also be noted Jordan joined the World Trade Organization in April of 2000.

This Member would like to focus on the following three aspects of the U.S.-Jordan Free Trade Agreement: the agriculture sector, the services sector, and the environmental and labor provisions.

First, with regard to agriculture, the top U.S. exports to Jordan include wheat and corn. In 1999, the U.S. exported $26 million of wheat and $10 million of corn to Jordan. With low prices and higher supplies of agricultural commodities, this free trade agreement is a step in the right direction.

Second, the U.S.-Jordan Free Trade Agreement opens the Jordanian service markets to U.S. companies, which includes engineering, architecture, financial services, and courier services to name just a few. Some U.S. companies should directly benefit from this opening of the service markets in Jordan. Services

trade is becoming a bigger part of the overall trade picture. In fact, worldwide services trade totaled $309 billion in 1998, which resulted in an $84 billion positive balance for the U.S. in services for 1998. This positive trade balance for services is in stark contrast to the U.S. merchandise trade deficit.

As the Chairman of the House Financial Services Subcommittee on International Monetary Policy and Trade, this Member has focused on the importance of financial services trade. My Subcommittee conducted a hearing in June 2001 on financial services trade with insurance, securities, and banking witnesses testifying. At this hearing, the Subcommittee learned that U.S. trade in financial services equaled $20.5 billion. This is a 26.7 percent increase from the U.S.'s 1999 financial services trade data. Unlike the current overall U.S. trade deficit, the U.S. financial services trade had a positive balance of $8.8 billion in 2000.

Third, the U.S.-Jordan Free Trade Agreement also includes labor and environment provisions. This is the first time that these types of provisions have been included in the main text of a U.S. free trade agreement. This Member would like to note that these labor and environment provisions focus on Jordan and the U.S. enforcing its own labor and environmental laws. This agreement does not impose any labor and environment standards on Jordan or the U.S.

Mr. Speaker, in conclusion, this Member urges his colleagues to support H.R. 2603, the implementation of the U.S.-Jordan Free Trade Agreement.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 2603, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H.R. 2603.

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

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 213 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 213

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(c) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my colleague and good friend, the gentleman from Ohio (Mr. HALL); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 213 is a structured rule which provides for 1 hour of general debate equally divided between the gentleman from North Carolina (Mr. TAYLOR), chairman of the subcommittee, and the ranking member, the gentleman from Virginia (Mr. MORAN), for the consideration of H.R. 2647, the fiscal year 2002 Legislative Branch Appropriations bill.

After general debate, the rule makes in order only the amendments printed in the Committee on Rules report; an amendment offered by the gentleman from New Jersey (Mr. ROTHMAN) and an amendment offered by the gentleman from the great State of Ohio (Mr. TRAFICANT).

The rule waives points of order against consideration of the bill for failure to comply with clause 4(c) of rule XIII requiring a 3-day availability of printed hearings on general appropriations bills, as well as clause 2 of rule XXI prohibiting unauthorized or legislative provisions. The rule also waives all points of order against the amendments printed in the report.

Finally, the rule permits the minority to offer a motion to recommit, with or without instructions.

Mr. Speaker, to quote the great Yogi Berra, ''It's like deja vu all over again,'' as the Legislative Branch Appropriations bill provides yet another example of a carefully crafted bill from the Committee on Appropriations that balances fiscal discipline with the true needs of the first branch of our government, the legislative branch. This legislation represents a responsible increase in overall spending of 4.5 percent.

I would like to commend the chairman and the ranking member, and all the members of the subcommittee, for their hard work on what is truly a noncontroversial bill.

Mr. Speaker, it has been said that our Nation's capitol building and its campus serves three distinct and important purposes. First, it is a working office building. The central meeting place of our Federal legislature.

Second, it is a museum that preserves our Nation's history and marks its many legislative battles and victories.

And, finally, this capitol is a living monument to democracy, which sits upon the great pedestal of Capitol Hill, clear for all to see.

Mr. Speaker, the Legislative Branch Appropriations bill safeguards these important roles by ensuring funding needs of this institution are met. Specifically, the bill funds congressional operations for the House of Representatives, including our staffs and employees. It addresses the needs of the U.S. Capitol Police, and continues to support their efforts to modernize as they perform essential security functions for the protection of not just Members of Congress and our staffs but also the millions of visitors who come to the seat of our government every year.

The bill includes funding to hire an additional 79 new police officers and provides a 4.6 percent cost of living adjustment and a salary increase for comparability pay.

This bill provides for the needs of the Architect of the Capitol as well, including its various operations and maintenance activities under its jurisdiction for the capitol, House office buildings, and the surrounding grounds.

In addition, this bill funds the needs of the invaluable but often behind-the-scenes work performed by the Congressional Budget Office, the Government Printing Office, the General Accounting Office, the Library of Congress, and the Congressional Research Service, including all the employees who collectively help us and our staff make sense of the many complex issues that we face each and every day.

Mr. Speaker, this bill also includes a number of steps to help meet the needs of an ever-changing and dynamic workforce, as well as help this institution keep pace as an employer. It includes a monthly transit benefit to encourage alternative means of transportation, and modest infrastructure changes to make cycling to work more appealing.

Not only will these transit benefits reduce demand on the already limited parking and help reduce traffic congestion, but it will also make a humble reduction in air pollution.

The bill recognizes our need to become more environmentally friendly and efficient in reusing and recycling our waste by directing a review of the current recycling program, identifying ways to improve the program, establishing criteria for measuring compliance, and setting reasonable milestones for increasing the amount of recycled material.

Finally, I would simply like to commend the Library of Congress, our Nation's library, for the integral role it plays in our shared national goal of increasing literacy. The Library of Congress provides an invaluable service to the many libraries that dot our towns and cities across the country, and it is truly a national treasure.

Mr. Speaker, this is a good bill. It deserves our support. I urge all my colleagues to support this straightforward rule as well as this noncontroversial legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume; and I thank my colleague, the gentlewoman from Ohio (Ms. PRYCE), for yielding me this time.

This is a restrictive rule. It will allow for the consideration of H.R. 2647, which is a bill that funds Congress and its legislative branch agencies in fiscal year 2002. As my colleague from Ohio has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule allows only two amendments. No other amendments may be offered on the House floor.

□ 1115

Mr. Speaker, this is the spending bill that pays for the operation of Congress. Therefore, now is an opportunity to reflect on whether the taxpayers are getting their money's worth. I think that they are.

I think the men and women who make up the House and the Senate are a hard-working group. They are very, very dedicated to public service. They work long hours. I think if the American public saw how the process really works and the character of the Members of Congress, they would be impressed.

There are a number of provisions in the bill and the related committee report that are good. The bill funds the Federal mass transit benefit program for the legislative branch which reimburses staff for using public transit to commute. This is good for the environment and improving congestion on the highways.

The bill increases funding above the administration's request for the Library of Congress to purchase material for its collections. The Library of Congress is one of America's greatest cultural treasures, and the addition of funds will make it a greater resource.

I commend the gentleman from North Carolina (Mr. TAYLOR) and the ranking member, the gentleman from Virginia (Mr. MORAN), for their work on this bipartisan bill, and urge my colleagues to vote for the rule and the underlying bill.

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

Ms. PRYCE of Ohio. Mr. Speaker, we have no speakers on this issue. I would like to inquire of the gentleman from Ohio.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a noncontroversial rule. It has strong bipartisan support. It will provide the institution with the necessary resources so we can not only fulfill our constitutional responsibilities as the first branch of the government, but more importantly, address the many and varied needs of the constituents that we all so proudly serve.

Mr. Speaker, I urge my colleagues to support the rule and the underlying legislation.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to House Resolution 213 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2647.

□ 1118

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 consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to present the Legislative Branch Appropriations Act for fiscal year 2002 to the House for consideration. I would like to thank the ranking member, the gentleman from Virginia (Mr. MORAN) and all of the members of the subcommittee for their support in crafting this legislation.

Mr. Chairman, we have a noncontroversial, bipartisan bill. It provides for a 4.4 percent increase over fiscal year 2001, and it is within the subcommittee's 302(b) allocation.

The committee has done its job. It has done a good job, I believe. The bill deserves overwhelming support in the House. I do not intend to lengthen debate, but I would point out that the bill is under 1995 expenditures in real terms, and has been crafted, I think, with a great deal of care. I urge my colleagues to support the bill, and I include for the RECORD the following tables.

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2002 (H.R. 2647)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - CONGRESSIONAL OPERATIONS					
HOUSE OF REPRESENTATIVES					
Payments to Widows and Heirs of Deceased Members of Congress					
Gratuities, deceased Members	714			-714	
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker	1,759	1,866	1,866	+107	
Office of the Majority Floor Leader	1,726	1,830	1,830	+104	
Office of the Minority Floor Leader	2,096	2,224	2,224	+128	
Office of the Majority Whip	1,466	1,562	1,562	+96	
Office of the Minority Whip	1,096	1,168	1,168	+72	
Speaker's Office for Legislative Floor Activities	410	431	431	+21	
Republican Steering Committee	765	806	806	+41	
Republican Conference	1,255	1,342	1,342	+87	
Democratic Steering and Policy Committee	1,352	1,435	1,435	+83	
Democratic Caucus	668	713	713	+45	
Nine minority employees	1,229	1,293	1,293	+64	
Training and Development Program:					
Majority	278	290	290	+12	
Minority	278	290	290	+12	
Cloakroom Personnel:					
Majority			330	+330	+330
Minority			330	+330	+330
Subtotal, House Leadership Offices	14,378	15,250	15,910	+1,532	+660
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses	430,877	479,339	479,472	+48,595	+133
Committee Employees					
Standing Committees, Special and Select (except Appropriations)	100,272	104,492	104,514	+4,242	+22
Committee on Appropriations (including studies and investigations)	22,328	23,000	23,002	+674	+2
Subtotal, Committee employees	122,600	127,492	127,516	+4,916	+24
Salaries, Officers and Employees					
Office of the Clerk	17,740	16,025	15,408	-2,332	-617
Office of the Sergeant at Arms	3,692	4,083	4,139	+447	+56
Office of the Chief Administrative Officer	72,848	67,480	67,495	-5,353	+15
Office of Inspector General	3,249	3,754	3,756	+507	+2
Office of General Counsel	808	892	894	+88	+2
Office of the Chaplain	140	144	144	+4	
Office of the Parliamentarian	1,201	1,344	1,344	+143	
Office of the Parliamentarian	(1,035)	(1,168)	(1,168)	(+133)	
Compilation of precedents of the House of Representatives	(166)	(176)	(176)	(+10)	
Office of the Law Revision Counsel of the House	2,045	2,104	2,107	+62	+3
Office of the Legislative Counsel of the House	5,085	5,454	5,456	+371	+2
Corrections Calendar Office	832	883	883	+51	
Other authorized employees	213	230	140	-73	-90
Technical Assistants, Office of the Attending Physician	(213)	(230)	(140)	(-73)	(-90)
Subtotal, Salaries, Officers and Employees	107,851	102,393	101,766	-6,085	-627
Allowances and Expenses					
Supplies, materials, administrative costs and Federal tort claims	2,235	3,359	3,379	+1,144	+20
Official mail for committees, leadership offices, and administrative offices of the House	410	410	410		
Government contributions	150,776	153,167	152,957	+2,181	-210
Miscellaneous items	393	690	690	+297	
Special education needs	215			-215	
Subtotal, Allowances and expenses	154,029	157,626	157,436	+3,407	-190
Total, salaries and expenses	829,735	882,100	882,100	+52,365	
Total, House of Representatives	830,449	882,100	882,100	+51,651	
JOINT ITEMS					
Joint Congresssional Committee on Inaugural Ceremonies of 2001	1,000			-1,000	
Joint Economic Committee	3,315	3,424	3,424	+109	
Joint Committee on Taxation	6,416	6,733	6,733	+317	
Office of the Attending Physician					
Medical supplies, equipment, expenses, and allowances	1,831	1,765	1,865	+34	+100
Capitol Police Board					
Capitol Police					
Salaries:					
Sergeant at Arms of the House of Representatives	47,206	54,946	55,013	+7,807	+67
Sergeant at Arms and Doorkeeper of the Senate	50,346	56,976	57,579	+7,233	+603
Subtotal, salaries	97,552	111,922	112,592	+15,040	+670
Security enhancements (emergency funding)	2,102			-2,102	

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2002 (H.R. 2647)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
General expenses	7,243	10,394	11,081	+3,838	+687
Subtotal, Capitol Police	106,897	122,316	123,673	+16,776	+1,357
Capitol Guide Service and Special Services Office	2,371	2,512	2,512	+141	.....
Statements of Appropriations	30	30	30	.....	.....
Total, Joint items	121,860	136,780	138,237	+16,377	+1,457
OFFICE OF COMPLIANCE					
Salaries and expenses	1,851	2,059	2,059	+208	.....
CONGRESSIONAL BUDGET OFFICE					
Salaries and expenses	28,430	30,680	30,780	+2,350	+100
ARCHITECT OF THE CAPITOL					
Capitol Buildings and Grounds					
General and administration, salaries and expenses	.....	.....	46,705	+46,705	+46,705
Minor construction	.....	.....	9,482	+9,482	+9,482
Capitol buildings, salaries and expenses	44,624	111,835	17,674	-26,950	-94,161
Capitol grounds	5,350	7,754	6,904	+1,554	-850
House office buildings	41,678	51,187	49,006	+7,328	-2,181
Capitol Power Plant	43,728	51,499	49,724	+5,996	-1,775
Offsetting collections	-4,400	-4,400	-4,400	.....	.....
Net subtotal, Capitol Power Plant	39,328	47,099	45,324	+5,996	-1,775
Total, Architect of the Capitol	130,980	217,875	175,095	+44,115	-42,780
LIBRARY OF CONGRESS					
Congressional Research Service					
Salaries and expenses	73,430	81,139	81,454	+8,024	+315
GOVERNMENT PRINTING OFFICE					
Congressional printing and binding	81,205	90,900	81,000	-205	-9,900
Total, title I, Congressional Operations	1,268,205	1,441,533	1,390,725	+122,520	-50,808
TITLE II - OTHER AGENCIES					
BOTANIC GARDEN					
Salaries and expenses	3,321	6,129	5,946	+2,625	-183
LIBRARY OF CONGRESS					
Salaries and expenses	382,596	297,275	304,692	-77,904	+7,417
Authority to spend receipts	-6,850	-6,850	-6,850	.....	.....
Subtotal, Salaries and expenses	375,746	290,425	297,842	-77,904	+7,417
Copyright Office, salaries and expenses	38,438	43,322	40,896	+2,458	-2,426
Authority to spend receipts	-29,270	-28,964	-27,864	+1,406	+1,100
Subtotal, Copyright Office	9,168	14,358	13,032	+3,864	-1,326
Books for the blind and physically handicapped, salaries and expenses	48,502	49,765	49,788	+1,286	+23
Furniture and furnishings	4,881	8,599	7,932	+3,051	-667
Total, Library of Congress (except CRS)	438,297	363,147	368,594	-69,703	+5,447
ARCHITECT OF THE CAPITOL					
Library Buildings and Grounds					
Structural and mechanical care	15,935	21,402	22,252	+6,317	+850
GOVERNMENT PRINTING OFFICE					
Office of Superintendent of Documents					
Salaries and expenses	27,893	29,639	29,639	+1,746	.....
Government Printing Office Revolving Fund					
GPO revolving fund	6,000	6,000	.....	-6,000	-6,000
Total, Government Printing Office	33,893	35,639	29,639	-4,254	-6,000
GENERAL ACCOUNTING OFFICE					
Salaries and expenses	387,020	430,295	424,345	+37,325	-5,950
Offsetting collections	-3,000	-2,501	-2,501	+499	.....
Total, General Accounting Office	384,020	427,794	421,844	+37,824	-5,950
Total, title II, Other agencies	875,466	854,111	848,275	-27,191	-5,836
Grand total	2,143,671	2,295,644	2,239,000	+95,329	-56,644

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2002 (H.R. 2647)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - CONGRESSIONAL OPERATIONS					
House of Representatives	830,449	882,100	882,100	+51,651	.....
Joint Items	121,880	136,780	138,237	+16,377	+1,457
Office of Compliance	1,851	2,059	2,059	+208	.....
Congressional Budget Office	28,430	30,680	30,780	+2,350	+100
Architect of the Capitol	130,980	217,875	175,095	+44,115	-42,780
Library of Congress: Congressional Research Service	73,430	81,139	81,454	+8,024	+315
Congressional printing and binding, Government Printing Office	81,205	90,900	81,000	-205	-9,900
Total, title I, Congressional operations	1,268,205	1,441,533	1,390,725	+122,520	-50,808
TITLE II - OTHER AGENCIES					
Botanic Garden	3,321	6,129	5,946	+2,625	-183
Library of Congress (except CRS)	438,297	363,147	368,594	-69,703	+5,447
Architect of the Capitol (Library buildings & grounds)	15,935	21,402	22,252	+6,317	+850
Government Printing Office (except congressional printing and binding)	33,893	35,639	29,639	-4,254	-6,000
General Accounting Office	384,020	427,794	421,844	+37,824	-5,950
Total, title II, Other agencies	875,466	854,111	848,275	-27,191	-5,836
Grand total	2,143,671	2,295,644	2,239,000	+95,329	-56,644

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

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want first of all to express my appreciation for the cooperation of the gentleman from North Carolina (Mr. TAYLOR), which has enabled us to craft a good bipartisan bill which should garner the support of the full House. Paramount among our objectives has been the need to ensure that the legislative branch agencies have the resources they need to fully carry out their missions. These agencies are the vital elements of our democratic process. I believe they are properly treated by this fiscal year 2002 appropriations bill.

The bill prioritizes our capital improvement programs. It confronts, not defers, personnel issues such as an aging work force and retention challenges, and it funds several new technology projects that will allow us to perform our work more efficiently, and to make this work more readily available to the public and to preserve it for posterity.

The 302(b) allocation and prudent oversight have given us the flexibility we needed to craft a good budget and honor our legislative branch agency requests with only a 4.4 percent increase in our overall allocation. The Library of Congress, the General Accounting Office, the Government Printing Office and the Congressional Budget Office largely received what they requested. Funds are also available to hire an additional 79 police officers, bringing the force to 1,481 full-time equivalents, and provide a full increase in benefits.

We have directed the Architect of the Capitol's budget to make life and safety improvements a priority and not proceed with any new construction projects until design plans are completed.

Mr. Chairman, I want to recognize the gentleman from Maryland (Mr. HOYER), and express my appreciation for his successful effort to add report language that will end the long-standing practice of using temporary workers for long-term projects to get around providing them health and pension benefits. These temporary workers, some 300 in all, have been employed by the Architect on an average of 4.5 years.

Recognition should also be given to the gentlewoman from Ohio (Ms. KAPTUR), who was able to include language supporting a plan to include more artwork on the Capitol grounds that more fully represents women's contributions to American society. She also quite articulately expressed her concerns about the use by the Vice President of one of the House offices in the Capitol.

I want to express my appreciation for the efforts by the gentleman from Oregon (Mr. BLUMENAUER) to highlight the need to provide adequate changing facilities and showers for staff, and generating support for the transit benefits that are both addressed in this legislation.

I feel very strongly, as does the gentleman from Illinois (Mr. LAHOOD), that since we are going to lose some showers for staff, we ought to be providing more, not less. I hope one day we would even have a gymnasium facility available for staff people, as the Members of Congress have. We should also have parity between the male and female Members in terms of those facilities.

Mr. Chairman, this bill sets aside sufficient funds to enable all offices, be it a Member's, a committee's, the Congressional Budget Office or the Government Printing Office, to provide all their employees with a $65 per month employee transit benefit. We should not forget the sacrifices our staff and committee staff, employees in the GPO, the Capitol Police, the Congressional Research Service, and all of the legislative branch agencies make every day to meet deadlines, advance the interests of Members, and serve the public good. We may not be able to compensate fully what they should receive, but we can and should help where we can.

This budget enables us to at least provide employees with a $65 per month transit benefit, as the other executive agencies are able to. It will eventually go up to $100 per month. It encourages people to use public transit where able, and that helps everybody commuting in the Washington metropolitan area.

Mr. Chairman, this bill goes a long way towards addressing the needs and obligations of the legislative branch. I am pleased to support it.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), a member of this appropriations subcommittee.

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

Mr. HOYER. Mr. Chairman, this is a good bill. We are trying to take care of Members, their accounts, and the Capitol itself. We have included a provision for certain termporary workers of the Architect of the Capitol to ensure that they can receive the same employee benefits that other employees receive.

I thank the majority clerk of the subcommittee, Elizabeth Dawson, who has done an outstanding job together with her colleagues on the staff, including Mark Murray for the minority, as well as the gentleman from North Carolina (Mr. TAYLOR), and the gentleman from Virginia (Mr. MORAN). This is not a controversial bill, as a result of a bipartisan effort to fund at adequate levels for the legislative branch of government so we might do our job on behalf of the people of this country.

Mr. Chairman, our friends from North Carolina and Virginia have written an excellent bill that meets the test any general appropriations bill should meet. It will provide the resources that agencies need to do their jobs next year. I have already voted for it twice in the committee, and I urge all members to support it here.

This bill fully funds a number of accounts, including the Government Printing Office, the Congressional Budget Office, and the Congressional Research Service, key agencies that directly support the work of the Congress.

It fully funds the American Folklife Center in the Library, including the Veterans' Oral History Project authorized last year at the suggestion of our colleague, the gentleman from Wisconsin [Mr. KIND]. It funds the excellent new sound-recording preservation program also authorized last year.

It provides needed funds to improve services to the public in the Law Library.

To enhance security in the complex, it funds all the extra Capitol Police Officers that the department can hire and train next year, and restores pay parity with Park Police and Secret Service Uniformed Officers.

It extends GPO's early-out/buy-out authority for 3 more years.

It funds the 4.6% COLA that all Federal employees, both military and civilians, should receive next January.

It funds the same $65 transit benefit available in the Executive Branch for every legislative-branch agency. I especially want to compliment our friend from Virginia for making this a priority. I will work in House administration to authorize the increased benefit promptly for House employees.

And the bill otherwise provides ample funds for the operation of Member offices, committees, and the officers of the House.

The bill reserves for conference a final decision on the Congressional Budget Office's request for student-loan repayment authority, in order to give House administration time to develop a policy applicable to the entire legislative branch, as just wisely proposed by our friend from California (Ms. LEE).

Mr. Chairman, I could go on for a considerable time lauding this bill, but I won't. It has been a pleasure working with Chairman TAYLOR and Mr. MORAN this year.

I thank them both for their leadership and tireless efforts.

It has also been a pleasure to work with the capable new subcommittee clerk, Liz Dawson.

I urge an ''aye'' vote on this excellent bill.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield 3½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), who was very active and constructive on this bill.

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman for yielding me this time, and I appreciate the hard work that he has been involved with throughout his career on Capitol Hill to deal with notions of improving the quality of life here in the metropolitan area.

Mr. Chairman, I am an enthusiastic supporter of provisions in this bill that

can have a beneficial impact on the entire Washington region; and most important, to improve the quality of life for the thousands of men and women working here on Capitol Hill all at a very small cost.

My goal in Congress is for the Federal Government to be a better partner promoting livable communities, making families safe, healthy and more economically secure. An important part of a livable community is ensuring that people have choices about where they want to live, work and how they travel.

A recent study highlighted Washington, D.C., as the third most congested region in the United States. Rush hour can be 6 hours or more out of every day. Here on Capitol Hill, we have problems of congestion, pollution and parking shortages. There are over 6,000 parking spaces which are reserved for our employees, which are not free. The total cost is estimated at about $1,500 per year, and with the temporary closure of the Cannon Office Building garage, parking is at even more of a premium.

Mr. Chairman, 3 years ago, with the help of the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Maryland (Mr. HOYER), the gentleman from Virginia (Mr. MORAN), and then-Speaker Gingrich, we were able to change the policy of only providing free parking to House employees to be able to have a modest transit benefit. We have made some progress in being able to establish it, but unfortunately, we have been passed by by the rest of the Federal Government, by the private sector, even dare I say, by our colleagues on the other side of the Capitol in the Senate.

It is time for us to move forward not just for our congressional offices, but the Library of Congress, the Government Printing Office, the Congressional Budget Office, to enjoy the transit benefits that we are giving to the rest of the Federal employees.

Today's bill provides this important change to include the language and increase the allowable amount to $65 for legislative branch employees. This modification will provide parity for all of the remaining Federal employees in the metropolitan area. It includes other important language such as to update the bike facilities here on Capitol Hill. We have more and more of our employees who are taking advantage of that opportunity.

We have an opportunity to secure bike lockers for those Members and staff who walk to work, and to study the new potential locations to replace shower facilities that are being lost with the upcoming closing of the O'Neill Building. Currently, there are only two shower facilities on all of Capitol Hill for over 6,000 employees able to shower at work. Some of us have been providing instructions about how to find them so they are not treated as a secret.

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I applaud the Committee on Appropriations, particularly the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN), for including these simple, low-cost efforts in today's bill. They will provide benefits many times over in terms of the quality of life around the Hill for the environment, and it is a signal to our employees that we value their participation. What better way for the House to be part of the solution of saving energy, protecting air, fighting against congestion than by expanding the transit benefit and permitting our employees who run, walk or bike to work to be able to do so in a fashion that is hygienic and comfortable.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. WALSH), a member of the committee.

Mr. WALSH. Mr. Chairman, I thank the gentleman very much for yielding time. I would like to ask him to enter into a brief colloquy with me at this time.

Mr. Chairman, I would like to inquire about the status of the Botanical Gardens renovation project. It is my understanding that this project, which started in early 1999 with an estimated completion date of September of last year, is still not finished. We are now approaching the 11th month of delay and apparently it will be an additional few months before we can finally open it up again to the public. Is that correct?

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Yes, it is.

Mr. WALSH. I have followed the development and construction of this project with great interest since I was in his position when we started this project. It is my opinion that this project is just another example of poor management by the construction contractor, Clarke Construction. In fact, it appears that Clarke Construction has quite a track record of not bringing in projects on time or on budget. I am told that the General Services Administration, the agency responsible for building Government facilities, has also had problems of delays and cost overruns on projects awarded to Clarke.

I am not saying that Clarke Construction should bear all the blame, nor do I suppose is the Architect of the Capitol without fault. In fact, I believe he has too many projects on his plate. But I strongly believe that Clarke Construction as general contractor for the Botanical Gardens has not demanded the level of expertise and management skills required to successfully execute complex projects such as this one. There are quite a number of Clarke Construction sites around the D.C. area. I note these sites are quite active. The Botanical Gardens site has often been lonely or deserted.

Clarke Construction may have a disincentive to finish the project compared to private sector sites due to an inadequate penalty clause. Can I inquire of the chairman whether the subcommittee addresses the issue of penalty clauses in this bill.

Mr. TAYLOR of North Carolina. The committee is very concerned about construction contractor performance and delays in providing the required work to the Architect within the specified contract completion period. Apparently the Architect has not been including penalty clauses in construction contracts as do other Government agencies and the private sector. Based on these concerns, we have included language in section 111 prohibiting the Architect of the Capitol from entering into or administering any construction contract with a value greater than $50,000 unless the contract includes a provision requiring the payment of liquidated damages within specified amounts. I believe this will rectify the problem.

Mr. WALSH. I thank the gentleman for addressing this issue. I appreciate his continued efforts in working with the Architect to bring this project to a conclusion. I hope that future projects will be awarded to companies with better past performance records and experienced management teams. I thank the gentleman for his vigilance in getting this project completed.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

First of all I wanted to reiterate what the gentleman from Oregon (Mr. BLUMENAUER) said with regard to the transit benefit. When we offered this benefit to executive branch employees, Mr. Tim Aiken on my staff has been working on it very closely, we saw an immediate increase of more than 70,000 riders of transit in the executive branch taking advantage of this. It has continued to increase dramatically and steadily every month. This works.

Providing the $65 transit benefit to the legislative branch employees, we trust, will have the same effect of getting people out of their single-occupant vehicles into public transit. That helps all of us, both those people who drive to work as well as, of course, helping the financing of our Metro system. It also is going to help in achieving our pollution attainment standards which are a major problem right now for the Washington metro area.

This is a good idea. It is eventually going to go up to $100. I am underscoring it because I want all of the people that work for the legislative branch to be aware that this $65 transit benefit will now be available to them. It is tax-free; there is no reason not to take advantage of it if you can possibly use public transit. And so we very much encourage people in the Legislative Branch to take advantage of this benefit.

In addition, some people are actually going to ride bicycles or some even run. I ran to work a couple of times in my younger days. I do not know how many people are going to do that; but however many, we ought to have shower facilities, including for staff that work so many long hours. Many staff are working 12- and 16-hour days. They should certainly have an hour to take a jog if they want, down to the Mall or whatever. We need to be building more shower facilities for both men and women and I think eventually some workout facility on the Capitol grounds. We have language that will move us forward in that direction.

The gentlewoman from California (Ms. LEE) had an amendment that was not made in order, but I want to say for the record that I support the concept of eligibility for student loan repayment benefits for employees of the House and its supporting agencies.

As she pointed out, executive branch employees as well as employees of the GPO and the Library of Congress are already eligible for student loan forgiveness. Current law authorizes payments of up to $6,000 per year up to a total of $40,000 per person for their college education. We did not approve the request of the CBO, however, to extend this benefit to their employees because we felt that a uniform policy should be developed across the board. The bill, therefore, calls for study of the issue by the Committee on House Administration.

The Senate bill, which was reported subsequent to our subcommittee markup, authorizes the extension of this benefit to all Senate employees. In light of that action and in anticipation of the other body's desire to include this benefit for Senate employees in this year's bill, it is essential that the Committee on House Administration develop guidelines rapidly. This would give the conferees on the Legislative bill some real options for moving forward with a well-thought-out student loan forgiveness eligibility program.

We need more tools to recruit and retain valuable staff. This program is a modest way to help individuals who have decided on public service as a career to get higher education and for us to help them make it affordable. I hope we can be responsive to this need but do it in the context of a uniform policy for all House employees. I congratulate the gentlewoman from California (Ms. LEE) for having introduced her amendment.

We do have two, what I would consider, minor amendments, no offense to the people making them; but they should not be too controversial, and then we should be able to pass this bill.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 2647 is as follows:

H.R. 2647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—CONGRESSIONAL OPERATIONS

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $882,100,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $15,910,000, including: Office of the Speaker, $1,866,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $1,830,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $2,224,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,562,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,168,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $431,000; Republican Steering Committee, $806,000; Republican Conference, $1,342,000; Democratic Steering and Policy Committee, $1,435,000; Democratic Caucus, $713,000; nine minority employees, $1,293,000; training and program development—majority, $290,000; training and program development—minority, $290,000; and Cloakroom Personnel—majority, $330,000; and minority $330,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $479,472,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $104,514,000: *Provided,* That such amount shall remain available for such salaries and expenses until December 31, 2002.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,002,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided,* That such amount shall remain available for such salaries and expenses until December 31, 2002.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $101,766,000, including: for salaries and expenses of the Office of the Clerk, including not more than $11,000, of which not more than $10,000 is for the Family Room, for official representation and reception expenses, $15,408,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $750 for official representation and reception expenses, $4,139,000; for salaries and expenses of the Office of the Chief Administrative Officer, $67,495,000, of which $3,525,000 shall remain available until expended, including $31,510,000 for salaries, expenses and temporary personal services of House Information Resources, of which $31,390,000 is provided herein: *Provided,* That of the amount provided for House Information Resources, $8,656,000 shall be for net expenses of telecommunications: *Provided further,* That House Information Resources is authorized to receive reimbursement from Members of the House of Representatives and other governmental entities for services provided and such reimbursement shall be deposited in the Treasury for credit to this account; for salaries and expenses of the Office of the Inspector General, $3,756,000; for salaries and expenses of the Office of General Counsel, $894,000; for the Office of the Chaplain, $144,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and $2,000 for preparing the Digest of Rules, $1,344,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,107,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $5,456,000; for salaries and expenses of the Corrections Calendar Office, $883,000; and for other authorized employees, $140,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $157,436,000, including: supplies, materials, administrative costs and Federal tort claims, $3,379,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $152,957,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $690,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) Effective October 1, 2001, the following four majority positions shall be transferred from the Clerk to the Speaker:

(1) The position of chief of floor service.

(2) Two positions of assistant floor chief.

(3) One position of cloakroom attendant.

(b) Effective October 1, 2001, the following four minority positions shall be transferred from the Clerk to the minority leader:

(1) The position of chief of floor service.

(2) Two positions of assistant floor chief.

(3) One position of cloakroom attendant.

(c) Each individual who is an incumbent of a position transferred by subsection (a) or subsection (b) at the time of the transfer shall remain subject to the House Employees Position Classification Act (2 U.S.C. 290 et seq.), except that the authority of the Clerk and the committee under the Act shall be exercised—

(1) by the Speaker, in the case of an individual in a position transferred under subsection (a); and

(2) by the minority leader, in the case of an individual in a position transferred under subsection (b).

SEC. 102. (a) The third sentence of section 104(a)(1) of the Legislative Branch Appropriations Act, 1987 (as incorporated by reference in section 101(j) of Public Law 99–500 and Public Law 99–591) (2 U.S.C. 117e(1)) is amended by striking ''for credit to the appropriate account'' and all that follows and inserting the following: ''for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the House Recording Studio, the 'appropriate account of the House of Representatives' shall be the account of the Chief Administrative Officer of the House of Representatives.''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

SEC. 103. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2002. Any amount remaining after all payments are made under such allowances for fiscal year 2002 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 104. (a) DAY FOR PAYING SALARIES OF THE HOUSE OF REPRESENTATIVES.—The usual day for paying salaries in or under the House of Representatives shall be the last day of each month, except that if the last day of a month falls on a Saturday, Sunday, or a legal public holiday, the Chief Administrative Officer of the House of Representatives shall pay such salaries on the first weekday which precedes the last day.

(b) CONFORMING AMENDMENT.—(1) The first section and section 2 of the Joint Resolution entitled ''Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month each year'', approved May 21, 1937 (2 U.S.C. 60d and 60e), are each repealed.

(2) The last paragraph under the heading ''Contingent Expense of the House'' in the First Deficiency Appropriation Act, 1946 (2 U.S.C. 60e–1), is repealed.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to pay periods beginning after the expiration of the 1-year period which begins on the date of the enactment of this Act.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $3,424,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $6,733,000, to be disbursed by the Chief Administrative Officer of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $1,500 per month to the Attending Physician; (2) an allowance of $500 per month each to three medical officers while on duty in the Office of the Attending Physician; (3) an allowance of $500 per month to two assistants and $400 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (4) $1,253,904 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $1,865,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries of officers, members, and employees of the Capitol Police, including overtime, hazardous duty pay differential, clothing allowance of not more than $600 each for members required to wear civilian attire, and Government contributions for health, retirement, Social Security, and other applicable employee benefits, $112,592,000, of which $55,013,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Chief of the Capitol Police or the Chief's delegee, and $57,579,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: *Provided,* That, of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, not more than $2,000 for the awards program, postage, telephone service, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and $85 per month for extra services performed for the Capitol Police Board by an employee of the Sergeant at Arms and Doorkeeper of the Senate or the Sergeant at Arms of the House of Representatives designated by the Chairman of the Board, $11,081,000, to be disbursed by the Chief of the Capitol Police or the Chief's delegee: *Provided,* That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2002 shall be paid by the Secretary of the Treasury from funds available to the Department of the Treasury.

ADMINISTRATIVE PROVISIONS

SEC. 105. Amounts appropriated for fiscal year 2002 for the Capitol Police may be transferred between the headings ''SALARIES'' and ''GENERAL EXPENSES'' upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms of the House of Representatives under the heading ''SALARIES'';

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms and Doorkeeper of the Senate under the heading ''SALARIES''; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of other transfers.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $2,512,000, to be disbursed by the Secretary of the Senate: *Provided,* That no part of such amount may be used to employ more than 43 individuals: *Provided further,* That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the One Hundred Seventh Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $2,059,000, of which $254,000 shall remain available until September 30, 2003.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93–344), including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $30,780,000: *Provided,* That no part of such amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISIONS

SEC. 106. (a) The Director of the Congressional Budget Office may, by regulation, make applicable such provisions of chapter 41 of title 5, United States Code, as the Director determines necessary to provide hereafter for training of individuals employed by the Congressional Budget Office.

(b) The implementing regulations shall provide for training that, in the determination of the Director, is consistent with the training provided by agencies subject to chapter 41 of title 5, United States Code.

(c) Any recovery of debt owed to the Congressional Budget Office under this section and its implementing regulations shall be credited to the appropriations account available for salaries and expenses of the Office at the time of recovery.

SEC. 107. Section 105(a) of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. §606(a)), is amended by striking ''or discarding.'' and inserting ''sale, trade-in, or discarding.'', and by adding at the end the

following: ''Amounts received for the sale or trade-in of personal property shall be credited to funds available for the operations of the Congressional Budget Office and be available for the costs of acquiring the same or similar property. Such funds shall be available for such purposes during the fiscal year in which received and the following fiscal year.''.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

GENERAL AND ADMINISTRATION

SALARIES AND EXPENSES

For salaries for the Architect of the Capitol, the Assistant Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle; and not to exceed $30,000 for attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, $46,705,000, of which $3,414,000 shall remain available until expended.

MINOR CONSTRUCTION

For minor construction (as established under section 108 of this Act), $9,482,000, to remain available until expended, to be used in accordance with the terms and conditions described in such section.

CAPITOL BUILDINGS

For all necessary expenses for the maintenance, care and operation of the Capitol $17,674,000, of which $6,267,000 shall remain available until expended.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $6,904,000, of which $100,000 shall remain available until expended.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $49,006,000, of which $18,344,000 shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $45,324,000, of which $100,000 shall remain available until expended: *Provided*, That not more than $4,400,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2002.

ADMINISTRATIVE PROVISIONS

SEC. 108. (a) ESTABLISHMENT OF ACCOUNT FOR MINOR CONSTRUCTION.—There is hereby established in the Treasury of the United States an account for the Architect of the Capitol to be known as ''minor construction'' (hereafter in this section referred to as the ''account'').

(b) USES OF FUNDS IN ACCOUNT.—Subject to subsection (c), funds in the account shall be used by the Architect of the Capitol for land and building acquisition, construction, repair, and alteration projects resulting from unforeseen and unplanned conditions in connection with construction and maintenance activities under the jurisdiction of the Architect (including the United States Botanic Garden).

(c) PRIOR NOTIFICATION REQUIRED FOR OBLIGATION.—The Architect of the Capitol may not obligate any funds in the account with respect to a project unless, not fewer than 21 days prior to the obligation, the Architect provides notice of the obligation to—

(1) the Committee on Appropriations of the House of Representatives, in the case of a project on behalf of the House of Representatives;

(2) the Committee on Appropriations of the Senate, in the case of a project on behalf of the Senate; or

(3) both the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, in the case of any other project.

(d) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

SEC. 109. (a) ACQUISITION OF PROPERTY BY ARCHITECT OF THE CAPITOL.—Notwithstanding any other provision of law, the Architect of the Capitol is authorized to secure, subject to the availability of appropriated funds (through such agreement as the Architect considers appropriate), the property and facilities located at 67 K Street Southwest in the District of Columbia (square 645, lot 814).

(b) USES AND CONTROL OF PROPERTY.—

(1) IN GENERAL.—The property and facilities secured by the Architect under subsection (a) shall be under the control of the Chief of the United States Capitol Police and shall be used by the Chief for the care and maintenance of vehicles of the United States Capitol Police, in accordance with a plan prepared by the Chief and approved by the Committees on Appropriations of the House of Representatives and Senate.

(2) ADDITIONAL USES PERMITTED.—In addition to the use described in paragraph (1), the Chief of the United States Capitol Police may permit the property and facilities secured by the Architect under subsection (a) to be used for other purposes by the United States Capitol Police, the House of Representatives, the Senate, and the Architect of the Capitol, subject to—

(A) the approval of the Committee on Appropriations of the House of Representatives, in the case of use by the House of Representatives;

(B) the approval of the Committee on Appropriations of the Senate, in the case of use by the Senate; or

(C) the approval of both the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, in the case of use by the United States Capitol Police or the Architect of the Capitol.

(c) EXPENSES.—

(1) IN GENERAL.—The Architect of the Capitol shall be responsible for the costs of the necessary expenses incidental to the use of the property and facilities described in subsection (a) (including payments under the lease), including expenses for maintenance, alterations, and repair of the property and facilities, except that the Chief of the United States Capitol Police shall be responsible for the costs of any equipment, furniture, and furnishings used in connection with the care and maintenance of vehicles pursuant to subsection (b)(1).

(2) SOURCE OF FUNDS.—

(A) IN GENERAL.—The funds expended by the Architect to carry out paragraph (1) in any fiscal year shall be derived solely from funds appropriated to the Architect for the fiscal year for purposes of the United States Capitol Police.

(B) USE OF CERTAIN 1999 FUNDS.—The funds expended by the Architect to carry out paragraph (1) may also be derived from funds appropriated to the Architect in the Legislative Branch Appropriations Act, 1999, under the heading ''ARCHITECT OF THE CAPITOL—CAPITOL BUILDINGS AND GROUNDS—CAPITOL BUILDINGS—SALARIES AND EXPENSES'' for the design of police security projects, which shall remain available until expended.

(d) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

SEC. 110. (a) COMPENSATION OF CERTAIN POSITIONS IN THE OFFICE OF THE ARCHITECT OF THE CAPITOL.—In accordance with the authority described in section 308(a) of the Legislative Branch Appropriations Act, 1988 (40 U.S.C. 166b–3a(a)), section 108 of the Legislative Branch Appropriations Act, 1991 (40 U.S.C. 166b–3b) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) The Architect of the Capitol may fix the rate of basic pay for not more than 11 positions (of whom 1 shall be the project manager for the Capitol Visitor Center and 1 shall be the project manager for the modification of the Capitol Power Plant) at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, for the locality involved.''; and

(2) by redesignating subsection (c) as subsection (b).

(b) COMPREHENSIVE MANAGEMENT STUDY AND RESPONSE.—

(1) STUDY BY COMPTROLLER GENERAL.—The Comptroller General shall conduct a comprehensive management study of the operations of the Architect of the Capitol, and shall submit the study to the Architect of the Capitol and the Committees on Appropriations of the House of Representatives and Senate.

(2) PLAN BY ARCHITECT IN RESPONSE.—The Architect of the Capitol shall develop and submit to the Committees referred to in paragraph (1) a management improvement plan which addresses the study of the Comptroller General under paragraph (1) and which indicates how the salary adjustments made by the amendments made by this section will support such plan.

(c) EFFECTIVE DATE.—This section (other than subsection (b)) and the amendments made by this section shall apply with respect to pay periods beginning on or after the date on which the Committees on Appropriations of the House of Representatives and Senate approve the plan submitted by the Architect of the Capitol under subsection (b)(2).

SEC. 111. (a) LIQUIDATED DAMAGES.—The Architect of the Capitol may not enter into or administer any construction contract with a value greater than $50,000 unless the contract includes a provision requiring the payment of liquidated damages in the

amount determined under subsection (b) in the event that completion of the project is delayed because of the contractor.

(b) AMOUNT OF PAYMENT.—The amount of payment required under a liquidated damages provision described in subsection (a) shall be equal to the product of—

(1) the daily liquidated damage payment rate; and

(2) the number of days by which the completion of the project is delayed.

(c) DAILY LIQUIDATED DAMAGE PAYMENT RATE.—

(1) IN GENERAL.—In subsection (b), the ''daily liquidated damage payment rate'' means—

(A) $140, in the case of a contract with a value greater than $50,000 and less than $100,000;

(B) $200, in the case of a contract with a value equal to or greater than $100,000 and equal to or less than $500,000; and

(C) the sum of $200 plus $50 for each $100,000 increment by which the value of the contract exceeds $500,000, in the case of a contract with a value greater than $500,000.

(2) ADJUSTMENT IN RATE PERMITTED.—Notwithstanding paragraph (1), the daily liquidated damage payment rate may be adjusted by the contracting officer involved to a rate greater or lesser than the rate described in such paragraph if the contracting officer makes a written determination that the rate described does not accurately reflect the anticipated damages which will be suffered by the United States as a result of the delay in the completion of the contract.

(d) EFFECTIVE DATE.—This section shall apply with respect to contracts entered into during fiscal year 2002 or any succeeding fiscal year.

SEC. 112. (a) Notwithstanding any other provision of law, the Architect of the Capitol may not reprogram any funds with respect to any project or object class without the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of a project or object class within the House of Representatives;

(2) the Committee on Appropriations of the Senate, in the case of a project or object class within the Senate; or

(3) both the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, in the case of any other project or object class.

(b) This section shall apply with respect to funds provided to the Architect of the Capitol before, on, or after the date of the enactment of this Act.

SEC. 113. (a) LIMITATION.—(1) Except as provided in paragraph (2), none of the funds provided by this Act or any other Act may be used by the Architect of the Capitol during fiscal year 2002 or any succeeding fiscal year to employ any individual as a temporary employee within a category of temporary employment which does not provide employees with the same eligibility for life insurance, health insurance, retirement, and other benefits which is provided to temporary employees who are hired for a period exceeding one year in length.

(2) Paragraph (1) shall not apply with respect to any individual who is a temporary employee of the Senate Restaurant or a temporary employee who is hired for a total of 120 days or less during any 5-year period.

(b) ALLOTMENT AND ASSIGNMENT OF PAY.—(1) Section 5525 of title 5, United States Code, is amended by adding at the end the following new sentence: ''For purposes of this section, the term 'agency' includes the Office of the Architect of the Capitol.''.

(2) The amendment made by paragraph (1) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $81,454,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $81,000,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under 44 U.S.C. 906: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

This title may be cited as the ''Congressional Operations Appropriations Act, 2002''.

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $5,946,000: *Provided*, That this appropriation shall not be available for any activities of the National Garden: *Provided further*, That not more than $25,000 of the amount appropriated under this heading is available for official reception and representation expenses in connection with the opening of the renovated Botanic Garden Conservatory, upon approval by the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $304,692,000, of which not more than $6,500,000 shall be derived from collections credited to this appropriation during fiscal year 2002, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2002 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than the $6,850,000: *Provided further*, That of the total amount appropriated, $15,824,474 is to remain available until expended for acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: *Provided further*, That of the total amount appropriated, $1,517,903 is to remain available until expended for the acquisition and partial support for implementation of an Integrated Library System (ILS)*: Provided further*, That of the total amount appropriated, $5,600,000 is to remain available until expended for the purpose of teaching educators how to incorporate the Library's digital collections into school curricula and shall be transferred to the educational consortium formed to conduct the ''Joining Hands Across America: Local Community Initiative'' project as approved by the Library.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $40,896,000, of which not more than $21,880,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2002 under 17 U.S.C. 708(d): *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under 17 U.S.C. 708(d), in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,984,000 shall be derived from collections during fiscal year 2002 under 17 U.S.C. 111(d)(2), 119(b)(2), 802(h), and 1005: *Provided further*, That the total amount available for obligation shall be reduced by

the amount by which collections are less than $27,864,000: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $49,788,000, of which $14,437,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase, installation, maintenance, and repair of furniture, furnishings, office and library equipment, $7,932,000.

ADMINISTRATIVE PROVISIONS

SEC. 201. Appropriations in this Act available to the Library of Congress shall be available, in an amount of not more than $203,560, of which $60,486 is for the Congressional Research Service, when specifically authorized by the Librarian of Congress, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 202. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term ''manager or supervisor'' means any management official or supervisor, as such terms are defined in section 7103(a)(10) and (11) of title 5, United States Code.

SEC. 203. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of sections 1535 and 1536 of title 31, United States Code, shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 204. Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 205. Of the amount appropriated to the Library of Congress in this Act, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices.

SEC. 206. (a) For fiscal year 2002, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $114,473,000.

(b) The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) For fiscal year 2002, the Librarian of Congress may temporarily transfer funds appropriated in this Act under the heading ''LIBRARY OF CONGRESS—SALARIES AND EXPENSES'' to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): *Provided*, That the total amount of such transfers may not exceed $1,900,000: *Provided further*, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

SEC. 207. Section 101 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182a) is amended—

(1) in the heading, by striking ''**AUDIO AND VIDEO**''; and

(2) in subsection (a), by striking ''audio and video''.

ARCHITECT OF THE CAPITOL

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $22,252,000, of which $8,918,000 shall remain available until expended.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,639,000: *Provided*, That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed $175,000: *Provided further*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for 2000 and 2001 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: *Provided*, That not more than $2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That the revolving fund and the funds provided under the headings ''OFFICE OF SUPERINTENDENT OF DOCUMENTS'' and ''SALARIES AND EXPENSES'' together may not be available for the full-time equivalent employment of more than 3,260 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the Senate and the House of Representatives): *Provided further*, That activities financed through the revolving fund may provide information in any format: *Provided further*, That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15: *Provided further*, That expenses for attendance at meetings shall not exceed $75,000.

ADMINISTRATIVE PROVISION

EXTENSION OF EARLY RETIREMENT AND VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR GPO

SEC. 208. (a) Section 309 of the Legislative Branch Appropriations Act, 1999 (44 U.S.C. 305 note), is amended—

(1) in subsection (b)(1)(A), by striking ''October 1, 2001'' and inserting ''October 1, 2004''; and

(2) in subsection (c)(2), by striking ''September 30, 2001'' and inserting ''September 30, 2004''.

(b) The amendments made by this section shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), 901(6), and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6), and 4081(8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $421,844,000: *Provided*, That not more than $1,751,000 of payments received under section 782 of title 31, United States Code shall be available for use in fiscal year 2002: *Provided further*, That not more than $750,000 of reimbursements received under section 9105 of

title 31, United States Code shall be available for use in fiscal year 2002: *Provided further,* That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2002 unless expressly so provided in this Act.

SEC. 303. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided,* That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 304. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 305. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 306. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of Public Law 104–1 to pay awards and settlements as authorized under such subsection.

SEC. 307. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $252,000.

SEC. 308. (a) Section 5596(a) of title 5, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(6) the Architect of the Capitol; and

''(7) the United States Botanic Garden.''.

(b) The amendment made by subsection (a) shall apply with respect to personnel actions taken on or after the date of the enactment of this Act.

SEC. 309. Section 4(b) of the House Employees Position Classification Act (2 U.S.C. 293(b)) is amended by adding at the end the following: ''Notwithstanding any other provision of this Act, for purposes of applying the adjustment made by the committee under this subsection for 2002 and each succeeding year, positions under the Chief Administrative Officer shall include positions of the United States Capitol telephone exchange under the Chief Administrative Officer.''.

SEC. 310. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

This Act may be cited as the ''Legislative Branch Appropriations Act, 2002''.

The CHAIRMAN. No amendment is in order except those printed in House Report 107–171. Each amendment may be offered only in the order printed, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House Report 107–171.

AMENDMENT NO. 1 OFFERED BY MR. ROTHMAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ROTHMAN:

Page 45, add after line 25 the following:

SEC. 311. Of the amounts made available in this Act for the Chief Administrative Officer of the House of Representatives and the amounts made available in this Act for the Architect of the Capitol for the item relating to ''HOUSE OFFICE BUILDINGS'', an aggregate amount of $75,000 shall be made available for the installation of compact fluorescent light bulbs in table, floor, and desk lamps in House office buildings for offices of the House which request them (including any retrofitting of the lamps which may be necessary to install such bulbs), consistent with the energy conservation plan of the Architect under section 310 of the Legislative Branch Appropriations Act, 1999.

The CHAIRMAN. Pursuant to House Resolution 213, the gentleman from New Jersey (Mr. ROTHMAN) and a Member opposed each will control 5 minutes.

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

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

First, let me thank the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN) as well as staff members Liz Dawson and Mark Murray for allowing me to bring this amendment forward and for working with me to make this possible.

Mr. Chairman, I am offering an amendment today that is quite simple. It would provide sufficient resources from existing funds to allow House Members to request the installation of energy-efficient compact fluorescent light bulbs in their offices.

Some may say, well, that sounds pretty trivial. Well, if saving money for the taxpayers is trivial, if saving energy is trivial, then maybe so. But I think not. I think that this is important and an important first step. For example, this compact fluorescent light bulb that could be used in the Members' offices, at their request, saves about $3.60 per light bulb per year. Now, we have got three or 4,000 light bulbs in the Members' offices. These new light bulbs will also last 20 times longer than regular light bulbs. So not only will we save a lot of money on the energy that we will not be consuming with these new bulbs, they will last 20 times longer, which means we will be buying between 50 and 100,000 less light bulbs over the course of 10 years, and we will not have to divert attention from the House maintenance staff to this task of changing light bulbs, and they can go on and do the other important work that they are doing.

Let me just say this. It is also, frankly, an indication that the House of Representatives is very much concerned about saving energy. This builds on the 1998 initiative of this Congress to install energy-saving fixtures where we can. As a result of that initiative, the Capitol complex is using nearly 31 million kilowatt hours less than before, a 10 percent decrease in power usage.

Let me add two other points: one is that if we continue in this direction, we can avoid having to construct new

power plants. It is said if everyone in America used them, we could retire 90 power plants. Finally, we should, where possible and reasonable, make sure we use these new light bulbs that are made in the USA.

Again, I thank the chairman and my distinguished friend and ranking member, the gentleman from Virginia, for all their help in getting this amendment before this body.

Mr. TAYLOR of North Carolina. Mr. Chairman, we have no objection to the amendment.

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

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 107–171.

AMENDMENT NO. 2 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TRAFICANT:

At the end of the bill (preceding the short title) insert the following new section:

SEC. . No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

The CHAIRMAN. Pursuant to House Resolution 213, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

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

I noticed in the last debate, the gentleman from New Jersey (Mr. ROTHMAN) has a very good amendment. But he was to have shown you one of those bulbs. After discussing it with me, and it is certainly no reflection on the gentleman from New Jersey or his staff, the reason why he did not show that bulb to the Congress is his staff went out and bought one for the purposes of display and that light bulb was made in China. The gentleman from New Jersey having seen that and certainly very supportive of Made in America/Buy American, says he further recommended in his closing remarks that we try and buy those bulbs made in America. The truth of the matter is while some people may think some of these concerns are trivial, the United States trade deficit is approaching one-third of a trillion dollars a year. A lot of people really do not look at labels. The Traficant amendment says if anybody has violated a Buy American Act, at some point they cannot get money under this bill.

□ 1145

I do not even think that goes far enough. I think the people who buy for the Federal Government should look at the labels. If they are going to buy bulbs from China and buy goods made in Japan and continue to buy Russian-made goods and continue to give foreign aid to Russia, we might find ourselves some day arming ourselves in a possible war with one of these nations that we financed.

So I would hope that after the remarks of the gentleman from New Jersey (Mr. ROTHMAN), the reason why he did not show that bulb, it was made in China. So any of the workers and procurement people in Washington who are now going to get $65 tax-free to help commute, when they go out and buy, look at the label.

With that, a $360 billion trade deficit, for historical purposes, Jimmy Carter's last year had a balanced trade picture; no surplus, no deficit.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, we have no objection to the amendment offered by the distinguished gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, I would be glad to yield to my distinguished friend, the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, we do not have any objection either; but I do not think that, as long as we look for the highest quality at the most affordable price, we are going to have a problem with the intent of the gentleman's amendment anyway. But we are not going to object to it.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, I was hoping the gentleman would say he supported it.

With that, I ask for a vote in the affirmative.

The CHAIRMAN. Is there any Member who claims time in opposition to the amendment?

Hearing none, the question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHUGH) having assumed the chair, Mr. SIMPSON, Chairman 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. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 213, he reported the bill back to the House with sundry amendments 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?

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks, and that I be permitted to include tabular and extraneous material on the bill, H.R. 2647, making appropriations for the Legislative Branch for the fiscal year 2002, and for other purposes.

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

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, I only do so to commend the gentleman from North Carolina (Chairman TAYLOR) and the gentleman from Virginia (Mr. MORAN) for bringing a good bill to the floor and having done a good job.

In addition, I want to announce to Members that this is the tenth appropriations bill that we have passed this year; and despite the fact that we got off to a very late start, not receiving our justifications and specific numbers actually until April, when we normally get them in February, the House has done a great job in coming together to pass these appropriations bills, one supplemental that is already signed into law and nine of the regular appropriations bills.

That is all the appropriations business we will have for the balance of this week and until we return from our summer work period in our districts. When we get back, we will take up very soon upon our arrival the Military Construction bill, the Defense appropriations bill, the District of Columbia bill and the Labor Health and Education bill.

So we had a very busy month in June and an extremely busy month in July as far as appropriations go. September will be no different. It will be an intense time for all of us as we approach the end of the fiscal year.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The Chair will put the amendments en gros.

The amendments were 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 passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this will be a 15 minute vote on passage, which will be followed by a 5 minute vote on approving the Journal.

The vote was taken by electronic device, and there were—yeas 380, nays 38, not voting 15, as follows:

[Roll No. 298]

YEAS—380

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goss
Graham
Granger
Graves
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schrock
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—38

Barcia
Barr
Barrett
Costello
Deutsch
Doggett
Goode
Goodlatte
Green (TX)
Green (WI)
Hefley
Hoekstra
Hulshof
Israel
Johnson (IL)
Jones (NC)
Kind (WI)
Lucas (KY)
Luther
Moore
Moran (KS)
Paul
Petri
Phelps
Pitts
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schiff
Sensenbrenner
Shimkus
Shows
Stearns
Tancredo
Taylor (MS)
Thurman
Toomey

NOT VOTING—15

Flake
Gordon
Hastings (FL)
Herger
Hunter
Johnson, E. B.
Jones (OH)
Lipinski
McKinney
Millender-McDonald
Neal
Norwood
Scott
Spence
Stark

□ 1216

Messrs. SHOWS, SCHIFF, SHIMKUS, DOGGETT, JOHNSON of Illinois, BARCIA, and PHELPS changed their vote from ''yea'' to ''nay.''

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. HERGER. Mr. Speaker, on rollcall No. 298 I was unavoidably detained. Had I been present, I would have voted ''yea''.

THE JOURNAL

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

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 359, noes 44, answered ''present'' 1, not voting 29, as follows:

[Roll No. 299]

AYES—359

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller, George
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen

Ross	Simmons	Tiberi
Rothman	Simpson	Tierney
Roukema	Skeen	Toomey
Roybal-Allard	Skelton	Traficant
Royce	Smith (MI)	Turner
Ryan (WI)	Smith (NJ)	Upton
Ryun (KS)	Smith (TX)	Velazquez
Sanchez	Smith (WA)	Vitter
Sanders	Snyder	Walden
Sandlin	Solis	Walsh
Sawyer	Souder	Watkins (OK)
Saxton	Spratt	Watson (CA)
Scarborough	Stearns	Watt (NC)
Schakowsky	Stenholm	Watts (OK)
Schiff	Strickland	Waxman
Schrock	Stump	Weiner
Sensenbrenner	Sununu	Weldon (FL)
Serrano	Tanner	Weldon (PA)
Sessions	Tauscher	Wexler
Shadegg	Tauzin	Whitfield
Shaw	Taylor (NC)	Wicker
Shays	Terry	Wilson
Sherman	Thomas	Wolf
Sherwood	Thornberry	Woolsey
Shimkus	Thune	Wynn
Shows	Thurman	Young (AK)
Shuster	Tiahrt	Young (FL)

NOES—44

Baird	Kennedy (MN)	Roemer
Capuano	Kucinich	Sabo
Costello	Larsen (WA)	Schaffer
Crane	Latham	Stupak
Crowley	LoBiondo	Sweeney
DeFazio	McCarthy (NY)	Thompson (CA)
English	McDermott	Thompson (MS)
Filner	McNulty	Udall (CO)
Fossella	Menendez	Udall (NM)
Gutierrez	Moore	Visclosky
Gutknecht	Moran (KS)	Wamp
Hefley	Oberstar	Waters
Hilliard	Peterson (MN)	Weller
Hoekstra	Platts	Wu
Hulshof	Ramstad	

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Calvert	Johnson, E. B.	Neal
Cubin	Jones (OH)	Norwood
Flake	Keller	Reynolds
Gephardt	Kelly	Rush
Gordon	Lewis (CA)	Scott
Goss	Lipinski	Slaughter
Hastings (FL)	McKinney	Spence
Hunter	Millender-McDonald	Stark
Hutchinson	Miller, Gary	Taylor (MS)
Jefferson		Towns

□ 1225

So the Journal was approved.

The result of the vote was announced as above recorded.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages, in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–111)

The SPEAKER pro tempore (Mr. RYAN of Wisconsin) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iraqi emergency is to continue in effect beyond August 2, 2001, to the Federal Register for publication.

The crisis between the United States and Iraq that led to the declaration on August 2, 1990, of a national emergency has not been resolved. The Government of Iraq continues to engage in activities inimical to stability in the Middle East and hostile to United States interests in the region. Such Iraqi actions pose a continuing, unusual, and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on the Government of Iraq.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 31, 2001.*

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–110)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month report on the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 31, 2001.*

VETERANS BENEFITS ACT OF 2001

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2540) to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Benefits Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
TITLE I—ANNUAL COST-OF-LIVING ADJUSTMENT IN COMPENSATION AND DIC RATES
Sec. 101. Increase in rates of disability compensation and dependency and indemnity compensation.
Sec. 102. Publication of adjusted rates.
TITLE II—COMPENSATION PROVISIONS
Sec. 201. Presumption that diabetes mellitus (type 2) is service-connected.
Sec. 202. Inclusion of illnesses that cannot be clearly defined in presumption of service connection for Gulf War veterans.
Sec. 203. Preservation of service connection for undiagnosed illnesses to provide for participation in research projects by Gulf War veterans.
Sec. 204. Presumptive period for undiagnosed illnesses program providing compensation for veterans of Persian Gulf War who have certain illnesses.
TITLE III—ADMINISTRATION OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS
Sec. 301. Registration fees.
Sec. 302. Administrative authorities.
TITLE IV—OTHER MATTERS
Sec. 401. Payment of insurance proceeds to an alternate beneficiary when first beneficiary cannot be identified.
Sec. 402. Extension of copayment requirement for outpatient prescription medications.
Sec. 403. Department of Veterans Affairs Health Services Improvement Fund made subject to appropriations.
Sec. 404. Native American veteran housing loan pilot program.
Sec. 405. Modification of loan assumption notice requirement.
Sec. 406. Elimination of requirement for providing a copy of notice of appeal to the Secretary.
Sec. 407. Pilot program for expansion of toll-free telephone access to veterans service representatives.
Sec. 408. Technical and clerical amendments.
Sec. 409. Codification of recurring provisions in annual Department of Veterans Affairs appropriations Acts.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—ANNUAL COST-OF-LIVING ADJUSTMENT IN COMPENSATION AND DIC RATES

SEC. 101. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 2001, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 2001.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2001, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 102. PUBLICATION OF ADJUSTED RATES.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2002, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 101, as increased pursuant to that section.

TITLE II—COMPENSATION PROVISIONS

SEC. 201. PRESUMPTION THAT DIABETES MELLITUS (TYPE 2) IS SERVICE-CONNECTED.

Section 1116(a)(2) is amended by adding at the end the following new subparagraph:

''(H) Diabetes Mellitus (Type 2).''.

SEC. 202. INCLUSION OF ILLNESSES THAT CANNOT BE CLEARLY DEFINED IN PRESUMPTION OF SERVICE CONNECTION.

(a) ILLNESSES THAT CANNOT BE CLEARLY DEFINED.—(1) Subsection (a) of section 1117 is amended by inserting ''or fibromyalgia, chronic fatigue syndrome, a chronic multisymptom illness, or any other illness that cannot be clearly defined (or combination of illnesses that cannot be clearly defined)'' after ''illnesses)''.

(2) Subsection (c)(1) of such section is amended by inserting ''or fibromyalgia, chronic fatigue syndrome, a chronic multisymptom illness, or any other illness that cannot be clearly defined (or combination of illnesses that cannot be clearly defined)'' in the matter preceding subparagraph (A) after ''illnesses)''.

(b) SIGNS OR SYMPTOMS THAT MAY INDICATE UNDIAGNOSED ILLNESSES.—(1) Section 1117 is further amended by adding at the end the following new subsection:

''(g) For purposes of this section, signs or symptoms that may be a manifestation of an undiagnosed illness include the following:

''(1) Fatigue.

''(2) Unexplained rashes or other dermatological signs or symptoms.

''(3) Headache.

''(4) Muscle pain.

''(5) Joint pain.

''(6) Neurologic signs or symptoms.

''(7) Neuropsychological signs or symptoms.

''(8) Signs or symptoms involving the respiratory system (upper or lower).

''(9) Sleep disturbances.

''(10) Gastrointestinal signs or symptoms.

''(11) Cardiovascular signs or symptoms.

''(12) Abnormal weight loss.

''(13) Menstrual disorders.''.

(2) Section 1118(a) is amended by adding at the end the following new paragraph:

''(4) For purposes of this section, signs or symptoms that may be a manifestation of an undiagnosed illness include the signs and symptoms listed in section 1117(g) of this title.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2002.

SEC. 203. PRESERVATION OF SERVICE CONNECTION FOR UNDIAGNOSED ILLNESSES TO PROVIDE FOR PARTICIPATION IN RESEARCH PROJECTS BY GULF WAR VETERANS.

(a) AUTHORITY FOR SECRETARY TO PROVIDE FOR PARTICIPATION WITHOUT LOSS OF BENEFITS.—Section 1117 is amended by adding after subsection (g), as added by section 202(b), the following new subsection:

''(h)(1) If the Secretary determines with respect to a medical research project sponsored by the Department that it is necessary for the conduct of the project that Persian Gulf veterans in receipt of compensation under this section or section 1118 of this title participate in the project without the possibility of loss of service connection under either such section, the Secretary shall provide that service connection granted under either such section for disability of a veteran who participated in the research project may not be terminated.

''(2) Paragraph (1) does not apply in a case in which—

''(A) the original award of compensation or service connection was based on fraud; or

''(B) it is clearly shown from military records that the person concerned did not have the requisite service or character of discharge.

''(3) The Secretary shall publish in the Federal Register a notice of each determination made by the Secretary under paragraph (1) with respect to a medical research project.''.

(b) EFFECTIVE DATE.—The authority provided by subsection (h) of section 1117 of title 38, United States Code, as added by subsection (a), may be used by the Secretary of Veterans Affairs with respect to any medical research project of the Department of Veterans Affairs, whether commenced before, on, or after the date of the enactment of this Act.

SEC. 204. PRESUMPTIVE PERIOD FOR UNDIAGNOSED ILLNESSES PROGRAM PROVIDING COMPENSATION FOR VETERANS OF PERSIAN GULF WAR WHO HAVE CERTAIN ILLNESSES.

Section 1117 is amended—

(1) in subsection (a)(2), by striking ''within the presumptive period prescribed under subsection (b)'' and inserting ''before December 31, 2003''; and

(2) by striking subsection (b).

TITLE III—ADMINISTRATION OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SEC. 301. REGISTRATION FEES.

(a) FEES FOR COURT-SPONSORED ACTIVITIES.—Subsection (a) of section 7285 is amended by adding at the end the following new sentence: ''The Court may also impose registration fees on persons participating in a judicial conference convened pursuant to section 7286 of this title or any other court-sponsored activity.''.

(b) USE OF FEES.—Subsection (b) of such section is amended by striking ''for the purposes of (1)'' and all that follows through the period and inserting ''for the following purposes:

''(1) Conducting investigations and proceedings, including employing independent counsel, to pursue disciplinary matters.

''(2) Defraying the expenses of—

''(A) judicial conferences convened pursuant to section 7286 of this title; and

''(B) other activities and programs that are designed to support and foster bench and bar communication and relationships or the study, understanding, public commemoration, or improvement of veterans law or of the work of the Court.''.

(c) CLERICAL AMENDMENTS.—(1) The heading for such section is amended to read as follows:

''§ 7285. Practice and registration fees''.

(2) The item relating to such section in the table of sections at the beginning of chapter 72 is amended to read as follows:

''7285. Practice and registration fees.''.

SEC. 302. ADMINISTRATIVE AUTHORITIES.

(a) IN GENERAL.—Subchapter III of chapter 72 is amended by adding at the end the following new section:

''§ 7287. Administration

''Notwithstanding any other provision of law, the Court of Appeals for Veterans Claims may exercise, for purposes of management, administration, and expenditure of funds, the authorities provided for such purposes by any provision of law (including any limitation with respect to such provision) applicable to a court of the United States as defined in section 451 of title 28, except to the extent that such provision of law is inconsistent with a provision of this chapter.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 7286 the following new item:

''7287. Administration.''.

TITLE IV—OTHER MATTERS

SEC. 401. PAYMENT OF INSURANCE PROCEEDS TO AN ALTERNATE BENEFICIARY WHEN FIRST BENEFICIARY CANNOT BE IDENTIFIED.

(a) NSLI.—Section 1917 is amended by adding at the end the following new subsection:

''(f)(1) Following the death of the insured—

''(A) if the first beneficiary otherwise entitled to payment of the insurance proceeds does not make a claim for such payment within three years after the death of the insured, payment of the proceeds may be made to another beneficiary designated by the insured, in the order of precedence as designated by the insured, as if the first beneficiary had predeceased the insured; and

''(B) if within five years after the death of the insured, no claim has been filed by a person designated by the insured as a beneficiary and the Secretary has not received any notice in writing that any such claim will be made, payment of the insurance proceeds may (notwithstanding any other provision of law) be made to such person as may in the judgment of the Secretary be equitably entitled to the proceeds of the policy.

''(2) Payment of insurance proceeds under paragraph (1) shall be a bar to recovery by any other person.''.

(b) USGLI.—Section 1951 is amended—

(1) by inserting ''(a)'' before ''United States Government''; and

(2) by adding at the end the following new subsection:

''(b)(1) Following the death of the insured—

''(A) if the first beneficiary otherwise entitled to payment of the insurance proceeds does not make a claim for such payment within three years after the death of the insured, payment of the proceeds may be made to another beneficiary designated by the insured, in the order of precedence as designated by the insured, as if the first beneficiary had predeceased the insured; and

''(B) if within five years after the death of the insured, no claim has been filed by a person designated by the insured as a beneficiary and the Secretary has not received any notice in writing that any such claim will be made, payment of the insurance proceeds may (notwithstanding any other provision of law) be made to such person as may in the judgment of the Secretary be equitably entitled to the proceeds of the policy.

''(2) Payment of insurance proceeds under paragraph (1) shall be a bar to recovery by any other person.''.

(c) TRANSITION PROVISION.—In the case of a person insured under subchapter I or II of chapter 19 of title 38, United States Code, who dies before the date of the enactment of this Act, the three-year and five-year periods specified in subsection (f)(1) of section 1917 of title 38, United States Code, as added by subsection (a), and subsection (b)(1) of section 1951 of such title, as added by subsection (b), shall for purposes of the applicable subsection be treated as being the three-year and five-year periods, respectively, beginning on the date of the enactment of this Act.

SEC. 402. EXTENSION OF COPAYMENT REQUIREMENT FOR OUTPATIENT PRESCRIPTION MEDICATIONS.

Section 1722A(d) is amended by striking ''September 30, 2002'' and inserting ''September 30, 2006''.

SEC. 403. DEPARTMENT OF VETERANS AFFAIRS HEALTH SERVICES IMPROVEMENT FUND MADE SUBJECT TO APPROPRIATIONS.

(a) AMOUNTS TO BE SUBJECT TO APPROPRIATIONS.—Effective October 1, 2002, subsection (c) of section 1729B is amended by striking ''Amounts in the fund are hereby made available,'' and inserting ''Subject to the provisions of appropriations Acts, amounts in the fund shall be available,''.

(b) TECHNICAL AMENDMENT.—Subsection (b) of such section is amended by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

SEC. 404. NATIVE AMERICAN VETERAN HOUSING LOAN PILOT PROGRAM.

(a) EXTENSION OF NATIVE AMERICAN VETERAN HOUSING LOAN PILOT PROGRAM.—Section 3761(c) is amended by striking ''December 31, 2001'' and inserting ''December 31, 2005''.

(b) AUTHORIZATION OF THE USE OF CERTAIN FEDERAL MEMORANDUMS OF UNDERSTANDING.—Section 3762(a)(1) is amended—

(1) by inserting ''(A)'' after ''(1)'';

(2) by striking ''and'' after the semicolon and inserting ''or''; and

(3) by adding at the end the following:

''(B) the tribal organization that has jurisdiction over the veteran has entered into a memorandum of understanding with any department or agency of the United States with respect to direct housing loans to Native Americans that the Secretary determines substantially complies with the requirements of subsection (b); and''.

SEC. 405. MODIFICATION OF LOAN ASSUMPTION NOTICE REQUIREMENT.

Section 3714(d) is amended to read as follows:

''(d) With respect to a loan guaranteed, insured, or made under this chapter, the Secretary shall provide, by regulation, that at least one instrument evidencing either the loan or the mortgage or deed of trust therefor, shall conspicuously contain, in such form as the Secretary shall specify, a notice in substantially the following form: 'This loan is not assumable without the approval of the Department of Veterans Affairs or its authorized agent'.''.

SEC. 406. ELIMINATION OF REQUIREMENT FOR PROVIDING A COPY OF NOTICE OF APPEAL TO THE SECRETARY.

(a) REPEAL.—Section 7266 is amended by striking subsection (b).

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking ''(1)'' after ''(a)'';

(2) by redesignating paragraph (2) as subsection (b);

(3) by redesignating paragraph (3) as subsection (c) and redesignating subparagraphs (A) and (B) thereof as paragraphs (1) and (2); and

(4) by redesignating paragraph (4) as subsection (d) and by striking ''paragraph (3)(B)'' therein and inserting ''subsection (c)(2)''.

SEC. 407. PILOT PROGRAM FOR EXPANSION OF TOLL-FREE TELEPHONE ACCESS TO VETERANS SERVICE REPRESENTATIVES.

(a) PILOT PROGRAM.—The Secretary of Veterans Affairs shall conduct a pilot program to test the benefits and cost-effectiveness of expanding access to veterans service representatives of the Department of Veterans Affairs through a toll-free (so-called ''1–800'') telephone number. Under the pilot program, the Secretary shall expand the available hours of such access to veterans service representatives to not less than 12 hours on each regular business day and not less than six hours on Saturday.

(b) INFORMATION TO BE PROVIDED.—The Secretary shall ensure, as part of the pilot program, that veterans service representatives of the Department of Veterans Affairs have available to them (in addition to information about benefits provided under laws administered by the Secretary) information about veterans benefits provided by—

(1) all other departments and agencies of the United States; and

(2) State governments.

(c) CONSULTATION.—The Secretary shall establish the pilot program in consultation with the heads of other departments and agencies of the United States that provide veterans benefits.

(d) VETERANS BENEFITS DEFINED.—For purposes of this section, the term ''veterans benefits'' means benefits provided to a person based upon the person's own service, or the service of someone else, in the Armed Forces.

(e) PERIOD OF PILOT PROGRAM.—The pilot program shall—

(1) begin not later than six months after the date of the enactment of this Act; and

(2) end at the end of the two-year period beginning on the date on which the program begins.

(f) REPORT.—Not later than 120 days after the end of the pilot program, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the pilot program. The report shall provide the Secretary's assessment of the benefits and cost-effectiveness of continuing or making permanent the pilot program, including an assessment of the extent to which there is a demand for access to veterans service representatives during the period of expanded access to such representatives provided under the pilot program.

SEC. 408. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended as follows:

(1)(A) Section 712 is repealed.

(B) The table of sections at the beginning of chapter 7 is amended by striking the item relating to section 712.

(2) Section 1710B(c)(2)(B) is amended by inserting ''on'' before ''November 30, 1999''.

(3) Section 3695(a)(5) is amended by striking ''1610'' and inserting ''1611''.

(b) OTHER AMENDMENTS.—

(1) Section 1001(a)(2) of the Veterans' Benefits Improvements Act of 1994 (38 U.S.C. 7721 note) is amended by striking ''and'' at the end of subparagraph (C).

(2) Section 12 of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38 U.S.C. 7721 note) is amended in the first sentence by striking ''to carry out this Act'' and all that follows in that sentence and inserting ''to carry out this Act $50,000,000 for fiscal year 2001.''.

SEC. 409. CODIFICATION OF RECURRING PROVISIONS IN ANNUAL DEPARTMENT OF VETERANS AFFAIRS APPROPRIATIONS ACTS.

(a) CODIFICATION OF RECURRING PROVISIONS.—Section 313 is amended by adding at the end the following new subsections:

''(c) COMPENSATION AND PENSION.—Funds appropriated for Compensation and Pensions are available for the following purposes:

''(1) The payment of compensation benefits to or on behalf of veterans as authorized by section 107 and chapters 11, 13, 51, 53, 55, and 61 of this title.

''(2) Pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of this title and section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978.

''(3) The payment of benefits as authorized under chapter 18 of this title.

''(4) Burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payments of premiums due on commercial life insurance policies guaranteed under the provisions of article IV of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et seq.), and other benefits as authorized by sections 107, 1312, 1977, and 2106 and chapters 23, 51, 53, 55, and 61 of this title and the World War Adjusted Compensation Act (43 Stat. 122, 123), the Act of May 24, 1928 (Public Law No. 506 of the 70th Congress; 45 Stat. 735), and Public Law 87–875 (76 Stat. 1198).

''(d) MEDICAL CARE.—Funds appropriated for Medical Care are available for the following purposes:

''(1) The maintenance and operation of hospitals, nursing homes, and domiciliary facilities.

''(2) Furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department, including care and treatment in facilities not under the jurisdiction of the Department.

''(3) Furnishing recreational facilities, supplies, and equipment.

''(4) Funeral and burial expenses and other expenses incidental to funeral and burial expenses for beneficiaries receiving care from the Department.

''(5) Administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department.

''(6) Oversight, engineering, and architectural activities not charged to project cost.

''(7) Repairing, altering, improving, or providing facilities in the medical facilities and homes under the jurisdiction of the Department, not otherwise provided for, either by contact or by the hire of temporary employees and purchase of materials.

''(8) Uniforms or uniform allowances, as authorized by sections 5901 and 5902 of title 5.

''(9) Aid to State homes, as authorized by section 1741 of this title.

''(10) Administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of this title and Public Law 87–693, popularly known as the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.).

''(e) MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES.—Funds appropriated for Medical Administration and Miscellaneous Operating Expenses are available for the following purposes:

''(1) The administration of medical, hospital, nursing home, domiciliary, construction, supply, and research activities authorized by law.

''(2) Administrative expenses in support of planning, design, project management, architectural work, engineering, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department, including site acquisition.

''(3) Engineering and architectural activities not charged to project costs.

''(4) Research and development in building construction technology.

''(f) GENERAL OPERATING EXPENSES.—Funds appropriated for General Operating Expenses are available for the following purposes:

''(1) Uniforms or allowances therefor.

''(2) Hire of passenger motor vehicles.

''(3) Reimbursement of the General Services Administration for security guard services.

''(4) Reimbursement of the Department of Defense for the cost of overseas employee mail.

''(5) Administration of the Service Members Occupational Conversion and Training Act of 1992 (10 U.S.C. 1143 note).

''(g) CONSTRUCTION.—Funds appropriated for Construction, Major Projects, and for Construction, Minor Projects, are available, with respect to a project, for the following purposes:

''(1) Planning.

''(2) Architectural and engineering services.

''(3) Maintenance or guarantee period services costs associated with equipment guarantees provided under the project.

''(4) Services of claims analysts.

''(5) Offsite utility and storm drainage system construction costs.

''(6) Site acquisition.

''(h) CONSTRUCTION, MINOR PROJECTS.—In addition to the purposes specified in subsection (g), funds appropriated for Construction, Minor Projects, are available for—

''(1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by a natural disaster or catastrophe; and

''(2) temporary measures necessary to prevent or to minimize further loss by such causes.''.

(b) DEFINITION.—(1) Chapter 1 is amended by adding at the end the following new section:

''§ 117. Definition of cost of direct and guaranteed loans

''For the purpose of any provision of law appropriating funds to the Department for the cost of direct or guaranteed loans, the cost of any such loan, including the cost of modifying any such loan, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''117. Definition of cost of direct and guaranteed loans.''.

(c) EFFECTIVE DATE.—Subsections (c) through (h) of section 313 of title 38, United States Code, as added by subsection (a), and section 117 of such title, as added by subsection (b), shall take effect with respect to funds appropriated for fiscal year 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

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

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

Mr. Speaker, as chairman of the Committee on Veterans' Affairs, I am very pleased to bring before the House H.R. 2540, as amended, Veterans Benefits Act of 2001.

This is the fourth major piece of legislation that the Committee on Veterans' Affairs has brought to the floor this year. Earlier this year, the House passed H.R. 801, the Veterans' Survivor Benefits Improvements Act of 2001, which was signed into law on June 5.

This legislation, Public Law 107–14, expands health and life insurance coverage for dependents and survivors of veterans. The House also approved H.R. 811, the Veterans' Hospitals Emergency Repair Act, which provides $550 million over 2 years to repair and renovate VA medical facilities.

While this legislation is still awaiting action in the Senate, having passed the House, funding was included in the VA–HUD appropriations bill approved last night to begin these needed repairs.

In addition, the House has approved H.R. 1291, the 21st Century Montgomery G.I. Bill Enhancement Act, which also is awaiting Senate action. It provides a 70 percent increase in G.I. educational benefits to qualifying service members.

Mr. Speaker, today we bring yet another vitally important piece of legislation to the floor that will provide increases in VA compensation payments to disabled veterans and their survivors.

Mr. Speaker, there are more than 2.3 million disabled veterans or survivors of disabled veterans today receiving compensation who will receive a boost with passage of H.R. 2540, including more than 170,000 veterans rated 100 percent disabled who will get an additional $767 each year added to their existing benefit.

I would note parenthetically in the State of New Jersey there are 3,246 disabled veterans with a rating of 100%, and they, too, will get an additional $767 in benefits.

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Upon enactment of this legislation, all veterans or qualified survivors will get the 2.7 percent COLA. The cost for this will be over $400 million in the first year and $543 million over the next 4 years. In all, the compensation package for the COLA will be $2.5 billion over 5 years.

Another very important component of this bill addresses the lingering effects of service to Persian Gulf War veterans. Many veterans who applied for disability compensation for poorly-defined illnesses found that a beneficial law we adopted in 1994, the Persian Gulf War Veterans Act, had a ''Catch-22.'' If a doctor could diagnose the illness, and the symptoms had not arisen in service or within 1 year, the claim was denied.

Mr. Speaker, there is an evolution occurring in medicine today with respect to so-called chronic multi- symptom illnesses. Some of these illnesses, such as chronic fatigue syndrome, have case definitions that are generally accepted in the medical profession, although their cause and effect and treatment are unknown. Concerned physicians who study and treat many patients with one or more symptoms may not agree that a given set of symptoms fit one case definition or another. At other times, physicians may decide to treat discrete symptoms without reaching a definitive diagnosis. This bill provides the expansion authority; and my good friend and colleague, the gentleman from Idaho (Mr. SIMPSON), the chairman of the Subcommittee on Benefits, will explain this momentarily in greater detail.

Let me also say that this legislation is the work of a tremendous amount of bipartisanship as well as a great deal of work by our respective staffs, and I would like to single out a number of Members. First of all, beginning with my good friend, the ranking member, the gentleman from Illinois (Mr. EVANS), who was instrumental in working on section 2 of this important piece of legislation. He has contributed very constructively to the shaping of this bill.

I would especially like to thank the gentleman from Idaho (Mr. SIMPSON), as I mentioned before, chairman of the Subcommittee on Benefits, and the ranking member of the subcommittee, the gentleman from Texas (Mr. REYES). I would just note that while the gentleman from Idaho is only in his second term and is already a subcommittee chairman, he is not new to policy making. Chairman SIMPSON is an accomplished lawmaker. As I think many of my colleagues know, he served in his State legislature for 14 years. His positions included majority caucus chairman, assistant majority leader in the Idaho House of Representatives; and he served as speaker, for 6 years in the Idaho House of Representatives. He is also a member of the Idaho Republican Party Hall of Fame. We are very fortunate to have him serving as chairman.

Let me also thank some of the other Members who worked on this. The gentleman from Florida (Mr. BILIRAKIS),

who helped shape the final outcome of this bill. After markup, some issues remained that were hammered out in a constructive dialogue. There were some lingering issues that needed to be resolved, and he was instrumental in crafting that compromise.

Let me also thank the gentleman from Indiana (Mr. BUYER), a Persian Gulf War vet himself, who worked on this legislation very mightily; the gentleman from Nevada (Mr. GIBBONS), who intended on offering an extension on the bill—a compromise—extends the period by 2 years. I also want to thank the gentleman from Mississippi (Mr. SHOWS); and the gentleman from Illinois (Mr. MANZULLO), the latter who had a major bill on Gulf War vets with multiple cosponsors, in excess of 200, who was also very instrumental in shaping this legislation.

Finally, I want to thank our staff: Jeannie McNally, Darryl Kehrer, Paige McManus, Devon Seibert, Kingston Smith, Summer Larson, and my good friend and chief counsel, Patrick Ryan.

Also the minority staff: Beth Kilker, Debbie Smith, Mary Ellen McCarthy, and Michael Durishin, who worked hard on this bill. I urge support for this important veterans legislation.

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

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

I rise in strong support of H.R. 2540, the Veterans Benefits Act of 2001; and I commend and salute our distinguished chairman of the committee for his leadership in working with the Members on both sides to bring this measure before us today. I join with him in saluting the staff that he has recognized as well.

I also want to recognize the new chairman of the Subcommittee on Benefits, the gentleman from Idaho (Mr. SIMPSON), and the ranking Democratic member of the Subcommittee on Benefits, the gentleman from Texas (Mr. REYES), who contributed to the bill before us today.

In addition, I want to publicly acknowledge the important contributions of the gentleman from New Mexico (Mr. UDALL) and the gentlewoman from California (Mrs. CAPPS) and others to this legislation.

As amended, this resolution contains many provisions important to our veterans, and I will highlight just a few.

The bill provides an annual cost of living adjustment, effective December 1, 2001, to recipients of service-connected disability compensation and dependency and indemnity compensation. It is the obligation of this grateful Nation to preserve the purchasing power of these benefits. This COLA will mirror the COLA received by Social Security recipients.

Section 201 of the bill is the one that I introduced. This section provides a statutory basis for a presumption of service-connection for Vietnam veterans with Type 2 diabetes who were exposed to herbicides. This provision assures our Nation's veterans that this is a benefit based in law.

Section 202 of the bill is based on H.R. 1406, which I introduced. It identifies additional ill-defined or undiagnosed illnesses or illnesses for which service-connection is presumed for Gulf War veterans. Additionally, it lists symptoms or signs that may be associated.

H.R. 2540 authorizes a 2-year pilot program for expanded toll-free access to veterans' benefits counselors. This provision is derived from the recommendations made by the gentleman from Louisiana (Mr. BAKER), a member of the committee, and the gentlewoman from California (Mrs. CAPPS), a Member of good standing; and we appreciate her work.

I am pleased that H.R. 2540 also extends the authority of the VA to make direct home loans to Native Americans who live on trust lands. I want to thank the gentleman from New Mexico (Mr. UDALL) for introducing similar legislation in H.R. 1929.

Again, I want to thank the chairman of the full committee and the chairman and ranking member of the subcommittee for bringing this bill before us today. I urge all our colleagues to support H.R. 2540, as amended.

Mr. Speaker, I rise in strong support of H.R. 2540, the Veterans Benefits Act of 2001. I commend and thank the distinguished Chairman of the Committee, CHRIS SMITH, for his leadership in working with members on both sides of the aisle to bring this measure before us today. I also want to recognize the new Chairman of the Subcommittee on Benefits, Mr. SIMPSON, and the Ranking Democratic Member of the Subcommittee on Benefits, Mr. REYES, who contributed to the bill before us today.

I fully support the cost-of-living increase provided by Title I of H.R. 2540. The purchasing power of the benefits which our veterans have earned must be maintained and not be diminished because basic living expenses have increased. Our Nation's veterans have earned their benefits. It is the obligation of a grateful Nation to preserve the purchasing power of these benefits and pay them in a timely manner.

As a long time supporter of benefits for veterans who have suffered from the effects of exposure to herbicides such as Agent Orange, I welcome VA's recent regulation providing a presumption of service-connection for Vietnam veterans exposed to dioxin who now suffer from diabetes Mellitus, Type 2. This was the right action to take. Now it is time to provide a statutory presumption that makes it clear to veterans that their eligibility is protected as a matter of law. Section 201 of the bill is based on legislation I introduced, H.R. 862. This important step will not result in any additional benefit costs, but will assure our Nation's veterans of their statutory right.

I also strongly support section 202 of the bill, based on H.R. 1406 which I introduced to overturn a narrow and erroneous opinion of the Department of Veterans Affairs (VA) General Counsel. Thousands of veterans who were healthy before their service in Southwest Asia have experienced a variety of unexplained symptoms since going to Southwest Asia. Claims for service-connected compensation filed by Gulf War veterans were originally denied because no single disease entity or syndrome responsible for these illnesses had been identified. In providing for compensation due to undiagnosed illnesses or illnesses which could not be clearly defined, the Congress specifically intended that under Public Law 103–446, veterans be given the benefit of the doubt and provided service-connected compensation benefits. Because of an erroneous Opinion of VA's General Counsel, the law's intent has been frustrated and many veterans have been denied compensation.

As many veterans organizations have noted, both the former Chairman of this Committee [BOB STUMP] and I have criticized VA's interpretation of the term ''undiagnosed illness'' in VA General Counsel Precedent Opinion 8–98 as extremely restrictive. That opinion held that VA is precluded from providing benefits to veterans who develop symptoms after military service and who receive a diagnostic label, such as ''chronic service fatigue syndrome'' even for illnesses which are not clearly defined. Thousands of veterans have had their claims denied because ''chronic fatigue syndrome'' or another diagnostic label such as ''irritable bowel syndrome'' was provided. Other veterans with identical symptoms whose physicians did not attach a diagnostic label have had their claims granted. Such disparate treatment is unfair and unacceptable.

Since there is no known cause for these illnesses and no specific laboratory tests to confirm the diagnosis, as a practical matter VA's ability to provide compensation has been limited to veterans whose symptoms became manifest during active duty or active duty for training or to veterans whose physician indicated that the veterans symptoms were due to an ''undiagnosed'' condition. Section 202 of H.R. 2540 places the emphasis where Congress originally intended by focusing on the symptoms which have had such a disabling affect on the lives of some Gulf War veterans. The bill addresses illnesses which are not clearly defined, rather than illnesses whose etiology is not clearly defined. As Dr. Claudia Miller, an experienced medical researcher testified at the October 26, 1999, hearing of the Subcommittee on Benefits concerning Persian Gulf War Veterans Issues, ''In medicine, we will label something with a name, as you are aware, and call it a diagnosis, but it may not convey what the etiology is. There are very few places in medicine where we say what the etiology is when we give a diagnosis. One of the few is infectious diseases.''

In focusing on the symptoms of poorly defined illnesses, the bill applies to disabilities resulting from what is increasingly referred to in medical research as ''chronic multisymptom illnesses''. (See, ''Chronic Multisymptom Illness Affecting Air Force Veterans of the Gulf War'', Fukuda et al, JAMA 1988; 280:981–988, ''Clinical Risk Communication: Explaining Causality To Gulf War Veterans With Chronic Multisymptom Illnesses'' Engel, Sunrise Symposium (June 25, 1999) (Found at www.deploymenthealth.mil/education/risk comm.doc) and ''Multiple Chemical Sensitivity and Chronic Fatigue Syndrome in British Gulf War Veterans,'' Reid et al, American Journal of Epidemiology, 2001 153:604–609. Veterans must be provided the benefit of the doubt. VA's cost estimate for compensating Gulf veterans who suffer from fibromyalgia, chronic fatigue syndome and irritable bowel syndrome is

evidence that claims which Congress intended to recognize in its 1994 legislation are being denied under present law.

The handling of claims based on undiagnosed illnesses continues to be problematic. Current VA policy requires VA to consider symptoms attributed to a diagnosed condition under whatever rating is appropriate and to also give full credence to symptoms which cannot be attributed to any of the diagnosed illnesses. In some cases, adjudicators in VA Regional Offices have failed to follow VA policy. I hope that by expanding the coverage of service-connection to illnesses which cannot be clearly defined, VA adjudicators will make fewer such errors.

I regret that having expended so much of our Nation's resources on a large tax cut, we lack the funding to make this provision effective until April 1, 2002. There is one and only one reason for not making this provision effective upon enactment and even retroactive to the date of the original legislation. Having spent our Nation's ''surplus'' on large tax cuts for the wealthiest Americans, we have to search for nickels and dimes to meet our debt to our Nation's disabled veterans. This is a disgrace, but it is the result with which we are now forced to live.

I understand the concerns raised by those who believe the presumptive period for undiagnosed illnesses should be extended. Except for members of the Guard and Reserve who, though not assigned to the Gulf have suffered adverse effects following the administration of anthrax and other vaccines while on inactive duty for training. I am not aware of any cases where symptoms of undiagnosed illnesses have recently become manifest. I am also not aware of any servicemembers recently assigned to the Gulf having experienced symptoms of undiagnosed illnesses, chronic fatigue syndrome or fibromyalgia. However, because this may exist, I do not oppose the two-year extension of time contained in the Manager's amendment. Although I hope that no disabilities with a long latency period such as cancer or other illnesses will result from Gulf Service, I will support a presumption of service-connection if and when certain disabilities are determined to be more prevalent in Gulf veterans than comparable populations.

Section 203 of H.R. 2540 gives the Secretary of Veterans Affairs the authority to protect the service connection of veterans receiving compensation benefits. Last year, Congresswoman CAPPS and I became aware that VA was having difficulty in recruiting veterans to participate in a VA-sponsored research study concerning the prevalence of Amyotrophic Lateral Sclerosis (ALS or Lou Gehrig's Disease) in Gulf War veterans. Because ALS is such a rare disease, the validity of the study required that as many veterans as possible with this condition be identified. A number of veterans refused to participate in the study because they were currently receiving service connected compensation benefits attributed to an undiagnosed illness. If ALS were to be diagnosed, the veteran would lose those benefits. In response to a joint request from Mrs. CAPPS, Mr. STEARNS, Mr. BILIRAKIS and myself to protect the benefits of the ALS study participants, former Acting Secretary Gober stated in an October 19, 2000, letter, ''there is simply no viable way to provide such protection consistent with existing law and standards of ethnical conduct for Government employees.''

Section 203 of H.R. 2540 is intended to remedy this dilemma and provide the VA with the authority needed to enable veterans to participate in medical research studies, without fear that their benefits will be placed in jeopardy. Absent such authority, there is a very real risk that veterans will be caught in a ''Catch-22'' situation. Without adequate research, it may not be possible to demonstrate an association between service in Southwest Asia and specific rare illnesses experienced by a small number of Gulf War veterans. If the research is inadequate, deserving veterans may be denied compensation. Medical research serves an important humanitarian goal, by furthering knowledge concerning human diseases and treatment. Veterans who participate in such research, without any likelihood of direct benefit to their own lives, deserve to be protected, not punished, for their humanitarian spirit. By preserving the service connected character of the veteran's disabilities, they and their survivors would qualify for compensation and dependency and indemnity compensation (DIC) benefits.

I am also pleased that the bill addresses concerns expressed by Mrs. CAPPS and Mr. BAKER concerning VA's toll-free telephone service. The proposed pilot project should provide veterans with improved access to VA employees for those questions which cannot be handled by VA's automated telephone system. This is particularly important for the growing population of elderly veterans and survivors, who may have difficulty navigating through the high-tech world of automated telephone systems. I expect that this pilot program will provide us with valuable information concerning VA's ability to handle telephonic inquiries.

Likewise, I strongly support the provisions in H.R. 2540 that are derived from H.R. 1929 introduced by TOM UDALL and myself to extend the pilot program providing direct home loans to veterans residing on tribal lands. It is critical that this Congress continued to recognize the important differences between homes on tribal land and conventional home loans under Anglo-American legal principles of real property. This bill provides another home ownership option to Native American veterans residing on tribal lands.

H.R. 2540 also contains provisions derived from H.R. 2222, introduced by Mr. FILNER and H.R. 2359, introduced by Chairman SMITH and myself. VA should not be holding monies which could be distributed to the beneficiaries or heirs of a veteran when the primary beneficiary cannot be located. VA should make every effort to assure that the rightful or equitable beneficiaries of these interests receive the funds to which they are entitled.

Section 406 of H.R. 2540 would eliminate the requirement that veterans filing an appeal with the U.S. Court of Appeals for Veterans Claims also notify the VA. This requirement has apparently caused confusion among appellants and caused some to be denied their right to appeal a decision to the court in a timely manner. Since current court rules require the U.S. Court of Appeals for Veterans Claims to notify the Secretary of Veterans Affairs when an appeal is documented, sufficient notice would be provided to the Secretary with the elimination of this requirement.

I thank the Chairman and Ranking Member of the Subcommittee for bringing this bill forward and urge all members to support H.R. 2540.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield 4 minutes to the gentleman from Idaho (Mr. SIMPSON), the distinguished chairman of the Subcommittee on Benefits.

Mr. SIMPSON. Mr. Speaker, I thank the gentleman for yielding me this time and for his kinds words; and I am proud to rise in support of H.R. 2540, the Veterans Benefits Act of 2001. This bill comprises several of the bills we took testimony on in the Subcommittee on Benefits on July 10 as well as administrative provisions affecting the Court of Appeals for Veterans Claims, all of which we marked up in subcommittee on July 12.

I will briefly outline the various provisions of the bill, which makes an array of improvements to veterans benefits programs.

Title I would provide a cost of living adjustment, already mentioned, effective December 1, 2001, to the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation. As the committee has done in the past, the rate of increase will be the same as the Social Security COLA increase.

On July 9, the Department of Veterans Affairs issued final rules adding Type 2 diabetes to the regulatory list of service-connected illnesses presumed to be associated with exposures to the herbicide agents in Vietnam. VA based its decision on recent findings by the National Academy of Sciences. Section 201 of this bill codifies the VA regulations.

The remaining sections of title 2 addresses issues unique to Persian Gulf War veterans. They indeed are selfless individuals who went into harm's way to fight tyranny. About 12,000 of our 714,000 service members who served in the Gulf suffer from hard-to-diagnose illnesses.

Section 202 would expand the definition of undiagnosed illnesses to include fibromyalgia, chronic fatigue syndrome, and chronic multi-symptom illnesses for the statutory presumption of service connection, as well as for other illnesses that cannot be clearly defined. This section also lists signs and symptoms that may be a manifestation of an undiagnosed illness.

I would like to take this opportunity to thank the gentleman from Illinois (Mr. MANZULLO), the gentleman from Mississippi (Mr. SHOWS), and the gentleman from Florida (Mr. BILIRAKIS) for their work, and the gentleman from Texas (Mr. REYES) for working with me on this provision.

Section 203 would grant the Secretary the authority to protect the service-connected grant of a Persian Gulf war veteran who participates in a Department-sponsored medical research project. It is the committee's intention that this provision will

broaden participation in vital scientific and medical studies.

Section 204 would expand to December 31, 2003 the presumptive period for providing compensation to veterans with undiagnosed illnesses. This authority expires at the end of this year. And I would like to thank the gentleman from Florida (Mr. GIBBONS) and the gentleman from Indiana (Mr. BUYER) for their work with us on this issue.

Title 3 would provide greater administrative flexibility to the U.S. Court of Appeals for Veterans Claims so that registration fees paid to the court might be used in connection with practitioner disciplinary proceedings and in support of bench and bar and veterans' law educational activities. Title 3 also authorizes the collection of registration fees for other court-sponsored activities where appropriate.

Section 401 would give the VA the authority to make a payment of life insurance proceedings to an alternate beneficiary when the primary beneficiary cannot be located within 3 years. Currently, there is no time limitation for the first-named beneficiary of a national service life insurance or United States Government life insurance policy to file a claim. As a result, VA is required to hold the unclaimed funds indefinitely. Section 402 would extend the copayment requirement for a VA outpatient prescription medication to September 30, 2006 from September 30, 2002.

Section 403 would make the availability of funds from VA's Health Services Improvement Fund subject to the provisions of the appropriations acts.

Section 404 would extend the Native Americans Veteran Housing Loan Pilot program to 2005.

Section 405 would modify the loan assumption notice requirement.

Section 406 would eliminate the need for a claimant to send a copy of a notice of appeal to the Secretary. Removal of this notice requirement would not impair VA's ability to receive notice of the filing of an appeal and to respond to those who are properly filed with the court.

Finally, section 407 would establish a 2-year nationwide pilot program requiring the Secretary to expand the available hours of the VA's 1–800 toll-free information service and to assess the extent to which demands for such service exists. This pilot would provide information on veterans benefits and services administered by all Federal departments and agencies.

I would like to thank the gentleman from Louisiana (Mr. BAKER) and his staff for working with the subcommittee on this provision, along with the gentlewoman from California (Mrs. CAPPS) for her testimony that she submitted at the subcommittee's July 10 hearing.

Mr. Speaker, I also want to thank a real gentleman, the gentleman from Texas (Mr. REYES), the ranking member of the Subcommittee on Benefits, for his support and counsel in my first few weeks as chairman of this subcommittee.

Lastly, we would not be considering this bill if it were not for the wisdom and foresight of the gentleman from New Jersey (Mr. SMITH), chairman of the full committee, and the ranking member, the gentleman from Illinois (Mr. EVANS). These two gentlemen have served together on the Committee on Veterans' Affairs for some 20 years, and I appreciate their leadership.

Mr. Speaker, H.R. 2540 is a strong bill; and I urge my colleagues support of it.

Mr. EVANS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. REYES).

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

As an original cosponsor and strong supporter of H.R. 2540, the Veterans Benefits Act of 2001, I am pleased that we are moving forward to assure a cost of living increase for our Nation's disabled veterans and their families, and the other benefits provided in this legislation as well. The sooner the benefits provided in this bill can be enacted into law, I believe the better.

I want to acknowledge the cooperation of our chairman and ranking member, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS), as well as our new subcommittee chair, the gentleman from Idaho (Mr. SIMPSON), in moving this bill forward. I appreciate their commitment and leadership to the benefits accorded to our veterans.

I want to highlight the provisions addressing the needs of Gulf War veterans. A new report of the Institute of Medicine acknowledges that symptoms experienced by Gulf War veterans have a significant degree of overlap with symptoms of patients diagnosed with conditions such as fibromyalgia, chronic fatigue syndrome, and irritable bowel syndrome.

When legislation was originally passed to provide service-connected compensation benefits to our Nation's Gulf War veterans, it was the intent of Congress that those who were experiencing these symptoms, such as fatigue, joint pain, and others noted in the recent IOM report, would be compensated. Unfortunately, VA's General Counsel ruled that only veterans whose symptoms did not carry a diagnostic label would be compensated. Currently, VA's ability to receive compensation depends on the happenstance of whether or not the examining physician attributes a diagnostic label to the symptoms. This is unfair to our Nation's veterans and must be changed.

The Gulf War provisions of H.R. 2540 place the emphasis where it was originally intended by focusing on the symptoms experienced by Gulf War veterans rather than a particular label which may be attributed to them. The term chronic multi-symptom illness is intended to include veterans who experience more than one symptom lasting at least 6 months. It is my understanding that thousands of Gulf War veterans have had claims denied because their symptoms were attributed to a diagnosis of chronic fatigue syndrome. Most of these war veterans would be eligible for benefits provided by this bill as of April 1, 2002.

I deeply regret that the large tax cut recently signed into law leaves no funds available to make this provision effective any sooner. I would prefer that this bill provide those benefits and be effective as of November 2, 1994, when the original law was passed.

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Nonetheless, I recognize that under the financial constraints that we must now live with, there is no money to provide for an earlier effective date. Sick Gulf War veterans deserve the compensation provided by this bill.

Mr. Speaker, I would also like to state that I support the manager's amendment extending until December 31, 2003, the period in which Gulf War veterans may manifest symptoms qualifying for compensation as an undiagnosed illness. The measure before us moves us towards the goal of meeting the needs of our sick Gulf War veterans in a responsible manner.

Again, I want to thank the chairman, the ranking member and the chair of the Subcommittee on Benefits for their leadership and their vision to our Nation's veterans.

H.R. 2540 is a good bill and I urge all the Members to support it.

Mr. SMITH of New Jersey. Mr. Speaker, because of great interest and the number of speakers on H.R. 2540, I ask unanimous consent that we have an additional 10 minutes equally divided between the majority and minority.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I rise in strong support of the Veterans Benefits Act of 2001. I also wish to extend my compliments to the chairman, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. Evans); also the gentleman from Idaho (Mr. SIMPSON) and the gentleman from Texas (Mr. REYES) and also recognition to my Gulf War comrade, the gentleman from Nevada (Mr. GIBBONS).

I am especially pleased with the compensation provision for Vietnam and Gulf War veterans. For too long the Vietnam veterans have been waiting for VA to recognize illnesses like diabetes melitus for compensation and pension benefits.

I also clearly recall as a freshman in this Chamber in the 103rd Congress, it having only been a few months since I returned from the Persian Gulf, having to fight for my colleagues just to receive their medical attention as a result of military service.

The concerns and appreciation of the country for their service was real, but the medical science to link causation to service in the Gulf War was severely lacking.

In 1994, I recall Joe Kennedy and the gentleman from Illinois (Mr. EVANS) and myself introducing something very radical. It was called compensation for an undiagnosed illness. As we were downsizing the military, we wanted to make sure that these Gulf War veterans received their medical attention, yet they were also in economic dire straits. So we also wanted to make sure their families were taken care of as we then focused and put millions of dollars into medical research to press the bounds of science.

The VA then struggled with our initiatives. What they then learned was, simply put, that the VA over the last several years has narrowly interpreted congressional intent to provide for sick veterans with disability compensation that they so dearly earned and should receive.

The VA failed to consider illnesses like fibromyalgia, chronic fatigue syndrome, and chronic multisymptom illnesses and other illnesses that cannot be clearly defined as having been attributed to service in the Persian Gulf.

I am especially pleased that this bill will include a list of symptoms that the VA must recognize as being a manifestation of an undiagnosed illness.

This bill will help clarify Congress's intent with regards to the benefits of sick Persian Gulf War veterans. I fully support this bill and look forward to referring the measure to the Senate.

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

Mr. FILNER. Mr. Speaker, I thank the Chair and the ranking member for bringing us H.R. 2540, the Veterans Benefit Act. I would like to briefly call attention to another provision which will provide fairness for our Nation's veterans.

The VA currently holds about 4,000 national life insurance and U.S. Government life insurance policies valued at about $23 million on which payment has not been made. Why is this? Because the VA has been unable to locate the person identified as the beneficiary following the death of the veteran.

I introduced recently a bill, H.R. 2222, regarding this problem, and I am pleased that this provision to permit the VA to pay an alternate beneficiary, if the primary beneficiary cannot be located within 3 years of the death of the insured veteran, has been included in H.R. 2540. I know this provision will benefit the families of many, many, many veterans.

I also support the expanded definition which will allow Gulf War veterans to obtain service-connected compensation for chronic multisymptom illnesses such as chronic fatigue syndrome.

Like the gentleman from Texas (Mr. REYES) before me, I am upset that the provisions must be delayed until April 1, 2002. Once again, the reason for this is because this Congress enacted a tax plan first, before the budget. So we have to live within the context of a budget which was greatly restricted and restrained to us. So having spent this surplus, we are unable to promptly pay our debt to our Nation's Gulf War veterans. I find this deplorable, but we are under these congressional rules.

Of course, because this bill improves benefits for our veterans, I urge my colleagues to vote for H.R. 2540. I thank the chairman for another strong bill.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, 10 years ago a patriot from Freeport, Illinois, named Dan Steele went off to war in Iraq to fight for the American people and protect the freedoms this country has known for more than 200 years.

During the buildup in the Gulf, Dan's leg was fractured by an Iraqi soldier's apparent suicide attack. Over the next 8 years, Dan suffered from various conditions shared by many in the Gulf War.

In May of 1999, Dan succumbed to his illnesses and passed away. The county coroner listed ''Gulf War Syndrome'' as a secondary cause on his death certificate.

Shortly after Dan's funeral, I dispatched Al Pennimen, a retired judge on my staff, to contact his widow, Donna. She vowed to Dan to do whatever she could to help other Gulf War veterans suffering from mysterious ailments. Her story moved me to introduce legislation, H.R. 612, that now has the support of over 225 Members of Congress. A companion bill has been introduced in the Senate by Senator KAY BAILEY HUTCHINSON. I am pleased to announce that significant portions of H.R. 612 are included in this benefits package today.

I thank the gentleman from New Jersey (Mr. SMITH) and members of the Committee on Veterans Affairs for strengthening the part of the bill that provides enhanced benefits for ailing Gulf War veterans. These provisions will allow more sick veterans to qualify for compensation by expanding the list of eligible illnesses, adding strong report language on multiple chemical sensitivity, codifying 13 possible symptoms, and extending by 2 years the time period during which these symptoms may arise.

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 2540. It goes a long way towards fulfilling the promises we have made to our veterans.

Mr. EVANS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Speaker, I am proud to be a member of the Committee on Veterans Affairs and to show my strong support for H.R. 2540, the Veterans Benefits Act of 2001. This important legislation will take meaningful action to improve benefits our Nation's veterans have earned. As my colleagues know, we have been concerned about the appalling 75 percent rate at which Gulf War veterans suffering from undiagnosed illnesses have been denied compensation from the VA.

Earlier this year, I introduced H.R. 612, the Persian Gulf War Compensation Act of 2001 with two other outstanding advocates for veterans, the gentleman from Illinois (Mr. MANZULLO) and the gentleman from California (Mr. GALLEGLY). This legislation garnered strong bipartisan support from over 225 Members of Congress. I am pleased to say that the gentleman from New Jersey (Mr. SMITH), the gentleman from Illinois (Mr. EVANS) and my fellow subcommittee members helped us on some provisions in this bill that are key to provisions in H.R. 612.

The Veterans Benefit Act of 2001 will now clarify VA standards for compensation by recognizing fibromyalgia, chronic fatigue syndrome, multiple chemical sensitivity, and other ailments, or poorly defined illnesses associated with Gulf War service.

Additionally, this bill extends the presumptive period for undiagnosed illnesses to December 31, 2003. This is a true victory for the veteran.

Mr. Speaker, these veterans put their lives on the line to protect, defend and advance ideals of democracy, and our American way of life by serving the United States military. They answered the call. We have a duty to answer them. Vote for this bill. It is the right thing to do.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BAKER).

Mr. BAKER. Mr. Speaker, all too often we pick up the telephone and dial a 1–800 number or dial a business enterprise and we are, by computer, referenced from department to department to department, and often are not even able to communicate with another human being to get an answer to our very simple question.

Most of us see that simply as an aggravation, but when it happens to a veteran of military service when calling on his country to have a question answered, it is an insult. That is why I am grateful for the inclusion of a pilot program for 2 years which makes an effort to have a 1–800 veterans number. Amazingly, we will have a human being on the end of that phone. It is a long overdue service, and I think we should explore the potentials. It may be fraught with difficulty and difficult to perfect, but there is one thing that is for sure: The veterans who have given to this country are at least deserving of respectful treatment.

Mr. Speaker, I thank my colleagues for taking this step towards what I think is an appropriate action for the veterans of our country.

Mr. EVANS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, while we have a long way to go, the Veterans Benefit Act is a step in the right direction. The compensation legislation before us would streamline the rating system of certain service-connected illnesses, as well as provide a cost-of-living adjustment to those receiving disability compensation benefits.

As a member of the committee, I am proud to join the bipartisan efforts to improve the quality and deliver the veterans benefits program. Veterans should not be left wondering if the Federal Government is going to fulfill its promise. Those who have received service-connected disability benefits can expect a cost-of-living benefit. So can their survivors. For Vietnam veterans who were exposed to Agent Orange and now suffer from diabetes, the Veterans Benefit Act acknowledges their entitlement to service-connected disabilities benefits.

In addition, Gulf War veterans suffering from ill-defined illnesses which modern medical technology cannot really diagnose, the Veterans Benefit Act will likewise extend the presumption of service connections. Veterans who suffer from disabilities should not be abandoned and their disabilities should not be ignored simply because doctors cannot diagnose the causes.

Finally, I am supportive of a 2-year nationwide pilot program to include in the bill expansion of the availability of hours of the VA 1–800 toll-free information service. Veterans worked around the clock for us, and they deserve for us to do the same for them. Our freedoms did not come free, and for veterans the physical and psychological wounds of the war do not go away.

I want to take this opportunity to thank the gentleman from New Jersey (Mr. SMITH) for his hard work, and that of my distinguished colleague, the gentleman from Illinois (Mr. EVANS), the ranking member.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PICKERING), who carries on the tradition of our former chairman, Mr. Montgomery.

Mr. PICKERING. Mr. Speaker, I rise in strong support of H.R. 2540, the Veterans Benefit Act. Today we have 250,000 veterans in Mississippi; 54,000 are World War II veterans, 77,000 are Vietnam veterans, 39,000 served in Korea, and 33,000 are Gulf War vets. This bill provides them compensation benefits and COLA.

It recognizes the 33,000 Gulf War veterans and gives them an extension of the presumptive period to recognize the mysterious illnesses that they returned with, and provides them we hope with the care they have so richly earned.

It provides for a great new pilot program to provide information, as the gentleman from Louisiana (Mr. BAKER) mentioned, a voice-to-voice, a person-to-person providing the care they need to get the care they deserve.

Mr. Speaker, I want to commend the gentleman from New Jersey (Mr. SMITH) for his leadership. He has been aggressive and assertive in representing veterans across this country and in my State of Mississippi.

Secretary Principi has done a tremendous job. We are making progress because we know to recruit and retain the young people today in our military force, we must show the care and the commitment, the respect and the appreciation to the veterans who served yesterday.

This bill, along with H.R. 1291, the Montgomery GI bill, is a significant step in the right direction, and for that I give great support and commendation to the committee and to the chairman and to the other Members and to this bill.

□ 1300

Mr. EVANS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

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

Mrs. CAPPS. Mr. Speaker, I rise in strong support of this bill. I want to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) for their leadership on this important legislation.

I wish to highlight a couple of provisions contained in H.R. 2540 that I have worked on for some time. The first provision would end a Catch-22 faced by vets and VA researchers. Currently vets can lose benefits for an ''undiagnosed illness'' if participation in a VA study determines the illness and it is not service connected. This issue was brought to my attention last year. VA researchers told me of concerns that some vets might not participate in an ongoing study to look at possible connections between Gulf War service and Lou Gehrig's disease. I learned that some vets feared losing needed benefits by participating in the study. This lack of participation could compromise an important study that could benefit vets and all people suffering from Lou Gehrig's disease. H.R. 2540 fixes this problem by letting VA protect compensation in such cases. This provision is based on a bill the gentleman from Illinois (Mr. EVANS) and I introduced earlier this year.

H.R. 2540 also contains provisions to temporarily expand hours for VA's toll-free information lines to at least 12 hours a day Monday through Friday and 6 hours on Saturday. I have a lot of interest in this subject having introduced legislation for the last 2 years which would operate information lines 24 hours a day, 7 days a week. My bill would also get the information line to include crisis intervention services. I am very pleased that the committee has included provisions to keep this information line open longer hours. It will make it easier for vets to get information on the benefits that they have earned. I look forward to working with the committee as we follow up on this important pilot program.

I urge my colleagues to support this bill.

Mr. Speaker, I rise today in strong support of H.R. 2540, the Veterans Benefits act of 2001. As an original cosponsor, I am proud to speak on behalf of this important legislation.

First, I would like to thank Mr. SIMPSON, the Chairman of the Subcommittee on Benefits and Mr. REYES, the Ranking Member for their excellent leadership on the issue of improving services for our nation's veterans. I would also like to commend Mr. SMITH, Chairman of the full Committee and Mr. EVANS, the Ranking Member for their leadership.

This bill offers several important initiatives to improve the lives of our veterans. I am especially pleased about the inclusion of the provisions in Sec. 203 and Sec. 407. I am pleased to have worked closely with the Subcommittee on these two critical areas.

Sec. 203 would eliminate a classic ''Catch-22'' situation faced by our veterans and the VA in medical research studies and is based on legislation, H.R. 1406, the Gulf War Undiagnosed Illness Act of 2001, Representative Evans and I introduced earlier this year. Under the current scenario, veterans who are being compensated on the basis of an ''undiagnosed illness'' and who participate in a VA-sponsored medical research study, could lose their benefits if they are ''diagnosed'' with a non-service related condition during the course of the study.

Last year, VA personnel told me about their concerns that if veterans declined to participate in a study because of the risk of losing benefits, the data may be insufficient and render the study unusable. These concerns were raised in connection with a study being done last year to determine a possible connection between ALS and service in the Gulf War.

This legislation would give the VA the authority to protect compensation for undiagnosed illnesses when the VA determines that such protection is needed to ensure adequate participation by veterans in VA-sponsored medical research. This guarantee is particularly important for research that requires a high level of participation to achieve valid findings. I would again like to commend Ranking Member EVANS for his leadership in this area.

Sec. 407 of this bill establishes a pilot program at the VA to expand access to veterans benefits counselors. Under the bill, the hours would be expanded to no less than 12 hours a day, Monday through Friday and no less than six hours on Saturday. This expansion of access is essential to provide our veterans with the services that they richly deserve.

I am proud to have authored H.R. 1435, the Veterans Emergency Telephone Service Act of 2001. This bill would address the pressing need of some of our nation's veterans for 24 hour access to crisis intervention services.

By virtue of their service and sacrifice on behalf of this nation, our veterans deserve the very best support services we can provide. Such moments don't always occur during business hours, Monday through Friday. The bill before us takes critical steps to fulfill our obligation to our veterans.

I look forward to continuing to work closely with the Committee on ways in which veterans' access to telephone service can be improved and expanded even more in its hours of availability and the services offered. I strongly urge an aye vote on H.R. 2540.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. GILMAN), the chairman emeritus of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time. I am pleased to rise today in strong support of H.R. 2540, the Veterans Benefits Act of 2001. I ask our colleagues to join in full support of this important legislation.

Mr. Speaker, the House typically passes a general veterans benefits bill each year. H.R. 2540 represents this year's benefit legislation providing several important improvements to existing programs. I want to thank the distinguished gentleman from New Jersey (Mr. SMITH) for all the good work he is doing for our veterans throughout the country.

First, this bill provides for the annual cost-of-living adjustment to the rates of disability compensation for those veterans with service-connected disabilities. This new rate will go into effect in December of this year. Congress has approved an annual cost-of-living adjustment to these veterans and survivors since 1976.

Second, this legislation adds type II diabetes to the list of diseases presumed to be service connected in Vietnam veterans exposed to herbicide agents. It also greatly extends the definition of undiagnosed illnesses for Persian Gulf War veterans and authorizes the Secretary of Veterans Affairs to protect the grant of service connection of Gulf War veterans who participate in VA-sponsored medical research projects. These are long overdue benefits. It also extends the presumptive period for providing compensation to Persian Gulf veterans with undiagnosed illnesses to December 31, 2003.

Mr. Speaker, many of our veterans from the Vietnam and Gulf Wars went years suffering from undiagnosed ailments while receiving neither recognition nor treatment from the veterans health care system. During the past 10 years, the Congress made great strides in recognizing the special circumstances surrounding the post-service experiences of these veterans. This bill is an extension of that process. For that reason, I urge its adoption by the House. I want to thank the gentleman from New Jersey again for his dedicated service to the veterans of our Nation.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I would like to laud my colleagues on both sides of the aisle. Veterans issues are very important. Both sides of the aisle support this bill very well. But every once in a while we have got people that just cannot stop themselves from partisan shots, and they need to be answered.

The gentleman from California said there is not enough money for veterans because we spent the surplus in tax relief. First of all, surplus is defined as the amount of money above what it needs to run the Government with a 4 to 6 percent increase. That is what this committee has done.

Secondly, the 124 deployments, $200 billion cost destroying our military and our ability to fund things like the veterans, $200 billion under the peacekeeping deployments of Bill Clinton. Recently, the ranking minority member says, ''Well, this is a good step but we have got a long way to go.'' The gentleman from Missouri, the minority leader, recently said that raising taxes in 1993, he was proud of it when the Democrats had control of the White House, the House and the Senate, and he would do it again.

I think it is right to point out what those taxes were. The first part of those taxes were to cut the COLAs of the veterans. The second part was to cut the COLAs of the military. That is the wrong direction. The third was to increase the tax on the middle class which affected military and the veterans. The fourth was to increase taxes on Social Security and then take every dime out of the Social Security Trust Fund which raises the debt which veterans and military have to pay for.

So yes, I think we are going in the right direction. We do have a long way to go. Let us analyze what is the reason why we do not have the dollars to put forward that we really need. We have had 124 deployments taxing our veterans and our military. That is why I laud both sides of the aisle now for increasing those funds.

Mr. BILIRAKIS. Mr. Speaker, as an original sponsor, I rise in strong support of H.R. 2540, the Veterans' Benefits Act of 2001.

One of the most important bills the Congress approves each year is legislation providing disabled veterans an annual cost-of-living adjustment (COLA). H.R. 2540 provides a COLA, effective December 1, 2001, to disabled veterans and the surviving spouses of veterans who are receiving Dependency and Indemnity Compensation (DIC). As in previous years, these deserving men and women will receive the same COLA that Social Security recipients will receive. I am pleased that we are acting to provide disabled veterans and their survivors with an annual COLA.

The bill makes a number of other benefits improvements, including the addition of Diabetes Mellitus (Type 2) to the list of diseases presumed to be service-connected in Vietnam veterans exposed to herbicide agents. The bill also requires the Secretary of Veterans' Affairs to establish a two-year nationwide pilot program to expand the VA's 1–800 toll-free information service to include information on all federal veterans' benefits and veterans' benefits administered by each state.

The legislation also contains provisions affecting compensation for Persian Gulf veterans. Specifically, the bill expands the definition of undiagnosed illnesses for Persian Gulf veterans to include fibromyalgia, chronic fatigue syndrome and chronic multi-symptom illness for the statutory presumption of service-connection. The legislation also extends the presumptive period for Persian Gulf illnesses, which is scheduled to expire at the end of this year, until December 31, 2003.

When Veterans' Affairs Committee considered H.R. 2540, Members of the Committee had some concerns about the provisions pertaining to Persian Gulf veterans. I was pleased that we were able to sit down and work out these differences so the House could proceed with this important legislation.

I urge my colleagues to support the Veterans' Benefits Act of 2001.

Mr. GALLEGLY. Mr. Speaker, I rise in support of the Veterans Benefits Act of 2001, a measure that will improve veterans' benefits, especially for our veterans who became ill as a result of their service in the Gulf War.

Mr. Speaker, I am pleased to say that the Veterans Benefits Act of 2001 contains many important provisions from H.R. 612—the Persian Gulf War Illness Compensation Act—which I introduced with my colleagues Congressmen DON MANZULLO and RONNIE SHOWS.

Since the end of the Gulf War, the Veterans Administration has denied nearly 80 percent of all sick Gulf War veterans' claims for compensation. In the view of many, including the National Gulf War Resource Center, the Veterans' Administration has employed too strict a standard for diagnosing Gulf War Illness.

In response, the Veterans Benefits Act includes a critical two-year extension for Gulf War veterans to report and be compensated for Gulf War Illness. In addition, the bill includes a comprehensive list of symptoms that constitute Gulf War Illness. The measure also expands the definition of undiagnosed illness to include fibromyalgia and chronic fatigue syndrome as diseases that are compensatible, diseases often mistakenly attributed to Gulf War veterans.

I want to personally thank Chairman SMITH and the members of the Veterans' Affairs Committee in working with me and Congressmen MANZULLO and SHOWS in getting this critical language included in this bill. When we move into conference, I hope that we continue to work to strengthen some of these provisions, including further extending the date of Gulf War veteran can be compensated for Gulf War related symptoms.

As one of the original cosponsors of the 1991 resolution to authorize then-President Bush to use force in the Persian Gulf, I believe we must go the extra mile to take care of the men and women who went to war against Iraqi dictator Saddam Hussein and are now suffering from these unexplained and devastating ailments.

Many of those suffering from Gulf War Illness were Reservists and National Guardsmen uprooted from their families and jobs. They answered the call, and we have a duty to help them. I urge my colleagues to vote for this important measure.

Mr. UDALL of New Mexico. Mr. Speaker, I strongly support H.R. 2540, the Veterans Benefits Act of 2001.

This legislation provides an important annual cost-of-living adjustment for disabled veterans, as well as surviving spouses of veteran's who receive dependency and indemnity compensation. H.R. 2540 also makes a number of important changes to improve insurance, compensation, and housing programs for our nation's veterans.

I want to thank Chairman SMITH, Ranking Member EVANS, and my colleagues on the Veterans' Affairs Committee for supporting the inclusion of provisions from H.R. 1929, the Native American Veterans Home Loan Act of 2001, in H.R. 2540. Ranking Member EVANS, fourteen other Members and I introduced H.R. 1929 on May 21st of this year to extend the Native American Veterans Home Loan Pilot Program for another four years, and expedite the process of obtaining VA home loans for Native American Veterans living on tribal and trust lands. This program helps many Native Americans Veterans who might otherwise be unable to obtain suitable housing. Including the important provisions of H.R. 1929 in H.R. 2540 will allow other Native American Veterans to take advantage of this important program.

The Native American Veterans Home Loan Pilot Program, however, is just one of many VA benefits improved through H.R. 2540. I ask my colleagues to join me in support of these important benefit enhancements for the men and women who have sacrificed so much in defense of liberty and democracy.

Mr. EVANS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I thank all of my colleagues for their participation in this debate in helping to craft what I think is a very worthwhile bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2540, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 2505, HUMAN CLONING PROHIBITION ACT OF 2001

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 214 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 214

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning. The bill shall be considered as read for amendment. The amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Scott of Virginia or his designee, which shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent; (3) after disposition of the amendment by Representative Scott, the further amendment in the nature of a substitute printed in the report of the Committee on Rules, if offered by Representative Greenwood of Pennsylvania or his designee, shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (4) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, yesterday the Committee on Rules met and granted a structured rule for H.R. 2505, the Human Cloning Prohibition Act. The rule provides for 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against the bill. The rule provides that the amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The rule makes in order the amendment printed in the Rules Committee report accompanying the rule if offered by the gentleman from Virginia (Mr. SCOTT) or a designee which shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule makes in order after disposition of the Scott amendment the further amendment in the nature of a substitute printed in the Rules Committee report accompanying the rule if offered by the gentleman from Pennsylvania (Mr. GREENWOOD) or a designee, which shall be considered as read and shall be separately debatable for 1 hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in the report. Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, this is a fair rule which will permit a thorough discussion of all the relevant issues. In fact, Members came before the Committee on Rules yesterday and testified on two amendments. This rule allows for both of those amendments to be heard. The first of these amendments is the Greenwood substitute which allows human cloning for medical purposes. I oppose the Greenwood amendment because it is wrong to create human embryo farms, even for scientific research. The Committee on Rules, though, recognizes that the gentleman from Pennsylvania's proposal is the leading alternative to a ban on human cloning. Because we are aiming for a fair and thorough debate, we should make it in order on the House floor.

The second amendment is a proposal by the gentleman from Virginia (Mr. SCOTT) to fund a study on human cloning. Again because the Committee on Rules recognizes the importance of this issue and wants a fair and open debate, we have decided that the gentleman from Virginia's study deserves House consideration.

Mr. Speaker, as the gentleman from Florida (Mr. HASTINGS) said in our Rules Committee meeting yesterday, this is an extremely important and a very complex issue.

□ 1315

Science is on the verge of cloning human embryos for both medical and reproductive purposes. Congress cannot face a weightier issue than the ethics of human cloning, and Congress should not run away from this problem. It is our job to address such pressing moral dilemmas, and it is our job to do so in a deliberative way. We do so today.

This bill and this rule represent the best of Congress. The Committee on the Judiciary held days of hearings on the Human Cloning Prohibition Act, with the Nation's leading scientists and ethicists. Today, this rule allows for floor consideration of the two most important challenges to the human cloning bill of the gentleman from Florida (Mr. WELDON.) If we wait to act, human cloning will go forward unregulated, with frightening and ghoulish consequences.

I have spent a lot of time considering this issue, because it is so complex; and I have decided to vote to ban human cloning. It is simply wrong to clone human beings. It is wrong to create fully grown tailor-made cloned babies, and it is wrong to clone human embryos to experiment on and destroy them. Anything other than a ban on human cloning would license the most ghoulish and dangerous enterprise in human history.

Some of us can still remember how the world was repulsed during and after World War II by the experiments conducted by the Nazis in the war. How is this different?

I urge my colleagues to support this rule, and I urge my colleagues to support the underlying measure.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding me the customary 30 minutes.

Mr. Speaker, I will be blunt: This is a bad bill and a bad rule. This is Congress again playing scientist, and I urge defeat of the rule and defeat of the underlying bill in its current form.

In its efforts to address the issue of human cloning, my colleague, the gentleman from Florida (Mr. WELDON) has managed to duplicate the controversy arising from the administration's debate over whether to ban federally funded stem cell research.

Mr. Speaker, there is a strong consensus in Congress that the cloning of human beings should be prohibited. For many people, the prospect of human cloning raises a specter of eugenics and genetic manipulation of traits like eye color or intelligence, and none of us want to see these types of abuses. Yet H.R. 2505 and its excessive fear of science and the possibilities of scientific research attempts to deprive the American people of their hope for cures and their faith in the power of human discovery.

The Human Cloning Prohibition Act goes far beyond a ban on cloning of an individual known as reproductive cloning. This legislation actually also bans stem cell research and, finally, would prohibit the importation of products that are developed through this kind of research.

As a former scientist, I am profoundly concerned about the impact this proposal would have on our Nation's biotechnical industry. If we ban stem cell research, we risk ceding the field of medical research to other nations. Top scientists in the field are already leaving the United States due to the mere threat that this type of research may be banned.

If H.R. 2505 is passed, we must accept the fact that preeminent scientists, and, indeed, entire research facilities will move overseas, in order to pursue their studies. If we stifle our Nation's research efforts, patients will suffer as well.

This research holds the potential to treat diseases that afflict millions of Americans, including diabetes, cancer, heart disease, stroke, Parkinson's, Alzheimer's, brain or spinal cord injury or multiple sclerosis. If scientists overseas were to develop a cure for cancer using stem cells from a cloned embryo, Americans would be banned from taking advantage of that cure here in the United States because we could not import it. Surely we should not deny our constituents access to life-saving cures.

Moreover, we should be prepared for the evolution of two classes of patients, those with the resources to travel abroad to receive the cure and those who are too poor and must therefore stay in the United States to grow sicker and die.

Fortunately, we have before us a balanced responsible alternative, the substitute offered by our colleagues, the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Florida (Mr. DEUTSCH).

The House of Representatives stands today at a crossroads in our support for scientific endeavors.

Mr. Speaker, we really should not be debating this at all. None of us is equipped to do so. We simply do not know enough, and for this House to take the step that we are about to take today is unconscionable.

We must not allow our fears about research to overwhelm our hopes for curing disease. We must not isolate this Nation from the rest of the scientific world by banning therapeutic cloning.

Make no mistake, we are sailing into unchartered waters. Our decision here today could have consequences for generations to come.

Under this inadequate rule, the majority is giving us a meager 2 hours to hold this momentous debate. So I urge my colleagues to vote no on the rule and no on H.R. 2505.

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

Mrs. MYRICK. Mr. Speaker, I yield 7 minutes to the gentleman from Florida (Mr. WELDON), the sponsor of this bill.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentlewoman for yielding me time. I rise obviously to speak in support of this rule and in support of my underlying bill and in opposition to the substitute.

Mr. Speaker, I would like to begin by just talking a little bit about the basic science of all of this. What is shown on this poster to my left is a normal fertilization of an egg. Normal human cells have 46 chromosomes; the egg has 23, the sperm has 23. When united, they become a fertilized egg, which then begins to differentiate into an embryo. Here is depicted a 3-day embryo and then a 7-day embryo.

Under the technique called somatic cell nuclear transfer, you take a cell from somebody's body. This could be a skin cell, depicted here. You extract the nucleus out, which is shown here. Then you take a female egg, a woman's egg. You remove the nucleus that was in there, which is shown here being discarded with the 23 chromosomes, so you have an enucleated egg. Then you implant that nucleus in there. This becomes a clone of the individual who donated this cell. From this point on, it begins to develop like a normal embryo.

Now, there will be some discussion today, I anticipate, where people will try to assert that this is not a human embryo; that this somehow is, and this is somehow not a human embryo.

I studied embryology in medical school. I am a physician. I practiced medicine for 15 years. Indeed, I brought my medical school embryology textbook, and I would defy anybody in this body to tell me what the science behind making the assertion that this is not a human embryo. There is absolutely no basis in science to make such a claim.

This technique, which we are banning in humans, is how Dolly was created. They took a cell from the udder of a sheep; then they took a sheep's egg, removed the nucleus, took the nucleus out of this cell and put it in that egg depicted right there. Then it was put in tissue culture, where it became a more developed embryo, and then it was implanted in another sheep to create Dolly.

Now, to assert that a human embryo created by the somatic cell nuclear transfer technique is not a human embryo is like saying this was not a sheep embryo. Well, what is this? This is Dolly. To say that a human embryo created by nuclear transfer technology is not a human embryo to me is the equivalent of saying this is not a sheep.

Now, I have, I think, some pretty good quotes to support my position. This is from the Bioethics Advisory Commission. The Commission began its discussion fully recognizing that any efforts in humans to transfer somatic cell nucleus into an enucleated egg involves the creation of an embryo. So they support my argument. They have to, it is science, with the apparent potential to be implanted in a uterus and developed to term.

I have another quote from one of the Commissioners, Alex Capron. ''Our cloning report, when read in light of subsequent developments in that field and of the stem cell report, supports completely halting attempts to create human embryos through SCNT,'' or somatic cell nuclear transfer, ''at this time.''

Now, I just want to point out, this is not a stem cell debate. There will be people who will try to make this a stem cell argument. My legislation does not make it illegal to do embryonic stem cell research.

I would also like to point out this is not an abortion debate. Judy Norsigian is shown here quoted, she is pro-choice, she is the co-author of ''Our Bodies, Ourselves for the New Century'' with the Boston Women's Health Collective. ''There are other pro-choice groups that have supported my position that we do not want to go to this place, because embryo cloning will compromise women's health, turn their eggs and wombs into commodities, compromise their reproductive autonomy, with virtual certainty lead to the production of experimental human beings. We are convinced that the line must be drawn here.''

Finally, I have a quote from the National Institutes of Health guidelines for research using human pluripotent stem cells. They deny Federal funding for research utilizing pluripotent stem cells that were derived from human embryos created for research purposes, research in which human pluripotent stem cells are derived using somatic cell nuclear transfer, the transfer of a

human somatic cell into the human egg.

Now, there are some people who have been approaching me saying why are we having this debate now? Well, there is a company in this country that has already harvested eggs from women. They want to start creating clones. So the issue is here now. If we are going to put a stop to this, the House, I think, needs to speak and the other body needs to take this issue up as well.

Additionally, this is a women's health issue. There was one article published, I believe in the New England Journal. The way they harvest these eggs is they give women a drug called Pergonal that causes super-ovulation. Then they have to anesthetize them to harvest the eggs. They typically use coeds. It is a class issue, who is going to volunteer for this procedure? Poor women?

Let me tell Members what: The study showed that women who were exposed to this drug have a slightly higher incidence of ovarian cancer. So this is not a trivial issue, in my opinion. It is a women's health issue. I believe the rule that has been crafted is a very fair rule. It will provide for plenty of debate.

Ms. SLAUGHTER. Mr. Speaker, I yield 8½ minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, there are two bills before us today, effectively, the Weldon bill and then the Greenwood bill, that I am an original sponsor with.

Let us be very, very clear to each other and to the American people. Both of those bills absolutely totally ban human cloning. I am going to say that again so there is no debate on that. They absolutely, totally ban human cloning. There is unanimity, I think, in this Congress, in the American public, about that. There are some extreme, extreme groups that are distinct minorities, but I do not believe there will be one Member who will stand up here and say we should do it.

We should not do it, for both ethical and practical reasons. Before Dolly the Sheep was created, and I am not going to talk about all the ethical reasons. I will talk for a second about the practical reasons. And there are very serious ethical reasons against it. But before Dolly the Sheep was created, 270 sheep died; and Dolly is severely handicapped. I do not think any of us can even contemplate that in terms of the human condition.

Let us talk about what this debate is really about. It is not about human cloning. We are all against human cloning. What it is about is the Weldon bill further bans somatic cell nuclear transfer. I am going to say that term again, because that is a term that all the Members who are going to vote in this Chamber and, in fact, in a sense all of the American people at some point are going to have to understand that term.

I think all of my colleagues now understand the term embryonic stem cells, and I think the vast majority of Americans understand the term embryonic stem cells. In fact the majority of Members, in fact, the debate about stem cell research is over. A majority of this Congress, a majority of the other body, both support embryonic stem cell research, and a vast majority of the American people across polling data, 75, 80 percent consistently of the American people, support embryonic stem cell research.

They do it and that breaks up into every sub-group of our population. In terms of Catholics, the number is about 75–80 percent. People who identify themselves as Evangelical Christians, 75–80 percent support embryonic stem cell research.

□ 1330

But what this Weldon bill tries to ban is somatic cell nuclear transfer.

Now, I really hate doing this to my colleagues and this is really one of the reasons why we ought to defeat this rule today, but I have to do a little bit of layman's science. This is a chart, and I will make it available for Members, that actually shows what somatic cell nuclear transfer does.

Most of us understand that by any definition, an embryo is created when an egg and a sperm join with the potentiality of a unique human being. That is not what this procedure is about. I am going to say these things again, because for most of my colleagues they have not heard this before, and this is somewhat of a science lesson.

A normal embryo, what we think of as an embryo, is created by an egg and a sperm joining with the potentiality of a unique human being.

Mr. Speaker, that is not what this bill attempts to ban. What it bans is somatic cell nuclear transfer. Again, as the chart shows, one takes an egg, an unfertilized egg, an egg, and one then takes out the chromosomes from that egg and then, literally, in the trillions of cells in a body and, in other species, they take it out. Obviously, in the human species, it is the female, of the literally trillions of cells that exist in the human body, they take out one of those cells and take out the 46 chromosomes out of one of those cells and then put it into an egg.

At that point, why are they doing that? Let us talk about that a little bit. This is part and parcel, this debate really is totally intertwined.

The gentleman from Florida (Mr. DEUTSCH) said this is not about stem cell research. It is about stem cell research because, let us talk about what is going on.

Stem cell research, one of the reasons why the American people have effectively said they want embryonic stem cell research is because they understand the debate. They understand the debate at several levels.

At the first level they understand that in in vitro fertilization embryos are created that literally get thrown away. We have a choice. We can use those for research that literally has the ability to cure the most horrific diseases humankind has ever seen, whether that is paralysis, whether that is Alzheimer's, or any number of diseases.

Ms. SLAUGHTER. Mr. Speaker, will the gentleman yield?

Mr. DEUTSCH. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Speaker, I would ask the gentleman, does it trouble him that with all of the difficulty he is having trying to explain what this is about, that our colleagues are going to be coming down here pretty soon and voting on it, and it will affect everybody in the United States.

Mr. DEUTSCH. Mr. Speaker, I agree with the gentlewoman 100 percent, which is one of the reasons to defeat this rule. In my 9 years in this Chamber, this is the least informed collectively that the 435 Members of this body have ever been on any issue, and in many ways, it is as important as any issue we face.

Ms. SLAUGHTER. Mr. Speaker, it is frightening.

Mr. DEUTSCH. Mr. Speaker, reclaiming my time, why is this about stem cell research? As I said, what the American people have said, and I was talking about in vitro fertilization, that we have the ability to take these embryos and do research on them to literally cure disease, and the research is there. This past week, stem cells were inserted into a primate's spine and a primate that previously had been unable to move was able to move.

Just today, in today's Wall Street Journal, there is a report on research of stem cells actually being able to create insulin cells. It is in today's Wall Street Journal. This stuff is happening. Diseases that had existed in the past, polio, other diseases have been cured. We are getting there. We literally can. If we talk to the patients' groups, if we listen to what Nancy Reagan is saying, if we listen to the families, there are literally tens of millions.

I will move this next chart over here just to show my colleagues. This is the number of people in America that we are talking about. We are not talking about millions, we are talking about tens of millions of people who are personally affected by these diseases, and if we put their families in, we are talking about literally maybe 100 million people in this country who are affected by these diseases.

Now again, let us talk specifically about: how does this intertwine with stem cell research? It is very similar to the issue of organ transplants. If we put an organ into someone's body, it will be rejected. There are antirejection drugs which scientifically do not apply to stem cells.

The best way to be able to actually maybe get a therapeutic use out of this research, actually cure cancer, cure Parkinson's, cure Alzheimer's, cure juvenile diabetes, the actual way to do that is to develop research to develop a

therapy to actually put the stem cells into the body, and that is exactly what is being done here. Cells from a person's body are being used, through somatic cell nuclear transfer, to be able to create the potentiality of curing these horrific diseases.

Calling that an embryo does not make it an embryo. It is not an embryo. It is not creating life by any definition of creating life. It is the potentiality to continue life.

I would say it in several ways. If someone, by reason of their theology, their personal belief system, does not allow them to do that, then I say let them choose not to do that. But for the tens of millions of patients, 100 million family members, do not stop them from doing it, number one. This bill goes to an extreme and even says that we cannot import drugs for use in this country. I am sure there is not a Member in this chamber who could look a family member in the eye of one of those tens of millions of Americans when that drug is created in England or France or Ireland or wherever and say, you cannot have that drug. I know there is not a Member that could do it, and we should not do it today.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentlewoman for yielding time. We are going to have a lot of debate and I assume some of the arguments that the gentleman has put forward will be debated further in the course of the afternoon. I will just point out one or two quick things.

The procedure that they would like to make legal is illegal in several European countries. There is really only one that currently allows it, and they have come under a lot of criticism. I think by passing my bill, we actually bring the United States into conformity with a lot of thinking that is going on in the world.

The gentleman from Florida (Mr. DEUTSCH) mentioned a ''study'' where paralysis had been reversed. I do not know where he got that reference from. There was a story in the press of a rat that had paralysis and a lot of the press reported it as embryonic stem cells. It was not embryonic stem cells, it was fetal stem cells. It was not even a study, it was a scientist who took some video footage. It was not peer reviewed. Nevertheless, it was reported in the press as a ''study.''

This is not about embryonic stem cell research, it is about whether or not we are going to carry this whole issue one step further, no longer using the excess embryos in the clinics, but now creating embryos for research purposes.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, today, the House is faced with one of the most complex and potentially far-reaching medical and ethical issues it will ever face. As a body, we should have time to examine the ramifications of the many issues involved in cloning, time for deliberative judgment, time for exploring alternatives and crafting enforceable legislation. But today, we are not being given that time, and that is why we must reject this rule.

We are being given less than 3 hours today when most Members have not had the time to understand and explore the potent ramifications of this issue to decide an issue which will not only impact tens of millions of Americans today, but will also impact future generations.

Cloning is one of the most important and far-reaching issues we will examine in our public service. Its impact may be incalculable. Cloning will alter our world. It is true that powerful, potent and perhaps dangerous research efforts currently proceed unchecked. Technological knowledge grows exponentially with new and important results announced daily. The rush of data creates a surging, uncontrolled current that finds its own course.

We must not legislate long after the damage has been done, and that is why we need to try to find a way to have foresight and vision, providing leadership for others around the world. We must find a way to ban human cloning, while allowing research to continue.

Therefore, I support the revised Greenwood-Deutsch substitute which bans reproductive cloning, but allows strictly regulated, privately funded therapeutic cloning. Reproductive cloning practices which must be banned are an attempt to create a new human being and, as we heard in hearings throughout the spring, there are fringe groups who would like to clone humans. This is wrong, and it must be stopped.

Conversely, somatic cell nuclear transfer, or so-called ''therapeutic cloning,'' is the way to take stem cell research and all of its promise from the lab to the patient who has diabetes, Parkinson's Disease, Alzheimer's, spinal cord injury, and other health problems. Stem cell research helps us take a stem cell, a cell that is a building block to be made into any other cell, and turn that cell into a variety of different tissues for the body.

But medical experts tell us that that stem cell, because the DNA differs from the DNA of the individual that the new tissue is to be donated to, will often be rejected, because the genetic makeup of that tissue is different. Somatic cell nuclear transfer gets around that problem of rejection, because the stem cells that create the organ or tissue are from the patient. As a result, the patient's body will not recognize the organ or tissue as a foreign object.

Let me give my colleagues an example. A diabetic, if we take a cell and we make a stem cell and then we make an Islet cell that produces insulin from that stem cell, the person's body will still reject that Islet cell without immunosuppressive drugs because the DNA is different. But with somatic stem cell transfer, if we take an egg, an unfertilized human egg, we remove the 23 chromosomes and we take the diabetic patient and replace the 23 chromosomes with 46 of that own patient's chromosomes, we can make Islet cells that that person's body will not reject.

The other thing, the very dangerous thing the Weldon bill does is, if there are nonhuman cloning techniques which are used for therapies abroad, we can never import those therapies, to have to say to someone who needs a skin graft that a therapy developed overseas cannot be used to replace one's own healthy skin.

The ancient Greeks developed mythological answers for questions they did not understand. Their mythology brought order into chaos. We do not have that luxury in our society. We cannot stand back, shrug our shoulders and say, it is the will of the gods. Cloning is man's discovery and man has to take control over cloning and all of its consequences, good and bad.

Mr. Speaker, I urge rejection of this rule, and I also urge adoption of the Greenwood-Deutsch substitute. Let us have a debate. Let us have a full discussion, and let us figure this out in a way all of us can be proud of in a reasonable, not a political way.

Mrs. MYRICK. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD)

Mr. GREENWOOD. Mr. Speaker, I thank the gentlewoman for yielding time. I also want to thank my opponent in this debate, the gentleman from Florida (Mr. WELDON), for letting me use one of his charts to which I will refer in a moment.

This rule makes in order the Greenwood-Deutsch substitute. The Greenwood-Deutsch substitute, just like the base bill, makes it illegal to create a human being through cloning. We all, the gentleman from Florida (Mr. WELDON) and I, and all of the speakers we will hear from today, all believe that it is not safe and it is not ethical to create a new human being through cloning. We need to ban that.

What we do not want to ban is, as has been said, the somatic cell nuclear transfer research, because that, my colleagues, that is what gives us the most promising opportunity to cure the diseases that have plagued humanity for centuries.

□ 1345

Every one of us has had the experience that I have had in my office over and over again: a mother and father bring in their little diabetic child, sometimes with a big bottle of needles showing how many times they must inject themselves while they buy time to see if diabetes will eventually kill them.

Every one of us has had the experience that I have had where a beautiful young mother comes into the office, she cannot raise her arms for Lou Gehrig's disease, and is trying to raise

a child and trying to race death that is certain to come from Lou Gehrig's disease.

We have all had people in our office trembling from Parkinson's. We have all had people in our office tell us the tragic stories of their parents with Alzheimer's. We have all had people come to visit us in wheelchairs, quadriplegics, paraplegics, with life-ending, life-destroying spinal injuries. We work on people who have suffered from head injuries, never to regain their normal function, and people in coma.

We have all heard these stories. What do we do? We do the best thing we can think of. We say, let us double the funding for the National Institutes of Health. Let us spend billions of dollars to save these people, to save future generations from the scourge of premature death, disability, torturous pain.

What is the research that we think is going to be done to find these miracle cures? Mr. Speaker, it is somatic cell nuclear transfer.

Let us look at this diagram. What the gentleman from Florida (Mr. WELDON) did not say in his explanation of the diagram is that when we take the skin cell, the somatic cell, and put it in the nucleus of the denucleated or enucleated cell and allow it to divide for 5 to 7 days, when we get to this point, when we get to the point where we have that cell division, we stop the process of cell division and extract from that blastocyst pluripotent stem cells.

When we have those stem cells, the scientists do research where they look at the proteins and the growth factors at work; and they say, what made that skin cell from someone's cheek become a stem cell, a magical stem cell that can become anything? And then, what miraculous proteins and processes can convert that pluripotent stem cell into a specialized spine cell or brain cell or liver cell?

When they unlock that secret through this research, what they will be able to do to our constituents is that little child with diabetes will be able to have some of its skin cells taken, turned in with these proteins, no more eggs, no more embryonic work at all, take her somatic cell, convert it into a stem cell, and convert it into the islets for her liver, convert it into the cells that will cure and repair her spine, convert it into the cells that wake a comatose patient back into consciousness. That is what this research holds for us.

Now, why would we kill this research? Why would we condemn for the world and for future generations not to have the benefit of this miracle? We would do it because some will say, but wait a minute, once we put the cheek cell of the gentleman from Pennsylvania (Mr. GREENWOOD) into this empty cell and it divides, we have a soul. That is the metaphysical question here, do we have a soul there?

Mr. Speaker, I would be mightily surprised if we took my cheek cell and put it in a petri dish and it divided, that God would choose that moment to put a soul on it, and say, Mr. GREENWOOD's cheek cell is dividing; quick, give it a soul. It has to have a soul. Then we can hold hands and circle it and say, It must now become a human being. Mr. GREENWOOD's cheek cell is dividing. It has a soul. It has to live.

That is ridiculous. It is ridiculous. It does not say that in the New Testament. What the New Testament says is love; and with this therapy, we make the love a reality.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN).

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, it is worth reading the bill that is before us today. If we do read the bill, as I have and the other members of the Committee on the Judiciary, we will see that the bill outlaws somatic cell nuclear transfer. It makes it a felony with a 10-year sentence.

If we read further in the bill, there is a ban and also a felony remedy for those who ship or receive any products that are derived from somatic cell nuclear transfer.

Now, what does this mean? This means that scientists in labs around the country who are doing research and who may have cultures of cells that are products of somatic cell nuclear transfer will soon become felons in their labs if they ship or send these cells to colleagues in the scientific world.

Further, under the bill, it is illegal, it is a crime, to accept a cure that is developed outside the United States if a cure for a disease is the product of somatic cell nuclear transfer.

Now, that is a very realistic possibility. Just last month, this month, the head of stem cell research at the University of California in San Francisco announced that he was leaving the United States because he could not do his research in the United States. He is moving to England. When he joins other scientists in England, there is quite a good chance that they will come up with cures for horrible diseases that are suffered throughout the world, including America.

If we pass this bill, we are saying Americans are not allowed to get those cures. That, too, would become a crime.

The National Institutes of Health mentioned in their recent report that the human ES-derived cells could be advantageous for transplantation purposes if they did not trigger an immune rejection. They also point out in the next paragraph that ''potential immunological rejection of human ES-derived cells might be avoided for by using nuclear transfer technology to generate these cells.''

I urge my colleagues to vote against this rule. It is preposterous that we are allowing ourselves 2 hours of debate to decide whether we should call to a screeching halt research that has the promise of curing cancer, of allowing those who have suffered spinal cord injuries to recover, allowing Alzheimer's victims to recover, allowing Parkinson's victims to recover.

We should reject this bill. We all agree that cloning of human beings is something we ought to outlaw. Let us not outlaw research along with that.

Mrs. MYRICK. Mr. Speaker, I yield 2½ minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce.

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

Mr. TAUZIN. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, let me first say that I think we are all in agreement that cloning to reproduce human beings ought to be illegal, and the FDA does not have authority in my view to make it legal today. All they have is authority to say it is a safe process or not, and that is the last authority they have on the subject. We need to make cloning of human beings illegal.

The tougher question is one the gentleman from Pennsylvania (Mr. GREENWOOD) poses: Should we have therapeutic cloning for research purposes to get stem cells?

If that were the only place to get stem cells, if that were the only way in which to learn these incredible cures and these incredible possibilities for replacing human organs and curing diabetes, that would be a pretty tough debate for us today. But we are not in that position.

I commend Members to an article in Discover Magazine that has just come out this month about four remarkable brothers, the Vacanti brothers. In the article, they talk about amazing breakthroughs not in stem cell research but in research that has discovered some 3-micron, very small, cells in every mammalian species, including human beings.

They have experimented with these cells. They have tried to freeze them; they have tried to cook them. They have frozen them at minus 21 degrees. They have left them at 187 degrees for 30 minutes. They have starved them of oxygen. They have lived and replicated. They have used them now in experiments going as far as rebuilding the spinal cords of lab rats, and in months these lab rats are walking again.

This is without stem cell research. This is without embryonic stem cell research. This is without therapeutic cloning.

What this article says is there are amazing breakthroughs in the tissues, the cells of our human bodies, without us going as far as some would have us go in playing with the recreation of human life just to take cells for research purposes. We do not have to go

that far. The Weldon bill will say, stop this cloning business, just stop it, and use these remarkable breakthroughs, instead.

In fact, let me tell the Members what they did in one case, quickly. They used these cells taken from a pancreas that was diabetic, and then they grew insulin-producing islets inside that pancreas using these cells, not stem cells, but these cells that exist already in the body.

Mr. Speaker, there are ways for us to get these answers without messing with cloning. These cells are human beings. We ought to pass this bill today.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I just want to read a list of people who are interested in this bill, more for the people who may be watching this than for the people in this room. Most of us know who is on which side.

The Juvenile Diabetes Foundation, the American Association of Medical Colleges, the Alliance for Aging Research, the American College of Obstetricians and Gynecologists, the American Academy of Optometry, the American Association of Cancer Research, the American Association of Anatomists, and on and on and on.

Most of these organizations, all of these organizations, are populated by people who, for the most part, are much more knowledgeable about the details than any of us.

I know there are many people on this floor today who know more about this issue on specifics than I do, and I respect that; but it is really not about the details, it is really about the future. That is what it is all about.

I cannot, and most of us are totally incapable of knowing everything we want to know about science, especially in the short period of time we have to learn it. But when I see a list of people like this, all of whom want to continue research unfettered by government, many of whom are not engaged in stem cell research; they may be at some future point, but many of them are not. Most genetic research right now is not related to stem cell research, not yet. It may never be. Stem cells is just another potential. That is all it is at the moment.

For us to sit here today and tell the scientists of America, and particularly the scientists of the world, because it will not stop, it will simply move offshore, that this Congress, most of whom are generalists on different areas or specialists in other areas, that this Congress is going to tell them stop, really puts us in the exact same position as legislators and clergy in the Middle Ages when they said, Do not do autopsies. It is immoral; it is unethical. We do not like it. Do not cut those bodies open. Yet men and women did it, to our great benefit today.

It is an old story; it is not a new story. It is not just isolated; it has happened throughout the ages. Not very long ago, in my lifetime, we had people in this country who said, The polio vaccine might cause trouble because it is really dead polio stuff. Yet in my family we lost a young girl to polio, and we saved my brother based on research that some people in those days condemned.

X-rays, we take them as common today. There were many people when x-rays were first in invented who said, Oh, my God, we cannot do that. It was not meant for man to see through someone's body. We do it today with impunity. These same issues are arising again today. We should not substitute our general opinion that we are not even sure about for the future of science and for the health of our children and grandchildren.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I would like to enter into a colloquy with my colleague, the gentleman from Florida (Mr. WELDON).

I would ask the gentleman to correct me if I am wrong, but it seems to me the gentleman's bill makes illegal the creation of a blastocyst for either reproductive or therapeutic cloning. Is that correct?

Mr. WELDON of Florida. Mr. Speaker, will the gentleman yield?

Mr. GANSKE. I yield to the gentleman from Florida.

Mr. WELDON of Florida. I would say to the gentleman, yes, that is correct.

Mr. GANSKE. Mr. Speaker, I want to ask the gentleman another question. I wrote an op ed piece that said, ''Let me make my position absolutely clear. I oppose the cloning of human beings. I favor Federal funding of stem cell research. The potential this research has to cure disease and alleviate human suffering leads me to believe this is a pro-life position.''

My question to the gentleman from Florida is this: What about those fertilized eggs that are not created for research purposes, that are in fertility clinics that are not being used? Does the gentleman's bill make it illegal to use those blastocysts for stem cell research?

Mr. WELDON of Florida. If the gentleman will yield further, no, it does not.

Mr. GANSKE. I thank the gentleman. I want to be absolutely clear on this.

I ask the gentleman from Florida (Mr. WELDON), does he think one can be consistent in being for Federal funding for stem cell research and also being in favor of the gentleman's bill?

Mr. WELDON of Florida. Yes.

□ 1400

Mr. GANSKE. And would the gentleman say that the reason for that is that his bill is focusing primarily on the initial creation of this blastocyst or the equivalent of a fertilized egg and the problems that that would have because we would be basically creating an embryo for research?

Mr. WELDON of Florida. If the gentleman would continue to yield, yes, the threshold we are being asked to cross is no longer just using the embryos that are in the IVF clinics but actually creating embryos for destructive research service.

Mr. GANSKE. Reclaiming my time, Mr. Speaker, I believe there are ethical considerations that enter to the creation of an embryo for research purposes, and that is why I will support the Weldon bill. And I will vote against the Greenwood substitute, and I thank the gentleman.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I am going to use this time really to respond to some of the statements that my colleagues have made in support of the Weldon bill as recently as the last speaker.

Let me again really focus this debate so Members know exactly what they are voting on. It has been presented that the Weldon bill does not stop stem cell research. Well, I do not believe that is true, and I think the facts bear out that that is not true.

This issue is intricately intertwined with stem cell research, and Members need to understand that is what we are voting on. Because just like organ transplants, the organs that can be transplanted have no use if the body is going to reject them. And what I want each of us as Members to think about, and I think my colleague, the gentleman from Pennsylvania (Mr. GREENWOOD), did this as well as I have heard anyone ever do on this floor, think about some of the most awful stories of the human condition, of real people, and each of us have heard these stories, whether on a personal basis or whether as a Member of Congress.

I have the numbers here: 24 million people with diabetes, 15 million with cancer, 6 million with Alzheimer's, 1 million people with Parkinson's. Those are obviously large numbers. But I ask each of my colleagues to think of one person, maybe a grandmother or a grandfather, a father, a mother, a friend who had one of these diseases. And what we would be doing today if we passed the Weldon bill would be taking away their hope of stopping their pain and their suffering. That is the choice in front of us. That truly is the choice in front of us.

We do not have that cure yet. But we all know, all of us have heard and read the specifics of where the research is, and it is there. It might not be there tomorrow, but it is there. We would stop all this research. All of it. All of it. Not Federal funding, but all of it. Private funding, Federal funding. Criminalize it, and all of this research would stop under the Weldon bill.

And let us kind of weigh what we have here. Let us weigh what we have. We have the potentiality in terms of the human condition that I think is as monumental as anything we can possibly contemplate. Again, we can talk about tens of millions and hundreds of millions, but I ask each of my colleagues to focus on one, someone who they know. But then what are we weighing that against? We are weighing that against stopping somatic cell nuclear transfer. That is what it is, somatic cell nuclear transfer. It is not an embryo. It is not the creation of life.

There are issues, and I think very serious ethical, moral issues, about using embryos for stem cell research, and we can talk about them. And I think we take this issue seriously. I think all Members take it seriously. We do not take it lightly at all. The gentleman from Pennsylvania (Mr. GREENWOOD), I think, spoke as well as I have ever heard anyone speak about this on this floor, that by any concept of what we have talked about, a sperm and an egg joining for the potentiality of the creation of a unique human being. That is not what somatic cell nuclear transfer is about.

Somatic cell nuclear transfer is the taking an egg that is not fertilized, taking out the 23 chromosomes and literally, literally taking one of the several trillion, several trillion cells in a body, whether it is the gentleman from Pennsylvania's cheek cell, one of the several trillion, or the cell on his skin or another cell, a cell of several trillion in a person's body, taking that one cell and taking out the 46 chromosomes and putting it in this egg.

And why are we doing it? Again, there is not a Member in this Chamber that wants to allow it to be done for the potentiality of creating a human being. Absolutely not. Illegal under both bills. But what we do want is the potentiality of literally saving tens of millions of lives with that. That reality is there. And if we pass the Weldon bill, we prevent that.

We will not prevent it in some other countries, but what we do, as amazing as it sounds, is we prevent that research from coming into the United States. Which again, as I said previously, I cannot conceive that one of my colleagues in this Chamber would ever have the ability to look a family member or any person, for that matter, in the eye, a quadriplegic, someone suffering from Parkinson's, and say they could not take the benefit of the research.

Mr. Speaker, I urge the defeat of the rule.

Mrs. MYRICK. Mr. Speaker, I yield myself such time as I may consume to remind my colleagues that everybody who came before the Committee on Rules with any kind of an amendment got their amendment, so I urge them not to defeat the rule. Yes, this is a complex issue; but we need to have a substantive debate on it.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise in favor of the rule on House Resolution 2505, the Human Cloning Prohibition Act. It is a good and fair rule, and it allows for a full debate on this important issue at hand.

In light of recent scientific advances in genetic research, our society is faced with some difficult decisions, foremost among these is what value we place on human life. At first glance, human cloning appears to respect life because it mimics the creation of life. However, when we look closely at the manner in which this life is created, in a laboratory, and for what purpose, out of utility, one cannot help but see that cloning is actually the degradation of human life to a scientific curiosity.

Designing a life to serve our curiosity, timing its creation to fit our schedules, manipulating its genetic makeup to suit our desires, is the treatment of life as an object, not as an individual with its own identity and rights.

H.R. 2505, the Human Cloning Prohibition Act is a brave step in the right direction. This legislation amends U.S. law to ban human cloning by prohibiting the use of somatic cell nuclear transfer techniques to create human embryos. This act bans reproductive cloning and so-called therapeutic cloning.

Therapeutic cloning, as my colleagues know, is performed solely for the purpose of research. There is no intention in this process to allow the living organism to survive. While this bill does not restrict the use of cloning technology to produce DNA, cells other than human embryos, tissue or organs, it makes it unlawful for any person or entity, public or private, to perform cloning or to transport, receive, or import the results of such a procedure.

As my colleagues know, the high risk of failure, even in the most advanced cloning technologies, gives us pause. Even the so-called successful clones are highly likely to suffer crippling deformities and abnormalities after birth. Again, the push for scientific knowledge must not supercede our basic belief that human life is sacred.

Mr. Speaker, I urge my colleagues to join the majority of Americans in support of this rule, to oppose the Greenwood substitute, and to support the carefully crafted bill of the gentleman from Florida (Mr. WELDON) to prevent human cloning and to keep us from going down this dangerous road.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

(Ms. LOFGREN asked and was given permission to revise and extend her remarks, and include extraneous material.)

Ms. LOFGREN. I include for the RECORD two articles that outline the research by Johns Hopkins University about the cure of paralysis that was reported last week at the annual meeting of the Society for Neuroscience in New Orleans.

[From the Yale Bulletin & Calendar, Dec. 1, 2000]

TEAM USES PRIMATE'S OWN CELLS TO REPAIR SPINAL CORD INJURY

(By Jacqueline Weaver)

A Yale research team has transplanted stem cells from a primate to repair the protective sheath around the spinal cord in the same animal, an accomplishment that some day could help people with spinal cord injuries and multiple sclerosis.

''The concept is not ready for people, but the fact that it can be achieved in a primate is significant,'' says Jeffrey Kocsis, professor of neurology and neurobiology at the School of Medicine. ''Cells were taken from the same animal, with minimal neurological damage, and then injected to rebuild the myelin.''

In multiple sclerosis, the immune system goes awry and attacks the myelin. Damage to the myelin builds up over years, causing muscle weakness or paralysis, fatigue, dim or blurred vision and memory loss.

Using the primate's own cells to repair the myelin, which is a fatty sheath that surrounds and insulates some nerve cells, sidesteps a common problem in transplanting organs, explains the researcher. Patients generally have to take drugs to suppress their immune systems so that their bodies do not reject an organ obtained from a donor.

''We didn't even need to immunosuppress the primate,'' says Kocsis, who presented his findings last week at the annual meeting of the Society for Neuroscience in New Orleans.

The experiment involved collecting small amounts of tissue from the subventricular area of the primate brain using ultrasonography. The neural precursor cells, or stem cells, then were isolated and expanded in vitro using mitogen, an agent that promotes cell division.

At the same time, myelin was removed from the primate's spinal cord. the stem cells were then injected in the same spot to form new myelin to cover the nerve fibers.

''The lesions were examined three weeks after transplantation and we found the demyelinated axons were remyelinated,'' Kocsis says. ''These results demonstrate that autologous transplantation of neutral precursor cells in the adult non-human primate can remyelinate demyelinated axons, thus suggesting the potential utility of such an approach in remyelinating lesions in humans.''

[From the Times (London), July 26, 2001]

STEM CELL INJECTION HELPS MICE TO WALK AGAIN AS SCIENTISTS FIGHT FOR FUNDING

(Katty Kay in Washington and Mark Henderson, Science Correspondent)

A video showing mice that have been partially cured of paralysis by injections of human stem cells was released last night by American scientists. They are seeking to head off a ban on government funding of similar research.

Researchers at Johns Hopkins University in Baltimore broke with standard scientific practice to screen the tape before details of their research have been formally published, in the hope that it will convince President Bush of the value of stem cell technology.

The U.S. Government is considering whether to outlaw all federal funding of studies using stem cells taken from human embryos, which promise to provide new treatments for many conditions, including paralysis and Parkinson's disease.

Opponents argue that the research is immoral as the cells are taken from viable human embryos. President Bush has suspended federal funding of such work and has announced a review of its future. He was urged this week by the Pope to outlaw the practice.

John Gearhart and Douglas Kerr, who led the privately funded research, hope that the tape will have a decisive impact on the debate by showing the potential of the technique. It shows mice paralyzed by motor neuron disease once again able to move their limbs, bear their own weight and even more around after injections of human embryonic stem cells in their spinal cords.

Dr. Kerr said that the team hopes to start human clinical trials within three years but that a federal funding ban would deal a ''potentially fatal blow'' to its efforts.

Details of its research were first revealed in November last year, though it has yet to be published in a peerreviewed journal. In this case, however, the team took the decision to show the tape to Tommy Thompson, the U.S. Health and Human Services Secretary, who is conducting a review of stem cell funding for President Bush, and to Pete Domenici, a Republican senator. It is now to be released to the public as well.

Medical research charities said the video would have a major impact. ''I wish the President would see this tape,'' said Michael Manganiello, vice-president of the Christopher Reeve Paralysis Foundation, named after the Superman actor who was paralyzed in a riding accident.

''When you see a rat going from dragging his hind legs to walking, it's not that big a leap to look at Christopher Reeve, and think how this might help him,'' he said.

In the experiment, 120 mice and rats were infected with a virus that caused spinal damage similar to that from motor neuron disease, the debilitating condition that affects Professor Stephen Hawking. The disease is generally incurable and sufferers usually die from it within two to six years.

When fluid containing human embryonic stem cells was infused into the spinal fluid of the paralyzed rodents, every one of the animals regained at least some movement. In previous tests stem cells have been transplanted directly into the spinal cord. Infusing the fluid if far less invasive and would make eventual treatment in humans much easier.

Dr. Kerr said the limited movement seen was a reflection of the limited research, not of the limits to stem cells themselves.

''I would be a fool to say that the ceiling we have now is the same ceiling we'll see in two years,'' he said. ''We will be smarter and the stem cell research even more developed.''

However, the prospect of human trials in three years depends on the outcome of a political and ethical debate over whether the US Government will allow federal funding for stem cell research. If President Bush decides not to approve government funds for research, that would set the timetable back 10 to 12 years for tests in humans, Dr. Kerr said.

The controversy stems from the fact that human embryos must be destroyed in order to retrieve the stem cells. Mr. Bush is under pressure from conservative Republicans and Roman Catholics not to back the research on moral grounds.

Some top American scientists, who are becoming increasingly frustrated with the funding limitations, have left for Britain where government funding is available. The British Government has approved stem cell research on the ground that it could help to cure intractable disease.

The research on rodents at Johns Hopkins took stem cells from five to nine-week-old human fetuses that had been electively aborted.

THERAPIES

There is no cure for ALS, and more research needs to be done in order for there to be one.

Currently, there is only one drug on the market that has been approved by the FDA for the treatment of ALS: Riluzole. It was originally developed as an anti-convulsant, but it has also been shown to have anti-glutamate effects. In a French trial, it was found that those taking the drug had an enhanced survival rate of 74% as compared to only 58% in the placebo group. [1] But, the drug has gotten mixed reviews, with divergent results occurring throughout the trials.

Creatine has also been shown to help motor neurons produce needed energy for longer survival and is currently being tested in clinical ALS trials. Creatine is an over-the-counter supplement that is popular as a muscle builder among athletes. Creatine is a natural body substance involved in the transport of energy. Studies using SOD1 mice found that animals given a diet high in creatine had the same amount of healthy muscle-controlling nerve cells as mice in the normal, or control, group. Creatine can be found in a variety of health food stores.

Sanofi, still in clinical trial, is a nonpeptide compound which possesses neurotrophin-like activity at nanomolar concentrations in vitro, and after administration of low oral doses in vivo. The compound reduces the histological, neurochemical and functional deficits produced in widely divergent models of experimental neurodegeneration. The ability of sanofi to increase the innervation of human muscle by spinal cord explants and to prolong the survival of mice suffering from progressive motor neuronopathy suggest the compound might be an effective therapy for the treatment of ALS.

The mechanism by which sanofi elicits its neurotrophic and neuroprotective effects, although not fully elucidated, is probably related to the compound's ability to mimic the activity of, or stimulate the biosynthesis of, a number of endogenous neurotrophins such as nerve growth factor (NGF) and brain-derived, neurotrophic factor (BDNF). While sanofi has high affinity for serotonin 5-HT1A receptors and some affinity for sigma sites, its affinity for these targets appears to be unrelated to its neurotrophic or neuroprotective activity.

STEM CELL THERAPY

Therapeutic efforts are underway to prevent diseases or prevent their progress, but more is going to be needed in order to repair the damage that has been done in ALS. Neurons are dead and muscles have atrophied; these must be regenerated to get back what has been lost. Stem cell therapy is going to be key.

The definition of a stem cell is under debate, but most researchers agree with the properties of multipotency, high proliferative potential and self-renewal.[2]

Embryonic and fetal stem cells differ in their isolation periods, and thus their potentials. Embryonic stem cells are derived very early in development, either at or before the blastocyst stage, and are defined as pluripotent, with the ability to differentiate into multiple cell types. When a sperm fertilizes an egg, that cell will then go on to further divide and differentiate into cells that will make up the entire body. If cells are captured before they differentiate, those cells then have the ability to become many types of desired cells. Fetal stem cells, which can be isolated at a later stage (from aborted fetuses, for example), are more differentiated and thus more restricted in the lineage they can become. Research has shown that the beauty of the embryonic stem cell is in its ability to become all types of cells, migrate, and respond to cues in the transplanted environment.

Adult stem cells can be isolated from certain areas in the adult body, including neurogenic areas of the brain (the dentate gyrus and olfactory bulb), and bone marrow. Recent research has shown bone marrow derived stem cells are very versatile, differentiating into muscle blood, and neural cell fates. [3] While adult stem cells hold promising hope, they are not abundant, are difficult to isolate and propagate, and may decline with increasing age. Some evidence suggests that they may not have the differential potential and migratory ability as embryonic stem cells. Also, there is concern that adult stem cells may harbor more DNA mutations, since free radical damage and declination of DNA repair systems are known to occur more with age. [4] Any attempt to treat patients with their own stem cells, which from an immunologic standpoint would be great, would require those stem cells to be isolated and grown in culture to promote sufficient numbers. For many patients, including ALS patients, there may not be enough time to do this. For other diseases, such as those caused by genetic defects, it might not be wise to use one's own cells since that genetic defect is likely to be in those cells as well. Adult stem cells are less controversial, due to no isolation from embryonic or fetal tissue, but they may not have the same therapeutic potential.

Dr. Evan Snyder and his lab at the Boston Children's Hospital have transplanted embryonic mouse stem cells (C17.2) into the spinal cords of onset SODI mice. These cells were found to integrate into the system, with some found to have differentiated into immature neurons. Rotorod analysis, which measures functional behavior, indicated that those animals that had received a transplant, had improved fucntional recovery as compared to those that had not received cells. (This data is in press and will be presented at the Neuroscience Conference in San Diego, Fall 2001.)

Dr. Snyder and his team are also involved in embryonic stem cell transplant in primate models that resemble ALS. This is exciting work that may help push stem cell therapy to clincal trial. This research is being funded by Project A.L.S. (go to www.projectals.org)

Recently, it was reported that researchers at Johns Hopkins had made an exciting finding with stem cell therapy in regards to ALS. The following report is taken directly from the Johns Hopkins press.

STEM CELLS GRAFT IN SPINAL CORD, RESTORE MOVEMENT IN PARALYZED MICE

Scientists at Johns Hopkins report they've restored movement to newly paralyzed rodents by injecting stem cells into the animals' spinal fluid. Results of their study were presented in the annual meeting of The Society of Neuroscience in New Orleans.

The researchers introduced neural stem cells into the spinal fluid of mice and rats paralyzed by an animal virus that specifically attacks motor neurons. Normally, animals infected with Sindbis virus permanently lose the ability to move their limbs, as neurons leading from the spinal cord to muscles deteriorate. They drag legs and feet behind them.

Fifty percent of the stem-cell treated rodents, however, recovered the ability to place the soles of one or both of their hind feet on the ground. ''This research may lead most immediately to improved treatments for patients with paralyzing motor neuron disease, such as amyotrophic lateral sclerosis (ALS) and another disorder, spinal

motor atrophy (SMA),'' says researcher Jeffrey Rothstein, M.D., Ph.D.

''Under the best research circumstances,'' he adds, ''stem cells could be used in early clinical trials within two years.''

''The study is significant because it's one of the first examples where stem cells may restore function over a broad region of the central nervous system,'' says neurologist Douglas Kerr, M.S., Ph.D., who led the research team. ''Most use of neural stem cells so far has been for focused problems such as stroke damage or Parkinson's disease, which affect a small, specific area,'' Kerr explains.

In the rodent study, however, injected stem cells migrated to broadly damaged areas of the spinal cord. ''something about cell death is apparently a potent stimulus for stem cell migration,'' says Kerr. ''Add these cells to a normal rat or mouse, and nothing migrates to the spinal cord.'' In the study of 18 rodents,the researchers injected stem cells into the animals' cerebrospinal fluid via a hollow needle at the base of the spinal cord—like a spinal tap in reverse. Within several weeks, the cells migrated to the ventral horn, a region of the spinal cord containing the bodies of motor nerve cells.

''After 8 weeks, we saw a definite functional improvement in half of the mice and rats,'' says Kerr. ''From 5 to 7 percent of the stem cells that migrated to the spinal cord appeared to differentiate into nerve cells,'' he says. ''They expressed mature neuronal markers on their cell surfaces. Now we're working to explain how such an apparently small number of nerve cells can make such a relatively large improvement in function.

''It could be that fewer nerve cells are needed for function than we suspect. The other explanation is that the stem cells themselves haven't restored the nerve cell-to-muscle units required for movement but that, instead, they protect or stimulate the few undamaged nerve cells that still remain. We're pursuing this question now in the lab.''

The rodents infected with the Sindbis virus are a tested model for SMA, Kerr noted. SMA is the most common inherited neurological disorder and the most common inherited cause of infant death, affecting between 1 in 6,000 and 1 in 20,000 infants. In the disease, nerve cells leading from the spinal cord to muscles deteriorate. Children are born weak and have trouble swallowing, breathing and walking. most die in infancy, though some live into young childhood.

With ALS, which affects as many as 20,000 in this country, motor nerves leading from the brain to the spinal cord as well as those from the cord to muscles deteriorate. The disease eventually creates whole-body paralysis and death.

The research was funded by grants from the Muscular Dystrophy Association and Project ALS.

Other scientists were Nicholas Maragakis, M.D., John D. Gearhart, Ph.D., of Hopkins, and Evan Snyder, at Harvard.

Stem cell therapy offers much promise to people suffering with ALS, as well as many other diseases, including Parkinson's and Alzheimer's. The key to this work is going to be support and funding. So many people will die without it.

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[3] Mezey, E. Chandross, K. 2000. Bone marrow: a possible alternative source of cells in the adult nervous system. European Journal of Pharmacology 405:297–302.

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The SPEAKER pro tempore (Mr. GIBBONS). The gentlewoman from New York (Ms. SLAUGHTER) has 2 minutes remaining, and the gentlewoman from North Carolina (Mrs. MYRICK) has 6 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, may I inquire if the gentlewoman from North Carolina has more speakers?

Mrs. MYRICK. Yes, I do. I have several more speakers.

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

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. KERNS).

Mr. KERNS. Mr. Speaker, I stand before you today to urge my colleagues' support of the rule and H.R. 2505, the Human Cloning Act of 2001.

Today we take an important step in the process to ban human cloning in the United States. With technologies advancing rapidly, the race to clone a human being has become all too real. Simply put, H.R. 2505 will ban the process of cloning another human being. It will not, however, prohibit scientists from conducting responsible research.

Human cloning is not a Republican issue or a Democrat issue, it is an issue for all of mankind. The prospect of cloning a human being raises serious moral, ethical, and human health implications. As countries around the globe look to the United States for leadership, it is our responsibility to take a firm position and ban human cloning.

I spent, recently, many days traveling all throughout Indiana talking to people about this issue; and I have received lots of calls from across the country about this issue. I believe overwhelmingly that the people of this country want to ban human cloning.

There are several important factors my colleagues should be aware of when considering this legislation. H.R. 2550 does not restrict the practice of in vitro fertilization. It does not deal with the separate issue of whether the Federal Government should fund stem cell research on human embryos. Furthermore, 2505 does not prohibit the use of cloning methods to produce any molecules, DNA, organs, plants, or animals other than humans.

I urge all my colleagues to vote in support of the rule today.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of the rule and the anti-cloning bill authored by my colleague, the gentleman from Florida (Mr. WELDON). The House of Representatives must choose today whom it will serve, whether it will support the Weldon cloning ban and protect nascent human life or whether it will endorse an alternative that will most certainly lead to the creation of a subclass of human life solely for the purpose of experimentation and destruction.

Mr. Speaker, no ethical case can be made for cloning a human being. The Weldon bill bans all human cloning. The alternative before us would allow cloning as long as the cloned human is destroyed before it can follow the natural progression of life.

Today, Mr. Speaker, this Congress has the ability to settle some of the moral confusion of our time, to say that humanity will master rather than be mastered by science. Humanity is once again on the verge of a great moral decision. I pray we will not fall into the same type of tragic reasoning that has led previous generations into slavery and genocide through the devaluation of human life.

Let us reject the notion that exploitation of life is acceptable. This institution must respect life, protect life, and choose life; and I stand in strong support of the rule.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise in support of this rule and H.R. 2505.

This bill prohibits cloning of human beings, and it also prohibits another type of cloning which seriously endangers the sanctity of human life, the so-called therapeutic cloning. In this process, scientists would create embryos solely to experiment on them and eventually to destroy them for stem cells or whatever purpose. Remember, however, that the purpose is to destroy them.

Every argument in favor of therapeutic cloning assumes that the smallest human lives, embryos typically days old, are not lives at all. They are just clumps of cells to be manipulated and used for the benefit of those who have already been born. No matter how good the intention, this type of scientific rationalization endangers the very fabric of our society, our respect for ourselves and others. Nothing, I believe, can justify the taking of human life to improve the quality of another.

□ 1415

Mr. Speaker, I urge all of my colleagues to join me in supporting this bill, a true ban on human cloning.

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

Mr. Speaker, I would like to just comment, it was said a while ago that all the amendments that were brought up on this piece of legislation were allowed. Three were rejected by the Committee on Rules. One was by the gentlewoman from Texas (Ms. JACKSON-LEE), which made sure that this did not have anything to do with in vitro fertilization that was not allowed. Two were by the gentleman from Virginia (Mr. SCOTT), which would have also protected the rights of human beings.

I want to say to all my colleagues, because all of us have said it over and over again, that we are all opposed to the cloning of human beings. I believe this House is already on record having said that. But a lot of us believe that science is important, that taking care of the human beings who live here, to provide better health, a chance to live, a hope that paraplegics will walk, that diabetes will be done away with, that cancer can be found a cure for, all the promises that stem cells hold.

I want to say the same thing that my colleague, the gentleman from Massachusetts (Mr. CAPUANO) said. I recall the first debate when the first organ transplants took place, that that perhaps is not God's will. Maybe God expects us to help ourselves and to take advantage of the things he has given us here on Earth, to learn to do better and to do better for our fellow human beings.

Underlying all of this, Mr. Speaker, is that this House is in no way ready to debate this measure. There simply is not enough knowledge on either side. People are not clear on what is happening here. I am absolutely certain, as are many Members in this House, that this does away with stem cell research despite the fact that the gentleman from Florida (Mr. WELDON) believes it does not. There are far too many of us that believe that it does.

There are far too many questions left unanswered. The underlying case is, is the United States going to turn its back on science, and let other countries do it and then prohibit, with this legislation, the ability for us to even take advantage of breakthroughs, if they occur in another country, because we cannot import the cure?

What a terrible thought that must be for people out there who are waiting on a daily basis for something wonderful to happen to save the life of someone who means the world to them, for people who sit by a child's bedside and for people who pray every day for some deliverance from some awful scourge. I think they expect from us to know what we are doing here today.

I urge with all my heart a no vote on this rule to give us time in this House to really understand what we are doing because of the far-reaching implications of this legislation.

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

The SPEAKER pro tempore (Mr. GIBBONS). The time of the gentlewoman from New York has expired.

The gentlewoman from North Carolina has 2½ minutes remaining and has the right to close.

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

Mr. Speaker, I would like to clarify a remark based on what the gentlewoman from New York (Ms. SLAUGHTER) said. I said that the amendments of everybody who came before the Committee on Rules, who came to testify, were accepted. The other amendments were rejected in the Committee on the Judiciary.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, let me in closing just say I think this is a very fair and equitable rule. We allowed the gentleman from Pennsylvania (Mr. GREENWOOD) a full hour to debate the merits of his issue. I believe we will get a full airing of the essential debate.

I think the essential debate is, do we want to take the next step on this embryo stem cell issue, and take the Nation to the place where we are going to be creating embryos, no longer using so-called excess embryos, but we are going to start creating embryos.

I am a physician. I saw patients just last week. I have treated patients with Alzheimer's disease, Lou Gehrig's disease, diabetes. My father had diabetes. To hold out reproductive cloning as a solution to these problems is pie in the sky. It does not even exist.

Ms. SLAUGHTER. Mr. Speaker, will the gentleman yield?

Mr. WELDON of Florida. I only have 2 minutes.

Ms. SLAUGHTER. We are not talking about reproductive cloning.

Mr. WELDON of Florida. I will not yield.

The SPEAKER pro tempore. The gentlewoman will suspend. The gentleman from Florida has the time.

Mr. WELDON of Florida. Mr. Speaker, I would be very pleased to discuss the issue of reproductive cloning. It does not exist. It is a theoretical construct.

I was just on the phone with a physician colleague from Chicago last night, who spoke to the world's most eminent embryologist at Stanford University, and I am quoting from him when he says, ''It is pie in the sky.''

One other thing I just want to clarify: My colleague, the gentleman from Florida (Mr. DEUTSCH), said the somatic cell nuclear transfer creating a cloned embryo is not the creation of life. I think to put forward that notion is totally absurd. That is like saying Dolly is not alive.

We are talking about creating human embryos for destructive research purposes, creating them. We are not talking about using the embryos in the IVF clinics anymore, in the freezers, the so-called excess embryos; we are talking about creating them for research purposes. I believe that is a line we do not want to cross.

We will have that debate in a little while. I encourage everyone to vote yes on this rule.

Mrs. MYRICK. Mr. Speaker, I urge my colleagues to vote yes on this rule so we can go ahead and have this debate, and discuss this complex and substantive issue.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on House Resolution 214 will be followed by a 5-minute vote on H.R. 2540.

The vote was taken by electronic device, and there were—yeas 239, nays 188, not voting 7, as follows:

[Roll No. 300]

YEAS—239

Aderholt	Goss	Nussle
Akin	Graham	Oberstar
Armey	Graves	Ortiz
Bachus	Green (WI)	Osborne
Baker	Greenwood	Ose
Ballenger	Grucci	Otter
Barcia	Gutknecht	Oxley
Barr	Hall (OH)	Paul
Bartlett	Hall (TX)	Pence
Barton	Hansen	Peterson (MN)
Bereuter	Hart	Peterson (PA)
Berry	Hastert	Petri
Biggert	Hastings (WA)	Phelps
Bilirakis	Hayes	Pickering
Blunt	Hayworth	Pitts
Boehlert	Hefley	Platts
Boehner	Herger	Pombo
Bonilla	Hilleary	Pomeroy
Brady (TX)	Hobson	Portman
Brown (SC)	Hoekstra	Pryce (OH)
Bryant	Holden	Putnam
Burr	Hostettler	Quinn
Burton	Houghton	Radanovich
Buyer	Hulshof	Rahall
Callahan	Hunter	Regula
Calvert	Hyde	Rehberg
Camp	Isakson	Reynolds
Cannon	Issa	Riley
Cantor	Istook	Roemer
Capito	Jenkins	Rogers (KY)
Carson (OK)	John	Rogers (MI)
Chabot	Johnson (IL)	Rohrabacher
Chambliss	Johnson, Sam	Ros-Lehtinen
Coble	Jones (NC)	Ryan (WI)
Collins	Keller	Ryun (KS)
Combest	Kelly	Saxton
Cooksey	Kennedy (MN)	Scarborough
Costello	Kerns	Schaffer
Cox	Kildee	Schrock
Crane	King (NY)	Sensenbrenner
Crenshaw	Kingston	Sessions
Cubin	Kirk	Shadegg
Culberson	Knollenberg	Sherwood
Cunningham	Kucinich	Shimkus
Davis, Jo Ann	Langevin	Shows
Davis, Tom	Largent	Shuster
Deal	Latham	Simmons
DeLay	LaTourette	Simpson
DeMint	Leach	Skeen
Diaz-Balart	Lewis (CA)	Skelton
Doolittle	Lewis (KY)	Smith (MI)
Doyle	Linder	Smith (NJ)
Dreier	LoBiondo	Smith (TX)
Duncan	Lucas (KY)	Souder
Dunn	Lucas (OK)	Stearns
Ehlers	Manzullo	Stenholm
Ehrlich	Mascara	Stump
Emerson	Matheson	Stupak
English	McCarthy (NY)	Sununu
Everett	McCrery	Sweeney
Ferguson	McHugh	Tancredo
Flake	McInnis	Tauzin
Fletcher	McIntyre	Taylor (MS)
Foley	McKeon	Taylor (NC)
Forbes	McNulty	Terry
Fossella	Mica	Thomas
Frelinghuysen	Miller, Gary	Thornberry
Gallegly	Mollohan	Thune
Ganske	Moran (KS)	Tiahrt
Gekas	Morella	Tiberi
Gibbons	Myrick	Toomey
Gilchrest	Nethercutt	Traficant
Gillmor	Ney	Turner
Goode	Northup	Vitter
Goodlatte	Norwood	Walden

Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Gutierrez
Harman
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Kolbe
LaFalce
Lampson
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—7

Hastings (FL)
Hutchinson
Jones (OH)
LaHood
Lipinski
Spence
Stark

□ 1442

Ms. BALDWIN and Mr. PASTOR changed their vote from ''yea'' to ''nay.''

Mr. GARY G. MILLER of California and Mr. RADANOVICH changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERANS BENEFITS ACT OF 2001

The SPEAKER pro tempore (Mr. GIBBONS). The pending business is the question of suspending the rules and passing the bill, H.R. 2540, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2540, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 301]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Gordon
Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
Payne
Riley
Spence
Stark
Thompson (MS)
Wu

□ 1453

So (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 301, H.R. 2540, the Veterans Benefits Act of 2001. Had I been present I would have voted "yea."

HUMAN CLONING PROHIBITION ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 214, I call up the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to House Resolution 214, the bill is considered read for amendment.

The text of H.R. 2505 is as follows:

H. R. 2505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Human Cloning Prohibition Act of 2001''.

SEC. 2. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

''CHAPTER 16—HUMAN CLONING

''Sec.
''301. Definitions.
''302. Prohibition on human cloning.

''§ 301. Definitions

''In this chapter:

''(1) HUMAN CLONING.—The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously exisiting human organism.

''(2) ASEXUAL REPRODUCTION.—The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

''(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human body at any stage of development.

''§ 302. Prohibition on human cloning

''(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, knowingly—

''(1) to perform or attempt to perform human cloning;

''(2) to participate in an attempt to perform human cloning; or

''(3) to ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo.

''(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, knowingly to import for any purpose an embryo produced by human cloning, or any product derived from such embryo.

''(c) PENALTIES.—

''(1) CRIMINAL PENALTY.—Any person or entity who violates this section shall be fined under this section or imprisoned not more than 10 years, or both.

''(2) CIVIL PENALTY.—Any person or entity that violates any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not less than $1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than $1,000,000.

''(d) SCIENTIFIC RESEARCH.—Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15 the following:

''16. Human Cloning ..... 301''.

The SPEAKER pro tempore. The amendments printed in the bill are adopted.

The text of H.R. 2505, as amended, is as follows:

H.R. 2505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Human Cloning Prohibition Act of 2001''.

SEC. 2. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

''CHAPTER 16—HUMAN CLONING

''Sec.
''301. Definitions.
''302. Prohibition on human cloning.

''§ 301. Definitions

''In this chapter:

''(1) HUMAN CLONING.—The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously [exisiting] *existing* human organism.

''(2) ASEXUAL REPRODUCTION.—The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

''(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human body at any stage of development.

''§ 302. Prohibition on human cloning

''(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, knowingly—

''(1) to perform or attempt to perform human cloning;

''(2) to participate in an attempt to perform human cloning; or

''(3) to ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo.

''(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, knowingly to import for any purpose an embryo produced by human cloning, or any product derived from such embryo.

''(c) PENALTIES.—

''(1) CRIMINAL PENALTY.—Any person or entity [who] *that* violates this section shall be fined under this [section] *title* or imprisoned not more than 10 years, or both.

''(2) CIVIL PENALTY.—Any person or entity that violates any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not less than $1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than $1,000,000.

''(d) SCIENTIFIC RESEARCH.—Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15 the following:

''16. Human Cloning ..... 301''.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 107–172, if offered by the gentleman from Virginia (Mr. SCOTT), or his designee, which shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

After disposition of the amendment by the gentleman from Virginia (Mr. SCOTT), it shall be in order to consider the further amendment printed in the report by the gentleman from Pennsylvania (Mr. GREENWOOD), which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes of debate on the bill.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2505, the bill under consideration.

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

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, I rise in support of H.R. 2505, the Human Cloning Prohibition Act of 2001. This bill criminalizes the act of cloning humans, importing cloned humans, and importing products derived from cloned humans. It is what is needed, a comprehensive ban against cloning humans. It has bipartisan cosponsorship. It was reported favorably by the Committee on the Judiciary on July 24, and is supported by the Secretary of the Department of Health and Human Services, Tommy J. Thompson, and by President Bush.

Today we are considering more than the moral and ethical issues raised by human cloning. This vote is about providing moral leadership for a watching world. We have the largest and most powerful research community on the face of the Earth, and we devote more money to research and development than any other Nation in the world. Although many other nations have already taken steps to ban human cloning, the world is waiting for the United States to set the moral tone against this experimentation.

Currently in the United States there are no clear rules or regulations over privately funded human cloning. Although the FDA has announced that it has the authority to regulate human cloning through the Public Health Service Act and the Food, Drug and Cosmetic Act, this authority is unclear and has not been tested. The fact of the matter is that the FDA cannot stop

human cloning; it can only begin to regulate it. This will be a day late and a dollar short for a clone that is used for research, harvesting organs, or born grotesquely deformed.

Meanwhile, there is a select group of privately funded scientists and religious sects who are prepared to begin cloning human embryos and attempting to produce a cloned child. While they believe this brave new world of Frankenstein science will benefit mankind, most would disagree. In fact, virtually every widely known and respected organization that has taken a position on reproductive human cloning flatly opposes this notion because of the extreme ethical and moral concerns.

Others argue that cloned humans are the key that will unlock the door to medical achievements in the 21st century. Nothing could be further from the truth. These miraculous achievements may be found through stem cell research, but not cloning.

Let me be perfectly clear: H.R. 2505 does not in any way impede or prohibit stem cell research that does not require cloned human embryos. This debate is whether or not it should be legal in the United States to clone human beings.

While H.R. 2505 does not prohibit the use of cloning techniques to produce molecules, DNA cells other than human embryos, tissues, organs, plants, and animals other than humans, it does prohibit the creation of cloned embryos. This is absolutely necessary to prevent human cloning, because, as we all know, embryos become people.

If scientists were permitted to clone embryos, they would eventually be stockpiled and mass-marketed. In addition, it would be impossible to enforce a ban on human reproductive cloning. Therefore, any legislative attempt to ban human cloning must include embryos.

□ 1500

Should human cloning ever prove successful, its potential applications and expected demands would undoubtedly and ultimately lead to a worldwide mass market for human clones. Human clones would be used for medical experimentation, leading to human exploitation under the good name of medicine. Parents would want the best genes for their children, creating a market for human designer genes.

Again, governments will have to weigh in to decide questions such as what rights do human clones hold, who is responsible for human clones, who will ensure their health, and what interaction will clones have with their genealogical parent.

Fortunately, Mr. Speaker, the gentleman from Florida (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK) have introduced this legislation before a cloned human has been produced.

As most people know, Dolly the sheep was cloned in 1997. Since that time, scientists from around the globe have experimentally cloned a number of monkeys, mice, cows, goats, lambs, bulls and pigs. It took 276 attempts to clone Dolly, and these later experiments also produced a very low rate of success, a dismal 3 percent. Now, some of the same scientists would like to add people to their experimental list.

Human cloning is ethically and morally offensive and contradicts virtually everything America stands for. It diminishes the careful balance of humanity that Mother Nature has installed in each of us. If we want a society where life is respected, we should take whatever steps are necessary to prohibit human cloning.

I believe we need to send a clear and distinct message to the watching world that America will not permit human cloning and that it does support scientific research. This bill sends this message, that it permits cloning research on human DNA molecules, cells, tissues, organs or animals, but prevents the creation of cloned human embryos.

Mr. Speaker, support H.R. 2505. Stop human cloning and preserve the integrity of mankind and allow scientific research to continue.

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

Mr. Speaker, I would like to commend the Members for an excellent debate during the debate on the rule, as well as I hope this one will be constructive. I ask the Members, suppose you learned that you had contracted a deadly disease, Alzheimer's, multiple sclerosis, but the Congress had banned the single most promising avenue for curing the disease. And that is precisely what we will be doing if we pass the Weldon bill in its present form, because it is a sweeping bill.

Let us give it credit. It is half right, it is half wrong. But it is so sweeping that it would not only ban reproductive cloning, but all uses of nuclear cell transfer for experimental purposes. This would stop ongoing studies designed to help persons suffering from a whole litany of diseases. So far-reaching is this measure that it bans the importation even of lifesaving medicine from other countries if it has had anything to do with experimental cloning. What does it mean? If another nation's scientist developed a cure for cancer, it would be illegal for persons living in this country to benefit from the drug.

Question: Does this make good policy? Is this really what we want to do here this afternoon?

Besides that, the legislation would totally undermine lifesaving stem cell research that so many Members in both bodies strongly support. One need not be a surgeon to understand that it is far preferable to replace diseased and cancer-ridden cells with new cells based on a patient's own DNA. We simply cannot replicate the needed cells with adult cells only, and this is why we need to keep experimenting with nuclear cell transfer.

That is why I am trying to give the gentleman from Florida (Mr. WELDON), as much credit as humanly possible. It is half right, it is half wrong; and we are trying, in this debate, to make that correction.

Now, if we really wanted to do something about cloning, about the problem of reproducing real people, then we invite the other side to join with us in passing the Greenwood-Deutsch substitute to criminalize reproductive cloning that will also be considered by the House today, for there is broad bipartisan support on both sides of the aisle for such a proposition, and we could come together and do something that I believe most of our citizens would like.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. HYDE), the distinguished former chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Speaker, I rise in support of the Weldon-Stupak bill.

Every Member of this House casts thousands of votes in the course of a congressional career. Some of those votes we remember with satisfaction; others we remember with less pleasure. That is the burden we take on ourselves when we take the oath of our office: the burden of decision.

We should feel the gravity of that burden today. For no vote that any of us will ever cast is as fraught with consequence as our vote on whether or not to permit human cloning.

Advances in the life sciences have brought us to a decisive fork in the road. Will our new genertic knowledge and the biotechnologies it helps create, promote healing and genuine human flourishing? Or will we use this new knowledge to remanufacture the human condition by manufacturing human beings?

The first road leads us to a brighter future, in which lives are enhanced and possibilities are enlarged, for the betterment of individuals and humanity. The second road leads us into the brave new world so chillingly described by Aldous Huxley more than 60 years ago; a world of manufactured men and women, designed to someone else's specifications, for someone's else's benefit, in order to fulfill someone else's agenda.

When manufacture replaces begetting as the means to create the human future, the dehumanization of the future is here.

That is what is at stake in this vote. That is what we are being asked to decide today. Are we going to use the new knowledge given us by science for genuinely humane ends? Or are we going to slide slowly, inexorably into the brave new world?

When we succeeded in splitting the atom, an entire new world of knowledge about the physical universe opened before us. At the same time, as we remember all too well from the cold war, our new knowledge of physics, and the weapons it made possible, handed us the key to our own destruction. It continues to

take the most serious moral and political reflection to manage the knowledge that physics gave us six decades ago.

Now we face a similar, perhaps even greater, challenge. The mapping of the human genome and other advances in the life sciences have given humanity a range and breadth of knowledge just as potent in its possibility as the knowledge acquired by the great physicists of the mid-twentieth century. Our new knowledge in the life sciences contains within itself the seeds of good—for it is knowledge that could be used to cure the sick and enhance the lives of us all. But, like the knowledge gained by the physicists, the new knowledge acquired by biology and genetics can also be used to do great evil: and that is what human cloning is. It is a great evil. For it turns the gift of life into a product—a commodity.

We have just enough time, now, to create a set of legal boundaries to guide the deployment of the new genetic knowledge and the development of the new biotechnologies so that this good thing—enhanced understanding of the mysteries of life itself—serves good ends, not dehumanizing ends. We have just enough time to insure that we remain the masters of our technology, not its products. We should use that time well—which is to say, thoughtfully. The new knowledge from the life sciences demands of us a new moral seriousness and a new quality of public reflection. These are not issues to be resolved by politics-as-usual, any more than the issue of atomic energy could be resolved by politics-as-usual. These are issues that demand informed and courageous consciences.

As free people, we have the responsibility to make decisions about the deployment of our new genetic knowledge with full awareness of the profound moral issues at stake. The questions before us in this bill, and in setting the legal framework for the future development of biotechnology, are not questions that can be well-answered by a simple calculus of utility: will it ''work?'' The questions raised by our new biological and genetic knowledge summon us to remember that most ancient of moral teachings, enshrined in every moral system known to humankind: never, ever use another human being as a mere means to some other end. That principle is the foundation of human freedom.

When human life is special-ordered rather than conceived, ''human life'' will never be the same again. Begetting the human future, not manufacturing it, is the fork in the road before us. Indeed, to describe that fork in those terms is not quite right. For a manufactured human future is not a human, or humane, future.

The world is watching us, today. How the United States applies the moral wisdom of the ages to the new questions of the revolution in biotechnology will set an example, for good or for ill, for the rest of humankind. If we make the decision we should today, in support of Congressman's WELDON's bill, the world will know that there is nothing inexorable about human cloning, and that it is possible for us to guide, rather than be driven by, the new genetics. The world will know that there is a better, more humane way to deploy the power that science has put into our hands.

And the world will know that America still stands behind the pledge of our founding, a pledge to honor the integrity, the dignity, the sanctity, of every human life, as the foundation of our freedom.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Subcommittee on Crime.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding time.

Mr. Speaker, the manufacture of cloned human beings rightly alarms an overwhelming majority of Americans. Some 90 percent oppose human cloning, according to a recent Time/CNN poll. The National Bioethics Advisory Commission unanimously concluded that ''Any attempt to clone a child is uncertain in its outcome, is unacceptably dangerous to the fetus and, therefore, morally unacceptable.'' That is why this bill prohibits all human cloning.

A partial ban would allow for stockpiles of cloned human embryos to be produced, bought and sold without restrictions. Implantation of cloned embryos, a relatively easy procedure, would inevitably take place. Once cloned embryos are produced and available in laboratories, it is impossible to control what is done with them, so a partial ban is simply unenforceable.

It has been argued that this bill would have a negative impact on scientific research, but this assertion is unsupported, both by the language in the bill and by the testimony received by the Subcommittee on Crime during two hearings. The language in the bill allows for research in the use of nuclear transfer or other cloning techniques used to produce molecules, DNA, cells, tissues, organs, plants or animal. Furthermore, Mr. Speaker, there is no language in the bill that would interfere with the use of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures to assist a woman from becoming or remaining pregnant.

Mr. Speaker, I urge my colleagues to support this legislation and oppose the substitute.

Mr. CONYERS. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN), a member of the committee.

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, this bill bans human cloning. Almost all of us agree with that. The problem is, the bill does much more. It makes cutting-edge science a crime. It would make somatic cell nuclear transfer a felony.

An egg is stripped of its 23 chromosomes, 46 chromosomes are taken from the cell, say, of a piece of skin, and inserted into the egg. In 2 weeks, there is a clump of cells, undifferentiated, without organs, internal structures, nerves. Each of these cells may grow into any kind of cell, to cure cancer, Parkinson's, Alzheimer's, even spinal cord injuries. Use of one's own DNA for the curing cells avoids the danger of rejection.

Just last week, as reported at the annual meeting at the Society for Neuroscience in New Orleans, stem cells derived from somatic nuclear transfer technology were used with primates, paralyzed monkeys. Astonishingly, the monkeys were able to regain some movement. For paraplegics, this is a bright ray of hope.

Since when did outlawing research to cure awful diseases become the morally correct position? I believe that scientific research to save lives and ease suffering is highly moral and ethical and right. Some disagree and oppose this science. Well, they have the right to disagree, but nobody will force them to accept the cures that science may yield. If your religious beliefs will not let you accept a cure for your child's cancer, so be it. But do not expect the rest of America to let their loved ones suffer without cure.

Our job in Congress is not to pick the most restrictive religious view of science and then impose that view upon Federal law. We live in a Democracy, not a Theocracy.

Vote for the amendment that will save stem cell research and then we can all vote for a bill that bans cloning humans, and only that.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Speaker, I rise in support of the Weldon-Stupak bill.

Simply put, cloning another human being, especially for the purpose of conducting experiments on the tiniest form of human being, is wrong. It is clear that it violates a principle that I think we all accept of human individuality and human dignity. That is why it is imperative that all of us support this bill. It is a responsible and reasoned proposal, and it will ensure that we maintain our strong ethical principles. We must have ethical principles to guide scientific research and inquiry.

No one who supports this bill suggests that we stop scientific research. In fact, cloning has been used and should continue to be used to produce tissues. It should not, however, be used to produce human beings.

If we do not draw a clear line now, when will we do so? There are so many very serious questions that human cloning raises, questions about conducting experiments on a human being bred essentially for that purpose; questions about the evils of social and genetic engineering; questions about the rights and liberties of living beings, of human beings.

What about a being that is created in the laboratory and patented as a product? It is still a human being.

There are too many serious questions that human cloning brings to the fore. They all have very serious consequences. The consequences that human cloning raises are all ethical questions. For us to move forward and allow science to be conducted without ethical and moral intervention is just crazy.

We need nothing short of a full and clear ban on human cloning; otherwise, we are not promoting responsible scientific inquiry, we are promoting bad science fiction and making it a reality.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. DELAHUNT), a member of the Committee on the Judiciary.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for yielding time.

Mr. Speaker, I intend to vote against the underlying bill and against the alternative as well, because I do not believe that I know what I need to know before casting a vote of such profound consequence. I am not ready to decide the intricate and fundamental questions raised by this legislation on the basis of a single hearing held on a single afternoon at which the subcommittee heard only 5 minutes of testimony from only four witnesses, a hearing which many Members, myself included, were not even able to attend.

Proponents of the bill have warned, and I speak to the underlying bill, that this is but the ''opening skirmish of a long battle against eugenics and the post-human future.'' They say that without this sweeping legislation, we will make inevitable the cloning of human beings, which I believe everyone in this Chamber deplores.

Supporters of the substitute respond that the bill is far broader than it needs to be to achieve its objective, and that a total ban on human somatic cell nuclear transfer could close off avenues of inquiry that offer benign and potentially lifesaving benefits for humanity.

□ 1515

They may both be right, but both bills have significant deficiencies.

The underlying bill raises the specter of subjecting researchers to substantial criminal penalties. It even goes so far as to create a kind of scientific exclusionary rule that would deny patients access to any lifesaving breakthroughs that may result from cloning research conducted outside of the United States. To continue the legal metaphor, it bars not only the tree but the fruit, as well. This seems to me to be of dubious morality.

The substitute would establish an elaborate registration and licensing regime to be sure experimenters do not cross the line from embryonic research to the cloning of a human being. Not only would that system be impossible to police, but it fails to address the question of whether we should be producing cloned human embryos for purposes of research at all.

I find this issue profoundly disturbing. I believe the issue deserves more than a cursory hearing and a 2-hour debate. It merits our sustained attention, and it requires a characteristic which does not come easily to people in our profession: humility and patience.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH), who will show how bipartisan support is for this bill.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Wisconsin for yielding time to me.

Mr. Speaker, the pro-life pro-choice debate has centered on a disagreement about the rights of the mother and whether her fetus has legally recognized rights. But in this debate on human cloning, there is no woman. The reproduction and gestation of the human embryo takes place in the factory or laboratory; it does not take place in a woman's uterus.

Therefore, the concern for the protection of a woman's right does not arise in this debate on human cloning. There is no woman in this debate. There is no mother. There is no father. But there is a corporation functioning as creator, investor, manufacturer, and marketer of cloned human embryos. To the corporation, it is just another product with commercial value. This reduces the embryo to just another input.

What we are discussing today in the Greenwood bill is the right of a corporation to create human embryos for the marketplace, and perhaps they will be used for research, perhaps they will be just for profit, all taking place in a private lab.

But is this purely a private matter, this business of enucleating an egg and inserting DNA material from a donor cell, creating human embryos for research, for experimentation, for destruction, or perhaps, though not intended, for implantation? Is this just a matter between the clone and the corporation, or does society have a stake in this debate?

We are not talking about replicating skin cells for grafting purposes. We are not talking about replicating liver cells for transplants. We are talking about cloning whole embryos. The industry recognizes there is commercial value to the human life potential of an embryo, but does a human embryo have only commercial value? That is the philosophical and legal question we are deciding here today.

The Greenwood bill, which grants a superior cloning status to corporations, would have us believe that human embryos are products, the inputs of mechanization, like milling timber to create paper, or melting iron to create steel, or drilling oil to create gasoline. Are we ready to concede that human embryos are commercial products? Are we ready to license industry so it can proceed with the manufacturer of human embryos?

If this debate is about banning human cloning, we should not consider bills which do the opposite. The Greenwood substitute to ban cloning is really a bill to begin to license corporations to begin cloning. Though the substitute claims to be a ban on reproductive cloning, it makes this nearly possible by creating a system for the manufacturer of cloned embryos. It does not have a system for Federal oversight of what is produced and does not allow for public oversight. The substitute allows companies to proceed with controversial cloning with nearly complete confidentiality.

Cloning is not an issue for the profit-motivated biotech industry to charge ahead with; cloning is an issue for Congress to consider carefully, openly, and thoughtfully. That is why I support the Weldon bill. I urge that all others support it as well.

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

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

We all agree that the cloning of human beings should be banned. The cloning of individual cells is a different matter. We know that stem cells have the potential to cure many diseases, to save millions of lives, to enable the paralyzed to walk and feel again, potentially even to enable the maimed to grow new arms and legs.

We also know that nuclear cell transfer, cloning of individual cells, may be the best or only way to allow stem cell therapy to work to cure diseases, because by using stem cells produced by cloning one of the patient's own cells, we can avoid the immunological rejection of the stem cells used to treat the disease.

Why should we prohibit, as this bill does, the cloning of cells? Why should we prohibit the research to lead to these kinds of cures? Only because of the belief that a blastocyst, a clump of cells not yet even an embryo, with no nerves, no feelings, no brain, no heart, is entitled to the same rights and protections as a human being; that a blastocyst is a human being and cannot be destroyed, even if doing so would save the life of a 40-year-old woman with Alzheimer's disease.

I respect that point of view, but I do not share it. A clump of cells is not yet a person. It does not have feelings or sensations. If it is not implanted, if it is not implanted in a woman's uterus, it will never become a person. Yes, this clump of cells, like the sperm and the egg, contains a seed of life; but it is not yet a person.

To anyone wrestling with this issue, I would point them to the comments of the distinguished senior Senator from Utah who is very much against choice and abortion, who has come out in strong support of stem cell research because he recognizes that a blastocyst not implanted in a woman's uterus is very different than an embryo that will develop into a person.

If one is pro-choice, one cannot believe a blastocyst is a human being. If they did, they would not be for choice. If one is anti-choice, one may believe, with Senators HATCH and STROM THURMOND, what I said a moment ago, that a clump of cells in a petri dish is not the same as an embryo in a woman.

But as a society we have already made this decision. We permit abortion. We permit in vitro fertilization, which creates nine or 10 embryos, of which all but one will be destroyed. We must not say to millions of sick or injured human beings, go ahead and die, stay paralyzed, because we believe the blastocyst, the clump of cells, is more important than you are.

Let us not go down in history with those bodies in the past who have tried to stop scientific research, to stop medical progress. Let us not be in a position of saying to Galileo, the sun goes around the world and not vice versa. That is what this bill does.

It is easier to prevent a human being from being cloned, to put people in jail if they try to do that. It is not a slippery slope. One cannot police the hundreds and thousands of biological labs which can produce clones of cells. Much easier to police the cloning of human beings. The slippery slope argument does not work.

Let us not put a stop to medical progress and to human hope.

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

Mr. Speaker, the last two speakers, both of whom were on the Democratic side of the aisle, show very clearly the difference in values that are being enunciated in the two bills before the House today.

On one hand, we hear support for the Greenwood bill, which really allows the FDA to license an industry for profit and clone human embryos.

On the other hand, we hear those in favor of the Weldon bill, myself included, who say that we ought to ban the cloning of human embryos and the experimentation thereon.

This is a question of values. I would point out that the previous speaker, the gentleman from New York, during the Committee on the Judiciary debate, said, ''I have no moral compunction about killing that embryo for therapeutic or experimental purposes at all.''

Mr. Speaker, I think those who are interested in values should vote against Greenwood and should vote in favor of the Weldon bill.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, science is a wonderful thing. Who would have thought that polio could be cured or men could go to the Moon even a century ago?

But with the power that comes from science, we must also be ethical and exercise responsibility. The Nazis tried to create a race of supermen through the science of eugenics. They tried to create a perfect human being the same way a breeder creates a championship dog. That was immoral. We stopped it, and it has not been tried again since.

Now we have some scientists who want to create cloned human beings, some saying a cloned baby could be born as soon as next year. This is a frightening and gruesome reality. Mr. Speaker, there is no ethical way to clone a human being. If we were to allow it at all, we would have to choose between allowing them to grow and be born or killing them, letting them die. This is a line we should not cross.

The simple question is: Is it right or wrong to clone human beings? Eighty-eight percent of the American people say it is wrong. The point is that even in science, the ends do not justify the means. The Nazis may in fact have been able to create a race of healthier and more capable Germans if they had been allowed to proceed, but eugenics and cloning are both wrong.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. NADLER).

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

Mr. Chairman, the distinguished chairman says that this bill, the distinction between those of us who support the Greenwood bill or support the Weldon bill is a matter of values.

I agree. Some of us believe that a clump of cells not implanted in a woman's uterus, and Senator HATCH agrees, do not have the same moral right and value as a person who is suffering from a disease; that it is our right and our duty to cure human diseases, to prolong human life. We value life.

A human being is not simply a clump of cells. At some point, that clump of cells may develop into a fetus and a human being; but the clump of cells at the beginning does not have the same moral value as a person. If one believes that, they should vote with us. If they do not, then they probably will not.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD), who had an excellent discussion during the Committee on Rules.

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

Mr. Speaker, this is a matter of values. It is a matter of how much one values our ability to end human suffering and to cure disease.

No one in this House should be so arrogant as to assume that they have a monopoly on values, that their side of an argument is the values side and the other's is not. This is a matter of how much we value saving little children's lives and saving our parents' lives.

There has been talk on the floor about creating embryo factories. Most of that talk I think has been conducted by people who do not understand the first thing about this research.

Here is how one could create an embryo factory. We would get a long line of women who line up in a laboratory and say, would you please put me through the extraordinarily painful process of superovulation because I would like to donate my eggs to science.

Does anybody think that is going to happen? Of course it is not going to happen. We are going to take this research, and this research involves a very small handful of cells. In the natural world, every day millions of cells, millions of eggs, are fertilized, and they do not adhere to the wall of the uterus. They are flushed away. That is how God does God's work.

In in vitro fertilization clinics, every day thousands of eggs are fertilized, and most of them are discarded. That is the way loving parents build families who cannot do it otherwise. No one is here to object to that. Thousands of embryos are destroyed.

We are talking about a handful, a tiny handful of eggs that are utilized strictly for the purpose of understanding how cells transform themselves from somatic to stem and back to somatic, because when we understand that, we will not need any more embryonic material. We will not need any cloned eggs. We will have discovered the proteins and the growth factors that let us take the DNA of our own bodies to cure that which tortures us.

That is the value that I am here to stand for, because I care about those children, and I care about those parents, and I care about those loved ones who are suffering.

I am not prepared as a politician to stand on the floor of the House and say, I have a philosophical reason, probably stemmed in my religion, that makes me say, you cannot go there, science, because it violates my religious belief.

□ 1530

I think it violates the constitution to take that position.

And on the question of whether or not we can do stem cell research with the Weldon bill in place, I would quote the American Association of Medical Colleges. It says, ''H.R. 2505 would have a chilling effect on vital areas of research that could prove to be of enormous public benefit.'' The Weldon bill would be responsible for having that chilling effect on research.

The Greenwood substitute stops reproductive cloning in its tracks, as it ought to be stopped, but allows the research to continue, and I would advocate its support.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. KERNS), who is an author of the bill.

Mr. KERNS. Mr. Speaker, I thank the gentleman for yielding me this time, and I come to the floor of this House today to urge my colleagues to support H.R. 2505, the Human Cloning Prohibition Act of 2001. Today we take an important step in the process to ban human cloning in the United States.

I commend the leadership of the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), as well as the coauthors, the gentleman from Florida (Mr. WELDON), the gentleman from Michigan (Mr. STUPAK), and the gentleman from Ohio (Mr. KUCINICH), because this is a bipartisan bill. I also appreciate the support and the efforts

of the Committee on the Judiciary in recognizing the important nature of this issue and making it a priority and moving it to the floor for consideration.

I am very pleased to be an original coauthor of this timely and important piece of legislation. As I said earlier today, human cloning is not a Republican or a Democrat issue, it is an issue for all of mankind. The prospect of cloning a human being raises serious moral, ethical, and human health implications. Other countries around the globe look to us for leadership, not only on this but on other important pressing issues, and I think we have a responsibility to take a stand and take a leadership position. That stand should reflect the respect for human dignity envisioned by our Founding Fathers.

Human cloning: what once was said to be impossible could become a reality if we do not take action today. I have spent a great deal of time back home in Indiana traveling up and down the highways and byways, attending county fares, fire departments, little fish fries, church suppers; and I can tell my colleagues that overwhelmingly those people that I represent in Indiana are concerned at our racing towards cloning human beings. They have asked me to help with this effort to ban human cloning. I have received calls from all across the country from those that are concerned about this issue.

As we have heard today, most Americans are opposed to the re-creation of another human being. I am told overwhelmingly that it is our responsibility not only here in this body and at home but around the world that we move to enact this ban.

Mr. Speaker, let me close by saying this: I believe that God created us, and I do not believe we should play God. I urge my colleagues to support our legislation to ban human cloning.

Mr. CONYERS. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, I, like the gentleman from Massachusetts (Mr. DELAHUNT), want to say right off the bat that none of us believe in cloning of human beings. Nobody on either side. We get this values argument. None of us believe in that. So stop that.

The second thing is that we are here today to talk about a political issue. This is not a scientific issue. I am a doctor, and we will have another doctor get up here and tell us a lot of doctor stuff, but the real issue is a political one here.

We are like the 16th century Spanish king who went to the Pope and asked him if it was all right for human beings to drink coffee. The coffee bean had been brought from the New World. It had a drug in it that made people get kind of excited and it was a great political controversy about whether or not it was right to drink coffee. And so the Spanish king went to the Pope and said, Pope, is it all right. Well, we had that just the other day, and the Pope said, this is not right.

The Pope also told Galileo to quit making those marks in his notebook. The Earth is the center of the universe, he said. We all know that. The Bible says it. What is it this stuff where you say the sun is the center of our universe? That is wrong.

Now, here we are making a decision like we were the house of cardinals on a religious issue when, in fact, scientists are struggling to find out how human beings actually work. We have mixed stem cells together with cloning all to confuse people. Everybody on this floor knows that the best way to stop something is to confuse people, and we have had confusion on this issue because basically people want it to be a value-laden issue that attracts one group of voters against others. That is all this is about, all this confusion.

This business about a few cells and working and figuring out how we can deal with diseases that affect everybody in this room, there is nobody who does not know somebody with juvenile diabetes or Alzheimer's disease or has had a spinal cord injury and is unable to walk, or who has Parkinsonism. There is nobody here. And my dear friends putting this bill forward say there is no way, no matter how it happens, that we want to help them if it involves a human cell.

Now, my good friend, the gentleman from Florida (Mr. WELDON) is going to get up here and tell us we have a section in this bill that says scientific research is not stopped. Read it. It says we can use monkey cells and put them into people who have Alzheimer's, or we can use hippopotamus cells and put them into people who have diabetes, but we cannot use a human cell. And even more so if the British or the Germans, who are more enlightened, do it and we bring it over. If the doctor gets the material from Germany or from England or some other place and gives it to my colleague's mother, he is subject to 10 years in prison and a fine of not less than $1 million running up to twice whatever the value of it is.

Now, the gentleman from Wisconsin (Mr. SENSENBRENNER) is upset that there is licensing in the amendment, which I will vote for; not because I think we need it but because we have to have it as an antidote to this awful piece of legislation that is here. But the gentleman from Wisconsin says the free enterprise system is here. I thought he believed in the free enterprise system. Would the gentleman want that bill to say let us give it to the National Institutes of Health to make money; make it a government program? No, no, no, he would not want that. Well, who is going to manufacture this if it comes some day to that point? It says the NIH can license at some point down the road.

Mr. Speaker, I think that the Greenwood amendment is necessary to stop this papal event that we are having here today.

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

Mr. Speaker, it is time to clarify the record after this last speech. Number one, there is nothing in the Weldon bill that prevents the use of adult stem cells or stem cells from live births, including umbilical cords and placentas from being used for the research that the gentleman describes.

The gentlewoman from California (Ms. LOFGREN) talked about a Yale study. I have the Yale Bulletin Calendar of December 1, 2000 about the research on monkeys that were used to cure a spinal cord injury. Those were adult stem cells. They would be completely legal under this bill.

Then we have heard from the gentleman from Washington State (Mr. MCDERMOTT), who seems to think we are having a religious seance here. The fact of the matter is there have been a number of things that are in derogation of the free enterprise system that this Congress and the people of the country have banned, including slavery. And I think that perhaps the time has come to ban the cloning of human embryos.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DELAY), the distinguished whip.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me this time. I think and I hope that Members will support the Weldon bill and oppose the Greenwood amendment.

Mr. Speaker, this is not about making fun of the Pope or making fun of the Bible. This is not about politics. It is not even about stem cell research. This is about a very real problem in this country, a potential problem, and that is cloning human beings. The connotations of this debate raise very broad and disturbing questions for our society.

So-called therapeutic cloning crosses a very bright-line ethical boundary that should give all of us pause. This technique would reduce some human beings to the level of an industrial commodity. Cloning treats human embryos, the basic elements of life itself, as a simple raw material. This exploitive unholy technique is no better than medical strip-mining.

The preservation of life is what is being lost here. The sanctity and precious nature of each and every human life is being obscured in this debate. Cloning supporters are trading upon the desperate hopes of people who struggle with illness. We should not draw medical solutions from the unwholesome well of an ungoverned monstrous science that lacks any reasonable consideration for the sanctity of human life.

Now, some people would doubtlessly argue if we use in vitro fertilization to

help infertile couples create life, then we ought to allow scientists the latitude to manufacture and destroy embryos to produce medical treatments. But these are far from the same thing. Cloning is different from organ transplantation. Cloning is different from in vitro fertility treatments.

Cloning is an unholy leap backwards because its intellectual lineage and justifications are evocative of some of the darkest hours during the 20th century. We should not stray down this road because it will surely take us to dark and unforeseen destinations.

Human beings should not be cloned to stock a medical junkyard of spare parts for experimentation. That is wrong, unethical, and unworthy of an enlightened society.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes.

I rise to merely point out to the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), that he may be over-reliant on adult stem cells as a viable alternative to embryonic stem cells, and I would like to explain why.

A National Institute of Health study examined the potential of adult and embryonic stem cells for curing disease, and they found that the embryonic stem cells have important advantages over adult stem cells. The embryonic stem cells can develop into many more different types of cells. They can potentially replace any cell in the human body. Adult stem cells, however, are not as flexible as embryonic ones. They cannot develop into many different types of cells. They cannot be duplicated in the same quantities in the laboratory. They are difficult and dangerous sometimes to extract from an adult patient. For instance, obtaining adult brain stem cells could require life-threatening surgery.

So the NIH found in its study that therapeutic cloning would allow us to create stem cell medical treatments that would not be rejected by the patient's immune system, because they have the patient's own DNA.

So for whatever it may be worth, I refer this study to my good friend, the chairman.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1½ minutes, again just to clarify the record.

I am certain that the study of the gentleman from Michigan is a very valuable one. The fact is that it is not in point to this debate. This bill does not prevent research on embryonic stem cells. What it does do is it prevents research on cloned embryonic stem cells. There is a big difference.

Secondly, once again going back to the adult stem cell research that was referred to by the gentlewoman from California (Ms. LOFGREN), at Yale University, those were adult stem cells. She brought the issue up. We did not. Those were adult stem cells. And if they were human stem cells, they would not be banned by this bill.

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Now, finally, adult stem cells are already being used successfully for therapeutic benefits in humans. This includes treatments associated with various types of cancer, to relieve systemic lupus, multiple sclerosis, rheumatoid arthritis, anemias, immunodeficiency disease, and restoration of sight through generation of corneas.

Further, initial clinical trials have begun to repair heart damage using the patient's own adult stem cells. Somehow the word is out that adult stem cells are no good. I think this very clearly shows that adult stem cells are very useful for research, and furthermore, the bill does allow research on embryonic stem cells, just not the cloned ones.

Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, here we are in the U.S. Congress talking about somatic cell nuclear transfer and I think it is deeply rewarding to see how fast Members of Congress can get up to speed on complex, complicated issues.

Let me say that I am strongly, strongly pro-choice. I am also strongly in favor of stem cell research. But I view these as very separate issues. With all the scientists that I have spoken with, there are no laboratories which are currently using a human model for somatic cell nuclear transfer. In fact, the NIH rules on stem cell research, the same rules that we, as Democrats, have been strongly advocating, these rules, III, specific item D, specifically prohibits the technology that we are banning today. Research in which human pluripotent stem cells are derived using somatic cell nuclear transfer. These are the rules that we have been advocating.

Let me say that ultimately this is not an issue of science or biology. Almost exactly 30 years ago in May of 1971 James D. Watson, of Watson and Crick DNA fame, said that some day soon we will be able to clone human beings. This is too important a decision to be left to scientists and the medical specialists. We must play a role in this.

This is what this Congress is doing today. This is about the limits of human wisdom and not about the limits of human technology. The question that we must ask ourselves is whether it is proper to create potential human life for merely mechanistic purposes.

Mr. CONYERS. Mr. Speaker, I yield myself 25 seconds to point out to my dear friend, the chairman of the committee, that it was the University of Wisconsin where we first isolated embryonic stem cells.

This bill before us would render their path-breaking research to be worthless.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, the Committee on the Judiciary and the Speaker received a letter signed by 44 scientific institutions and this is what they said:

> This bill bans all use of cloning technology including those for research where a child cannot and will not be created. Therefore, this legislation puts at risk critical biomedical research that is vital to finding the cures for disease and disabilities that affect millions of Americans. Diabetes, cancers, HIV, spinal cord injuries and the like are likely to benefit from the advances achieved by biomedical researchers using therapeutic cloning technology.

This was signed by the American Academy of Optometry, the American Association for Cancer Research, the American Association of American Medical Colleges, the Association of Professors of Medicine, the Association of Subspecialty Professors, Harvard University, the Juvenile Diabetes Research Foundation International, and the Medical College of Wisconsin.

I will take my advice on medicine and research from the scientists, not from the chairman of the Committee on the Judiciary.

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

The statement that the gentlewoman from California (Ms. LOFGREN) mentioned, did not say why they need to have cloned embryonic stem cells. I think we are talking about two different things here.

What this bill does is, it prohibits research on cloned embryonic stem cells, not on uncloned embryonic stem cells.

If there is a shortage of uncloned embryonic stem cells, I would like the people on the other side to let the House know about it. We have had not one scintilla of evidence either in this debate or the hearings or markup on the Committee on the Judiciary.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I just want to clarify a few things about my legislation. It is a pretty short bill. It has four pages and I would encourage anybody who has any uncertainty about this issue to take the time to read it.

I specifically want to refer them to section 302(d). It says, under Scientific Research, nothing in this section restricts areas of scientific research not specifically prohibited by this section.

What they are talking about there is somatic cell nuclear transfer to create an embryo as was used to create Dolly.

I go on in this section to say, nothing specifically prohibiting, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants or animals other than humans. Basically what this means is all the scientific research that is currently going on today can continue.

What cannot continue is what people want to start doing now. It is not being done, but they want to start doing it; and that is to create cloned human embryos for the purpose of research.

Now, there are people putting forward this notion that if we were able to

go ahead with this, all these huge breakthroughs would occur. I want to reiterate, I am a doctor. I just saw patients a week ago. I have treated all these diseases. I have reviewed the medical literature. It is real pie in the sky to say there are going to be all these huge breakthroughs.

I have a letter from a member of the biotech industry, and I just want to read some of it. It says, ''I am a biotech scientist and founder of a genomic research company. As a scientist and cofounder and officer of the Biotechnology Association of Alabama that is an affiliate of the Biotechnology Industry Association, BIO, the group that is opposing my language,'' he says, ''there is no scientific imperative for proceeding with this manipulation of human life, and there are no valid or moral justifications for cloning human beings.''

Mr. Speaker, I can state that is indeed the case.

I further want to dismiss this notion that has been put forward by some of the speakers here in general debate that a cloned human embryo is somehow not alive or it is not human. There is just literally no basis in science to make that sort of a claim. I did my undergraduate degree in biochemistry. I studied cell biology, and I did basic research in molecular genetics.

I have a quote from another scientist that I would be happy to read. ''There is nothing synthetic about cells used in cloning.'' This is a researcher from Princeton. He says, ''An embryo formed from human cloning is very much a human embryo.''

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, the scientific research exception is meaningless. It allows for research, except that which is not specifically prohibited. If Members read section 301 of the bill, it prohibits somatic cell nuclear transfer, so any kind of representation that research is accepted is incorrect. It is tautological and it is bogus.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I would answer two things that were said, one by the gentleman from Wisconsin (Mr. SENSENBRENNER) when the gentleman stated that this did not speak at all about cloning, it only spoke about stem cell research.

The point is that it may very well be true that once stem cell research is exploited and we know how to cure diseases or give people back the use of their arms and legs through stem cells, it may very well be true that that can only be done by the use of cloned stem cells in order to get around the rejection by the patient of stem cells from somebody else. It may be necessary to use the patient's own cloned stem cells.

The second point is in answer to what the gentleman from Florida (Mr. WELDON) said. The point is, we do not know a lot of things. We do not know exactly what scientific research will show. We do not know exactly what adult stem cells can do, what embryonic stem cells can do, or cloned stem cells can do.

That is why it is a sentence of death to millions of Americans, to ban medical research which is what my colleagues are trying to do with this bill.

Mr. SENSENBRENNER. Mr. Speaker, I have one remaining speaker, so I reserve the balance of my time.

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

Mr. SCHIFF. Mr. Speaker, I rise in opposition to the base bill and in support of the substitute, the Greenwood-Deutsch substitute.

Generally speaking, there are three types of stem cell research. There is adult stem cell research which shows great promise, but with limitations in that adult stem cells cannot be differentiated into each and every type of cell.

There is embryonic stem cell work which shows even more promise because it does have the ability to be differentiated into a variety of stem cell lines for therapy and treatment.

But perhaps the most promising is embryonic stem cell research that employs the technique of somatic cell nuclear transfer. The primary benefit of this research and therapy is simple: It is not rejected by the patient. What that means for a child who is diabetic, you can use that child's own DNA, place it into a fertilized egg, develop Islet cells that will help that child produce insulin with the benefit it will not be rejected by the child.

What we are saying, if we allow stem cell research but we prohibit the research in this bill, we are saying we will allow stem cell research, but only if the patient will reject the therapy. What sense does that make when the substitute prohibits cloning for reproduction, prohibits the implantation of a fertilized egg with a donated set of DNA into a uterus for the purpose of giving birth to a child? That is prohibited under both bill and substitute.

But we need the research. We are losing scientists who are going overseas to conduct this research. The base bill even precludes us from benefiting from the research done in other countries. This cannot be allowed to go on.

Mr. Speaker, this is important to all of our futures. We must preserve this vital science research. I urge adoption of the substitute and rejection of the base bill.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, everyone in this Chamber agrees, and we have been here for about an hour and three-quarters, everyone in this Chamber agrees that we should ban human cloning, period. Everyone. There is consensus here.

Mr. Speaker, both pieces of legislation do that, but there is a divergence. The Weldon bill goes further to ban the somatic cell nuclear transfer. I would like to focus in response to what has been going on in the debate.

There is no longer a debate about stem cell research. This Congress collectively, both the House and the other body and the American people have made a decision. Whether the President has made his decision or not is irrelevant. The Congress and the American people have made our decision that we want to continue embryonic stem cell research. We collectively, as Americans, understand that issue, and it will continue regardless of what the President decides on this issue. My colleagues know that and understand that.

Let us talk about why there is a serious debate about it, though, and why I take it very seriously as well. When you have an egg and a sperm joining and the potentiality is to create a new unique human being, there are ethical issues involved regarding a transcendental event that could occur in the creation of a unique soul. That is what people find troubling and should find troubling, and should think about it and understand it.

Yet we understand the other issues and collectively we have made our decision that we are willing, that we want to continue with embryonic stem cell research because of the issues that we have talked about.

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But let us talk about what somatic nuclear transfer is all about. It is not about that sperm and egg joining together. It is not about the potentiality to create a unique human being. It is not about a transcendental event that could occur. It is not about all those issues that some people correctly have struggled with and have come to conclusions and significant, serious moral-ethical issues.

What is going on here? What is going on here is an egg where the DNA is taken out, 23 chromosomes taken out from literally trillions of cells, trillions of cells, not billions, trillions of cells. Within the human body, one cell is taken out and 46 chromosomes are implanted. Not to create life, not to create an embryo, but to continue life, to save life for literally tens of millions of people, for potentially everyone in this Chamber and everyone in the country.

None of us know who is going to be stricken by one of these horrific diseases. No one knows who is going to get Alzheimer's or Parkinson's or cancer. It literally could be any of us in this Chamber or anyone watching on C-SPAN. It could be any of us. If we think about that, it could be any of us who have relatives, loved ones, who have these horrific diseases. Yet what this legislation would do would be to stop the research, to take one of those trillions of cells in the body, take out 46 chromosomes, put it in, so that you could survive, so that someone who is a

quadriplegic could walk, so that someone who has Alzheimer's. We have heard Nancy Reagan speak directly about the stem cell research, I think a woman who is universally loved everywhere in this country and her husband whom I think is universally loved as well.

This chart remains up here. I have put it up here, because the numbers are 24 million. For diabetes, 15 million people, not just numbers; 6 million Alzheimer's, 1 million Parkinson's. People. People. People. Individuals.

Again, I ask my colleagues, this should not be a difficult issue. We should reject the bill and approve the substitute.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER).

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

Mr. BUYER. Mr. Speaker, I rise in opposition to the substitute and in support of the gentleman from Florida's Human Cloning Prohibition Act.

Members in opposition are using the substitute amendment and are trying to confuse the issue with medical research and stem cell research. The underlying bill bans cloning human beings. It is straightforward and narrowly drawn. It prohibits somatic cell nucleus transfer. The underlying bill does nothing to hinder medical research and in fact, it specifically permits technology to clone tissue, DNA, and non-embryonic cells in humans, and cloning of plants and animals.

I urge my colleagues not to confuse a straightforward ban on banning cloning of human beings, with medical research. H.R. 2505 would prohibit human cloned embryos from being used as human guinea pigs. Without this legislation, human life could be copied, manufactured in a laboratory, in a petri dish. Cloned embryos would be devoid of all sense of humanity, treated as objects. The mass production of human clones solely for the purpose of human experimentation demeans us all.

The simple, most effective, way to stop this process is to ban it. In the area of human embryo cloning, the end does not justify the means.

I urge the defeat of the substitute and the adoption of H.R. 2505.

Mr. SENSENBRENNER. Mr. Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH).

The SPEAKER pro tempore (Mr. QUINN). The gentleman from New Jersey (Mr. SMITH) is recognized for 4 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, late last week Washington Post columnist Charles Krauthammer called Congressman GREENWOOD's legislative approach to human cloning ''a nightmare of a bill.'' He went on to write that the Greenwood substitute ''sanctions, licenses and protects the launching of the most ghoulish and dangerous enterprise in modern scientific history: the creation of nascent cloned human life for the sole purpose of its exploitation and destruction.''

Charles Krauthammer, Mr. Speaker, nailed it precisely.

The Greenwood substitute would for the first time in history sanction the creation of human life with the demand, backed by new Federal criminal and civil sanctions, that the new life be destroyed after it is experimented upon and exploited. For the small inconvenience of registering your name and your business address, you would be licensed to play God by creating life in your own image or someone else's. You would have the right to create embryo farms, headless human clones, or anything else science might one day allow to be created outside the womb; and in the end only failure to kill what you had created would be against the law.

A few moments ago, the gentleman from Florida (Mr. DEUTSCH) said that cloning doesn't result in the creation of a unique human being. That's ludicrous. That is exactly what the Weldon bill speaks to. That unique human being that would be created if left unfettered and untouched would grow, given nourishment and nurturing, into a baby, a toddler into an adolescent adulthood and right through the continuum of life. That is what we are talking about. Mr. WELDON's bill doesn't preclude other potentially legislative processes.

Mr. Speaker, amazingly the only new crime created by the Greenwood amendment is the failure to kill all human lives once they are created. Federal law would say that it is permissible to create as many human lives as you want to for research just so long as you eventually kill them. That, my colleagues, is the stated intent of the Greenwood substitute. And Mr. Greenwood's substitute would not even stop the birth of a human clone, which it purports to do. Because his approach would encourage the creation of cloned human embryo stockpiles and cloned human embryo farms, it would make the hard part of human cloning completely legal and try to make the relatively easy part, implantation, illegal.

So once these cloned human embryos are stockpiled in a lab, Mr. Speaker, who, or what is going to stop somebody from implanting one of those cloned humans? The Greenwood substitute has no tracking provisions. Greenwood would open pandora's box and verification would be a joke.

The bottom line is this, Mr. Speaker, the Greenwood substitute permits the cloning of human life to do anything you would like to for research purposes just as long as you kill that human life. Mr. Speaker, to implement this debate some Members have taken to the well to say that everybody is against human cloning. Oh really? Just because we say it's so doesn't make it necessarily so. The simple—and sad—fact of the matter is that Greenwood is pro-cloning. The Weldon bill, the underlying bill, would end human cloning and would prescribe certain criminal as well as civil penalties for those who commit that offense.

We are really at a crossroads, Mr. Speaker. This is a major ethical issue. And make no mistake about it I want to find cures to the devastating disease that afflicts people. I am cochairman of the Alzheimer's Caucus. I am cochairman of the Autism Caucus. I chair the Veterans Committee and have just today gotten legislation passed to help Gulf War Vets. I believe desperately we have got to find cures. But creating human embryos for research purposes is unethical, it is wrong, and it ought to be made illegal.

I hope Members will support the Weldon bill and will vote ''no'' on the substitute when it is offered.

Mr. ETHERIDGE. Mr. Speaker, I rise in opposition to H.R. 2505, the Human Cloning Prohibition Act and in support of the Greenwood-Deutsch substitute.

I am absolutely opposed to reproductive human cloning. Reproductive human cloning is morally wrong and fundamentally opposed to the values held by our society. I am sure that every Member in this chamber today agree, that reproductive human cloning should be banned. That conclusion is easy to come by Mr. Speaker, however, this debate, unfortunately, is not so simple.

Today we are considering a complex issue, and I share the concerns raised by several other Members that the House is rushing to judgment. We have had too little time to debate and consider the merits and implications that Mr. WELDON'S bill and Mr. GREENWOOD'S substitute present. The Weldon bill and the Greenwood Substitute ban reproductive human cloning and both set criminal penalties for those who violate such a ban. But the similarities end there. Mr. WELDON'S bill goes too far, including banning therapeutic cloning for research or medical treatment, while the Greenwood substitute allows an exception regarding therapeutic cloning. The Weldon bill would ban all forms of cloning, and in essence, stop all research associated with it, just as we are beginning to see the first fruits of biomedical research. By supporting the Greenwood alternative, we have the opportunity to ban reproductive cloning while allowing important research to continue.

As a member of the Science Committee and as a Representative from the Research Triangle Park region, I understand the importance of the research that our scientists are conducting. This research has the potential to save the lives of hundreds of thousands of North Carolinians, Americans, and people throughout the globe who suffer from debilitating and degenerative diseases. We are on the verge of a significant return on our biomedical research investment. Indeed, our scientists may one day solve the mysteries of disease as the result of work involving therapeutic cloning technology. We must not allow this opportunity to pass by us.

Mr. Speaker, let me be clear, I support banning reproductive human cloning, and I will continue to oppose any type of cloning that would attempt to intentionally create a human clone. However, I also support the important biomedical research that our nation's scientists are nobly conducting today. I cannot support a bill that denies those scientists, and the people whose lives they are working to improve, a chance to find a cure.

The door of opportunity to cure diseases, that have puzzled us since the beginning of medicine is now beginning to open. And while the full promise of biomedical research remains many years away from being realized, there is that opportunity, that hope, that we can find a cure for cancer, diabetes, heart disease, Parkinson's disease, spinal cord injuries, and many other illnesses. Mr. Speaker, I oppose H.R. 2505 because it would stifle important research and decrease the potential for new life-saving medical treatments. The Greenwood substitute strikes a careful balance between banning the immoral and unsafe practice of reproductive human cloning, while at the same time promoting important biomedical research.

I urge my colleagues to oppose H.R 2505 and support the Greenwood substitute.

Mr. BLUMENAUER. Mr. Speaker, today's debate has much less to do with ''cloning'' human beings and everything about denying legitimate and important stem cell research. I am concerned that we are getting ahead of ourselves. The issue of stem cell research and its various clinical applications is incredibly complex and the technology very new. There is also the concern that other political issues, such as abortion, are really driving this debate. Until we can tame the rhetoric and focus on the underlying issues, we should not limit legitimate scientific research.

I will vote for the Greenwood/Deutsch amendment because it was better than the underlying bill, not because it represents a good long-term policy.

Ms. KILPATRICK. Mr. Speaker, I rise in opposition to H.R. 2505 offered by Mr. WELDON and in support of the alternative bill offered by Mr. GREENWOOD. We must not ban vital research and treatment for millions of suffering people. H.R. 2505 will severely limit the advancement of medical discovery and vital research.

There are strong feelings on both sides of this argument. Understandably, those on the other side are driven by what they describe as the degradation of human life that cloning proposes. I do not think that there is a member in this House who does not shudder at the shear awesome scope of this research. On the one hand, we fear a world where human beings are created in a lab for the sole purpose of harvesting their organs, characteristics and other items for the benefit of other human beings. On the other hand, we fear foregoing a cure for many of the horrible afflictions that face man like diabetes, cancer, spinal cord injuries and Parkinson's Disease.

I do know that God has blessed us with the knowledge and the skill to do more than just ponder a cure for these afflictions. My concern is that with such a ban in place, as envisioned in this bill, there will be no opportunity to learn all that God might have us learn. All because we acted too quickly to ban research before there was a chance to truly ponder the ways to manage and control this research. For example, if the above research at some point allows us to create an embryo, a cell, a stem cell or any other viable alternative genetic material without the use of human genetic material will this provision prevent its use? Is that human cloning or creating life?

I truly believe that prior to an outright ban of this research, Congress needs to make further efforts to educate every Member of this body. The knowledge that has been provided to us through this research is tremendous. We should do everything we can to understand it and manage its use. We should not, however, ban its use without careful circumspection.

Mr. PAUL. Mr. Speaker, today we're being asked to choose between two options dealing with the controversies surrounding cloning and stem cell research.

As an obstetrician gynecologist with 30 years of experience with strong pro-life convictions I find this debate regarding stem cell research and human cloning off-track, dangerous, and missing some very important points.

This debate is one of the most profound ethical issues of all times. It has moral, religious, legal, and ethical overtones.

However, this debate is as much about process as it is the problem we are trying to solve.

This dilemma demonstrates so clearly why difficult problems like this are made much more complex when we accept the notion that a powerful centralized state should provide the solution, while assuming it can be done precisely and without offending either side, which is a virtual impossibility.

Centralized governments' solutions inevitably compound the problem we're trying to solve. The solution is always found to be offensive to those on the losing side of the debate. It requires that the loser contribute through tax payments to implement the particular program and ignores the unintended consequences that arise. Mistakes are nationalized when we depend on Presidential orders or a new federal law. The assumption that either one is capable of quickly resolving complex issues is unfounded. We are now obsessed with finding a quick fix for this difficult problem.

Since federal funding has already been used to promote much of the research that has inspired cloning technology, no one can be sure that voluntary funds would have been spent in the same manner.

There are many shortcomings of cloning and I predict there are more to come. Private funds may well have flowed much more slowly into this research than when the government/taxpayer does the funding.

The notion that one person, i.e., the President, by issuing a Presidential order can instantly stop or start major research is frightening. Likewise, the U.S. Congress is no more likely to do the right thing than the President by rushing to pass a new federal law.

Political wisdom in dealing with highly charged and emotional issues is not likely to be found.

The idea that the taxpayer must fund controversial decisions, whether it be stem cell research, or performing abortion overseas, I find repugnant.

The original concept of the republic was much more suited to sort out the pros and cons of such a difficult issue. It did so with the issue of capital punishment. It did so, until 1973, with the issue of abortion. As with many other issues it has done the same but now unfortunately, most difficult problems are nationalized.

Decentralized decision making and privatized funding would have gone a long way in preventing the highly charged emotional debate going on today regarding cloning and stem cell research.

There is danger in a blanket national prohibition of some questionable research in an effort to protect what is perceived as legitimate research. Too often there are unintended consequences. National legalization of cloning and financing discredits life and insults those who are forced to pay.

Even a national law prohibiting cloning legitimizes a national approach that can later be used to undermine this original intent. This national approach rules out states from passing any meaningful legislation and regulation on these issues.

There are some medical questions not yet resolved and careless legislation may impede legitimate research and use of fetal tissue. For instance, should a spontaneously aborted fetus, non-viable, not be used for stem cell research or organ transplant? Should a live fetus from an ectopic pregnancy removed and generally discarded not be used in research? How is a spontaneous abortion of an embryo or fetus different from an embryo conceived in a dish?

Being pro-life and pro-research makes the question profound and I might say best not answered by political demagogues, executive orders or emotional hype.

How do problems like this get resolved in a free society where government power is strictly limited and kept local? Not easily, and not perfectly, but I am confident it would be much better than through centralized and arbitrary authority initiated by politicians responding to emotional arguments.

For a free society to function, the moral standards of the people are crucial. Personal morality, local laws, and medical ethics should prevail in dealing with a subject such as this. This law, the government, the bureaucrats, the politicians can't make the people more moral in making these judgments.

Laws inevitably reflect the morality or immorality of the people. The Supreme Court did not usher in the 60s revolution that undermined the respect for all human life and liberty. Instead, the people's attitude of the 60s led to the Supreme Court Roe vs. Wade ruling in 1973 and contributed to a steady erosion of personal liberty.

If a centralized government is incapable of doing the right thing, what happens when the people embrace immorality and offer no voluntary ethical approach to difficult questions such as cloning?

The government then takes over and predictably makes things much worse. The government cannot instill morality in the people. An apathetic and immoral society inspires

centralized, rigid answers while the many consequences to come are ignored. Unfortunately, once centralized government takes charge, the real victim becomes personal liberty.

What can be done? The first step Congress should take is to stop all funding of research for cloning and other controversial issues. Obviously all research in a free society should be done privately, thus preventing this type of problem. If this policy were to be followed, instead of less funding being available for research, there would actually be more.

Second, the President should issue no Executive Order because under the Constitution he does not have the authority either to promote or stop any particular research nor does the Congress. And third, there should be no sacrifice of life. Local law officials are responsible for protecting life or should not participate in its destruction.

We should continue the ethical debate and hope that the medical leaders would voluntarily do the self-policing that is required in a moral society. Local laws, under the Constitution, could be written and the reasonable ones could then set the standard for the rest of the nation.

This problem regarding cloning and stem cell research has been made much worse by the federal government involved, both by the pro and con forces in dealing with the federal government's involvement in embryonic research. The problem may be that a moral society does not exist, rather than a lack of federal laws or federal police. We need no more federal mandates to deal with difficult issues that for the most part were made worse by previous government mandates.

If the problem is that our society lacks moral standards and governments can't impose moral standards, hardly will this effort to write more laws solve this perplexing and intriguing question regarding the cloning of a human being and stem cell research.

Neither option offered today regarding cloning provides a satisfactory solution. Unfortunately, the real issue is being ignored.

Mr. BENTSEN. Mr. Speaker, I rise today in support of H.R. 2172, the Cloning Prohibition Act of 2001 and in opposition to H.R. 2505. I believe that the Cloning Prohibition Act of 2001 is the best approach to ensure that we will prohibit human cloning, while still maintaining our commitment to valuable research that will result in new treatments and therapies for many diseases including diabetes and Parkinson's Disease.

I am supporting the Cloning Prohibition Act of 2001 because I believe it includes more protections to ensure that humans are not cloned. For instance, this bill requires that all medical researchers must register with the Secretary of Health and Human Services (HHS) before they can conduct human somatic cells nuclear transfers. The HHS Secretary would also be required to maintain a database and additional information about all somatic cell research projects. Second, this bill requires that medical researchers must affirmatively attest that they are aware of the restrictions on such research and will adhere to such restrictions. Third, this bill requires that the HHS Secretary will maintain strict confidentiality about such information so that the public may only have access to such information if the investigator conducting such research provides written authorization for such disclosure.

In addition, this measure would include two explicit penalties for those who violate this legislation. First, this bill would impose civil penalties of up to $1 million or an amount equal to any gain related to this violation for those researchers who fails to register with the HHS to conduct such research. Second, researchers would be subject to a criminal penalty of ten years if they fail to comply with this act. Third, this measure would subject such medical researchers to forfeiture of property if they violate this act.

I believe that the alternative legislation is broadly written and will restrict the biomedical research which we all support. As the representative for the Texas Medical Center where much of this biomedical research is conducted, I believe we must proceed cautiously to ensure that no promising therapies are prohibited.

Under the alternative bill, H.R. 2505, there would be a strict prohibition of all importation of human embryos as well as any product derived from cloned embryos. However, we already know that the human cloning research is being conducted in England and that some of this therapeutic cloning research may be available to clinical trials with three years for Parkinson's patients. I believe that a strict prohibition of importation to such therapies will negative impact such patients and restrict access to new treatments which will extend and save lives This bill would not only ban reproductive cloning but also any therapeutic cloning for research or medical treatment. I am also concerned that this measure would make it more difficult to fund federal research on stem cell research. As you know, the National Institutes of Health has described stem call research as having ''enormous'' medical potential and we must proceed cautiously to ensure that such stem cell research continues.

I want to be clear. I believe that Congress can and should outlaw human cloning to create a child. But a ban on human cloning does not need to include a ban on nuclear transfer research. This nuclear transfer research will focus only on the study of embryonic development and curing disease. We can prohibit the transfer of such embryos to humans while still allowing medical researchers to conduct valuable medical research. I urge the defeat of H.R. 2505 and urge my colleague to support the alternative legislation, H.R. 2172, the Cloning Prohibition Act of 2001.

Mr. TIAHRT. Mr. Speaker, I rise today in strong support of Dr. WELDON's Human Cloning Prohibition Act. Today scientific advances have unleashed a whole host of bioethical issues that our society must face. Recently we have faced controversy over medical research on human subjects, as well as whether we should destroy embryos for the purpose of stem cell research. The questions posed focus on how far we will allow science to push the limits on tampering with human lives. Personally whether it's innocent African-Americans at the Tuskegee Institute or unborn human embryos, I do not think the government should be allowed to risk lives.

The debate before us today, however, is completely different in my mind. Those who are for and against abortion, even for and against embryonic stem cell research, have joined together to say that we cannot clone humans. In the words of esteemed columnist Charles Krauthammer, the thought of cloning humans—whether for research or reproductive purposes—is ghoulish, dangerous, perverse, nightmarsh. I do not think the language can be strong enough. Eugenics is an abominable practice. We do not have the right to create life in order to destroy it. We do not have the right to create life in order to tamper with genes.

It does not take a fan of science-fiction to imagine the scenarios that would ensue from legalized cloning—headless humans used as organ farms, malformed humans killed because they were viewed as an experiment not a person, gene selection to create a supposed inferior species to become slaves, societal values used to create a supposed superior species. We do not have the right to play God. We may have the technology to clone humans, but our sense of morality should prevent us from doing it. We should not create life for research purposes. We should not pick and choose genes to make up humans.

I am sorry that our society has drifted so far from our core values that we even have to debate this. It is a sad day when Congress has to enact legislation in order to prevent man from manipulating human life.

Mr. HYDE. Mr. Speaker, I submit the following article for the RECORD.

[From the Washington Post, July 27, 2001]

(By Charles Krauthammer)

A NIGHTMARE OF A BILL

Hadn't we all agreed—we supporters of stem cell research—that it was morally okay to destroy a tiny human embryo for its possibly curative stem cells because these embryos from fertility clinics were going to be discarded anyway? Hadn't we also agreed that human embryos should not be created solely for the purpose of being dismembered and then destroyed for the benefit of others?

Indeed, when Sen. Bill Frist made that brilliant presentation on the floor of the Senate supporting stem cell research, he included among his conditions a total ban on creating human embryos just to be stem cell farms. Why, then, are so many stem cell supporters in Congress lining up behind a supposedly ''anti-cloning bill'' that would, in fact, legalize the creation of cloned human embryos solely for purposes of research and destruction?

Sound surreal? It is.

There are two bills in Congress regarding cloning. The Weldon bill bans the creation of cloned human embryos for any purpose, whether for growing them into cloned human children or for using them for research or for their parts and then destroying them.

The competing Greenwood ''Cloning Prohibition Act of 2001'' prohibits only the creation of a cloned child. It protects and indeed codifies the creation of cloned human embryos for industrial and research purposes.

Under Greenwood, points out the distinguished bioethicist Leon Kass, ''embryo production is explicitly licensed and treated like drug manufacture.'' It becomes an industry, complete with industrial secrecy protections. Greenwood, he says correctly, should really be called the ''Human Embryo Cloning Registration and Industry Facilitation and Protection Act of 2001.''

Greenwood is a nightmare and an abomination. First of all, once the industry of

cloning human embryos has begun and thousands are being created, grown, bought and sold, who is going to prevent them from being implanted in a woman and developed into a cloned child?

Even more perversely, when that inevitably occurs, what is the federal government going to do: Force that woman to abort the clone?

Greenwood sanctions, licenses and protects the launching of the most ghoulish and dangerous enterprise in modern scientific history: the creation of nascent cloned human life for the sole purpose of its exploitation and destruction.

What does one say to stem cell opponents? They warned about the slippery slope. They said: Once you start using discarded embryos, the next step is creating embryos for their parts. Frist and I and others have argued: No, we can draw the line.

Why should anyone believe us? Even before the president has decided on federal support for stem cell research, we find stem cell supporters and their biotech industry allies trying to pass a bill that would cross that line—not in some slippery-slope future, but right now.

Apologists for Greenwood will say: Science will march on anyway. Human cloning will be performed. Might as well give in and just regulate it, because a full ban will fail in any event.

Wrong. Very wrong. Why? Simple: You're a brilliant young scientist graduating from medical school. You have a glowing future in biotechnology, where peer recognition, publications, honors, financial rewards, maybe even a Nobel Prize await you. Where are you going to spend your life? Working on an outlawed procedure? If cloning is outlawed, will you devote yourself to research that cannot see the light of day, that will leave you ostracized and working in shadow, that will render you liable to arrest, prosecution and disgrace?

True, some will make that choice. Every generation has its Kevorkian. But they will be very small in number. And like Kevorkian, they will not be very bright.

The movies have it wrong. The mad scientist is no genius. Dr. Frankensteins invariably produce lousy science. What is Kevorkian's great contribution to science? A suicide machine that your average Hitler Youth could have turned out as a summer camp project.

Of course you cannot stop cloning completely. But make it illegal and you will have robbed it of its most important resource: great young minds. If we act now by passing Weldon, we can retard this monstrosity by decades. Enough time to regain our moral equilibrium—and the recognition that the human embryo, cloned or not, is not to be created for the sole purpose of being poked and prodded, strip-minded for parts and then destroyed.

If Weldon is stopped, the game is up. If Congress cannot pass the Weldon ban on cloning, then stem cell research itself must not be supported either—because then all the vaunted promises about not permitting the creation of human embryos solely for their exploitation and destruction will have been shown in advance to be a fraud.

Mr. BAKER. Mr. Speaker, I rise to express my support for H.R. 2505, ''The Human Cloning Prohibition Act of 2001.'' Let me begin my saying that I am unequivocally opposed to the cloning of human beings either for reproduction or for research. The moral and ethical issues posed by human cloning are profound and cannot be ignored in the quest for scientific discovery. I intend to support this legislation and will vote against the Greenwood amendment.

Let me be clear. Passage of H.R. 2505 will not stop medical research on the promising use of stem cells. This is an exciting area of research and I am confident this technology will produce results the significance of which we cannot fathom. Stem cell research will continue, but it does not have to continue at the expense of our human ethics or our religious morals.

There is not ever a time, in my opinion, where it is proper for medical science to wholly create or clone a human being. The ethical and moral implications of such an act are staggering, and I believe my colleagues understand that. So if we can agree on the human cloning issue, we must now address the fears some of my colleagues have expressed on the future of stem cell research.

The scientific objective in today's debate over stem cell research is having the ability to produce massive quantities of quality transplantable, tissue-matched pluripotent cell that provide extended therapeutic benefits without triggering immune rejection in the recipient. It has come to my attention that efforts have been underway for companies to conduct stem cell research using placentas from live births. I have become aware of at least one company that has pioneered the recovery of non-adult human pluripotent and multipotent stem cell from human afterbirth, traditionally regarded as medical waste.

Importantly, the pluripotent stem cells discovered in postnatal placentas were not heretofore known to be present in human afterbirth, and can be collected in abundant quantities via a proprietary recovery method. These non-controversial cells are known as ''placental'' and ''umbilical'' stem cells, because they come from postnatal placentas, umbilical cords, and cord blood, from full-term births, and are classified separately and distinctly from those stem cells recovered from adults and embryos.

The strength of this option is that it meets both the policy and scientific objectives while transcending ethical or moral controversy. We can solve the dilemma by building bipartisan coalition and simply turning the argument from ''What we oppose'' to ''What we all support.''

What I'm suggesting is a non-controversial, abundant source of high-quality stem cells that will significantly accelerate the pace at which stem cell therapies can be integrated into clinical use. They would offer the hope of renewable sources of replacement cells and tissues to treat a myriad of diseases, conditions and disabilities, including ALS (Lou Gehrig's Disease), Parkinson's and Alzheimer's, spinal cord injury, stroke, burns, heart disease, diabetes, osteoarthritis, rheumatoid arthritis, liver diseases and cancers.

I would say to all of my colleagues, let's move forward to stop human cloning before it starts. Let's move forward with stem cell research using a source of stem cells that is both in abundant supply and in conformity with our respective ethical and moral beliefs.

Mr. RUSH. Mr. Speaker, in an old blues song, B.B. King provides some sound advice: ''don't make your move too soon.'' Clearly, Congress should heed Mr. King's advice on the issue of human cloning and act with prudence.

Based on my own personal, moral and religious views, I firmly believe that human cloning should be banned. I sincerely believe that the majority of my colleagues agree with me. However, in our zeal to pass a ban on human cloning we may be needlessly impeding the legitimate use of stem cell research.

Even more frightening, instead of holding extensive hearings with scientists, ethicists and patient groups on how to develop a narrowly tailored ban on human cloning, we are rushing to a vote on a bill which was heard in one committee, the Judiciary Committee.

What ever happened to prudence? What ever happened to reasoning things out? What ever happened to looking before you leap? What is clear from the debate on this floor today is there are serious questions and confusion as to whether the Human Cloning Prohibition Act will merely ban human cloning or halt life saving stem cell research. The fact that there is confusion necessitates further debate and discussion, not a vote.

We must act with caution to ensure the future scientific successes which will make this world healthier and more productive while tightly regulating those practices which pose a clear threat to the health and safety of our citizens.

Clearly, we are making a move too soon, without facts, without an understanding of what the Human Cloning Prohibition Act does, and without an understanding of the science involved. I would urge my colleagues to not make a move too soon. Let's debate this issue further and vote on a bill when the implications of the legislation is clear.

Mr. BARR of Georgia. Mr. Speaker, the practice of either embryo splitting or nuclear replacement technology, deliberately for the purposes of human reproductive cloning, raises serious ethical issues we, as policy makers, must address.

Having participated, as a member of the Judiciary Committee, in hearings on the ethics and practice of human cloning, I am pleased to support Congressman WELDON and STUPAK'S bill, H.R. 2505—the Human Cloning Prohibition Act of 2001. This bill provides for an absolute prohibition on human cloning. The bill bans all forms of adult human and embryonic cloning, while not restricting areas of scientific research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans. In fact, the bill specifically protects and encourages the cloning of human tissues, so long as such procedures do not involve the creation of a cloned human embryo.

The ability to produce an exact genetic replica of a human being, alive of deceased, carries with it an incredible responsibility. Beyond the fact the scientific community has yet to confirm the safety and efficacy of the procedure, human cloning is human experimentation taken to the furthest extreme. In fact, the National Bioethics Commission has quite clearly stated the creation of a human being by somatic cell nuclear transfer is both scientifically and ethically objectionable.

This is why I have serious reservations with Representative GREENWOOD'S bill, H.R. 2172. This bill would prohibit human somatic cell nuclear transfer technology with the intent to initiate a pregnancy. Of critical importance, however, is the fact that would allow somatic cell nuclear transfer technology to clone molecules, DNA, cells, tissues; in the practice of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures to assist a woman in becoming or remaining pregnant; or any other

activity (including biomedical, microbiological, or agricultural research or practices) not expressly prohibited.

Representative GREENWOOD'S bill purportedly advances the benefits of ''therapeutic cloning''; that is, the cloning of embryos for the purpose of scientific research. While we may hear endless examples of how this technology may lead to advanced cancer therapies, solve infertility problems, and end juvenile diabetes, in reality, not one reputable research organization has provided any hard evidence that cloned embryos will provide any such miracles. To date, not one disease has been cured, or one treatment developed based on this technology. Furthermore, there is abundant evidence that alternatives to this procedure already exist. Stem cells, which can be harvested from placentas and umbilical cords, even from human fat cells, have yielded far more results than embryonic stem cells.

What is most objectionable to the bill is that it will take us in an entirely new and inhumane direction, whereby the United States government will be condoning, indeed encouraging, the creation of embryos for the purpose of destruction.

There is nothing humanitarian or compassionate about creating and destroying human life for some theoretical, technical benefit that is far from established. To create a cloned human embryo solely to harvest its cells is just as abhorrent as cloning a human embryo for implantation.

To not provide an outright and complete ban on embryonic cloning would set a dangerous precedent. Once the Federal government permits such dubious and mischievous research practices, regardless of how strict the guidelines and regulations are drawn, human cloning will undoubtedly occur.

Mr. Speaker, nothing scientifically or medically important would be lost by banning embryonic cloning. Indeed, at this time, there is no clinical, scientific, therapeutic or moral justification for it. I urge all House Members to join a vast majority of American citizens and members of the scientific community in support of H.R. 2505, the true Human Cloning Prohibition Act of 2001.

Mr. DEMINT. Mr. Speaker, it is July 31st, the year 2001. Once upon a time, the discussions about cloning human beings were about a hypothetical point in the future.

America has not paid too much attention to the scientific, legal, and ethical issues surrounding cloning because it was always something so far off in the future that it seemed surreal.

Well, the future is upon us and today we discuss an issue of utmost importance in determining what sort of world we live in.

We all want to secure America's future—to live in a land of prosperity, good health, and great opportunity.

However, our future will very much be shaped by our present decisions and fundamental questions about human life and human identity.

I rise today, Mr. Speaker, in support of H.R. 2505—the Weldon/Stupak bill to enact a true ban on human cloning. I rise in opposition to the Greenwood/Deutsch bill which purports to be a ban, but will allow the industrial exploitation of human life.

Mr. Speaker, you and I and every other person on the face of this earth have unique features—things that make us not only human, but individuals.

Our fingerprints are like snowflakes—there is not, nor has there ever been, an exact replica of another human being.

Cloning is a whole new world. What is a clone? Whe is close? What is the identity of a clone? Who is responsible for the clone? Why would clones be brought into existence? Should they become human organ farms, created specifically to try to save the life of another human being? Would clones have different rights than 'natural' human beings? Would they be a subservient class of human beings?

Supporters of the Greenwood Substitute might claim that this is far-fetched, that their language has no intention of allowing the creation of actual cloned living, breathing human beings.

As columnist Charles Krauthammer puts so eloquently, ''. . . once the industry of cloning human embryos has begun and thousands are being created, grown, bought and sold, who is going to prevent them from being implanted in a woman and developed into a cloned child?''

Well, Mr. Speaker, I ask at what point do we say NO? At what point do we say that we refuse to walk down that slippery slope?

When do we have the strength to stand up for the wonder of life and human experience and say that we will not allow the creation of cloned human embryos for industrial exploitation?

Krauthammer calls the Greenwood bill ''a nightmare and an abomination . . . . the launching of the most ghoulish and dangerous enterprise in modern scientific history.''

Mr. Speaker. I hope we will all be able to look back on this day—July 31, 2001—and recognize that it was a day in which we affirmed human life and rejected those wishing to exploit life in a most horrific way.

Mr. Speaker, I urge my colleagues to take those words to heart and reject the Greenwood substitute and vote in favor of the underlying bipartisan bill.

As we work together in this body to secure the future for America, let us march forward on our strongest ideals of hope, democracy, and freedom. Let us show the utmost respect for human life and this human experience which we all share.

Mr. LARGENT. Mr. Speaker, I rise in strong support of H.R. 2505, the Human Cloning Prohibition Act of 2001.

This bill has an amazingly wide range of support. Opponents of the bill have tried to portray it as a piece of pro-life legislation, and have made it hard for pro-choice members to support it. But anyone who has followed the series of cloning hearings has seen some of the most unusual alliances in recent political history, including many pro-choice activists and organizations who see the common sense in banning the ghoulish practice of cloning. Even they see that embryo cloning will, with virtual certainty, lead to the production of experimental human beings.

Scientists acknowledge the ethical questions cloning raises. As recently as the December 27, 2000 issue of the Journal of the American Medical Association, three bioethicists co-authored a major paper on human cloning that freely acknowledged that somatic cell nuclear transfer creates human embryos and noted that it raises complex ethical questions.

Some have stated that life begins in the womb, not a petri dish or a refrigerator. I believe, however, that human life is created when an egg and a sperm meet. The miracle of life cannot be denied, whether it begins in a womb or a petri dish. Even scientists and bioethicists realize the moral and ethical implications that cloning brings about. Twisting this reality is disingenuous.

Do we really want Uncle Sam cloning human beings? Do we really want the federal government to play God in such an undeniable way? I certainly don't. The Greenwood substitute is a moral and practical disaster, however you look at it. I urge my colleagues to vote in favor of H.R. 2505 and against the Greenwood substitute and the motion to recommit.

Mr. HOSTETTLER. Mr. Speaker, I submit the following information on the subject of Cloning.

NATIONAL RIGHT TO LIFE COMMITTEE, INC.
Washington, DC, July 26, 2001.

SCIENTISTS SAY ''THERAPEUTIC CLONING'' CREATES A HUMAN EMBRYO

President Clinton's National Bioethics Advisory Commission, in its 1997 report Cloning Human Beings, explicitly stated: ''The Commission began its discussions fully recognizing that any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo, with the apparent potential to be implanted in utero and developed to term.''

The National Institutes of Health Human Embryo Research Panel also assumed in its September 27, 1994 Final Report, that cloning results in embryos. In listing research proposals that ''should not be funded for the foreseeable future'' because of ''serious ethical concerns,'' the NIH panel included cloning: ''Such research includes: . . . Studies designed to transplant embryonic or adult nuclei into an enucleated egg, including nuclear cloning, in order to duplicate a genome or to increase the number of embryos with the same genotype, with transfer.''

A group of scientists, ethicists, and biotechnology executives advocating ''therapeutic cloning'' and use of human embryos for research—Arthur Caplan of the University of Pennsylvania, Lee Silver of Princeton University, Ronald Green of Dartmouth University, and Michael West, Robert Lanza, and Jose Cibelli of Advanced Cell Technology—confirmed in the December 27, 2000 issue of the Journal of the American Medical Association that a human embryo is created and destroyed through ''therapeutic cloning'': ''CRNT [cell replacement through nuclear transfer, another term for ''therapeutic cloning''] requires the deliberate creation and disaggregation of a human embryo.'' ''. . . because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions.''

On September 7, 2000, the European Parliament adopted a resolution on human cloning. The Parliament's press release defined and commented on ''therapeutic cloning'': ''. . . 'Therapeutic cloning,' which involves the creation of human embryos purely for research purposes, poses an ethical dilemma and crosses a boundary in research norms.''

Lee M. Silver, professor of molecular biology and evolutionary biology at Princeton University, argues in his 1997 book, Remaking Eden: Cloning and Beyond in a Brave New World. ''Yet there is nothing synthetic about the cells used in cloning. . . . The newly created embryo can only develop inside the womb of a woman in the same way that all embryos and fetuses develop. Cloned children will be full-fledged human beings,

indistinguishable in biological terms from all other members of the species.''

The President and CEO of the biotechnology firm that recently announced its intentions to clone human embryos for research purposes, Michael D. West, Ph.D. of Advanced Cell Technology, testified before a Senate Appropriations Subcommittee on December 2, 1998: ''In this . . . procedure, body cells from a patient would be fused with an egg cell that has had its nucleus (including the nuclear DNA) removed. This would theoretically allow the production of a blastocyst-staged embryo genetically identical to the patient. . . .''

Dr. Ian Wilmut of PPL Technologies, leader of the team that cloned Dolly the sheep, describes in the spring 1988 issue of Cambridge Quarterly of Healthcare Ethics how embryos are used in the process now referred to as ''therapeutic cloning'': ''One potential use for this technique would be to take cells—skin cells, for example—from a human patient who had a genetic disease . . . You take this and get them back to the beginning of their life by nuclear transfer into an oocyte to produce a new embryo. From that new embryo, you would be able to obtain relatively simple, undifferentiated cells, which would retain the ability to colonize the tissues of the patient.''

As documented in the American Medical News, February 23, 1998, University of Colorado human embryologist Jonathan Van Blerkom expressed disbelief that some deny that human cloning produces an embryo, commenting: ''If it's not an embryo, what is it?''

Mr. BARR of Georgia. Mr. Speaker, today the House of Representatives took an important step in banning the cloning of human embryos. As this debate moves forward in Congress, I believe the National Right to Life Committee has made some very important points which we need to keep in mind:

NATIONAL RIGHT TO LIFE COMMITTEE, INC.
Washington, DC, July 26, 2001.

AMERICANS OPPOSE CLONING HUMAN EMBRYOS FOR RESEARCH

The biotechnology industry is pushing for a deceptive ''cloning ban'' sponsored by James Greenwood. This bill actually permits, protects, and licenses the unlimited creation of cloned human embryos for experimentation as long as those embryos are destroyed before being implanted in a mother's womb. It would more accurately be termed a ''clone and kill'' bill.

In the past, even major defenders of harmful research on human embryos have rejected the idea of special creation of embryos for research.

''The creation of human embryos specifically for research that will destroy them is unconscionable.''—Editorial, ''Embryos: Drawing the Line,'' Washington Post, October 2, 1994, C6.

''What the NIH must decide is whether to put a seal of approval on . . . creating embryos when necessary through in vitro fertilization, conducting experiments on them and throwing them away when the experiments are finished. . . . The price for this potential progress is to disregard in the case of embryos the basic ethical principal that no human's bodily integrity may be violated involuntarily, no matter how much good may result for others.'' Editorial, ''Life is precious, even in the lab,'' Chicago Tribune, November 30, 1994.

''. . . We should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score.''—Rep. Nancy Pelosi (D–CA), 142 Congressional Record at H7343, July 11, 1996.

''. . . I do not believe that federal funds should be used to support the creation of human embryos for research purposes, and I have directed that NIH not allocate any resources for such research.''—President Bill Clinton, Statement by the President, December 2, 1994.

''We can all be assured that the research at the National Institutes of Health will be conducted with the highest level of integrity. No embryos will be created for research purposes. . . .''—Rep. Nita Lowey (D–NY), 142 Congressional Record at H7343, July 11, 1996.

''. . . The manufacture of embryos for stem cell research . . . may be morally suspect because it violates our desire to accord special standing and status to human conception, procreation, and sexuality.''—Arthur Caplan, Director, University of Pennsylvania Center for Bioethics, Testimony before Senate Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies, December 2, 1998.

PUBLIC OPINION SPEAKS

''Should scientists be allowed to use human cloning to create a supply of human embryos to be destroyed in medical research?'' (International Communications Research Poll, June 2001): No—86%, Don't Know/Refused—4.3%, Yes—9.8%.

''Do you think scientists should be allowed to clone human beings or don't you think so?'' (Time/CNN Poll, April 30, 2001): No—88%, Not Sure—2%, Yes—10%.

So-called ''therapeutic cloning,'' just like ''reproductive cloning,'' creates a human embryo. These embryos are killed when their stem cells are harvested in the name of ''medical research.''

''. . . Any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo, with the apparent potential to be implanted in utero and developed to term.''—Cloning Human Beings: Report and Recommendations of the National Bioethics Advisory Commission (Rockville, MD: June 1997, Executive Summary).

''We can debate all day whether an embryo is or isn't a person. But it is unquestionably human life, complete with its own unique set of human genes that inform and drive its own development. The idea of the manufacture of such a magnificent thing as a human life purely for the purpose of conducting research is grotesque, at best. Whether or not it is federally funded.''—Editorial, ''Embryo Research is Inhuman,'' Chicago Sun-Times, October 10, 1994, 25.

The SPEAKER pro tempore. All time for debate on the bill, as amended, has expired.

AMENDMENT NO. 1 OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Speaker, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 107–172 offered by Mr. SCOTT:

Page 4, after line 8, insert the following:

SEC. 3. STUDY BY GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—The General Accounting Office shall conduct a study to assess the need (if any) for amendment of the prohibition on human cloning, as defined in section 301 of title 18, United States Code, as added by this Act, which study should include—

(1) a discussion of new developments in medical technology concerning human cloning and somatic cell nuclear transfer, the need (if any) for somatic cell nuclear transfer to produce medical advances, current public attitudes and prevailing ethical views concerning the use of somatic cell nuclear transfer, and potential legal implications of research in somatic cell nuclear transfer; and

(2) a review of any technological developments that may require that technical changes be made to section 2 of this Act.

(b) REPORT.—The General Accounting Office shall transmit to the Congress, within 4 years after the date of enactment of this Act, a report containing the findings and conclusions of its study, together with recommendations for any legislation or administrative actions which it considers appropriate.

The SPEAKER pro tempore. Pursuant to House Resolution 214, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

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

This amendment would provide for a study by the General Accounting Office of this issue. That study would include a discussion of new developments in medical technology, the need if any for somatic cell nuclear transfer, the public attitudes and prevailing ethical views, and potential legal implications.

The developments in stem cell research are proceeding at a very rapid pace; and it is difficult for Congress, which moves very slowly, to take them into account. This amendment would keep Congress informed of the changes in technology and its potential for medical advance. It would also keep us advised of any need for technical changes to the bill to keep its prohibition on cloning effective and narrowly drawn.

Furthermore, this is an area where public attitudes and ethical views are often confused and uncertain. The study will be helpful in summarizing and clarifying those issues.

Mr. Speaker, some of the issues that we have to deal with have been reflected in the questions that have been raised on what the bill actually does: the potential for embryonic versus adult cell research, and issues such as the impact of the bill which would be in effect in the United States on medical treatments which may be available everywhere else in the world except in the United States.

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

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

Mr. SENSENBRENNER. I thank the gentleman for yielding.

Mr. Speaker, I believe that this is an extremely constructive amendment. The gentleman from Virginia offered it during Judiciary Committee consideration and withdrew it because of jurisdictional concerns. I would hope that the House would adopt this amendment because I believe it would put additional information on the table to help further clarify this very contentious debate.

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

The SPEAKER pro tempore. Pursuant to House Resolution 214, the previous question is ordered on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The amendment was agreed to.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GREENWOOD

Mr. GREENWOOD. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute printed in House Report 107–172 offered by Mr. GREENWOOD:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cloning Prohibition Act of 2001''.

SEC. 2. PROHIBITION AGAINST HUMAN CLONING.

(a) IN GENERAL.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by adding at the end the following:

''CHAPTER X—HUMAN CLONING

''PROHIBITION AGAINST HUMAN CLONING

''SEC. 1001. (a) NUCLEAR TRANSFER TECHNOLOGY.—

''(1) IN GENERAL.—It shall be unlawful for any person—

''(A) to use or attempt to use human somatic cell nuclear transfer technology, or the product of such technology, to initiate a pregnancy or with the intent to initiate a pregnancy; or

''(B) to ship, mail, transport, or receive the product of such technology knowing that the product is intended to be used to initiate a pregnancy.

''(2) DEFINITION.—For purposes of this section, the term 'human somatic cell nuclear transfer technology' means transferring the nuclear material of a human somatic cell into an egg cell from which the nuclear material has been removed or rendered inert.

''(b) RULE OF CONSTRUCTION.—This section may not be construed as applying to any of the following:

''(1) The use of somatic cell nuclear transfer technology to clone molecules, DNA, cells, or tissues.

''(2) The use of mitochondrial, cytoplasmic, or gene therapy.

''(3) The use of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures (excluding those using human somatic cell nuclear transfer or the product thereof) to assist a woman in becoming or remaining pregnant

''(4) The use of somatic cell nuclear transfer technology to clone or otherwise create animals other than humans.

''(5) Any other activity (including biomedical, microbiological, or agricultural research or practices) not expressly prohibited in subsection (a).

''(c) REGISTRATION.—

''(1) IN GENERAL.—Each individual who intends to perform human somatic cell nuclear transfer technology shall, prior to first performing such technology, register with the Secretary his or her name and place of business (except that, in the case of an individual who performed such technology before the date of the enactment of the Cloning Prohibition Act of 2001, the individual shall so register not later than 60 days after such date). The Secretary may by regulation require that the registration provide additional information regarding the identity and business locations of the individual, and information on the training and experience of the individual regarding the performance of such technology.

''(2) ATTESTATION.—A registration under paragraph (1) shall include a statement, signed by the individual submitting the registration, declaring that the individual is aware of the prohibitions described in subsection (a) and will not engage in any violation of such subsection.

''(3) CONFIDENTIALITY.—Information provided in a registration under paragraph (1) shall not be disclosed to the public by the Secretary except to the extent that—

''(A) the individual submitting the registration has in writing authorized the disclosure; or

''(B) the disclosure does not identify such individual or any place of business of the individual.

''(d) PREEMPTION OF STATE LAW.—This section supersedes any State or local law that—

''(1) establishes prohibitions, requirements, or authorizations regarding human somatic cell nuclear transfer technology that are different than, or in addition to, those established in subsection (a) or (c); or

''(2) with respect to humans, prohibits or restricts research regarding or practices constituting—

''(A) somatic cell nuclear transfer;

''(B) mitochondrial or cytoplasmic therapy; or

''(C) the cloning of molecules, DNA, cells, tissues, or organs;

except that this subsection does not apply to any State or local law that was in effect as of the day before the date of the enactment of the Cloning Prohibition Act of 2001.

''(e) RIGHT OF ACTION.—This section may not be construed as establishing any private right of action.

''(f) DEFINITION.—For purposes of this section, the term 'person' includes governmental entities.

''(g) SUNSET.—This section and section 301(bb) do not apply to any activity described in subsection (a) that occurs on or after the expiration of the 10-year period beginning on the date of the enactment of the Cloning Prohibition Act of 2001.''.

(b) PROHIBITED ACTS.—

(1) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(bb) The violation of section 1001(a), or the failure to register in accordance with section 1001(c).''.

(2) CRIMINAL PENALTY.—Section 303(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)) is amended by adding at the end the following:

''(7) Notwithstanding subsection (a), any person who violates section 301(bb) shall be imprisoned not more than 10 years or fined in accordance with title 18, United States Code, or both.''.

(3) CIVIL PENALTY.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following:

''(h)(1) Any person who violates section 301(bb) shall be liable to the United States for a civil penalty in an amount not to exceed the greater of—

''(A) $1,000,000; or

''(B) an amount equal to the amount of any gross pecuniary gain derived from such violation multiplied by 2.

''(2) Paragraphs (3) through (5) of subsection (g) apply with respect to a civil penalty under paragraph (1) of this subsection to the same extent and in the same manner as such paragraphs (3) through (5) apply with respect to a civil penalty under paragraph (1) or (2) of subsection (g).''.

(4) FORFEITURE.—Section 303 of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (3), is amended by adding at the end the following:

''(i) Any property, real or personal, derived from or used to commit a violation of section 301(bb), or any property traceable to such property, shall be subject to forfeiture to the United States.''.

SEC. 3. STUDY BY INSTITUTE OF MEDICINE.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall request the Institute of Medicine to enter into an agreement with the Secretary under which such Institute conducts a study to—

(1) review the current state of knowledge about the biological properties of stem cells obtained from embryos, fetal tissues, and adult tissues;

(2) evaluate the current state of knowledge about biological differences among stem cells obtained from embryos, fetal tissues, and adult tissues and the consequences for research and medicine; and

(3) assess what is currently known about the ability of stem cells to generate neurons, heart, kidney, blood, liver and other tissues and the potential clinical uses of these tissues.

(b) OTHER ENTITIES.—If the Institute of Medicine declines to conduct the study described in subsection (a), the Secretary shall enter into an agreement with another appropriate public or nonprofit private entity to conduct the study.

(c) REPORT.—The Secretary shall ensure that, not later than three years after the date of the enactment of this Act, the study required in subsection (a) is completed and a report describing the findings made in the study is submitted to the Committee on Energy and Commerce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate.

The SPEAKER pro tempore. Pursuant to House Resolution 214, the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 30 minutes.

PARLIAMENTARY INQUIRY

Mr. GREENWOOD. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GREENWOOD. Would it be appropriate for me or permissible under the rules for me to yield 15 minutes of my time to the gentleman from Florida (Mr. DEUTSCH)?

The SPEAKER pro tempore. By unanimous consent, the gentleman from Florida could control those 15 minutes.

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. DEUTSCH) be permitted to control 15 minutes.

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

There was no objection.

Mr. DEUTSCH. Mr. Speaker, if I could just inquire, how would we be going in terms of order of speakers?

The SPEAKER pro tempore. The Chair would allow the proponent of the amendment to speak first.

Mr. DEUTSCH. And then to the opponent, and then it will revert back and forth?

The SPEAKER pro tempore. That is correct.

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

Mr. Speaker, I have been attempting to personalize this issue as much as I can. One of the things I would ask my colleagues to do is look at some of the lists of groups that are supporting the Greenwood-Deutsch amendment in opposition to the Weldon bill: the Parkinson's Action Network, the Juvenile Diabetes Research Foundation, Alliance for Aging, American Infertility Association, American Liver Foundation, International Kidney Cancer Foundation.

I mention several of these organizations because as I have said, and I think what we all acknowledge, that the issue of using embryonic stem cell research is over. And why is it over? Because of the 435 Members in this Chamber, we have heard from our friends, from our families, from our neighbors, from our constituents about real people who are suffering real diseases. That suffering is incalculable. None of us would want that to happen to anyone. Yet we know it exists and we feel pain when we talk to people. Many of us experience that pain ourselves. I put up these numbers again to note that the individuals added collectively together add up to tens of millions of Americans and to hundreds of millions of family Members.

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

We have had a good 2 hours of debate, and it has been encouraging to see the extent to which Members of Congress have been able to grapple with this very complicated issue.

Unfortunately, the Members who are speaking are the ones who have mastered it. We will have a vote within the hour and unfortunately most Members will come here pretty confused about the issue.

Let me try to simplify the issue once again and ask that we try to avoid some of the ad hominem argument that I think is beginning, and the hostility, frankly, that is beginning to develop on the floor on this issue. This is not a question about who has values and who stands for human life and who does not. It is a very legitimate and important and historic debate about how it is that we are able to use the DNA that God put into our own bodies, use the brain that God gave us to think creatively, and to employ this research to save the lives of men, women and children in this country and throughout the world and to rescue them from terribly debilitating and life-shortening diseases.

□ 1615

We have an extraordinary opportunity to do this with the research technique that does not involve conception. It is an interesting question to look at, when is it that people over history have defined the onset of life.

The Catholic Church used to say that it began with quickening, when a woman could feel the motion of the fetus in her womb, and that was when ensoulment occurred. When scientists discovered how fertilization worked, the Church changed its opinion and said life actually begins at conception, at fertilization, and for those who adhere to that position, they have my utmost respect. I do not think they ought to put their position into the statutes of the Federal Government, but they certainly should be respected for that belief that they have.

But now we have moved the goalposts again, and now somehow we are supposed to be required to, A, believe that ensoulment occurs when a somatic cell taken from someone's skin divides in a petri dish, and for those who want to make that leap of faith, or leap of whatever it is, belief, they are welcome to do that.

But to put into the statutes of the Federal Government a prohibition against using the state of the art research that is wonderfully brilliant, fine and inspired, and noble researchers are trying to employ in the laboratory for the very purpose of saving the lives of people, to put into law a Federal ban against that, I think, is immoral. I think it is wrong, and we should not do it.

Now, the Greenwood-Deutsch substitute is very simple. All we have been trying to do from the very beginning is prohibit reproductive cloning. That is all we do. That is all we do, is say thou shalt not create new babies using cloning, because it is not safe and it is not ethical.

I said months ago to the leadership of this House, if you want to do what we all agree on, we all want to stop that, then we need to shoot a silver bullet and a rifle shot and stop that legislatively. We could do that.

I said then but if we get mired down into the stem cell debate, the result is predictable. The legislation will go nowhere, this bill when it passes the House today will not be taken up in the Senate. I cannot believe the Senate is going to get into this issue.

So what will we have done at the end of the day? We will have done nothing. We will not have banned reproductive cloning, because it is more interesting to get into this extraordinary metaphysical debate whether life does or does not begin when a skin cell divides in a petri dish.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I rise in opposition to the substitute that has been offered by my friend, the gentleman from Pennsylvania (Mr. GREENWOOD). This substitute is a big mistake for a number of reasons, and it should not be supported. Most notably, it would make the prohibition against human cloning virtually impossible to enforce, it would foster the creation of cloned human embryos through the Department of Health and Human Services, and trump States that wish to prohibit cloning.

As I have already stated, allowing the creation of cloned embryos by law would enable anyone to attempt to clone a human being. While most individuals do not have the scientific capacity to clone human embryos, once they have been cloned, there is no mechanism for tracking them.

In fact, one would logically expect an organization authorized to clone human embryos pursuant to this substitute to be prepared to produce an abundance of cloned embryos for research. Meanwhile, those without the capabilities to clone embryos, could easily implant any of the legally cloned embryos, if they had the opportunity, and a child would develop.

Furthermore, those who do want to clone humans for reproductive purposes are very well funded and may have the capability to clone embryos. Would they be banned from registering with HHS under this amendment, or would they be authorized to create cloned embryos under the watchful eye of the Federal Government? If not, what would prevent any of these privately funded groups from creating a new organization with unknown intentions? If they did attempt human cloning for reproductive purposes, who would be held accountable? The lead scientists or others, or would the impregnated mother?

The fact is, any legislative effort to prohibit cloning must allow enforcement to occur before a cloned embryo is implanted. Otherwise, it is too late, and that is the big deficiency in the Greenwood substitute.

The substitute attempts to draw a distinction between necessary scientific research and human cloning by authorizing HHS to administer a quasi-registry; quasi because the embryos are not in the custody of HHS, they are maintained by private individuals. However, let us be clear, the crux of this substitute is to invoke a debate on stem cell research, a political knuckle ball, and this debate on stem cell research is a red herring.

First, therapeutic cloning does not exist, not even for experimental tests on animals.

Second, the substitute would require authorized researchers to destroy unused embryos, the first Federal mandate of its kind and a step that is extremely controversial.

Third, the bill allows for the production of cloned embryos for stem cell research. Again, H.R. 2505 does not prohibit stem cell research. It does not prohibit stem cell research. Currently private organizations are able to conduct unfettered research on embryonic stem cells. While this research is ethically and morally controversial, it has been heralded, because embryonic stem

cells multiply faster and live longer in petri dishes than adult stem cells.

Cloned embryo cells and normal embryo cells provide the same cellular tissue for research purposes. However, Mr. Speaker, these embryonic stem cells have failed in many clinical tests because they multiply too rapidly, causing cysts and cancers. Adult stem cells are the other area of stem cell research, which is much less controversial and which has been successful in over 45 trials. In fact, adult stem cells have been utilized to treat multiple sclerosis, bone marrow disorders, leukemias, anemias, and cartilage defects and immuno-deficiency in children.

Adult stem cells have been extracted from bone marrow, blood, skeletal muscle, the gastro-intestinal tract, the placenta, and brain tissue, to form bone marrow, bone, cartilage, tendon, muscle, fat, liver, brain, nerve, blood, heart, skeletal muscle, smooth muscle, esophagus, stomach, small intestine, large intestine, and colon cells. H.R. 2505 would not interfere with this work, but it prohibits the production of cloned embryos. It is a cloning bill; it is not a stem cell research bill.

Furthermore, H.R. 2505 allows for cloning research on various molecules, DNA, cells from other human embryos, tissues, organs, plants, animals or animals other than humans. In fact, it allows for cloning research on RNA, ribonucleic acid, which has been used in genetic therapy.

Fourth, the substitute prohibits States from adopting laws that prohibit or more strictly regulate cloning within their borders. It is a Federal preemption. This portion of the substitute raises even more ethical concerns which speak for themselves. Try telling my constituents they cannot ban human cloning, and I will tell you they disagree.

Finally, Mr. Speaker, the substitute contains a 10-year sunset provision. If this were to be enacted, Congress would have to go through this debate once again before the sunset occurs. The ethical and moral objections to human cloning will not change 10 years from now. However, the proponents of human cloning will continue to fight for their right to produce human clones in America; and authorizing a subsequent ban on human cloning could become even more controversial.

This is why Members on both sides of the aisle should rise in opposition to the substitute, defeat it, and pass H.R. 2505.

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

Mr. GREENWOOD. Mr. Speaker, I yield 5 minutes to the distinguished and scholarly gentleman from California (Mr. HORN).

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

First I ask everyone to take a deep breath and step back for a moment.

The House of Representatives is debating a bill that prohibits human cloning. I agree that cloning human beings is ethically unacceptable. In fact, I think just about everyone will reach this conclusion, which leads me to question whether we actually need to legislate something that is so common sense.

Now, let me ask people to imagine the conditions under which Jonas Salk developed a vaccine to prevent polio. Presumably, Dr. Salk spent many hours in his research laboratory, growing tissue cultures, and implanting within those cultures foreign agents to stimulate and ultimately prevent polio. How many of us then questioned the scientific techniques being used by Dr. Salk, and thousands of other researchers since then to discover new medicines and treatments for debilitating illnesses that plague our society? Can anyone actually say that the polio vaccine is bad because it was developed using tissue samples?

The problems with the discussions surrounding the human cloning bill advanced by the gentleman from Florida (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK) are two-fold. First, it cloaks a worthwhile and necessary debate in grossly overblown rhetoric; and, second, it is such a broad-brush effort that it would absolutely prohibit potentially life-saving therapies that may prevent and cure diseases such as Alzheimer's, cancer, Lou Gehrig's disease, cardiovascular damage, diabetes, and spinal cord injuries. At 5 o'clock I will be meeting with a group on Hunter's Syndrome. These various diseases could probably very well be researched by NIH and the great universities of this land.

What we are talking about, in short, is watching cells divide in a petri dish. Could this group of cells develop into a human embryo? Maybe, but only if implanted in a womb, and then its development is questionable.

The Greenwood bill permits the technology, but ensures that the group of cells never develops into anything remotely resembling a human being.

So, let me ask, is this cell group really any different from the tissue cultures grown by Dr. Salk? Is this group of cells so special that they deserve all of the moral, ethical, and legal protections that we afford fully developed, fully functional, and fully cognitive emotive human beings?

Is this group of cells so different and so much more important from the frozen fertilized eggs that we are considering using for stem cell research that they deserve more proscriptive treatment? Why are we less concerned about the sanctity of life with eggs that were harvested and fertilized for purposes of creating a human life than in the situation where we have neither of these purposes?

Although I am not convinced that the Greenwood substitute is a perfect alternative, it is certainly a superior alternative to an approach that would stop any sort of life-affirming therapies to advance. I think what has all of us ill at ease is that this technology immediately conjures up images of Dr. Frankenstein or the chemist fiddling with his or her chemistry set creating solutions and potions of unknown characteristics.

I am not a biological scientist myself. I have been a Dean of Graduate Studies and Research. I do know what goes on in universities, and in this Nation we have a great number of laboratories, and this government has helped fund bright young people. We need to encourage them and not limit them.

Honestly, I cannot say I remember much from my own school biology class, and I think a lot of us are in the same way. We were dealing with leaves and not molecular objects. Like most people, I find these images to be disconcerting. But I want to live in a world in which science can be allowed to proceed to find a cure for polio, for Alzheimer's, for any host of tragic diseases, and that treatments might be possible for any of them. We can only do this by letting the science move forward. The Greenwood alternative permits this; Weldon does not.

□ 1630

Ultimately, the debate and science are too complicated to leave to a group of unsophisticated legislators with instruments too blunt to be effective. I am concerned that the House leadership has allowed this debate to proceed in this hasty, reckless fashion.

For this reason alone, we should be the first to follow the Hippocratic Oath: First, do no harm. That means, oppose the Weldon bill.

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

With all due respect to my friend, the gentleman from California (Mr. HORN), I do not think the gentleman has read the bill and I do not think he has been listening to the debate.

This bill does not stop scientific research. This bill does not stop stem cell research. This bill stops research in destruction of cloned embryonic stem cells, no other stem cells whatsoever.

I do not think Dr. Salk used cloned material when he developed the polio vaccine. Nobody even thought of cloning 45, 50 years ago when Dr. Salk was using his research.

Please, let us talk about what is in the bill and what is in the Greenwood substitute, rather than bringing up issues that are completely irrelevant to both.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. STUPAK), the coauthor of the bill.

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding time.

I rise today in strong support of the Weldon-Stupak Human Cloning Prohibition Act of 2001, and I would like to thank the gentleman from Florida (Mr. WELDON) for his leadership on this issue.

We are in the midst of a tremendous new debate, a tremendous new policy direction, a tremendous new revolution. We cannot afford to treat the

issue of human embryo cloning lightly, nor can we treat it without serious debate and deliberation.

The need for action is clear. A cult has publicly announced its intention to begin human cloning for profit. Research firms have announced their intentions to clone embryos for research purposes and then discard what is not needed. Whatever your beliefs, pro-life, pro-choice, Democrat or Republican, the fact is embryos are the building blocks of human life and human life itself. We must ask ourselves, what will our message be here today? What makes us up as human beings? What is the human spirit? What moves us? What separates us from animals?

That is what we are debating here today.

What message will the United States send? Will it be a cynical signal that human embryo cloning and destruction is okay, acceptable, even to be encouraged, all in the name of science? Or will it be a message urging caution and care? If we allow this research to go forward unchecked, what will be next? Allowing parents to choose the color of the eyes or the hair of their children, or create super babies? We need to consider all aspects of cloning and not just what the researchers tell us is good.

Opposition to the Weldon-Stupak bill has based its objections on arguments that we will stifle research, discourage free thinking, put science back in the Dark Ages. How ridiculous. The Weldon-Stupak bill does nothing of the sort. It allows animal cloning; it allows tissue cloning; it allows current stem cell research being done on existing embryos; it allows DNA cloning. All of this is not seen as stifling research. The fact is, there is no research being done on cloned human embryos, so how can we stifle it?

Mr. Speaker, do we know why there is no research being done? Because scientists, the same ones who are banging on our doors to allow this experiment with human embryos, do not know how to. They have experimented for years with cloned animal embryos with very limited success. These scientists, who were pushing so hard to be allowed a free pass for research on what constitutes the very essence of what it is to be a human, do not know what goes wrong with cloned animal embryos. The horror stories are too many to mention here of deformed mice and deformed sheep developing from cloned embryos.

A prominent researcher working for a bioresearch company has admitted scientists do not know how or what happens in cloned embryos allowing these deformed embryos. In fact, he calls the procedure when an egg reprograms DNA ''magic.'' Magic? That is hardly a comforting or a hard-hitting scientific term, but it is accurate. It is magic.

Opponents of our bill have said embryonic research is the Holy Grail of science and holds the key to untold medical wonders. I say to these opponents, show me your miracles. Show me the wondrous advances done on animal embryonic cloning. But these opponents cannot show me these advances because they do not exist.

Our ability to delve into the mysteries of life grows exponentially. All fields of science fuse to enhance our ability to go where we have never gone before.

The question is this: Simply because we can do something, does that mean we should do it? What is the better path to take? One of haste and a rush into the benefits that are, at best, years in the future, entrusting cloned human embryos to scientists who do not know what they are doing with cloned animal embryos; or one urging caution, urging a step back, urging deliberation?

The human race is not open for experimentation at any level, even at the molecular level. Has not the 20th century history shown us the folly of this belief?

The Holy Grail? The magic? How about the human soul? Scientists and medical researchers cannot find it, they cannot medically explain it, but writers write about it; songwriters sing about it; we believe in it. From the depths of our souls, we know we should ban human cloning.

For the sake of our soul, reject the substitute and support the Weldon-Stupak bill.

Mr. DEUTSCH. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

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

Mr. WAXMAN. Mr. Speaker, I rise in support of the Greenwood substitute and in opposition to H.R. 2505.

This debate involves research that holds a great deal of promise for defeating disease and repairing damaged organs. It also involves a great deal of confusion.

In order to tilt the debate about genetic cell replication research, some opponents lump it with Dolly the sheep. No one supports reproductive cloning and no one benefits from such confusion, except those who hope to spur an overreaction. The Greenwood substitute would prohibit reproductive cloning without shutting down valuable research.

Some argue to prohibit genetic cell replication research because it might, in the wrong hands, be turned into reproductive cloning research. I cannot support this argument. All research can be misused. That is why we regulate research, investigate abuse of subjects, and prosecute scientific fraud and misconduct. If researchers give drug overdoses in clinical trials, the law requires that they be disbarred and punished. If someone were to traffic in organs, the law requires they be prosecuted, and if someone were to develop reproductive cloning under the Greenwood substitute, they would be prosecuted for a felony. The Greenwood ban on reproductive cloning will be every bit as effective as the Weldon ban on all research. If someone is deterred by one felony penalty, they will be deterred by the other.

Finally, let me point out that the Greenwood substitute cleans up two major drafting mistakes in the Weldon bill, mistakes that, in and of themselves, should be enough to make Members oppose the Weldon bill.

First, as the dissenting views in the committee report note, this bill criminalizes some forms of infertility treatments. These are not the science fiction clones that people have been talking about today; this is a woman and a man who want to have a child using her egg and his sperm and some other genetic materials to make up for flaws in one or the other; and this bill would make this couple and their doctors felons. That is wrong. They do not want Dolly the sheep, they want a child of their own.

Second, the Weldon bill makes criminal all products that are derived from this research. This means that if an advance in research leads to a new protein or enzyme or chemical, that protein or enzyme or chemical cannot be brought into this country, even if it requires no creation of new fertilized eggs and is the cure for dreaded diseases. That is wrong. It is an overreaction and does not serve any useful end.

I urge my colleagues to support the Greenwood amendment. We should clearly define what is wrongdoing, prohibit it, and enforce that prohibition, but we should not shut down beneficial work, clinical trials, organ transplants, or genetic cell replication because of a risk of wrongdoing; and we should not ban some things by the accident of bad drafting.

Mr. Speaker, I rise in support of the Greenwood substitute and in opposition to H.R. 2505. This debate involves research that holds a great deal of promise for defeating disease and repairing damaged organs. It also involves a great deal of confusion.

Let me try to clear up that confusion by clarifying what we mean by ''cloning research,'' because the term means different things to different people. Some ''cloning'' research involves, for example, using genetic material to generate one adult skin cell from another adult skin cell. I know of no serious opposition to such research.

Some ''cloning'' research starts with a human egg cell, inserts a donor's complete genetic material into its core, and allows this cell to multiply to produce new cells, genetically identical to the donor's cells. This is genetic cell replication. These cells can, in theory, be transplanted to be used for organ repair or tissue regeneration—without risk of allergic reaction or rejection. H.R. 2505 would ban that—for no good reason.

Some ''cloning'' research is for reproduction. It starts with the human egg and donated genetic material, but it is intended to go further, in an effort to create what is essentially a human version of Dolly the sheep, a full-scale

living replica of the donor of the genetic material. I know of no serious support for such research and the Greenwood amendment would ban that.

In order to tilt the debate about genetic cell replication research, some opponents lump it with Dolly the sheep. No one supports reproductive cloning, and no one benefits from such confusion except those who hope to spur an overreaction. The Greenwood amendment would prohibit reproductive cloning without shutting down valuable research.

Some also argue to prohibit genetic cell replication research because it might—in the wrong hands—be turned into reproductive cloning research. I cannot support this argument.

Such a prohibition is no more reasonable than to prohibit all clinical trials because researchers might give overdoses deliberately. It is as much overreaching as prohibiting all organ transplant studies because an unscrupulous person might buy or sell organs for profit.

All research can be misused. That's why we regulate research, investigate abuse of subjects, and prosecute scientific fraud and misconduct.

If researchers give drug overdoses in clinical trials, the law requires that they be disbarred and punished. If someone were to traffick in organs, the law requires that they be prosecuted. And if someone were to develop reproductive cloning, under the Greenwood amendment, they could be prosecuted for a felony.

And the Greenwood ban will be every bit as effective as the Weldon ban on all research. If someone is deterred by one felony penalty, they will be deterred by the other

Finally, let me point out that the Greenwood amendment cleans up two major drafting mistakes in the Weldon bill—mistakes that in and of themselves should be enough to make Members oppose the Weldon bill.

First, as the dissenting views in the Committee Report note, this bill criminalizes some forms of infertility treatments. These are not the science fiction clones that people have been talking about today; this is a woman and a man who want to have a child—using her egg and his sperm and some other genetic materials to make up for flaws in one or the other. And this bill would make this couple and their doctor felons. That's wrong. They only want a healthy child of their own—but the Weldon bill would stop that.

Second, the Weldon bill makes criminal all products that are derived from this research. this means that if an advance in research elsewhere leads to a new protein or enzyme or chemical, that protein or enzyme or chemical cannot be brought into the country—even if it requires no creation of new fertilized eggs and is the cure for dreaded diseases. That's wrong. It is an over-reaction that does not serve any useful end.

I urge my colleagues to support the Greenwood amendment. We should clearly define what we believe is wrongdoing, prohibit it, and enforce that prohibition. The Greenwood amendment does that.

But we should not shut down beneficial work—clinical trials, organ transplants, or genetic cell replication—because of a risk of wrongdoing, and we should not ban some things by the accident of bad drafting.

The Congress should not prohibit potentially life-saving research on genetic cell replication because it accords a cell—a special cell, but only a cell—the same rights and protections as a person. No one supports creating a cloned human being, but we should allow research on how cells work to continue.

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

The gentleman from Wisconsin (Mr. STUPAK) asked for an example of how this research is working. Dr. Okarma, who testified at our hearings, spoke of how they have taken mice who had damaged hearts, they used somatic cell nuclear transfer to take the cells of the mice, turn them into pluripotent stem cells, and then into heart cells, and then they injected those heart cells into the heart of the mouse. What happened? Those cells behaved like heart cells. They pumped blood and kept the mouse alive.

All we are asking for here today is to give the people of the world, the people of this country, the same chance that the mouse had.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, John Porter, the former chairman of Labor-HHS, asked me to do a terrible thing once. He asked me to chair a committee with children with exotic diseases. I had to shut down the committee it hurt so much. One little girl said, Congressman, you are the only person that can save my life, and that little child died, and there are thousands of these children.

I am 100 percent pro-life, 11 years, but I support stem cell research of discarded cells. The concern that all of us have is, if we go along with the gentleman from Pennsylvania (Mr. GREENWOOD), the same thing will happen that happened in England. They started with stem cell research, then they expanded it to nuclear transfer of the somatic cells. Then they went to human cloning, and even a subspecies so that they can use body parts.

Where does it stop? The only way that we can control this research through the Federal Government is to make sure that these ethical and moral values are adhered to. We have to stop it here.

Support the Weldon bill, oppose the Greenwood bill.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes 15 seconds to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, the Human Cloning Prohibition Act is a bill we should not be debating with such brevity and haste. Cloning is manifestly not the same issue as stem cell research, much less abortion, and 2-minute snippets fail to do justice to the complex issues involved.

I am tempted to vote against both the bill and the substitute on the grounds that neither has been sufficiently refined or adequately debated. But that could be interpreted as a failure to take seriously the ethical issues that cloning raises and the need to block the path to reproductive cloning. That is the last thing we should want to do, for as Leon Kass and Daniel Callahan have argued in a recent article, reproductive cloning would threaten individuality and confuse identity, confounding our very definition of personhood, and it would represent a giant step toward turning procreation into manufacture.

I will vote for the Greenwood substitute as the best of the available alternatives. We are not certain of the promise of somatic cell nuclear transfer, or therapeutic cloning, research for the treatment or cure of diseases such as Alzheimer's, diabetes, Parkinson's or stroke. But we simply must take the enormous potential for human benefit seriously.

In moving to head off morally unacceptable reproductive cloning, we must take great care not to block research for treatments which have great potential for good and could run afoul of the ban included in H.R. 2505.

Critics such as Kass and Callahan argue persuasively that the ban on reproductive cloning contained in the Greenwood substitute would be difficult to enforce. But would the ban of nuclear transfer contained in H.R. 2505 be more easily enforced? As the dissenting views of the Committee on the Judiciary report argue,

> If a ban on the surgical procedure of implanting embryos into the uterus is unenforceable, a ban on a procedure that takes place in a petri dish in the privacy of a scientific laboratory is even more so.

Mr. Speaker, these are very difficult matters. We should not suppose that our votes here today, whatever the result, will resolve them. We must do the best we can, drawing the moral lines that must be drawn, while weighing conscientiously the possible benefits of new lines of research for the entire human family.

I believe the Greenwood substitute is the best among imperfect alternatives, and I urge its adoption.

□ 1645

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. Pitts. Mr. Speaker, we need to clarify something here. This issue is not about what the other side called a group of cells or insoulment or a leap of faith; it is about human life at its very beginning.

This amendment is not a cloning ban. It has a 10-year moratorium in it; but, in fact, for the first time this amendment would specifically make cloning legal, and it would require that human clones be killed after they are made, which is even more unethical.

Now, some have suggested that cloned embryos are not really embryos at all. That is ridiculous. We might as well say that Dolly, who began as a cloned sheep embryo, is not really a

sheep, even though now she is 5 years old.

Even President Clinton's Bioethics Advisory Commission was clear. The commission began its discussion fully recognizing that any effort in humans to transfer somatic cell nucleus into an enucleated egg, in other words, cloning, involves the creation of an embryo. Eighty-eight percent of the American people want cloning banned, not merely because they believe it is bad science, but because they think it is morally wrong.

Let us stop playing games with words. Reject the Greenwood amendment. Support Weldon-Stupak.

Mr. Speaker, I include for the RECORD a letter from the National Right to Life Committee, Inc., and a copy of a letter written by Mr. Douglas Johnson:

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.,
Washington, DC, July 30, 2001.

FEDERAL PANELS AND RESEARCHERS AGREE: HUMAN CLONING CREATES HUMAN EMBRYOS

DEAR MEMBER OF CONGRESS: At a press conference today, Congressman Greenwood and Congressman Deutsch asserted that the Greenwood-Deutsch substitute amendment to the Weldon-Stupak bill (H.R. 2505) would allow ''therapeutic cloning,'' but they asserted that this process would not involve the creation of any human embryos.

This ''argument,'' if it can be called that, shows a breathtaking lack of candor. For years, federal bio-ethics review bodies have acknowledged that the process of somatic cell nuclear transfer would indeed produce human embryos. For example, President Clinton's handpicked National Bioethics Advisory Commission acknowledged in its 1997 report Cloning Human Beings, ''any effort in humans to transfer a somatic cell nucleus into an enucleated egg *involves the creation of an embryo,* with the apparent potential to be implanted in utero and developed to term.'' [emphasis added]

Earlier this month, Michael West, the head of the major biotech firm Advanced Cell Technology (ACT) of Worcester, Massachusetts, told journalists that the firm intends to start cloning ''soon.'' As recently as the December 27, 2000 issue of the Journal of the American Medical Association, three members of the ACT team, including Dr. West, along with bioethicist Ronald Green of Dartmouth University and two other bioethicists, co-authored a major paper on human cloning that freely acknowledged that the method creates human embryos. They wrote, ''. . . because *therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos,* this technique raises complex ethical questions,'' [emphasis added]

The attached factsheet includes numerous such admissions from diverse researchers and public bodies. Thus, it is past time for Mr. Greenwood and Mr. Deutsch to drop their disinformation campaign and engage in an honest debate over whether human embryo farms should be allowed in this country. If you oppose the establishment of human embryo farms, vote no on the Greenwood-Deutsch substitute.

Sincerely,

DOUGLAS JOHNSON,
Legislative Director.

SCIENTISTS SAY ''THERAPEUTIC CLONING'' CREATES A HUMAN EMBRYO—JULY 26, 2001

President Clinton's National Bioethics Advisory Commission, in its 1997 report Cloning Human Beings, explicitly stated:

''The Commission began its discussions fully recognizing that any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo, with the apparent potential to be implanted in utero and developed to term.''

The National Institutes of Health Human Embryo Research Panel also assumed in its September 27, 1994 Final Report, that cloning results in embryos. In listing research proposals that ''should not be funded for the foreseeable future'' because of ''serious ethical concerns,'' the NIH panel included cloning:

''Such research includes: . . . Studies designed to transplant embryonic or adult nuclei into an enucleated egg, including nuclear cloning, in order to duplicate a genome or to increase the number of embryos with the same genotype, with transfer.''

A group of scientists, ethicists, and biotechnology executives advocating ''therapeutic cloning'' and use of human embryos for research—Arthur Caplan of the University of Pennsylvania, Lee Silver of Princeton University, Ronald Green of Dartmouth University, and Michael West, Robert Lanza, and Jose Cibelli of Advanced Cell Technology—confirmed in the December 27, 2000 issue of the Journal of the American Medical Association that a human embryo is created and destroyed through ''therapeutic cloning'':

''CRNT [cell replacement through nuclear transfer, another term for ''therapeutic cloning''] requires the deliberate creation and disaggregation of a human embryo.''

''. . . because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions.''

On September 7, 2000, the European Parliament adopted a resolution on human cloning. The Parliament's press release defined and commented on ''therapeutic cloning'':

''. . . 'Therapeutic cloning,' which involves the creation of human embryos purely for research purposes, poses an ethical dilemma and crosses a boundary in research norms.''

Lee M. Silver, professor of molecular biology and evolutionary biology at Princeton University, argues in his 1997 book, Remarking Eden: Cloning and Beyond in a Brave New World:

''Yet there is nothing synthetic about the cells used in cloning. . . . The newly created embryo can only develop inside the womb of a woman in the same way that all embryos and fetuses develop. Cloned children will be full-fledged human beings, indistinguishable in biological terms from all other members of the species.''

The President and CEO of the biotechnology firm that recently announced its intentions to clone human embryos for research purposes, Michael D. West, Ph.D. of Advanced Cell Technology, testified before a Senate Appropriations Subcommittee on December 2, 1998:

''In this . . . procedure, body cells from a patient would be fused with an egg cell that has had its nucleus (including the nuclear DNA) removed. This would theoretically allow the production of a blastocyst-staged embryo genetically identical to the patient . . . .''

Dr. Ian Wilmut of PPL Technologies, leader of the team that cloned Dolly the sheep, describes in the Spring 1998 issue of Cambridge Quarterly of Healthcare Ethics how embryos are used in the process now referred to as ''therapeutic cloning'':

''One potential use for this technique would be to take cells—skin cells, for example—from a human patient who had a genetic disease. . . . You take this and get them back to the beginning of their life by nuclear transfer into an oocyte to produce a new embryo. From that new embryo, you would be able to obtain relatively simple, undifferentiated cells, which would retain the ability to colonize the tissues of the patient.''

As documented in the American Medical News, February 23, 1998, University of Colorado human embryologist Jonathan Van Blerkom expressed disbelief that some deny that human cloning produces an embryo, commenting: ''If it's not an embryo, what is it?''

Mr. Speaker, I commend to the House the following article written by Mr. Douglas Johnson of the National Right to Life Committee.

THE AMAZING VANISHING EMBRYO TRICK

It was revealed last week that Advanced Cell Technology (ACT) of Worcester, Massachusetts, a prominent privately owned biotechnology firm, has a plan to mass-produce human embryos. The firm also has a plan to render those same embryos nonexistent.

ACT is attempting to develop a technique to produce ''cloned human entities,'' who would then be killed in order to harvest their stem cells, as first reported by Washington Post science writer Rick Weiss (July 13).

As Associated Press biotechnology writer Paul Elias explained in a July 13 report, ''Many scientists consider the [anticipated] results of Advanced Cell's technique to be human embryos, since theoretically, they could be implanted into a womb and grown into a fetus. [ACT chief executive Michael] West himself has used the term 'embryo.'''

But it looks like West and his colleagues will not be saying ''embryo'' in the future. ACT's executives are smart people who anticipated that many outsiders would see their embryo-farm project as an ethnical nightmare. So ACT assembled a special task force of scientists and ''ethicists'' to develop linguistic stealth devices, with which they hope to slip under the public's moral radar.

As Weiss reported it, ''Before starting, the company created an independent ethics board with nationally recognized scientists and ethicists. . . . The group has debated at length whether there needs to be a new term developed for the embryo-like entity created by cloning. Some believe that since it is not produced by fertilization and is not going to be allowed to develop into a fetus, it would be useful to call the cells something less inflammatory than an embryo.''

''Embryo'' is merely a technical term for a human being at the earliest stages of development. Until now, even the most rabid defenders of abortion on demand had not objected to the term ''embryo'' as being ''inflammatory.'' But apparently ACT's experts have concluded that before the corporation actually begins to mass-produce human embryos in order to kill them, it would be prudent to erect a shield of biobabble euphemisms.

Thus, ''These are not embryos,'' the chair of the ACT ethics advisory board, Dartmouth University religion professor Ronald Green, told the AP. ''They are not the result of fertilization and there is no intent to implant these in women and grow them.''

Further details on the ACT linguistic-engineering project were provided in an essay by Weiss in the July 15 Washington Post. It disclosed that one member of the ethics panel, Harvard professor Ann Kieffling, favors dubbing the cloned embryo as an ''ovasome,'' which is a blending of words for ''egg'' and ''body.'' But Michael West currently likes ''nuclear transfer-derived blastocyst.''

Green revealed his own favorite in the New York Times for July 13. ''I'm tending personally to steer toward the term 'activated egg,''' he told reporter Sheryl Gay Stolberg.

In my mind's eye, I imagine Green at ACT corporate headquarters, somewhere in the marketing department, stroking his beard and peering through a one-way window into a room in which a scientifically selected focus group of non-bioethicist citizens have been assembled to test-market ''ovasome,'' ''activated egg,'' ''nuclear transfer-derived blastocyst,'' and other freshly minted euphemisms.

But setting that image aside, Green's statement to the AP has me seriously confused. He said that the anticipated cloned entities are ''not embryos'' because (1) ''they are not the result of fertilization,'' and (2) ''there is no intent to implant these in women.''

Let's consider the ''intent'' criteria first. Green seems to suggest that a living and developing embryonic being, who is genetically a member of the species homo sapiens, can somehow be transformed into something else on the basis of the ''intent'' of those who conceived him or her. This seems more akin to magical thinking than to science.

If ''intent'' is what determines the clone's intrinsic nature, then what if a human clone is created by someone who actually does have ''intent'' to implant him or her in a womb? In that case, would Green consider that particular clone to be a ''embryo'' from the beginning? If so, an ACT scientist hypothetically could create two cloned individuals at the same time, with intent to destroy one and intent to implant the other, but only the latter would be a ''human embryo'' in Green's eyes.

Or—since ''intent'' may be uncertain, or could change—does the magical transformation into an ''embryo'' occur if and when the embryonic entity actually is implanted in a womb?

It seems, however, that Green may not regard the clone to be a human embryo even after implantation in a womb, because the in-utero clone—although he or she would appear to the layman to be an unborn human child—would still bear the burden of not being ''the result of fertilization.'' Perhaps Green would prefer to refer to such an unborn-baby-like entity as an ''extrapolated activated egg.''

But what if that clone is actually carried to term and born? Would Green then consider him or her to be a ''human being''? Could be, but I fear that the professor's logic might lead him to perceive a need for a new term for any baby-like entities and grown-up-people-like entities who were not ''the result of fertilization.''

How about calling them ''activites'' (pronounced ''AC-tiv-ites'')? That would link ''activated egg'' with ''vita,'' which is Latin for ''life,'' and it even smuggles in the ACT corporate acronym, I think I'm getting the hang of this.

Green is a liberal-minded fellow, so I'll bet he would allow such activated human-like entities to vote, obtain Ph.D.s, and maybe even be awarded tenure. But perhaps they would be required to sign their letters ''Ph.D. (act.),'' so that they would not be confused with other tenured entities, such as Professor Green, who are fully fertilized.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

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

Mr. Speaker, Congress, I hope, will soon ban the drilling for oil in the Alaska National Wildlife Refuge. In the very same week, are we really ready to license industry so it can proceed with the manufacture of cloned human embryos? Do human embryos count less than the pristine wilderness of Alaska, or do they at least have a common claim to protection under law from exploitation and destruction?

We ban the hunting of bald eagles. Communities ban open-air burning. We have banned chlorofluorocarbons. We ban PCBs. Congress voted to ban drilling in the Great Lakes. A ban on human cloning is a transcendent issue which requires no less vigilance.

The question remains, are we ready to stand up to the corporations, which have their eye on human embryos as the next natural resource to exploit? I believe that we are up to this challenge. I know my colleagues believe that government has to draw a line; that the unfettered marketplace has neither morals nor responsibility nor accountability when it comes to cloning of human embryos; and that at this moment, we have an opportunity for the future of this country and for the destiny of our society to take a strong stand to protect human dignity and human uniqueness by banning embryonic human cloning.

I say support the Weldon amendment, the Weldon bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the chairman of the Committee for yielding time to me. I certainly commend him on his command of the issues. I think all those years on the Committee on Science have served him well.

This is a complicated issue; but to distill it down to its simplest essence, we have two choices before us: the underlying bill, introduced by my colleague, the gentleman from Michigan (Mr. STUPAK), and I and others, which bans the creation of human embryos, either for the purpose of trying to produce a child or for destructive research purposes; or the approach being proposed under this substitute, which is to essentially sanction and register those people who want to create embryos for research purposes, embryos that will ultimately be destroyed.

I would challenge everyone on the critical question of does the slippery slope exist. We had a debate in this body several years ago on the issue of funding embryonic stem cell research at the NIH. Many people rose to speak in support of funding embryonic stem cell research. They said some interesting things.

Here is a quote from our colleague, the gentlewoman from California (Ms. PELOSI): ''Let me say that I agree with our colleagues who say that we should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score.''

Here is another quote from the gentlewoman from New York (Mrs. LOWEY): ''We can all be assured that the research at the National Institutes of Health will be conducted with the highest level of integrity. No embryos will be created for research purposes.''

Here is a quote from the gentlewoman from Connecticut, Mrs. JOHNSON: ''Lifting this ban would not allow the creation of human embryos solely for research purposes.''

I have other quotes. Yet, that is where we are today. We are having a debate on whether we should now create human embryos for research purposes.

We have had a lot of discussion about whether or not these embryos are alive, whether they have a soul. The biological fact is, and I say this as a scientist and as a physician, that they are indistinguishable from a human embryo that has been created by sexual fertilization. Indeed, if we look at all the prominent researchers in this area, they say that it has the full potential to develop into a human being.

I think, and rightly so, the majority of Americans, and we have seen the numbers, they have been put up here for everyone to see on display charts, about 86 percent of Americans say, We do not want to take that step. It is one thing to talk about stem cell research using embryos that are slated for destruction. It is a whole separate issue to say, we are going to now sanction an industry that creates human embryos.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the gentleman for yielding time to me. I would like to thank the gentleman from Florida (Mr. DEUTSCH) and the gentleman from Pennsylvania (Mr. GREENWOOD) for the work they have done on this amendment, which I rise in support of.

Let me say why, Mr. Speaker. For years, U.S. physicians, researchers, and scientists have searched for cures to the diseases that have afflicted so many of our families and our friends, and friends of our friends. These physicians, these scientists, and these researchers in my view are the real, true American heroes of our era.

As we stand on the brink of finding the cures to diseases that have plagued so many, so many millions of Americans, unfortunately, the Congress today in my view is on the brink of prohibiting this critical research.

As we debate this bill, scientists in my congressional district in the heart of Silicon Valley are using one method of research, therapeutic cloning, to make critical breakthroughs that could lead to cures for Alzheimer's, for Parkinson's, even for spinal cord injury. Without therapeutic cloning, there is no way to move stem cell therapies from the lab to the doctor's office. Stem cell research, as most Americans know, is not about destroying lives, but about saving them.

My friends on the other side of this issue keep talking about embryos, embryos, embryos, embryos. Well, if one is embryocentric, this is not the bill. Neither is the Stupak-Weldon approach about that. The only reason they used the word ''embryos'' is to try to do an

overlay to the debate. This is not about embryos and embryos coming out of stem cells. There is not any such thing.

The Weldon-Stupak bill goes in another direction. It actually places an outright ban on this critical work, and it makes the research that could cure some of these diseases even illegal.

Are we going to take these great American heroes, and in fact, Dr. O'Connor from my district, and throw him in jail? I think not. I think that is going too far. It is unconscionable for us not to continue to be the merchants of hope in terms of the business that we are in.

So I think we need to support the GREENWOOD-DEUTSCH approach and throw out the other. It is a march to folly.

Mr. GREENWOOD. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HORN).

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

The letter here is from the Association of American Medical Colleges, more than 100 fine medical schools. They back the Deutsch-Greenwood bill for the bipartisan effort that it has made.

Let me just cite a few things: ''As such, we want to urge Mr. GREENWOOD to reject the approach embodied'' in the other form here, and ''we agree with the American public that the cloning of human beings should not proceed.''

According to the National Institutes of Health, somatic cell nuclear transfer technology could provide an invaluable approach on which to study how cells become specialized.

I cited some of those earlier, with Alzheimer's, Parkinson's disease, brain and spinal cord. But there are other types of specialized cells that could be created to create skin grafts for burn victims, bone marrow, stem cells to treat leukemia and other blood diseases; nerve stem cells to treat many of the diseases such as multiple sclerosis and Lou Gehrig's disease, Alzheimer's, Parkinson's, and to repair spinal cord injury; muscle cell precursors, to treat muscular dystrophy and heart disease.

Mr. Speaker, the president, Jordan J. Cohen, of the Association of American Medical Colleges, says, ''We will never see the fulfillment of any of these promising areas if we choose to take the perilous path of banning outright the use of somatic cell nuclear transfer technology through legislation.''

Mr. Speaker, I include for the RECORD the letter from Dr. Cohen.

The letter referred to is as follows:

Hon. JIM GREENWOOD,

House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE GREENWOOD: The current opportunities in medical research are unparalleled in our nation's history. To help ensure the fulfillment of thee opportunities, the Association of American Medical Colleges urges Congress to oppose legislation that would prohibit the use of somatic cell nuclear transfer. Such a blanket prohibition would have grave implications for future advances in medical research and human healing.

As such, we urge you to reject the approach embodied in H.R. 2505, the ''Human Cloning Prohibition Act of 2001.'' H.R. 2505 would have a chilling effect on vital areas of research that could prove to be of enormous public benefit. Instead, we urge you to adopt the approach taken in H.R. 2608, the ''Cloning Prohibition Act of 2001,'' introduced by Representatives Jim Greenwood (R-Pa.) and Peter Deutsch (D-Fla.). This bill would permit potentially life-saving research to continue, but prohibit the use of somatic cell nuclear transfer ''to initiate a pregnancy or with the intent to initiate a pregnancy.''

We agree with the American public that the cloning of human beings should not proceed. However, it is important to recognize the difference between reproductive cloning and the use of cloning technology that does not create a human being. Non-reproductive cloning technology has potentially important applications in research, medicine and industry, including genetically engineered human cell cultures that would serve as ''therapeutic tissues'' in the treatment of currently intractable human diseases. These uses of somatic cell nuclear transfer technology do not lead to a cloned human being.

According to the National Institutes of Health, somatic cell nuclear transfer technology could provide an invaluable approach by which to study how cells become specialized, which in turn could provide new understanding of the mechanisms that lead to the development of the abnormal cells responsible for cancers and certain birth defects. Improved understanding of cell specialization may also provide answers to how cells age or are regulated—leading to new insights into the treatment or cure of Alzheimer's and Parkinson's diseases, or other incapacitating degenerative disease of the brain and spinal cord. The technology might also help us understand how to activate certain genes to permit the creation of customized cells for transplantation or grafting. Such cells would be * * * could therefore be transplanted into that donor without fear of immune rejection, the major biological barrier to organ and tissue transplantation at this time.

Other types of specialized cells could be created to enable skin grafts for burn victims; bone marrow stem cells to treat leukemia and other blood diseases; nerve stem cells to threat neurodegenerative diseases such as multiple sclerosis, amyotrophic lateral sclerosis (Lou Gehrig's disease), Alzheimer's and Parkinson's disease, and to repair spinal cord injuries; muscle cell precursors to treat muscular dystrophy and heart disease; and cartilage-forming cells to reconstruct joints damaged by injury or arthritis. Somatic cell nuclear transfer technology could also be used potentially to accomplish remarkable increases in the efficiency and efficacy of gene therapy by permitting the creation of pure populations of genetically ''corrected'' cells that could then be delivered back into the patient, again with no risk of immune rejection. Indeed, this technology could well lead to the operationalization of gene therapy as a practicable and effective therapeutic modality—a goal which to date has proved elusive.

We will never see the fulfillment of any of these promising areas if we choose to take the perilous path of banning outright the use of somatic cell nuclear transfer technology through legislation. Thus, the AAMC respectfully urges the Congress to reject H.R. 2505 and adopt H.R. 2608. We thank you for your consideration of this vital issue.

Sincerely,

JORDAN J. COHEN, M.D.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

Let me note that I believe the gentleman from Pennsylvania (Mr. GREENWOOD) has injected what I really believe to be a straw man argument when he suggests the issue of insoulment is part of this debate. It is not relevant. We are not talking about insoulment. The real issue before us is the simple but highly profound issue of whether or not it will be legally permissible to create human life for research purposes.

Mr. Speaker, human cloning, if it is not already here, it is certainly on the fast track. It is not a matter of if, it is a matter of when. It seems to me we have to make sure that these newly created human beings are not created for the purpose of exploitation, abuse, and destructive experimentation.

Human life, Mr. Speaker, can survive a few days, a few minutes, a few seconds, a few weeks, a few months, a few years, perhaps to old age. We need to understand and understand the profound truth that life is a continuum.

Earlier in the debate, the gentleman from Pennsylvania (Mr. GREENWOOD) stated that the scientists would simply stop the process, stop the process. Think about those words. What does that mean, stop the process? Stop that human life. That is what we are talking about.

Mr. Speaker, I remember the debate we had some years back in 1996 when some of our colleagues stood up and pounded the tables before them and said, and this is the gentlewoman from California (Ms. PELOSI), ''We should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score.''

I remember that debate. I was here, as were some of my other colleagues. Everyone said they were against the creation of human embryos for human research.

Today, Member after Member gets up and says, I am against human cloning. As I said before, just because we say we are does not mean that we really are.

The only bill that stops human cloning is the Weldon-Stupak bill. I would respectfully say the bill that is offered by my friend and colleague from Pennsylvania will do nothing of the kind. It will perhaps stop some implantation but will not stop human cloning. We must vote for the underlying bill.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

Let me note that I believe the gentleman from Pennsylvania (Mr. GREENWOOD) has injected what I really believe to be a straw man argument when he suggests the issue of insoulment is part of this debate. It is not relevant. We are not talking about insoulment. The real issue before us is the simple but highly profound issue of whether or not it will be legally permissible to create human life for research purposes.

Mr. Speaker, human cloning, if it is not already here, it is certainly on the fast track. It is not a matter of if, it is a matter of when. It seems to me we have to make sure that just because science possesses the capability to create cloned human beings that it not be permitted to carry out such plans, especially when the newly created humans would be used for the purpose of exploitation, abuse, and destructive experimentation.

Once created human life, Mr. Speaker, can survive a few seconds, a few minutes, a few days, a few weeks, a few months, a few years, perhaps many years to old age. We need to understand the profound truth that life is a continuum.

Earlier in the debate, the gentleman from Pennsylvania (Mr. GREENWOOD) stated that research scientists would simply ''stop the process,'' so the newly created human life couldn't mature. Think about those words—stop the process. What does that mean, stop the process? It's a euphemistic way of saying stop the life process—kill it.

Mr. Speaker, finally I remember the debate we had in 1996 when some of our colleagues who routinely vote against the wellbeing of unborn children assured us that they would never support creating human embryos for experimentation. One colleague, the gentlewoman from California (Ms. PELOSI), said ''We should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score.''

Well, not anymore. Now the ever expendable human embryo is to be cloned and abused for the benefit of mankind. And that vigorous opposition to embryo research by colleagues like Mrs. PELOSI exists no more, Such a pity.

In like manner, members who say they oppose human cloning and then vote for Greenwood are either kidding themselves—or us—or both.

Reject Greenwood.

□ 1700

The SPEAKER pro tempore (Mr. QUINN). The Chair would inform the gentleman from Pennsylvania (Mr. GREENWOOD) that he has 4 minutes remaining, the gentleman from Wisconsin (Mr. SENSENBRENNER) has 10 minutes remaining, and the gentleman from Florida (Mr. DEUTSCH) has 6¾ minutes remaining.

Mr. DEUTSCH. Mr. Speaker, I yield myself 5 seconds just to respond, both bills absolutely, positively stop human cloning, period.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I agonized over this, researched it, and know the heartfelt feelings on both sides of the issue. I am unequivocally against human cloning, but I am for a continuation of the research. And I rise in support of the Greenwood-Deutsch amendment because I am convinced that that is the only way that research can continue.

We are on the verge of lifesaving treatments and cures that affect our children and our parents, and to stifle this research now would be an injustice to so many suffering with juvenile and adult diabetes, Alzheimer's, Parkinson's, and other debilitating diseases that claim our loved ones every day.

Some people will say this is not about research; that there is a moral and ethical obligation to protect the sanctity of life, and I respect that. But the sanctity of life is helped, I think, by allowing cutting edge research to move forward that will free diabetic children of their hourly ritual of finger pricks, glucose testing, and insulin shots; that will allow those paralyzed or suffering from spinal cord injuries to walk and resume their normal lives; and that will allow our seniors to fulfill their golden years without suffering the effects of Alzheimer's.

So I will cast my vote for Greenwood-Deutsch, which does ban cloning, and urge my colleagues to do so as well.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

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

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding me this time; and I rise in opposition to the Greenwood substitute and for the base bill introduced by the gentleman from Florida (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK).

The Committee on Commerce held several hearings on cloning, including one in the Subcommittee on Health, which I chair. There is no doubt, as has already been stated so many times, that this is a difficult issue, and it involves many new and complex concepts. However, we should all be clear about the controversies related to human cloning. While this debate claims to be about therapeutic cloning, which is used to refer to cloned human cells not intended to result in a pregnancy, there is a fine line between creation and implantation.

The Committee on Commerce heard testimony from the Geron Corporation. They claim to be interested in therapeutic cloning and not implementing implanting those embryos into a surrogate mother. I think we all agree it would be a disaster to allow the implantation of cloned human embryos. Yet, if we allow therapeutic cloning, how can we truly prevent illegal implantation? We cannot.

Several years ago, the world marveled at the creation of Dolly, the cloned sheep. What most people did not realize was that it took some 270 cloning attempts before there was a successful live birth. Many of the other attempts resulted in early and grotesque deaths. Imagine repeating that scenario with human life. I am confident that none of us want that. Human cloning rises to the most essential question of who we are and what we might become if we open this Pandora's box.

Finally, I would like to applaud President Bush more for his strong support of this important base legislation. The administration strongly supports a ban on human cloning. The statement of the administration position reads, and I quote, ''The administration unequivocally is opposed to the cloning of human beings either for reproduction or for research. The moral and ethical issues posed by human cloning are profound and cannot be ignored in the quest for scientific discovery.''

I commend my colleagues, the gentleman from Florida and the gentleman from Michigan; and I hope my colleagues will join me in supporting H.R. 250 and opposing the substitute.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. Mr. Speaker, I thank the gentleman for his work on this measure. In fact, I thank all four primary sponsors of the measures that are before us today for their concern and for the effective ban on cloning of human beings.

The central issue, it seems to me, that is before us this afternoon was brought home to me by a prayer for healing that I heard in a service a couple of weeks ago. It goes like this. ''May the source of strength who blessed the ones before us help us find the courage to make our lives a blessing, and let us say amen.''

It struck me that giving human beings the potential of using one's own DNA, one's own life itself to derive the cure for one's own malady, without fear of rejection, without risk of a fruitless national search for a match, is the deepest benefit and most profound blessing conceivable. We should not waste this deepest of gifts.

Help us find the courage to make our lives, our life itself, a blessing.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Speaker, during the Nuremberg war crime trials, the Nuremberg Code was drafted as a set of standards for judging physicians and scientists who had conducted biomedical experiments on concentration camp prisoners. I bring this to my colleagues' attention because part of the code, I think, is applicable to our debate today.

The code states that any experiment should yield results that are ''unprocurable by other methods or means of study.'' Because stem cells can be obtained from other tissues and fluids of adult subjects without harm, perhaps it is unnecessary to perform cell extraction from embryos that would result in their death. This would be an argument, I think, that would support the Weldon bill; and so I reluctantly, because the gentleman from Pennsylvania (Mr. GREENWOOD) is making a very good and strong case, I oppose his amendment.

In a recent editorial, Ann Coulter talked about the great demand on the House floor for solving all problems using aborted fetuses. Remember that discussion? We have had that discussion here. And they claimed that we had to have experiments on aborted fetuses because they were crucial to potential cures for Parkinson's disease. Remember that? Well, The New York Times ran a story about a year later about experiments where they actually described the results of those experiments on Parkinson patients. Not only was there no positive effect, but about 15 percent of the patients had nightmarish side effects. The unfortunate patients writhed and twisted, jerked their heads, flung their arms around, and in the words of one scientist, ''They chew constantly, their fingers go up and down, their wrists flex and distend,'' and the scientists could not turn them off.

So I just bring that example that we have been on the floor talking about how much we need to take aborted fetuses and study them to bring about all these panaceas and cures which never came about.

Again, this debate comes down to one about life. A human embryo is life, and to quote Ann Coulter from an article that appeared in a local paper in my district ''So what great advance are we to expect from experimentation on human embryos? They don't know. It's just a theory. But they definitely need to slaughter the unborn.''

In other words cloning research creates life—then systematically slaughters that life in the effort to find something of which we are unsure that exists.

My colleagues, the Weldon bill does not oppose science and research, rather, it opposes what Ms. Coulter termed as ''harvest and slaughter.'' I urge you to ponder the consequences—oppose the substitute—and vote for the Weldon bill. In doing so, you are preventing the reduction of human life down to a simple process of planting and harvesting.

Mr. Speaker, I provide the entire article I referred to above for the RECORD.

RESEARCH IS NEWEST 'CURE-ALL' CRAZE

I've nearly died waiting, but it can finally be said: The feminists were right about one thing. Some portion of pro-life men would be pro-choice if they were capable of getting pregnant. They are the ones who think life begins at conception unless Grandma has Alzheimer's and scientists allege that stem-cell research on human embryos might possibly yield a cure.

It's either a life or it's not a life, and it's not much of an argument to say the embryo is going to die anyway. What kind of principle is that? Prisoners on death row are going to die anyway, the homeless are going to die anyway, prisoners in Nazi death camps were going to die anyway. Why not start disemboweling prisoners for these elusive ''cures''?

The last great advance for human experimentation in this country was the federal government's acquiescence to the scientific community's demands for money to experiment on aborted fetuses. Denouncing the ''Christian right'' for opposing the needs of science, Anthony Lewis of the New York Times claimed the experiments were ''crucial to potential cures for Parkinson's disease.''

Almost exactly a year later, the Times ran a front-page story describing the results of those experiments on Parkinson's patients: Not only was there no positive effect, but about 15 percent of the patients had nightmarsh side effects. The unfortunate patients ''writhe and twist, jerk their heads, fling their arms about.'' In the words of one scientist: ''They chew constantly, their fingers go up and down, their wrists flex and distend.'' And the scientists couldn't ''turn it off.''

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to possibly restate what has been stated throughout this debate.

Those of us who believe in the Greenwood-Deutsch substitute are not proposing or are not proponents of human cloning. What we are proponents of are the Bush administration's NIH report entitled Stem Cells, done in June of 2001, that acknowledges the importance of therapeutic cloning.

None of us want to ensure that human beings come out of the laboratory. In fact, I am very delighted to note that language in the legislation that I am supporting, the Greenwood-Deutsch legislation, specifically says that it is unlawful to use or attempt to use human somatic cell nuclear transfer technology or the product of such technology to initiate a pregnancy to create a human being. But what we can do is save lives.

The people that have come into my office, those suffering from Parkinson's disease, Alzheimer's, neurological paralysis, diabetes, stroke, Lou Gehrig's disease, and cancer, and all those who are desirous of having babies with in vitro fertilization, the Weldon bill questions whether that science can continue. I believe it is important to support the substitute, and I would ask my colleagues to do so.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oklahoma (Mr. WATTS), the chairman of the House Republican conference.

Mr. WATTS of Oklahoma. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time.

Mr. Speaker, there is no greater group of people who would benefit from human cloning more than Members of the House of Representatives. What a Congressman or Congresswoman would not give to have a clone sit in a committee hearing while the Member meets with a visiting family from back home in the District, or the clone could do a fund-raiser while the Congressman leads a town hall meeting back home. But doing what is right does not always mean doing what is easy.

Mr. Speaker, we ought to ban all forms of human cloning, and that is why I support the Weldon-Stupak bill and oppose the Deutsch-Greenwood substitute amendment. This House should not be giving the green light to mad scientists to tinker with the gift of life. Life is precious, life is sacred, life is not ours to arbitrarily decide who is to live and who is to die.

The ''brave new world'' should not be born in America. Cloning is an insult to humanity. It is science gone crazy, like a bad B-movie from the 1960s. And as bad as human cloning is, it would lead to even worse atrocities, such as eugenics.

Congress needs to pass a complete ban on human cloning, including what some people call therapeutic cloning. Creating life with the intent to fiddle with it, then destroy it, is not good. We are going down a dangerous road of human manipulation.

Mr. Speaker, I urge Members of the House to vote against the substitute amendment and for the Weldon-Stupak bill. Dolly the sheep should learn to fly before this Congress allows human cloning.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the Greenwood-Deutsch amendment that bans the cloning of humans. I am concerned that the Weldon bill could negatively impact future research and bring current research that offers great promise to a halt.

I cannot support an all-out ban on this important technology. The Weldon bill would not allow therapeutic cloning to go forward. A ban on all cloning would have a dramatic impact on research using human pluripotent stem cells, and stem cell research really holds the greatest promise for cures for some of our most devastating diseases.

The possibilities of therapeutic cloning should not be barred in the United States. This research is being conducted overseas in Great Britain and other places. Do we want to become a society where our scientists have to move abroad to do their work? This important bill allows important groundbreaking, lifesaving research to go forward. We should support it. It is in the tradition of our country to support research and not send our scientists abroad to conduct it.

Mr. Speaker, The Washington Post agrees, and I will place in the RECORD an editorial of today against the Weldon amendment and in support of the Greenwood-Deutsch amendment.

[From the Washington Post, July 31, 2001]

CLONING OVERKILL

In the rush that precedes August recess, the House of Representatives has found time to schedule a vote today on a bill to ban human cloning. Hardly anyone dissents from the proposition that cloning a human being is a bad idea; large ethical questions about human identity aside, the state of cloning technology in animals at present ensures that all but 3 percent to 5 percent are born with fatal or horrendously disabling defects. But the bill to ban all human cloning, proposed by Rep. David Weldon (R–Fla.), goes well beyond any consensus society has yet reached. It levies heavy criminal penalties not only on the actual cloning of a human

baby, termed ''reproductive'' cloning, but also on any scientific or medical use of the underlying technique—which many support as holding valuable potential for the treatment of disease.

The bill's prohibitions go well beyond those under debate for the separate though related research involving human embryonic stem cells. At issue is not the withholding of federal funding from research some find morally troubling; rather, the Weldon bill would criminalize the field of cloning entirely. Such a ban would have ripple effects across the cutting edge of medical research. A complete cloning ban could block many possible clinical applications of stem cell research, and could curb even the usefulness of the adult stem cell research many conservatives claim to favor. (Without the ability to ''reprogram'' an adult stem cell, which can be done by the cloning technique, adult stem cells' use may remain limited.) The bill bans the import from abroad of any materials ''derived'' from the cellular cloning technique; that could block not only tissues but even medicines derived from such research in other countries.

A competing bill likely to be offered as an amendment bans reproductive cloning but creates a complex system for regulating so-called ''therapeutic'' cloning, registering and licensing experimenters to make sure that none would implant a cloned embryo into the womb. A House committee split closely on the question of whether to ban therapeutic along with reproductive cloning, with Republican supporters of the Weldon bill voting down amendments that would have carved out some room for stem cell therapies.

The prospect of human cloning is a cause for real concern, but it is not an imminent danger. There is still time and good cause for discussion over whether some limited and therapeutic use of cloned embryos is justified. The Weldon bill is a blunt instrument that rules out such possibilities. prematurely, and in doing so, goes too far . Congress should wait.

Mr. SENSENBRENNER. Mr. Speaker, I have only one speaker remaining, and since I have the right to close, I will reserve the balance of my time.

□ 1715

Mr. DEUTSCH. Mr. Speaker, I only have one speaker remaining. I would inquire of the gentleman from Pennsylvania how many speakers he has remaining.

Mr. GREENWOOD. Mr. Speaker, I have 4 minutes which I will use in my closing.

Mr. DEUTSCH. Mr. Speaker, I yield 2–¾ minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I rise in support of the Greenwood-Deutsch substitute and commend them for bringing this alternative to the floor.

During the debate on stem cell research 5 years ago, I made it clear that opponents of stem cell research who claim that it requires the creation of embryos were mistaken, and I agreed with them that Federal funds should not be used for that purpose. Today we debating a much broader ban on therapeutic cloning.

The context is much different. We have learned a great deal about the promise of stem cell research and gene therapy over the past 5 years, and I am opposed to any ban on therapeutic cloning. I just wanted to make the record clear because some quotes were taken out of context about where some of us who had participated in that debate were on this subject.

It is true that embryonic stem cell research can go forward without therapeutic cloning. However, the ability of patients to benefit from stem cell research would be negatively impacted if such a ban were enacted.

Once we learn how to make embryonic stem cells differentiate, for example, into brain tissue for people with Alzheimer's or Parkinson's disease, we must be sure that the body will not reject these stem cells when they are implanted.

We are empowering the body to clone itself, to heal itself. It is a very real concern because transplanted organs or tissues are rejected when the body identifies them as foreign. We all know that.

In a report on stem cell research released by the National Institutes of Health last month, the NIH describes therapeutic cloning's potential to create stem cell tissue with an immunological profile that exactly matches the patient. This customized therapy would dramatically reduce the risk of rejection.

I am opposed to cloning of humans. How many of us have said that today over and over again? Many of my colleagues have already mentioned the chilling possibilities created by the idea of designer children with genetically engineered traits. That is ridiculous. That is not what this debate is about.

Both the Weldon-Stupak bill and the Greenwood-Deutsch substitute agree on this point. The cloning of humans is not the issue at hand. Therapeutic cloning does not and cannot create a child.

Mr. Speaker, the National Institutes of Health and Science hold the biblical power of a cure for us. Where we see scientific opportunity and based on high ethical standards, I believe we have a moral responsibility to have the science proceed, again under the highest ethical standards.

I urge my colleagues to support the Greenwood-Deutsch substitute because it prohibits human cloning, but maintains the opportunity for patients to benefit from therapeutic cloning that could lead to cures for Parkinson's disease, cancer, spinal cord injuries and diabetes. I urge my colleagues to support the substitute.

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

Mr. Speaker, the House of Representatives has debated this issue for nearly 3 hours today. It has been a good debate. Again, as has been said, it is impressive how many Members have become knowledgeable about this subject. It is time to summarize that debate. Let us think about where it is we agree and where it is we fundamentally disagree.

We all agree that we want to ban reproductive cloning, that it is not safe, it is not ethical to bring a child into this world as a replica of someone else. A child deserves to be the unique product of a mother and father and should not be created by cloning. We agree. It is unanimous.

We all agree that stem cell research holds promise. The gentleman from Florida (Mr. WELDON) did not bring a bill to the floor to ban embryonic stem cell research. He did not do that on purpose, because it would not fly with the American people. The American people understand that stem cell research holds enormous potential. I do not think we have heard disagreement about that on the floor today.

The question seems to be, and it has been reiterated repeatedly, is it ethical and should it be legal to create in a petri dish an embryo, or in a petri dish to allow the process of human cell division to begin?

Interestingly enough, that is not part of this bill either. The Weldon bill does not say one cannot create a embryo, that it should be illegal. Why is that? Because the American people would never stand for that because it would be the end of in vitro fertilization.

We are not here to say we will never create an embryo. People have said it, but they did not mean it because nobody has brought to the floor a bill to ban in vitro fertilization. There are too many Members of this body who have benefited from it.

So we say it is okay to create embryos because there are couples in this country and around the world who have not been blessed with a child born of their relationship in the normal way. So they are able to avail themselves of this wonderful technology where we can create their child for them, in vitro in a petri dish, implanted in the woman and out comes a beautiful child. So many families in this country are now blessed by beautiful children who are now brought into the world in this way. It started in a petri dish. What a magnificent thing for mankind to do.

Children get sick and when those same children find themselves stalked with a disease that fills them with pain, that wracks their bodies, that tortures their parents with the predictability that they will watch their children slowly suffer and die. These same children whose lives had begun in petri dishes, who were created by in vitro fertilization, get sick.

Now the question is, would we stop the research in petri dishes in laboratories that would save their lives, these same children, that would end their suffering, that would bring miracle cures to them and bless their families with the continued miracle of their own children? That is what the gentleman from Florida (Mr. WELDON) and his supporters would have us do today.

Over and over again it has been said, I am not against stem cell research. I think a majority of Members of this House are not opposed to stem cell research. They have told me that. I have

talked to pretty strong pro-lifers who say, I am going to vote, if I have to, for stem cell research. What they do not understand is that stem cell research, whether it is done with embryonic stem cells or adult stem cells, needs somatic nuclear cell transfer research to make it work.

What do Members think is done with a stem cell from an embryo? It needs to be made into the kind of cell that cures these children, and somatic nuclear transfer technology is needed to do it; and if Members kill this substitute, they kill that hope. Please do not do that.

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

Mr. Speaker, after 3 hours of debate, I am glad that the gentleman from Pennsylvania (Mr. GREENWOOD) has finally cleared up one of the principal items we have been debating. He said the gentleman from Florida (Mr. WELDON) did not bring a bill to the floor to ban stem cell research.

He is right. The Weldon bill does not ban stem cell research. It does not ban it on adult stem cells, it does not ban it on embryonic stem cells, it bans it on cloned stem cells.

This bill is a cloning bill. The substitute amendment is not. It will allow the creation of cloned embryos to be regulated and sold, and once a cloned embryo is implanted into the uterus of a woman and develops into a child, there really is not anything anybody can do about it. So the Weldon substitute has a loophole a mile wide to allow the creation of cloned human beings because they cannot keep track of the cloned embryos that the Weldon bill attempts to regulate. That is the fatal flaw of the Greenwood substitute.

We heard quotes from three of our colleagues 5 years ago when we were debating a Labor-Health and Human Services bill. I have those quotes in front of me. The gentlewoman from California (Ms. PELOSI) said, ''I agree with our colleagues who say we should not be involved in the creation of embryos for research.''

The gentlewoman from New York (Mrs. LOWEY) said, ''No embryos will be created for research purposes.''

And the gentlewoman from Connecticut (Mrs. JOHNSON) said, ''Lifting this ban would not allow for the creation of human embryos solely for research purposes.''

They were right 5 years ago. We should not be using cloned human embryos for research purposes. I ask Members to vote with them the way they voted 5 years ago and to adhere to that position, because if we do allow cloned human embryos to be used for research purposes, some of them will eventually become human beings.

Mr. Speaker, the way to stop the slippery slope, going down this road into the ethical and moral abyss, is to reject the loophole-filled Greenwood substitute and pass the Weldon bill.

Mr. CONYERS. Mr. Speaker, finally we have a reasonable approach to prohibiting human cloning without prohibiting the ability to conduct valuable medical research.

Although H.R. 2505 bans reproductive cloning, it goes too far by banning necessary therapeutic research which could grant new hope to patients who have been told there is no cure for their illnesses. We all agree that reproductive cloning, cloning to produce a pregnancy, should be prohibited. But, in prohibiting reproductive cloning, we must not exclude valuable research cloning that could lead to significant medical advances.

The Greenwood/Deutsch Substitute Amendment narrows the prohibition and focuses on actions which would result in a cloned child by limiting the prohibition to cloning to initiate or the intent to initiate a pregnancy. This would ensure that the cloning of humans is prohibited, while the use of cloning for medical purposes is preserved. The substitute also protects state laws on human cloning that have been enacted prior to the passage of this legislation.

The Greenwood/Deutsch Substitute includes a registration provision for performing a human somatic cell nuclear transfer, so that the Secretary of Health and Human Services is able to monitor the use of the technology and enforce the prohibition against reproductive cloning.

In addition, this substitute would contain a sunset provision as recommended by the National Bioethics Advisory Commission. According to their report, this provision is essential because it guarantees that Congress will return to this issue and reconsider it in light of new scientific advancements.

Finally, the Greenwood/Deutsch substitute includes a study by the Institute of Medicine to review, evaluate, and assess the current state of knowledge regarding therapeutic cloning.

Join me in supporting this logical approach to cloning technology. This substitute takes a narrower approach by simply prohibiting the use or attempted use of DNA transfer technology with intent to initiate a pregnancy. Adopting the Greenwood/Deutsch alternative preserves the scientific use of the embryonic stem cells and at the same time prevents the unsafe practice of human cloning.

Mr. STARK. Mr. Speaker, I rise in support of H.R. 2608, the Greenwood-Deutsch Cloning Prohibition Act of 2001, and in opposition to H.R. 2505.

Cloning technology has been the subject of heated debate since 1997, when news of the successful cloning of Dolly the sheep rocked the scientific community. The resulting ethical discussions have raised many important questions of scientific development. Perhaps the most important discussions have centered on the lengths to which science can and should go in the future. What remained true throughout the debate, however, is that the vast majority of the American public vehemently opposes the creation of cloned human beings. The Greenwood-Deutsch bill respects that feeling to the utmost.

H.R. 2608 would criminalize reproductive cloning of human beings while simultaneously protecting the rights of scientists to perform somatic cell nuclear transfer. Somatic cell nuclear transfer is a technology that holds great promise for medicine by permitting the creation of stem cells that are genetically identical to the donor. This is valuable because many of the potential medical therapies involving stem cells could be stymied when the immune systems of therapy recipients reject the transferred tissue. Using cloning technology to create stem cells could circumvent this problem. Newly cloned nerve cells, for example, could be used to treat patients with neural degeneration without concern for rejection because the cells would be genetically identical to those already in the brain.

Opponents of this technology repeatedly claim that any therapies involving cloning are merely hypothetical. In this they are absolutely correct. These treatments are hypothetical today, but therapies for Parkinson's, Alzheimer's, and a myriad of other diseases will only remain so if this research is banned, as it is in H.R. 2505, the underlying bill.

In addition to preventing this promising research, the underlying bill would prohibit the importation of the products of clonal research, Such a ban would force the scientific community to turn its back on therapies developed abroad. It would deny the American people promising new therapies available elsewhere for which there may be no alternate treatment.

At some point in our lives, most of us will be touched in some way by Parkinson's Disease, Alzheimer's Disease, spinal cord injury, Juvenile Diabetes, and other maladies for which this technology holds promise. How can we stand in the way of scientific research that has the potential to cure these afflictions? I urge my colleagues to join me in support of the Greenwood-Deutsch substitute, and against the underlying bill.

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

The SPEAKER pro tempore (Mr. QUINN). Pursuant to House Resolution 214, the previous question is ordered on the bill, as amended, and on the amendment in the nature of a substitute offered by the gentleman from Pennsylvania (Mr. GREENWOOD).

The question is on the amendment in the nature of a substitute offered by the gentleman from Pennsylvania (Mr. GREENWOOD).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 178, nays 249, not voting 6, as follows:

[Roll No. 302]

YEAS—178

Ackerman	Boehlert	Condit
Allen	Bono	Conyers
Andrews	Boswell	Coyne
Baca	Boucher	Crowley
Baird	Boyd	Cummings
Baldacci	Brady (PA)	Davis (CA)
Baldwin	Brown (FL)	Davis (FL)
Barrett	Brown (OH)	Davis (IL)
Bass	Capps	DeGette
Becerra	Capuano	DeLauro
Bentsen	Cardin	Deutsch
Berkley	Carson (IN)	Dicks
Berman	Castle	Dingell
Biggert	Clay	Doggett
Blagojevich	Clayton	Dooley
Blumenauer	Clyburn	Engel

Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Granger
Green (TX)
Greenwood
Gutierrez
Harman
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Woolsey
Wynn

NAYS—249

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—6

Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
Spence
Stark

□ 1749

Mr. SKEEN and Mr. ABERCROMBIE changed their vote from ''yea'' to ''nay.''

Messrs. FORD, REYES, THOMAS, and ROSS changed their vote from ''nay'' to ''yea.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. QUINN). The question is on 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.

MOTION TO RECOMMIT OFFERED BY MS. LOFGREN

Ms. LOFGREN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. LOFGREN. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. LOFGREN moves to recommit the bill, H.R. 2505, to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment: Page 4, after line 10, insert the following subsection:

''(e) EXEMPTION FOR MEDICAL TREATMENTS.—Nothing in this section shall prohibit the use of human somatic cell nuclear transfer in connection with the development or application of treatments designed to address Parkinson's disease, Alzheimer's disease, diabetes, cancer, heart disease, spinal cord injury, multiple sclerosis, severe burns, or other diseases, disorders, or conditions, provided that the product of such use is not utilized to initiate a pregnancy and is not intended to be utilized to initiate a pregnancy. Nothing in this subsection shall exempt any product from any applicable regulatory approval.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes in support of her motion.

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

Mr. Speaker, as we close the debate on this research issue, there were several Members of the House in opposition to the Greenwood amendment who said that we dare not allow for the possibility of research, there was a slippery slope; that if we allowed research to occur, inevitably there would be those who would then go ahead and clone a human being, which all of us oppose.

I think that that is a fallacious argument. It is a defective argument, because what that argument says is people will violate the law. Well, if that is why we cannot stand up for research today, if the worry is that if we allow for research, that some will violate the law that we passed prohibiting the cloning of human beings, then we would have to go and prohibit the selling of petri dishes and other scientific equipment.

No, that is a defective argument. The real issue is whether or not the House of Representatives intends to allow stem cell research, the somatic cell nuclear transfer technology.

We received in the Committee on the Judiciary a letter from a person who is the Director of the Ethics Institute, the Chair of the Department of Religion at Dartmouth College. This person was the founding director of the Office of Genome Ethics at the NIH National Human Genome Research Institute, a past president of the Society of Christian Ethics, the largest association of religious ethicists.

This is what he told us: ''I wish to draw your attention to the devastating implications for medical science of H.R. 2505. As written, the bill would prohibit several research directions of possibly great medical benefit. Nuclear transfer for cell replacement would permit us to produce immunologically compatible cell lines for tissue repair. There is no intention on the part of those researching this technology to clone a person. Using this technology, a child suffering from diabetes could receive a replacement set of insulin producing cells. These would not be rejected by the child because they would be produced via a nuclear transfer procedure from the child's own body cells. Neither would the implantation of these cells require the use of dangerous immuno-suppression drugs. Using this same technology, paralyzed individuals might receive a graft of nervous system cells that would restore spinal cord function. Burn victims could receive their own skin tissue back for wound healing, and so on.''

Dr. Green goes on to say, ''As presently drafted, H.R. 2505 will shut down this research in this country. This would represent an unparalleled loss to biomedical research, and for no good reason. H.R. 2505, if it is passed in its present form, the United States will turn its back on thousands or millions of sufferers of severe diseases. It will become a research backwater in one of science's most promising areas.''

He goes on to ask that we amend the bill, and that is what this motion to recommit would do. It would allow for an exemption from the bill for medical treatments.

The NIH has been discussed a lot to today, and they produced a primer on stem cell research in May of last year. They point out on page 4 of their primer that the transplant of healthy heart muscle could provide new hope for patients with chronic heart disease whose hearts can no longer pump adequately. The hope is to develop heart muscles from human pluripotent stem cells.

The problem is, while this research shows extraordinary promise, there is much to be done before we can realize these innovations. First, we must do basic research, says the NIH, to understand the cellular events that lead to cell specialization in humans. But, second, before we can use these cells for transplantation, we must overcome the well-known problem of immune rejection, because human pluripotent stem cells would be genetically no different than the recipient. Future research needs to focus on this, and the use of somatic cell nuclear transfer is the way to overcome this tissue incompatibility.

Some have talked about their religious beliefs today, and that is fine. We all have religious beliefs. But I ask Members to look at this chart. We have a cell that is fused, they become totipotent cells, a blastocyst, and then a handful of cells, undifferentiated, no organs, no nerves, a handful of cells that is put in a petri dish and becomes cultured to pluripotent stem cells.

□ 1800

Now, some have asked me to consider that this clump of cells in the petri dish deserves more respect than human beings needing the therapy that will be derived from those cultured cells.

My father is 82 years old. He suffers from heart disease and pulmonary disorder. He lived through the Depression, he volunteered for World War II. Do not ask me to put a clump of cells ahead of my dad's health.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, the motion to recommit allows for the production of cloned embryos for the development of treatments designed to address a number of diseases. We just voted this down. This is a reworded Greenwood substitute amendment.

The motion to recommit would allow the practice of creating human embryos solely for the purpose of destroying them for experimentation. This approach to prohibit human cloning would be ineffective and unenforceable.

Once cloned embryos were produced and available in laboratories, it would be virtually impossible to control what is done with them. Stockpiles of cloned embryos would be produced, bought and sold without anyone knowing about it. Implantation of cloned embryos into a woman's uterus, a relatively easy procedure, would take place out of sight. At that point, governmental attempts to enforce a reproductive cloning ban would prove impossible to police or regulate.

Creating cloned human children necessarily begins by producing cloned human embryos. If we want to prevent the latter, we should prevent the former.

The gentlewoman from California (Ms. LOFGREN) says that cloned embryos are necessary to prevent rejection during transplantation for diseases. That is not what the testimony before the Committee on the Judiciary says. Dr. Leon Kass, professor of bioethics at the University of Chicago, said that the clone is not an exact copy of the nucleus donor, and that its antigens, therefore, would provoke an immune reaction when transplanted and there still would be the problem of immunological rejection that cloning is said to be indispensable for solving. So the very argument in her amendment was refuted by Professor Kass's testimony.

Mr. Speaker, H.R. 2505, by banning human cloning at any stage of development, provides the most effective protection from the dangers of abuse inherent in this rapidly developing field. By preventing the cloning of human embryos, there can be no possibility of cloning a human being.

The bill specifically states that nothing shall restrict areas of scientific research not specifically prohibited by this bill, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants or animals, other than humans.

Mr. Speaker, this bill is a cloning bill; it is not a stem cell research bill. The scientific research is already preserved by H.R. 2505, which is the only real proposal before us that will prevent human cloning.

Oppose the motion to recommit; pass the bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion to recommit.

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

RECORDED VOTE

Ms. LOFGREN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the time for an electronic vote on final passage.

The vote was taken by electronic device, and there were—ayes 175, noes 251, not voting 7, as follows:

[Roll No. 303]

AYES—175

Abercrombie	Gilman	Morella
Ackerman	Gonzalez	Nadler
Allen	Green (TX)	Napolitano
Andrews	Greenwood	Neal
Baca	Gutierrez	Obey
Baird	Harman	Olver
Baldacci	Hilliard	Ose
Baldwin	Hinchey	Owens
Barrett	Hinojosa	Pallone
Bass	Hoeffel	Pastor
Becerra	Holt	Payne
Bentsen	Honda	Pelosi
Berkley	Hooley	Price (NC)
Berman	Horn	Ramstad
Blagojevich	Houghton	Rangel
Blumenauer	Hoyer	Reyes
Boehlert	Inslee	Rivers
Bono	Israel	Rodriguez
Boswell	Jackson (IL)	Ross
Boucher	Jackson-Lee (TX)	Rothman
Boyd	Jefferson	Roybal-Allard
Brady (PA)	Johnson (CT)	Rush
Brown (FL)	Johnson, E. B.	Sabo
Brown (OH)	Kelly	Sanchez
Capps	Kennedy (RI)	Sandlin
Capuano	Kilpatrick	Sawyer
Cardin	Kind (WI)	Schakowsky
Carson (IN)	Kleczka	Schiff
Castle	Kolbe	Scott
Clay	Lampson	Serrano
Clayton	Lantos	Shaw
Clyburn	Larson (CT)	Shays
Condit	Leach	Sherman
Conyers	Lee	Simmons
Coyne	Levin	Slaughter
Crowley	Lewis (GA)	Smith (WA)
Cummings	Lofgren	Snyder
Davis (CA)	Lowey	Solis
Davis (FL)	Luther	Spratt
Davis (IL)	Maloney (CT)	Strickland
DeFazio	Maloney (NY)	Tanner
DeGette	Markey	Tauscher
DeLauro	Matsui	Thompson (CA)
Deutsch	McCarthy (MO)	Thompson (MS)
Dicks	McCarthy (NY)	Thurman
Dingell	McCollum	Tierney
Doggett	McDermott	Towns
Dooley	McGovern	Udall (CO)
Engel	Meehan	Udall (NM)
Eshoo	Meek (FL)	Velazquez
Etheridge	Meeks (NY)	Visclosky
Evans	Menendez	Waters
Farr	Millender-McDonald	Watson (CA)
Fattah	Miller (FL)	Watt (NC)
Filner	Miller, George	Waxman
Ford	Moore	Weiner
Frank	Moran (VA)	Wexler
Frost		Woolsey
Gephardt		Wynn

NOES—251

Aderholt	Clement	Forbes
Akin	Coble	Fossella
Armey	Collins	Frelinghuysen
Bachus	Combest	Gallegly
Baker	Cooksey	Ganske
Ballenger	Costello	Gekas
Barcia	Cox	Gibbons
Barr	Cramer	Gilchrest
Bartlett	Crane	Gillmor
Barton	Crenshaw	Goode
Bereuter	Cubin	Goodlatte
Berry	Culberson	Gordon
Biggert	Cunningham	Goss
Bilirakis	Davis, Jo Ann	Graham
Bishop	Davis, Tom	Granger
Blunt	Deal	Graves
Boehner	Delahunt	Green (WI)
Bonilla	DeLay	Grucci
Bonior	DeMint	Gutknecht
Borski	Diaz-Balart	Hall (OH)
Brady (TX)	Doolittle	Hall (TX)
Brown (SC)	Doyle	Hansen
Bryant	Dreier	Hart
Burr	Duncan	Hastings (WA)
Burton	Dunn	Hayes
Buyer	Edwards	Hayworth
Callahan	Ehlers	Hefley
Calvert	Ehrlich	Herger
Camp	Emerson	Hill
Cannon	English	Hilleary
Cantor	Everett	Hobson
Capito	Ferguson	Hoekstra
Carson (OK)	Flake	Holden
Chabot	Fletcher	Hostettler
Chambliss	Foley	Hulshof

Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
McKinney
Spence
Stark

□ 1821

Mrs. MEEK of Florida, Mr. ROTHMAN and Mr. ABERCROMBIE changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. QUINN). 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. SENSENBRENNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 265, noes 162, not voting 6, as follows:

[Roll No. 304]

AYES—265

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—162

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Greenwood
Gutierrez
Harman
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Kaptur
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Lampson
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey

NOT VOTING—6

Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
Spence
Stark

□ 1830

Mrs. CLAYTON changed her vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTINGS of Florida (at the request of Mr. GEPHARDT) for today on account of personal business.

Mrs. JONES of Ohio (at the request of Mr. GEPHARDT) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. HAYWORTH, for 5 minutes, August 1.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. BOEHLERT, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

ADJOURNMENT

Mr. HASTINGS of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes a.m.), consistent with the fourth clause in section 5 of article I of the Constitution, and therefore notwithstanding section 132 of the Legislative Reorganization Act of 1946, as amended, the House stands adjourned until 10 a.m. on August 1, 2001.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3193. A letter from the Secretary, Department of Agriculture, transmitting a draft of proposed legislation, ''To authorize the Secretary of Agriculture to prescribe, adjust, and collect fees to cover the costs incurred by the Secretary for activities related to the review and maintenance of licenses and registrations under the Animal Welfare Act''; to the Committee on Agriculture.

3194. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Diazinon, Parathion, O, O-Diethyl S-[2-(ethylthio)ethyl] phosphorodithioate (Disulfoton), Ethoprop, and Carbaryl; Tolerance Revocations [OPP–301142; FRL–6787–8] (RIN: 2070–AB78) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3195. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Lysophosphatidylethanolamine (LPE); Temporary Exemption From the Requirement of a Tolerance [OPP–301145; FRL–6788–6] (RIN: 2070–AB78) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3196. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John M. McDuffie, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3197. A letter from the Deputy Secretary, Department of Defense, transmitting a report on the Reserve Forces Policy Board for FY 2000; to the Committee on Armed Services.

3198. A letter from the Secretary of the Navy, Department of Defense, transmitting notification of the decision to convert to contractor performance by the private sector the Administrative/Management Support function at Naval Air Systems Command, Naval Air Warfare Center Aircraft Divison (NAWCAD) at Lakehurst, Ocean County, New Jersey; to the Committee on Armed Services.

3199. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting a report on the progress made in providing International Development Association grant assistance to Heavily Indebted Poor Countries; to the Committee on Financial Services.

3200. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for PM–10; Oakridge, Oregon, PM–10 Nonattainment Area [Docket OR–01–005a; FRL–7018–6] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3201. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for PM–10; Lakeview, Oregon, PM–10 Nonattainment Area [Docket OR–01–004a; FRL–7018–5] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3202. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Preliminary Assessment Information Reporting; Addition of Certain Chemicals [OPPTS–82056; FRL–6783–6] (RIN: 2070–AB08) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3203. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Handbook on Nuclear Material Event Reporting in the Agreement States—received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3204. A letter from the Director, Defense Security Cooperation Agency, transmitting notification of Proposed Issuance of Letter of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–09), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3205. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–09), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3206. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the Government of Australia (Transmittal No. 09–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3207. A letter from the Employee Benefits Manager, AgFirst, transmitting the annual reports of Federal Pension Plans Required by Public Law 95–595 for the plan year January 1, 2000, through December 31, 2000, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

3208. A letter from the Vice Chairman, Board of Directors, Amtrak, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3209. A letter from the Office of Headquarters and Executive Personnel Services, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3210. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3211. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3212. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Certification Review of the Sufficiency of the Washington Convention Center Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2002''; to the Committee on Government Reform.

3213. A letter from the Chairman, Federal Election Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

3214. A letter from the Acting Director, Retirement and Insurance Service, Office of Personnel Management, transmitting the Office's final rule—Law Enforcement Officer and Firefighter Retirement (RIN: 3206–AJ39) received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3215. A letter from the Executive Secretary and Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3216. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Navajo Abandoned Mine Land Reclamation Plan [NA–004–FOR] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3217. A letter from the Regulations Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Attorney Contracts with Indian Tribes (RIN: 1076–AE18) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3218. A letter from the Regulations Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Encumbrances of Tribal Land—Contract Approvals (RIN: 1076–AE00) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3219. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Shrimp Trawling Requirements [Docket No. 010409084–1084–01; I.D. 030601A] (RIN: 0648–AP16) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3220. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone [Docket No. 000519147–0147–01; I.D. 051800C] (RIN: 0648–AO22) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3221. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Limitations on Incidental Takings During Fishing Activities [Docket No. 010308058–1058–01; I.D. 030701A] (RIN: 0648–AP14) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3222. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions Applicable to Fishing and Scientific Research Activities [Docket No. 010607150–1150–01; I.D. 091200F] (RIN: 0648–AN64) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3223. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions to Fishing Activities [Docket No. 010618158–1158–01; I.D. 061301B] (RIN: 0648–AP34) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3224. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions to Fishing Activities [Docket No. 000511138–0138–01; I.D. 051100B] (RIN: 0648–AO19) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3225. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions to Fishing Activities [Docket No. 010507114–1114–01; I.D. 040401B] (RIN: 0648–AP20) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3226. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Shrimp Trawling Requirements [Docket No. 000822243–0243–01; I.D. 082100D] (RIN: 0648–AO43) received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3227. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–700 and -800 Series Airplanes [Docket No. 2000–NM–403–AD; Amendment 39–12305; AD 2001–13–23] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3228. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 560XL Airplanes [Docket No. 2001–NM–146–AD; Amendment 39–12320; AD 2001–14–09] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3229. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes and Airbus Model A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2001–NM–04–AD; Amendment 39–12306; AD 2001–13–24] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3230. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes [Docket No. 2001–NM–214–AD; Amendment 39–12328; AD 2001–14–17] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3231. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10 Series Airplanes, Model MD–10 Series Airplanes, and Model MD–11 Series Airplanes [Docket No. 2000–NM–269–AD; Amendment 39–12319; AD 2001–14–08] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3232. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–30 Series Airplanes Modified by Supplemental Type Certificate ST00054SE [Docket No. 2000–NM–231–AD; Amendment 39–12313; AD 2001–13–03] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3233. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–200 and -300 Series Airplanes [Docket No. 2001–NM–25–AD; Amendment 39–12307; AD 2001–13–25] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3234. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–102, -103, and -301 Series Airplanes [Docket No. 2000–NM–328–AD; Amendment 39–12303; AD 2001–13–21] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3235. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 Series Airplanes Modified by Supplemental Type Certificate ST09022AC-D [Docket No. 2000–NM–243–AD; Amendment 39–12324; AD 2001–14–13] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3236. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747SP Series Airplanes Modified by Supplemental Type Certificate ST09097AC-D [Docket No. 2000–NM–244–AD; Amendment 39–12325; AD 2001–14–14] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3237. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes Modified by Supplemental Type Certificate SA8843SW [Docket No. 2000–NM–245–AD; Amendment 39–12326; AD 2001–14–15] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3238. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, -400, and -500 Series Airplanes [Docket No. 2000–NM–39–AD; Amendment 39–12316; AD 2001–14–06] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3239. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–251–AD; Amendment 39–12318; AD 2001–14–07] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3240. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 Series Airplanes Modified by Supplemental Type Certificate SA1727GL [Docket No. 2000–NM–228–AD; Amendment 39–12311; AD 2001–14–01] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3241. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, -700, -700C, and -800 Series Airplanes [Docket No. 2001–NM–188–AD; Amendment 39–12315; AD 2001–14–05] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3242. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–200, -200C, -300, and -400 Series Airplanes [Docket No. 2000–NM–205–AD; Amendment 39–12317; AD 2000–06–13 R1] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3243. A letter from the General Counsel, Department of Defense, transmitting the Department's enclosed legislation relating to income and transportation taxes on military and civilian personnel; to the Committee on Ways and Means.

3244. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules for Certain Reserves [Rev. Rul. 2001–38] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 2603. A bill to implement the agreement establishing a United States-Jordan free trade area; with an amendment (Rept. 107–176 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHLERT: Committee on Science. H.R. 2460. A bill to authorize appropriations for environmental research and development, scientific and energy research, development, and demonstration, and commercial application of energy technology programs, projects, and activities of the Department of Energy and of the Office of Air and Radiation of the Environmental Protection Agency, and for other purposes; with an amendment (Rept. 107–177). Referred to the Committee of the Whole House on the State of the Union.

[Filed on Aug. 1 (legislative day, July 31), 2001]

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 216. Resolution providing for consideration of the bill (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes (Rept. 107–178). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 217. Resolution providing for consideration of motions to suspend the rules (Rept. 107–179). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 2603 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2603. Referral to the Committee on the Judiciary extended for a period ending not later than July 31, 2001.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

[Omitted from the Record of July 30, 2001]

By Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. BALDACCI, Mr. BUYER, Ms. CARSON of Indiana, Mr. FROST, Mr. ISTOOK, Mr. LUTHER, Mrs. MORELLA, Mr. NEY, Ms. NORTON, Mr. PLATTS, Mr. PUTNAM, Mr. SHOWS, Mr. SIMMONS, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. WAMP, and Mr. WATT of North Carolina):

H. Con. Res. 204. Concurrent resolution expressing the sense of Congress regarding the establishment of National Character Counts Week; to the Committee on Education and the Workforce.

[Submitted July 23, 2001]

By Mr. TOM DAVIS of Virginia (for himself and Mr. MORAN of Virginia):

H.R. 2678. A bill to amend title 5, United States Codes, to establish an exchange program between the Federal Government and the private sector to develop expertise in information technology management, and for other purposes; to the Committee on Government Reform.

By Mr. ANDREWS:

H.R. 2679. A bill to condition the minimum-wage-exempt status of organized camps under the Fair Labor Standards Act of 1938 on compliance with certain safety standards, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2680. A bill to authorize the grant program for elimination of the nationwide backlog in analyses of DNA samples at the level necessary to completely eliminate the backlog and obtain a DNA sample from every person convicted of a qualifying offense; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2681. A bill to amend the Davis-Bacon Act to provide that a contractor under that Act who has repeated violations of the Act shall have its contract with the United States canceled and to require the disclosure under freedom of information provisions of Federal law of certain payroll information under contracts subject to the Davis-Bacon Act; to the Committee on Education and the Workforce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOKSEY:

H.R. 2682. A bill to provide for the designation of certain closed military installations as ports of entry; to the Committee on Armed Services, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CUBIN (for herself, Mr. BAIRD, Mr. BRADY of Texas, Mr. HILLEARY, and Mr. CLEMENT):

H.R. 2683. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Ways and Means.

By Mr. FRANK:

H.R. 2684. A bill to amend chapter 171 of title 28, United States Code, to allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care; to the Committee on the Judiciary.

By Mr. GILCHREST:

H.R. 2685. A bill to amend title 10, United States Code, to revise the computation of military disability retired pay computation for certain members of the uniformed services injured while a cadet or midshipman at a service academy; to the Committee on Armed Services.

By Mr. HILLIARD:

H.R. 2686. A bill to prohibit States from carrying out certain law enforcement activities which have the effect of intimidating individuals from voting; to the Committee on the Judiciary.

By Mr. HILLIARD:

H.R. 2687. A bill to prohibit States from denying any individual the right to register to vote for an election for Federal office, or the right to vote in an election for Federal office, on the grounds that the individual has been convicted of a Federal crime, and to amend title 5, United States Code, to establish election day as a legal public holiday by moving the legal public holiday known as Veterans Day to election day in such years; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMPSON (for himself, Mr. SHIMKUS, Mr. CAPUANO, Mr. FROST, Mrs. MINK of Hawaii, Mr. STARK, Mr. GREEN of Texas, Mr. GRUCCI, Mr. UNDERWOOD, Ms. BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Mr. KANJORSKI, Mr. OSE, Mr. GREENWOOD, Mr. MCGOVERN, Mr. SMITH of New Jersey, Ms. HART, Mr. WELDON of Pennsylvania, Mr. GREEN of Wisconsin, Mr. GORDON, Mr. KING, Mr. BORSKI, Mr. HOLDEN, Ms. DELAURO, Mr. CHABOT, Mr. HOEFFEL, Mrs. NAPOLITANO, Mr. PALLONE, Mr. KIND, Mr. WYNN, Mr. TRAFICANT, Mrs. THURMAN, Mr. WEXLER, Mr. CLEMENT, Mr. POMEROY, Mrs. MEEK of Florida, Mr. BALDACCI, Mr. MANZULLO, Ms. ROYBAL-ALLARD, Mr. MASCARA, Ms. WOOLSEY, Mr. ACKERMAN, Mr. ISRAEL, Mr. ROTHMAN, Mr. BERMAN, Mr. WEINER, Mr. LEWIS of Georgia, Ms. SLAUGHTER, Ms. BERKLEY, Mr. MCINTYRE, Mr. CRAMER, Mr. SHOWS, Mr. MORAN of Virginia, Mr. RUSH, Mr. CARSON of Oklahoma, Mr. PETERSON of Minnesota, Mr. JOHN, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. RODRIGUEZ, Ms. LEE, Mrs. JONES of Ohio, Mr. DEFAZIO, Mr. OLVER, Ms. BALDWIN, Mr. RAHALL, Mr. BARRETT, Mr. LANGEVIN, Mr. BERRY, Mr. PASCRELL, Mr. MALONEY of Connecticut, Mr. BENTSEN, Mr. FARR of California, Mr. ORTIZ, Mr. SHERMAN, Ms. PELOSI, Mr. RAMSTAD, Ms. HOOLEY of Oregon, Ms. SANCHEZ, Mr. HINOJOSA, Mr. GONZALEZ, Mr. SMITH of Michigan, Mr. THOMPSON of California, Mr. COSTELLO, Mrs. MALONEY of New York, Mr. DOGGETT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, Mr. SAWYER, Mr. HOLT, Mr. BACA, Ms. SCHAKOWSKY, Ms. ESHOO, Ms. MILLENDER-MCDONALD, Mrs. CAPPS, Mr. MOORE, Mr. CROWLEY, Mr. BROWN of Ohio, Mr. BLAGOJEVICH, Mr. FORD, Mr. BARCIA, and Mr. BAIRD):

H.R. 2688. A bill to amend title 28, United States Code, to give district courts of the United States jurisdiction over competing State custody determinations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO (for himself, Mr. BLAGOJEVICH, Mr. EVANS, and Mr. KIRK):

H.R. 2689. A bill to amend chapter 142 of title 10, United States Code, to increase the value of the assistance that the Secretary of Defense may furnish to carry out certain procurement technical assistance programs which operate on a Statewide basis; to the Committee on Armed Services.

By Mr. RADANOVICH (for himself and Ms. MCCOLLUM):

H.R. 2690. A bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the deadlines for application and payment of fees; to the Committee on the Judiciary.

By Mr. SABO (for himself, Mr. BONIOR, Mr. DEFAZIO, Mr. DELAHUNT, Mr. KUCINICH, Ms. LEE, Ms. MCKINNEY, Ms. SCHAKOWSKY, Mr. STARK, Mr. VISCLOSKY, and Mr. WYNN):

H.R. 2691. A bill to amend the Internal Revenue Code of 1986 to deny employers a deduction for payments of excessive compensation; to the Committee on Ways and Means.

By Mr. SHAYS (for himself, Mr. FRANK, Mr. FOLEY, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BARRETT, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr.

BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DOGGETT, Mr. DOOLEY of California, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FARR of California, Mr. FERGUSON, Mr. FILNER, Mr. FORD, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GEPHARDT, Mr. GILCHREST, Mr. GILMAN, Mr. GONZALEZ, Mr. GREENWOOD, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KOLBE, Mr. KUCINICH, Mr. LAFALCE, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MATHESON, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Ms. PRYCE of Ohio, Mr. PASCRELL, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Mr. SHERMAN, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. TRAFICANT, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VISCLOSKY, Ms. WATERS, Ms. WATSON, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 2692. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. BALLENGER, Mr. KOLBE, Mr. BARTON of Texas, Mr. NETHERCUTT, and Mr. DREIER):

H. Con. Res. 206. Concurrent resolution recognizing the important relationship between the United States and Mexico; to the Committee on International Relations.

By Mr. LARGENT (for himself and Mr. BROWN of Ohio):

H. Con. Res. 207. Concurrent resolution recognizing the important contributions of the Youth For Life: Remembering Walter Payton initiative and encouraging participation in this nationwide effort to educate young people about organ and tissue donation; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII,

184. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 21 memorializing the United States Congress to initiate the development of an agreement or treaty with Mexico to address health issues of mutual concern; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Mr. MATHESON.
H.R. 134: Mr. GUTIERREZ.
H.R. 157: Mrs. MINK of Hawaii.
H.R. 218: Mr. LUCAS of Oklahoma, Mr. WICKER, Mr. GOSS, Mr. SHOWS, and Mr. MASCARA.
H.R. 274: Ms. DELAURO.
H.R. 326: Ms. HARMAN.
H.R. 400: Mr. CRENSHAW.
H.R. 432: Mr. BONIOR.
H.R. 433: Mr. BONIOR.
H.R. 437: Mr. HERGER.
H.R. 510: Mrs. MINK of Hawaii and Mr. TRAFICANT.
H.R. 612: Ms. GRANGER.
H.R. 664: Mr. UPTON, Mrs. JOHNSON of Connecticut, Mr. CALVERT, and Mr. HOUGHTON.
H.R. 684: Mr. NADLER and Mr. HINCHEY.
H.R. 737: Mr. SKELTON.
H.R. 778: Mr. MCDERMOTT, Mr. DOYLE, and Mr. BORSKI.
H.R. 781: Mr. SCOTT and Mr. LARSEN of Washington.
H.R. 817: Mr. WHITFIELD.
H.R. 914: Mr. LARGENT.
H.R. 921: Mr. BONIOR.
H.R. 938: Mr. PAYNE, Mr. LEACH, and Mr. COOKSEY.
H.R. 967: Mr. WATT of North Carolina and Mr. HINCHEY.
H.R. 1035: Mr. CARSON of Oklahoma and Ms. MILLENDER-MCDONALD.
H.R. 1073: Mr. BOSWELL.
H.R. 1086: Mr. BLUMENAUER.
H.R. 1090: Ms. PELOSI, Ms. SLAUGHTER, Ms. SCHAKOWSKY, Mr. THOMPSON of California, and Mr. DELAHUNT.
H.R. 1120: Mr. GOODLATTE.
H.R. 1170: Mr. SERRANO, Mr. BARCIA, and Mr. MOORE.
H.R. 1178: Mr. MATHESON.
H.R. 1198: Mr. GILLMOR, Mr. LIPINSKI, Mr. HOEFFEL, Mr. LARSEN of Washington, Mr. LAFALCE, and Mr. FRELINGHUYSEN.
H.R. 1201: Mr. MCGOVERN and Mr. BERMAN.
H.R. 1252: Mr. ENGEL.
H.R. 1296: Mr. LARGENT.
H.R. 1305: Mr. SWEENEY.
H.R. 1353: Mr. MORAN of Kansas, Mr. SNYDER, and Ms. LEE.
H.R. 1354: Ms. HARMAN, Mr. BACA, Mr. BORSKI, and Mr. JACKSON of Illinois.
H.R. 1436: Mr. SNYDER, Mr. LOBIONDO, Mrs. NAPOLITANO, Mr. COMBEST, Mr. KANJORSKI, and Mr. MASCARA.
H.R. 1460: Mr. BOUCHER, Mr. NORWOOD, Mrs. EMERSON, Mr. NEY, Mr. PETRI, Mr. PETERSON of Pennsylvania, Mr. OXLEY, Mr. SHUSTER, Mr. LEWIS of Kentucky, and Mr. CRANE.
H.R. 1462: Mr. CALVERT.
H.R. 1509: Mr. DEUTSCH and Mr. BLUMENAUER.
H.R. 1556: Mr. SIMMONS, Mr. HOEFFEL, Mr. MASCARA, and Mr. DIAZ-BALART.
H.R. 1589: Mr. CUNNINGHAM.
H.R. 1602: Mr. MCKEON, Mrs. JO ANN DAVIS of Virginia, Mr. FORBES, Mr. GOODLATTE, and Mr. BROWN of South Carolina.
H.R. 1609: Mr. FARR of California, Mrs. CLAYTON, Mrs. EMERSON, Mr. PHELPS, Mrs. JO ANN DAVIS of Virginia, Mr. HOEFFEL, and Mr. MASCARA.
H.R. 1624: Mr. HINCHEY, Mr. MCGOVERN, Mr. CANNON, Mr. EDWARDS, Mr. HOUGHTON, and Mr. GRUCCI.
H.R. 1645: Mr. WALSH and Mr. CANNON.
H.R. 1700: Mr. OLVER, Mr. MARKEY, and Mr. MEEHAN.
H.R. 1773: Mr. MEEKS of New York and Mr. MCGOVERN.
H.R. 1784: Mrs. CAPPS and Mr. FILNER.
H.R. 1795: Mrs. KELLY, Mr. OTTER, and Mr. SMITH of New Jersey.
H.R. 1819: Mr. WAMP.
H.R. 1856: Mr. FORBES.
H.R. 1873: Mr. UDALL of Colorado.
H.R. 1948: Ms. SCHAKOWSKY.
H.R. 1978: Mr. BROWN of Ohio and Mr. DAVIS of Illinois.
H.R. 1983: Mr. SKEEN, Mr. BROWN of South Carolina, and Mr. MASCARA.
H.R. 2001: Mr. PASTOR.
H.R. 2064: Mr. HASTINGS of Florida and Mr. BLAGOJEVICH.
H.R. 2066: Mr. BEREUTER.
H.R. 2071: Mr. SIMMONS.
H.R. 2098: Mr. CANTOR.
H.R. 2125: Mr. TIERNEY, Mr. SOUDER, and Mr. SCHROCK.
H.R. 2134: Mr. BLAGOJEVICH.
H.R. 2142: Mr. MCGOVERN, Mr. DOOLEY of California, Mr. KIRK, Mr. FRANK, and Mr. LANTOS.
H.R. 2157: Mr. SKEEN.
H.R. 2220: Mr. BACA, Mr. ACKERMAN, Mr. CARSON of Oklahoma, Ms. HARMAN, Mr. KILDEE, Mr. MCGOVERN, Mr. REYES, and Mr. OWENS.
H.R. 2243: Mr. KUCINICH.
H.R. 2272: Mr. BLUMENAUER.
H.R. 2308: Mr. MATHESON.
H.R. 2310: Mr. FOLEY.
H.R. 2316: Mr. WELDON of Florida, Ms. HART, Mr. WALDEN of Oregon, Mr. SCHAFFER, Mr. JONES of North Carolina, and Mr. FOSSELLA.
H.R. 2317: Mrs. MALONEY of New York and Mrs. DAVIS of California.
H.R. 2322: Mr. BEREUTER.
H.R. 2332: Mr. CLEMENT.
H.R. 2345: Mr. PASTOR.
H.R. 2348: Mr. RANGEL, Ms. PELOSI, Mr. HALL of Ohio, Mr. ORTIZ, Ms. SANCHEZ, Mrs. NAPOLITANO, Mr. REYES, Mr. MCGOVERN, Ms. CARSON of Indiana, Mr. OWENS, and Mr. MARKEY.
H.R. 2349: Ms. ESHOO and Ms. HOOLEY of Oregon.
H.R. 2355: Mr. ISAKSON.
H.R. 2357: Mr. BARR of Georgia, Mr. BLUNT, Mr. HAYES, Mr. BARTLETT of Maryland, Mr. KERNS, Mr. PICKERING, Mr. WATTS of Oklahoma, Mr. BROWN of South Carolina, Mr. BRADY of Texas, Mr. VITTER, Mr. WHITFIELD, Mr. LARGENT, Mr. WATKINS, Mr. BURR of North Carolina, Mr. TRAFICANT, Mr. BILIRAKIS, and Mr. HEFLEY.
H.R. 2366: Mr. SCHAFFER.
H.R. 2368: Mr. CLAY.
H.R. 2375: Mr. EHRLICH, Mr. LAMPSON, Ms. ESHOO, Mr. KANJORSKI, Mr. WYNN, Mr. ACKERMAN, Mrs. CAPPS, Mr. SERRANO, Mr. GUTIERREZ, and Mr. NADLER.

H.R. 2400: Mr. TOWNS.
H.R. 2401: Mr. TOWNS.
H.R. 2402: Mr. TOWNS.
H.R. 2410: Mr. SCHAFFER.
H.R. 2442: Ms. ROS-LEHTINEN.
H.R. 2460: Mr. MATHESON, Mr. EHLERS, Ms. HART, Mrs. BIGGERT, Mr. COSTELLO, Mr. BACA, Ms. WOOLSEY, and Mr. UDALL of Colorado.
H.R. 2484: Mr. FOSSELLA and Mr. OWENS.
H.R. 2486: Ms. HART.
H.R. 2520: Mr. MEEKS of New York.
H.R. 2521: Mr. GORDON.
H.R. 2560: Mr. MCGOVERN.
H.R. 2573: Mr. FATTAH and Mr. STARK.
H.R. 2662: Mr. FLAKE.
H.R. 2669: Mr. ADERHOLT, Mr. LAHOOD, Mr. LEACH, Mr. MCINTRYE, Mr. PETERSON of Minnesota, Mr. PHELPS, and Mr. SHOWS.
H.R. 2675: Mr. FOSSELLA.
H.J. Res. 6: Mr. SOUDER.
H.J. Res. 15: Ms. ROYBAL-ALLARD.
H.J. Res. 42: Mr. SMITH of Washington, Mr. SHIMKUS, Mr. HORN, Mr. ANDREWS, Mrs. MALONEY of New York, Ms. HARMAN, Mr. HONDA, Mr. CARSON of Oklahoma, Mrs. CAPITO, and Mr. PICKERING.
H. Con. Res. 44: Mr. SCHAFFER.
H. Con. Res. 58: Mr. HILLIARD.
H. Con. Res. 60: Ms. WOOLSEY.
H. Con. Res. 97: Mr. KENNEDY of Rhode Island.
H. Con. Res. 185: Ms. LEE, Mr. HYDE, Mr. SMITH of New Jersey, and Mr. HONDA.
H. Con. Res. 195: Ms. SCHAKOWSKY and Mr. GEORGE MILLER of California.
H. Res. 65: Mr. FOLEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 6: Page 96, after line 17, insert the following new section, and make the necessary change to the table of contents:

SEC. 804. REENERGIZING RURAL AMERICA.

(a) AMENDMENTS.—Parts B and C of title I of the Energy Policy and Conservation Act (42 U.S.C. 6231-6249c), and the items in the table of contents of that Act relating thereto, are amended—

(1) by striking ''Strategic Petroleum Reserve'' each place it appears and inserting ''Strategic Fuels Reserve'';

(2) by striking ''petroleum products'' each place it appears other than section 160(h)(2)(B), and inserting ''strategic fuels'';

(3) by striking ''petroleum product'' each place it appears and inserting ''strategic fuel'';

(4) by striking ''Petroleum products'' each place it appears and inserting ''Strategic fuels'';

(5) by striking ''Petroleum product'' each place it appears and inserting ''Strategic fuel'';

(6) by striking ''SPR Petroleum Account'' each place it appears and inserting ''SFR Fuels Account'';

(7) in section 152, by adding at the end the following new paragraph:

''(12) The term 'strategic fuels' means petroleum products, ethanol, and biodiesel fuels.'';

(8) in section 154, by inserting after subsection (b) the following new subsection:

''(c)(1) Except as provided in paragraph (2), the Secretary shall, within 3 years after the date of the enactment of this subsection, acquire and maintain as part of the Reserve a minimum of 300,000,000 gallons of ethanol and 100,000,000 gallons of biodiesel fuel. Such fuels may be obtained in exchange for, or purchased with funds realized from the sale of, crude oil from the Reserve.

''(2) The Secretary shall carry out paragraph (1) in a manner that avoids, to the extent possible, a disruption of the strategic fuels markets.'';

(9) in section 161(g), by striking ''crude oil'' each place it appears and inserting ''strategic fuels'';

(10) in section 165(5), by striking ''petroleum'' and inserting ''strategic fuel'';

(11) in section 165(10), by striking ''oil'' and inserting ''strategic fuels''; and

(12) in the heading of subsection (c) of section 168, by striking ''STORED OIL'' and inserting ''STORED FUEL''.

(b) REFERENCES.—Any reference in any Federal law or regulation to the Strategic Petroleum Reserve or to the SPR Petroleum Account shall be deemed to be a reference to the Strategic Fuels Reserve or the SFR Fuels Account, accordingly.

H.R. 4

OFFERED BY: MR. KERNS

AMENDMENT NO. 7: At the end of title III of division C insert the following new section:

SEC. 3311. USE OF CERTAIN TRANSFERRED FUNDS.

(a) IN GENERAL.—Section 9705 is amended by adding at the end the following new subsection:

''(c) CERTAIN TRANFERS.—Notwithstanding any other provision of law, any amount transferred to or received by the Combined Fund for any fiscal year for any reason, whether that amount is transferred or received from general purpose funds, under section 402(h) of the Surface Mining Control and Reclamation Act of 1977, or from any other source, shall be used first to refund to each operator and/or business any and all monies, including interest thereon calculated at the currently prevailing rate established by the Internal Revenue Service pursuant to 20 U.S.C. 1307, paid to any of the Funds established under this Subtitle J by each such operator and/or business that was last signatory to a Coal Wage Agreement prior to the year 1974, provided that such monies have not been previously refunded to such operator and/or business; and thereafter to pay the amount of any other obligation occurring in the Combined Fund.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to the fiscal year beginning on October 1, 2001.

H.R. 4

OFFERED BY: MR. NADLER

AMENDMENT NO. 8: Page 96, after line 17, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 904. COMMUNITY POWER INVESTMENT REVOLVING LOAN FUND.

(a) REVOLVING LOAN FUND.—There is established in the Treasury of the United States a revolving loan fund to be known as the ''Community Power Investment Revolving Loan Fund'' consisting of such amounts as may be appropriated or credited to such Fund as provided in this section.

(b) EXPENDITURES FROM LOAN FUNDS.—

(1) IN GENERAL.—The Secretary of Energy, under such rules and regulations as the Secretary may prescribe, may make loans from the Community Power Investment Revolving Loan Fund, without further appropriation, to a State or local government, including any municipality.

(2) PURPOSE.—Loans provided under this section shall be used only for any of the following:

(A) Feasibility studies to investigate options for the creation or expansion of public power systems.

(B) Community development assistance programs to stem rising energy costs, including low-income customer payment programs.

(C) Energy efficiency programs and other local conservation measures.

(D) Incentives for new renewable energy resources, including research and development programs, purchases from alternative energy providers, and construction of new generation facilities.

(E) Increased and rapid deployment of distributed energy generation resources, including the following:

(i) Microturbines.

(ii) Fuel cells.

(iii) Combined heat and power systems.

(iv) Advanced internal combustion engine generators.

(v) Advanced natural gas turbines.

(vi) Energy storage devices.

(vii) Distributed generation research and development for local communities, including interconnection standards and equipment, and dispatch and control services that preserve appropriate local control authority to protect distribution system safety, reliability, and new and backup power quality.

(F) Purchase of existing electricity generation and transmission systems of private power companies.

(G) Construction of new electricity generation and transmission facilities.

(H) Education and public information programs.

(3) RESTRICTIONS.—No loan may be made under this section to any entity that is financially distressed, delinquent on any Federal debt, or in current bankruptcy proceedings. No loan shall be made under this section unless the Secretary determines that—

(A) there is reasonable assurance of repayment of the loan; and

(B) the amount of the loan, together with other funds provided by or available to the recipient, is adequate to assure completion of the facility or facilities for which the loan is made.

(c) LOAN REPAYMENTS.—

(1) LENGTH OF REPAYMENT.—

(A) IN GENERAL.—Before making a loan under this section, the Secretary shall determine the period of time within which a State must repay such loan.

(B) LIMITATION.—Except as provided in subparagraph (C), the Secretary shall in no case allow repayment of such loan—

(i) to begin later than the date that is one year after the date on which the loan is made; and

(ii) to be completed later than the date that is 30 years after the date on which the loan is made.

(C) MORATORIUM.—The Secretary may grant a temporary moratorium on the repayment of a loan provided under this section if, in the determination of the Secretary, continued repayment of such loan would cause a financial hardship on the State that received the loan.

(2) INTEREST.—The Secretary may not impose or collect interest on a loan provided under this section in excess of one percent above the current U.S. Treasury rate for obligations of similar maturity.

(3) CREDIT TO LOAN FUND.—Repayment of amounts loaned under this section shall be credited to the Community Power Investment Revolving Loan Fund and shall be available for the purposes for which the fund is established.

(4) FINANCE CHARGES.—The Secretary may assess finance charges of 5 percent on loans under this section that are repaid within 5 to 10 years, 3 percent on such loans that are repaid within 3 to 5 years, and one percent for loans repaid within 3 years.

(d) ADMINISTRATION EXPENSES.—The Secretary may defray the expenses of administering the loans provided under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Community Power Investment Revolving Loan Fund $5,000,000,000 for each of the fiscal years 2002 through 2007.

H.R. 4

OFFERED BY: MR. STEARNS

AMENDMENT NO. 9: Page 34, after line 7, insert the following new section and make the necessary changes in the table of contents:

SEC. 129. DEPARTMENT OF DEFENSE FUEL EFFICIENCY.

(a) FINDINGS.—Congress finds the following:

(1) The federal government is the largest single energy user in the United States.

(2) The Department of Defense is the largest energy user among all federal agencies.

(3) The Department of Defense consumed 595 trillion btu of petroleum in Fiscal Year 1999 while all other federal agencies, combined, consumed 56 btu of petroleum.

(4) The total cost of petroleum to the Department of Defense amounted to $3.6 billion in Fiscal Year 2000.

(5) Increased fuel efficiency reduces the cost of delivering fuel to units during operations and training, thereby allowing a corresponding percentage of defense dollars to be allocated to logistic shortages, combat units, and other readiness needs.

(6) Increased fuel efficiency decreases time needed to assemble forces, increases unit flexibility, and allows forces to remain in the field for a sustained period of time.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should work to implement fuel efficiency reforms as recommended by the Defense Science Board report which allow for investment decisions based on the true cost of delivered fuel, strengthening the linkage between warfighting capability and fuel logistics requirements, provide high-level leadership encouraging fuel efficiency, target fuel efficiency improvements through Science and Technology investment, and include fuel efficiency in requirements and acquisition processes.