

# House's vote aimed to keep pledge intact

By Jim Abrams  
Associated Press

WASHINGTON — The House, in an emotionally and politically charged debate six weeks before the election, voted Thursday to protect the words "under God" in the Pledge of Allegiance from further court challenges.

The legislation, promoted by Republican conservatives, would prevent federal courts, including the Supreme Court, from hearing cases challenging the words "under God," which have been a part of the pledge for the past 50 years.

Democrats said the majority Republicans were debating the Constitution to force a vote that could hurt Democrats at the ballot box.

Supporters insisted that Con-

gress has always had authority to limit federal court jurisdiction and that the legislation is needed to protect an affirmation of religion that is part of the national heritage.

The bill, which the House approved, 247-173, has little chance of advancing in the Senate this year, but it laid down another marker for politicians seeking to differentiate themselves from their election opponents on volatile social issues. Other "wedge" issues that have come up or may arise before the election include gay marriage and flag-burning.

Oklahoma's entire House delegation voted in favor of the measure.

In June, the Supreme Court dismissed, on a technicality, a

2002 federal court ruling that the religious reference made the pledge unconstitutional.

Rep. Todd Akin, R-Mo., who wrote the amendment on legislation before the House on Thursday, said the outcome could be different if the high court rules on the substance of the argument or "if we allow activist judges to start creating law and say that it is wrong to somehow allow schoolchildren to say 'under God' in the pledge."

In such a scenario, Akin said, the courts will have "emasculated the very heart of what America has always been about."

But Rep. Jerrold Nadler, D-N.Y., said, "We're playing with fire here, we are playing with the national unity of this country" by undoing 200 years of fed-

eral judicial review and letting each state make its own interpretation of constitutional law.

The vote paralleled one in July, when the House voted to prevent federal courts from ordering states to recognize same-sex unions from other states.

Rep. James Sensenbrenner, a Wisconsin Republican who is the chairman of the Judiciary Committee, said, "Far from violating the 'separation of powers,' legislation that leaves state courts with jurisdiction to decide certain classes of cases would be an exercise of one of the very 'checks and balances' provided for in the Constitution."

The Democrats cited an 1803 Supreme Court decision in which the court asserted its role as the arbiter of what the Con-

stitution says. But Sensenbrenner said the Constitution gives the high court original jurisdiction only in cases affecting foreign officials or a state. In other appellate cases, he contended, the court is subject to congressional regulations.

Many Democrats said the real objective of Thursday's debate was to force them into an unpopular vote just weeks before Election Day. Aside from the constitutional issue, many Americans, and almost all members of Congress, think "under God" should stay in the pledge.

"This bill has been brought to the floor to embarrass some members, so I respect whatever decisions they have to make in light of the motivations behind it," said Minority Leader Nancy

Pelosi, D-Calif.

In the end, 34 Democrats voted for the bill and six Republicans opposed it.

The Rev. Barry Lynn, the executive director of Americans United for Separation of Church and State, said: "This bill is a dramatic assault on the courts and individual rights, wrapped in phony patriotism. This is election-year grandstanding at its worst."

A closer vote came on an amendment by Rep. Mel Watt, D-N.C., that would have returned the legislation to its original form, under which lower federal courts were barred from ruling on the pledge but the Supreme Court retained its authority.

Congress: <http://thomas.loc.gov>

## Congress speeds to pass middle class tax cuts

By Martin Crutsinger  
Associated Press

WASHINGTON — Congress on Thursday rushed to pass a \$145.9 billion package of tax relief that would extend three popular middle class tax cuts and hand President Bush his fourth major tax victory since taking office.

The House began debate on the package with Senate leaders promising to take up the measure as soon as it won House passage.

Republicans who control Congress were anxious to pass the legislation needed to extend the popular tax measures and give the president a big legislative victory in the closing weeks of his campaign for re-election.

Without action, the three provisions affecting an estimated 94 million Americans would expire at the end of this year. The legislation keeps the per-child tax credit at \$1,000, retains an expanded 10 percent income bracket that affects virtually all taxpayers and retains provisions to provide tax relief for married couples.

"The choice is between raising taxes on millions of families and individuals next year or sparing them that tax increase," said Senate Finance Committee Chairman Charles Grassley, R-Iowa. "The president made this a priority and I hope to have a bill on his desk within days."

Oklahoma Democrat Brad Carson and Oklahoma Republicans Tom Cole, Frank Lucas and John Sullivan voted in favor of the measure. Republican Earnest Istook did not vote.

Bush had rejected a deal offered by Democrats and some moderate Republicans that would have extended the tax cuts for just one year and paid for them by closing various corporate tax loopholes. He held out instead for a five-year extension in a gamble that opposition would lessen as lawmakers got closer to the Nov. 2 elections.

Sen. John Kerry, Bush's Dem-

ocratic presidential opponent, said he supported extension of the middle class tax cuts, but he criticized inclusion of corporate tax breaks in the bill and also the refusal of Republicans to agree to Democratic efforts to go further in expanding tax relief for 4 million low-income working families.

"Millions of American families are being squeezed by the weak Bush economy, falling incomes and rising health costs, and we should extend middle-class tax breaks to help them," Kerry said in a statement issued by his campaign.

Democratic opponents pointed to soaring federal deficits during the Bush administration, including an expected record deficit of \$422 billion this year, and said that it was fiscally irresponsible to be passing further tax cuts that will push the deficits higher in future years.

But even opponents conceded that it was tough to ask lawmakers to vote against tax cuts with an election looming.

"The Republicans have so carefully and cunningly on the eve of an election planned several tax cuts in order to try to get the Democrats to vote no," Rep. Charles Rangel, D-N.Y., told the House.

Minority Whip Steny Hoyer, D-Md., said the GOP refusal to pay for the tax cuts represented "fiscal child abuse" by saddling coming generations with a national debt that is now over \$7 trillion.

But Rep. Thomas Reynolds, D-N.Y., argued, "This bill prevents a tax increase on families. If we do nothing, these taxes will go up."

The child tax credit, slated to drop to \$700 next year, would be extended for five years at the higher \$1,000 per child amount.

That is the year that all of the tax cuts Bush won in 2001 are scheduled to expire. Bush is campaigning for re-election on a platform of getting Congress to make all of his tax cuts permanent.

## Kerry: Bush Iraq assessment off base

By Nedra Pickler  
Associated Press

COLUMBUS, Ohio — Democratic presidential candidate John Kerry said Thursday that Iraq's Ayad Allawi was sent before Congress to put the "best face" on a Bush administration policy that has gone wrong.

Shortly after Allawi, the interim government's prime minister, gave a rosy portrayal of progress toward peace in Iraq, Kerry said the assessment contradicted Allawi's own statements as well as reality.

"I think the prime minister is obviously contradicting his own statement of a few days ago, where he said the terrorists are pouring into the country," Kerry said. "The prime minister and the president are here obviously to put their best face on the policy, but the fact is that the CIA estimates, the reporting, the ground operations and the troops all tell a different story."

Kerry was referring to comments Allawi made Sunday on ABC's "This Week." But Allawi also expressed optimism about the mission in that appearance.

"Foreign terrorists are still pouring in, and they're trying to inflict damage on Iraq to undermine Iraq and to undermine the process, democratic process in Iraq, and, indeed, this is their last stand," Allawi said. "So they are putting a very severe fight on Iraq. We are winning. We will continue to win. We are going to prevail."

Allawi told a joint meeting of Congress on Thursday that democratic elections will take place in Iraq in January as scheduled, but Kerry said that was unrealistic.

"The United States and the Iraqis have retreated from whole areas of Iraq," Kerry told reporters in Columbus. "There are no-go zones in Iraq today. You can't hold an election in a no-go zone."

Kerry said Bush should convene a summit of international leaders to ask for their help in Iraq. He also said the president missed an opportunity to get foreign support during two days



GERALD HERBERT / Associated Press

Democratic Presidential candidate Sen. John Kerry, D-Mass., speaks Thursday during a campaign stop at Fire House 1 in Columbus, Ohio.

of diplomacy at the United Nations this week.

"The president skeddaddled out of New York so quickly he barely had time to talk to any leaders," Kerry said.

The Democrat's campaign also rolled out a new television ad that says while Bush "keeps telling us things are getting better in Iraq ... the facts tell a different story."

"George Bush retreated from Fallujah and other communities in Iraq which are now overrun

with terrorists and threaten our troops," Kerry said in the brief interview Wednesday. "And even today, he blundered again saying there are only a handful of terrorists in Iraq. I think he's living in a make-believe world."

Bush, campaigning in Pennsylvania on Wednesday, said: "It's hard to help a country go from tyranny to elections to peace when there are a handful of people who are willing to kill in order to stop the process. And that's what you're seeing on the TV screens."

Asked about the "handful" remark on Thursday, Bush said, "My point is that a few people, relative to the whole, are trying to stop the march of freedom." He said, "Look, I'm fully aware we're fighting former Baathists and Zarqawi network people. But by far the vast majority of people, among 25 million people, want to live in freedom."

Kerry's voice was scratchy and breaking from a cold on Wednesday. He canceled most public events for Thursday in Columbus and in Iowa to rest his voice, though his words were clear at the firehouse. The campaign said running mate John Edwards would take Kerry's place in Iowa.

Kerry campaign:  
<http://www.johnkerry.com>  
Bush campaign:  
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