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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 11, 2003.

I hereby appoint the Honorable DAVID DREIER to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, a new day of promise has dawned. Bless the important work of Congress which they need to finish before spring recess. May its laws and resolutions make this Nation stronger and its future brighter, especially for the next generation. May the seeds planted today be our contentment and the promise of new life flourish beyond our imagining.

We pray also for the future of Iraq. Put an end to the killing and civil strife. May Your divine Providence guide the cooperation of many diverse peoples to create a new day of freedom built upon truth and justice for all the Iraqi people.

Lord, fulfill in our own day the future vision of the prophet Jeremiah. The man of tears once stood in the rubble of the city he loved and cried aloud for future generations to hear: ''The days are coming, says the Lord, when I will make a new covenant with my people. I will place my law within them and write it upon their hearts. No longer will they need to teach their friends and kinsmen how to know the Lord. I will forgive their evil doing and remember their sin no more.''

May the renewal of this covenant as celebrated in Passover and Easter bring a new understanding and purpose as America prays for the Iraqi people and peace. 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.

PLEDGE OF ALLEGIANCE

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

Mr. STENHOLM led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 1505. An act to designate the facility of the United States Postal Service located at 2127 Beatties Ford Road in Charlotte, North Carolina, as the ''Jim Richardson Post Office.''

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 538. an Act to amend the Public Health service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

S. 783. An act to expedite the granting of posthumous citizenship to members of the United States Armed Forces.

S. 870. An act to amend the Richard B. Russell National School Lunch Act to extend the availability of funds to carry out the fruit and vegetable pilot program.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 151) ''An Act to amend title 18, United States Code, with respect to the sexual exploitation of children''.

The message also announced that pursuant to Public Law 85–874, as amended, the Chair, on behalf of the President of the Senate, appoints the Senator from Texas (Mrs. HUTCHISON) to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, vice the Senator from Nevada (Mr. REID).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 5 one-minutes on each side.

COMMEMORATION AND REMEMBRANCE OF THE ARMENIAN GENOCIDE

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

Mr. RADANOVICH. Mr. Speaker, I rise to announce the introduction of H. Res. 193, legislation that enjoys the support of over 64 bipartisan original cosponsors and commemorates the 15th anniversary of the United States implementation of the Genocide Convention.

The month of April marks the commemoration of one of the saddest chapters in world history, the Armenian genocide. We join with Armenian Americans across the Nation to mourn the loss of so many innocent lives. This important human rights legislation

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will put Members of Congress on record as recognizing the Armenian genocide. Silence either out of indifference or as the result of political pressure only serves to encourage others who would again use ethnic cleansing as a tool of government.

As the anniversary of the horrific genocide in Armenia approaches, I wish the people of Armenia success in their effort to bring about the lasting peace and prosperity that they deserve, and I ask for Members' support in commemorating the Armenian genocide by cosponsoring this important legislation.

HONORING ROWAN COUNTY, NORTH CAROLINA ON ITS 250TH ANNIVERSARY

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

Mr. WATT. Mr. Speaker, I rise today to honor the residents of Rowan County, North Carolina, part of which is located in my congressional district, as they celebrate the 250th anniversary of the founding of their county. Rowan County was founded in 1753, more than 20 years before the American Revolution. Today Rowan County has around 135,000 residents and is a thriving part of North Carolina's Piedmont. Salisbury, the county seat, is known as the hometown of the Food Lion grocery store chain, Cheerwine soft drinks and my new colleague in the Senate, Senator ELIZABETH DOLE. I always look forward to visiting Rowan County and was planning to ride in their parade this afternoon had the House schedule allowed that to happen.

I wish all the best to the Rowan County residents as they gather this weekend to celebrate the Rowan 250 Fest, with the theme of ''History's Crossroads''—looking back at Rowan County's rich history and looking forward to a bright future.

PARALYZED VETERANS OF AMERICA AWARENESS WEEK

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

Mr. MCCOTTER. Mr. Speaker, since its founding in 1946, members of the Paralyzed Veterans of America have visited public forums ranging from the halls of Congress to high schools and scout troops to relate their personal experiences and raise the public's awareness of their cause. In sum, the PVA's efforts ever remind us human suffering is the horror of war and no one more intensely experienced this horror more than our citizen-soldiers who uniquely endure its pains. Thus we, who are free because of these brave citizen-soldiers' sacrifices, must do everything in our power to alleviate and accommodate the pain they bore, and bear, for us.

Mr. Speaker, members of the PVA like my constituent Michael Harris have been grievously wounded during their armed service for our country, yet still they nobly continue their altruistic service to our country. They are a source of pride and inspiration to our entire Nation. Let us, therefore, join with my home State of Michigan and the PVA and commemorate the week of April 13–19 as Paralyzed Veterans of America Awareness Week. They deserve much more but certainly no less.

HONORING HARDIN SIMMONS UNIVERSITY WOMEN'S BASKETBALL TEAM

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

Mr. STENHOLM. Mr. Speaker, I rise today to honor the Hardin Simmons University women's basketball team from Abilene, Texas, who have achieved an incredible record including their first undefeated regular season in school history, a fifth straight American Southwest Conference tournament title, and a strong finish in the NCAA Division III tournament. The university community knew this team had a winning chemistry when the Cowgirls won all 24 of their regular season games and their fifth straight ASC tournament title which earned them a spot in the coveted NCAA Division III basketball championship and a number-one ranking in the Nation of the Women's Basketball Coaches Association.

None of these victories could have been achieved without the incredible teamwork that these 15 young women have demonstrated. One player in particular, Kendra Anderson, has been named the Division III national player of the year, the American Southwest Conference most valuable player for the third straight year, the tournament most valuable player for the fourth straight year and the first-team all-American and all-South Region for the third year. Coach Briggs brings out the best from her players, sharpens their strengths and improves their weaknesses.

Mr. Speaker, I am proud to recognize my constituents from Hardin Simmons University.

THE FACTS ON ETHANOL

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

Mr. OSBORNE. Mr. Speaker, during last night's debate, there was a great deal said about renewable fuels and particularly about ethanol. Much of this was uninformed and inaccurate. I think some of it was due to the fact that it was based on old research.

One of the comments that was made was that ethanol is not energy efficient, that it takes a lot more energy to produce than what it actually yields. Actually for every Btu of fossil fuel used, ethanol yields 1.4 Btus of energy. Gasoline for every Btu of energy used yields .8 Btu. MTBE yields about .7 Btu. It is the most energy efficient fuel that we have going at the present time.

Also, ethanol reduces farm payments by $5.9 billion over 10 years and it adds $51 billion to the farm economy. It reduces the trade deficit by $34 billion over 10 years which certainly helps the economy as well, and in 2002 removed 4 million tons of carbon dioxide from the air.

MARKING ANNIVERSARY OF SINKING OF THE ''SULTANA'', AMERICA'S GREATEST MARITIME DISASTER

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

Mr. SNYDER. Mr. Speaker, during our Easter recess, we will pass the anniversary of a tragic historic event in America. We are all familiar with the sinking of the *Titanic* and its loss of 1,522 lives. In fact the greatest American maritime disaster, April 27, 1865, was the sinking of the *Sultana* in a photograph here shown loaded with former POWs on the Mississippi River. One of the boilers on the *Sultana* blew, it sank and lost probably 1,800 mostly Union soldiers that had been released from prisoner of war camps deep in the South.

This tragedy was combined with illegality. This ship was supposed to hold less than 400 people. It was overloaded in violation of law. It pushed out of the Mississippi River at 2 a.m., a boiler blew, it caught on fire as shown in this drawing, and experienced tremendous winds shortly thereafter. Here we can see the thing flips around and the fire pushes people off the other end of the boat. These men were all emaciated former POWs. It was with great, great loss of life. There are two books on the subject, ''Disaster on the Mississippi'' and ''The *Sultana* Tragedy.''

Its anniversary was April 27, 1865.

HONORING SERGEANT GEORGE E. BUGGS

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

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to honor the life of Sergeant George E. Buggs. This young man grew up in the South Carolina town of Barnwell. After graduating from his local high school in 1990, he decided to become part of something larger than himself by joining the U.S. Army to defend our Nation.

On Saturday, the Pentagon announced that Sergeant Buggs made the ultimate sacrifice for his country during Operation Iraqi Freedom. His body was discovered during the rescue of Private Jessica Lynch along with eight

other fallen Americans. We do not yet know if Sergeant Buggs was killed in an ambush or later suffered torture. Yet we do know that Sergeant Buggs did not die in vain. He gave his life so that we could remain safe from Saddam Hussein's weapons of mass destruction and so that the citizens of Iraq could be free from oppression.

Our prayers go out to the family and friends of Sergeant Buggs, especially his 12-year-old son, and we ask for God to bless our troops still fighting to protect our freedom.

ON YESTERDAY'S COMMENTS BY THE DEMOCRATIC LEADER

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute.)

Mrs. MILLER of Michigan. Mr. Speaker, the comments yesterday from the Democratic Party's leader in the House should not surprise us. In case Members missed it, she said about Operation Iraqi Freedom, ''We could probably have brought down that statue for a lot less.''

It seems that the Democrats' political philosophy has been reduced to a collection of publicity gimmicks. Why should we expect their Washington leader to understand the deeper meaning of Operation Iraqi Freedom? The American people seem to understand what the Democratic leader apparently does not. This was not about a statue. To trivialize the suffering of our troops and the joyous liberation of our friends, the Iraqi people, is a sickening offense.

Politicians in Washington can have a tendency to be cynical, I suppose, but I would have thought the joy in the faces of the men and the women and the children of Iraq as they trampled on the image of their tormentor would cut through the most pessimistic cynic.

Mr. Speaker, the minority leader's comments were shocking and truly appalling.

ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. Pursuant to House Resolution 189 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on the legislative day of Thursday, April 10, 2003, amendment No. 17 printed in House Report 108–69 by the gentleman from Oregon (Mr. WU) had been disposed of.

It is now in order to consider amendment No. 18 printed in House Report 108–69.

AMENDMENT NO. 18 OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 18 offered by Mrs. CAPPS: Strike section 30220.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Mrs. CAPPS).

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

I understand that Chairman Pombo has agreed to accept this amendment. I want to express my gratitude for his support. I will be brief and submit my full statement for the RECORD, but I do want to explain the purpose of this amendment to the House. This amendment would strike the bill's language requiring the Secretary of the Interior to inventory the oil and gas resources of the entire Outer Continental Shelf, including those areas now off-limits to new drilling. This would undermine current protections for sensitive coastal areas. President George H.W. Bush initiated, and President Clinton extended, moratorium protections for these coastal waters. And, of course, Congress has had a moratorium on new drilling in these areas for 20 years.

This section of H.R. 6 pushes to open these fragile coastal waters to the possibility of new drilling. There is widespread bipartisan support both nationally and locally against new drilling in these areas. Those of us who represent vibrant coastal communities like the gentleman from Florida (Mr. MILLER) and the gentleman from Florida (Mr. DAVIS), cosponsors of my amendment, know that our coastlines are too economically viable to risk more drilling. I want to thank my colleagues from Florida who have worked for years in a bipartisan manner on this issue. The gentleman from Florida (Mr. GOSS), the gentleman from Florida (Mr. YOUNG), and other members of the Florida delegation have been extremely helpful with this amendment.

Finally, I would like to thank the gentleman from California (Mr. POMBO) for his support of this bipartisan amendment and the gentleman from California (Mr. DREIER) for helping get my amendment made in order.

Mr. Chairman, I urge my colleagues to support this commonsense amendment.

Mr. Chairman, I am offering this bipartisan amendment, with Mr. MILLER and Mr. DAVIS of Florida, to strike Section 30220 from the bill.

This section contains provisions that would seriously undermine current protections for sensitive coastal areas.

Section 30220 would circumvent the longstanding, bipartisan moratoria on new oil and gas drilling in particular areas of the Outer Continental Shelf.

In 1990, President George H.W. Bush signed an executive moratorium ending new drilling off the entire U.S. West Coast, East Coast, Southwestern Florida, and Alaska's Bristol Bay.

This action was met with acclaim by the coastal communities it encompassed and, indeed, all of America.

In 1998, President Clinton extended President Bush's executive memorandum protections to 2012.

And, of course, Congress has had a moratorium on new drilling in these areas for twenty years. President George W. Bush endorsed the Congressional moratoria in his FY04 budget.

State officials—including Florida Governor Jeb Bush, California Governor Gray Davis and former New Jersey Governor Christine Whitman—have endorsed the moratoria.

The bill, however, lays the groundwork to reverse this broad bipartisan consensus by promoting activities—including exploratory drilling and seismic studies—in the OCS, including the areas that have been off limits to new oil and gas drilling for years.

Supporters of Section 30220 argue that it only calls for taking inventories and studying available resources on the OCS.

But I must ask . . . what is the purpose of this provision if not to open up the OCS areas to new oil and gas drilling in the future?

What is it we would do with this taxpayer funded ''information gathering,'' if not use it to pursue new drilling?

In fact, the bill requires the Secretary of Interior to make, and I quote, ''recommendations . . . that would lead to additional OCS leasing and development . . .''.

Mr. Chairman, we already know that large reserves of oil and gas are located in federal waters of the central and western Gulf of Mexico, which are currently open to oil and gas leasing.

According to the Department of Interior's Minerals Management Service, this area contains between 60 and 80 percent of the nation's economically recoverable oil and gas available in the entire OCS off the United States.

So, the protection of sensitive coastal areas through the longstanding moratoria still leaves the vast majority of the nation's oil and gas located on the OCS available to industry.

Section 30220 would also examine how laws, regulations, or programs might ''restrict or impede'' development of resources identified in the study.

In addition to determining how the OCS moratoria protections constrain development, this bill would erode the legitimate rights of coastal states and local governments to have a say in offshore and onshore development as embodied in the Coastal Zone Management Act (CZMA).

The CZMA is a critically important law that allows the state to weigh in on projects that may effect the state's coastal zone. Oil drilling is just such an activity.

The CZMA is the very law that the State of California recently used to halt the development of 36 undeveloped leases off my district in Central California.

California's right under CZMA to review the development plans was upheld in Federal court last year.

This affirmation of CZMA's importance led to the Bush Administration's recent decision to stop pursuing the development of the 36 leases and to instead pursue a negotiated termination of the leases.

Section 30220 would weaken a state's right under CZMA.

This section also disregards the adverse economic impacts proposed oil and gas activities would have on coastal states and local coastal communities and it fails to consider the effect of these activities on the environment and living marine resources.

Moratoria areas should not be compromised by controversial seismic surveys and other invasive technologies, like exploratory drilling.

These technologies are inappropriate within moratoria waters and would undermine the longstanding congressional oversight of these areas.

For example, high-decibel geophysical activities using sharp seismic pulses have been shown to damage fish stocks and to interfere with marine mammals.

Under the OCS Lands Act, existing uses of the sea and seabed and oil and gas development are required to be balanced. Unfortunately, the bill before us does not meet that goal.

Mr. Chairman, despite the overwhelming support of the moratorium on new oil and gas drilling in the OCS, H.R. 6 pushes to open fragile coastal waters with the provisions in Section 30220.

Coastal communities have spoken repeatedly—in strong bipartisan voices—to protect their state's sensitive coastal resources and productive coastal economies.

These coastal areas are just too economically valuable to risk more oil drilling.

It only takes one accident or spill to devastate the local marine environment and economy.

Finally, the House of Representatives has voted twice in recent years to stop new drilling in the waters off Florida and California.

Last year, 67 Republicans and 184 Democrats voted for my amendment to the Interior Appropriations bill to end new drilling off Central California.

The House spoke in a strong, clear voice against the developoment of those 36 leases.

In that vote, the House demonstrated its commitment to protecting our vital coastal communities.

A vote for the Capps-Miller-Davis amendment to HR 6 is a vote for the same principle—a vote to protect environmentally and economically valuable coastal areas from new drilling.

Mr. Chairman, we need to reject these attempts to weaken existing protections for our coastal waters and communities.

By adopting this amendment, we continue to preserve America's most treasured coastal areas and we honor and support the protections afforded to the Outer Continental Shelf and our coastal communities through the longstanding moratoria.

I urge support for the Capps-Miller-Davis amendment.

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

The CHAIRMAN pro tempore. Does the gentleman from California seek the time in opposition?

Mr. POMBO. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. Without objection, the gentleman is recognized for 10 minutes.

There was no objection.

Mr. POMBO. Mr. Chairman, I yield myself such time as I may consume. While I will not oppose the amendment by the gentlewoman from California this morning, I do think that there were some valuable provisions in the underlying language that are going to be struck out, and I think at some point we are going to have to work this out between all of us as to exactly how we go about inventorying and updating our process that we are going to use. I do realize that some of the language that was in the underlying provisions caused a lot of concern. I agree with my colleague from California that this is an issue that we need to work on further, but at this time I have agreed that we will strip these provisions out of the underlying bill. I think that this is a helpful amendment at this time in order for us to move forward with a balanced energy policy for the future.

Mr. DAVIS of Florida. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Florida.

Mr. DAVIS of Florida. I thank the gentleman for yielding, and I thank him for expressing his attention and his cooperation and good faith on this. There are legitimate concerns that the gentleman has referred to about the prerogative of Congress to direct the inventory to proceed with the non-moratorium areas. That may have been the point he was making. My question to the gentleman is, It is not his intention to encourage as part of the conference committee process the reinsertion of the inventory language with respect to the moratoria areas, is it?

Mr. POMBO. Reclaiming my time, no, we have no intention whatsoever of doing that.

Mr. DAVIS of Florida. I thank the gentleman.

Mr. POMBO. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. I thank the gentleman for yielding. I, too, will not object, Mr. Chairman; but let me hopefully make some points that are critical as we go forward not only in this conference committee to construct a comprehensive energy policy for our country but to continue the work of the Committee on Resources in developing the 5-year leasing plans of our government and the ability of the coastal States to work with the Federal Government and the consultation process that is required under those 5-year plans.

I want to remind my friends who may not have been here back when, in the early days of the Reagan administration, his own Interior Secretary appeared before the Committee on Resources on the 5-year plan and explained the question of moratorium to the committee. What that Interior Secretary did, Mr. Chairman, was to define for us a process by which the Interior Department divided areas of potential coastal development and/or protection in several categories.

On the one hand, there were categories of areas that were highly environmentally sensitive and very low in potential hydrocarbon content or potential. On the other hand, there were areas of very high hydrocarbon potential and very low environmental sensitivity, in other words, areas that could easily produce oil and gas for America in ways that had very little consequences or concerns for damage to the environment. That was a pretty logical way of dividing the universe of areas off the coast of the United States that might be subject to production.

He went on to say that what we have tried to do as an Interior Department is to recommend for moratoria, no activity, those areas of low hydrocarbon potential and high-environmental concern and to recommend instead for production and development those areas of low environmental consequence concerns and high hydrocarbon potential for the country. We accepted that logical analysis, only to find out that there were a number of areas that had been listed for moratorium, for no activity whatsoever, that were in fact high hydrocarbon areas and very low in environmental consequence potential.

So we asked him, what is the deal here? You told us you had a pretty logical way of figuring this out. Yet you have set down for moratorium areas that really should be over here in this category. Why did you do that? His answer was, ''Politics.'' His answer was politics, that I do not want to get in the face of the politics of the State of California in that case because they do not want to drill those areas; and, therefore, we are just going to list them as moratorium areas.

Politics was making the decision. We saw some politics on the floor last night when it came to ANWR and the fight over whether or not we ought to produce the high potential of a small area, tiny little area, less than one-tenth of 1 percent of that vast area of the Arctic National Wildlife Refuge, high in hydrocarbon potential. We had a fight over that last night. In the conference work last year with the Senate, JOHN BREAUX asked the question that was enormously, I thought, profound. As we were debating with Senators who were saying no to the question of any kind of production, he said, if we reduce the area down to 1 acre, would you still oppose, and they said absolutely. One acre was too much. He said, well, if you won't let the people who live in ANWR produce their own private property, wouldn't you let them at least have a two-acre footprint to get a pipeline to get their own product out to market? And they said no. He even suggested building a pipeline like the St. Louis arch, way up in the air, way down where they would not have any footprint, would they at least let

them do that. No, no. It was like some kind of a religious shrine instead of a logical argument. That is the problem with the way in which much of the process of the discussions over what can and what cannot be developed for our Nation's good has gone. Politics intervenes all the time.

And so we offered in the Committee on Resources a simple proposition: Let us at least inventory. Let us at least know. If you want to put areas off-limits, for political reasons, other than logical reasons, we at least ought to know what we are giving up for America, what kind of vulnerabilities we are creating for our country because we will not produce in areas we could produce in. We at least ought to know. We ought to have a right to know as a people what we have and what we do not have in this country in terms of resources. And so that is why this language was written in the Committee on Resources. But lo and behold we are met with an argument that we should not know, we should not inventory, we should not even look, we should not even think about the question of whether or not we made wise decisions.

And so this amendment comes. We are going to accept it; we are not going to have a fight over it. But where is the symmetry? Where is the symmetry here? If we had areas under development that had environmental concern for you, would you not want to inventory those environmental concerns? I would. I want to know just how well those 100 wells are producing in Mandalay National Wildlife Reserve in Louisiana. I would want to know if there is any consequences to those natural resources that we have to protect against harm. I would want to know everything I could know about that. And if you offered an amendment to say we need a national inventory to find out what those wildlife reserves look like and resources look like, I would support that. I think it is a good idea. We ought to know. We ought to make wise decisions about conservation protection and development in America.

But how do you make wise decisions if you close both eyes and you shut both ears? You will not listen, you will not look, you will not learn. You do not want to know. I think you make unwise decisions when you do that. In a country, a free country like ours where we prize free speech and information, an information society where knowledge is power, where we make good decisions because we know more, not less, this is a strange amendment.

And so, Mr. Chairman, I will not object, because my chairman of Resources has asked us not to object and to accept this amendment, but as we go forward with 5-year leasing plans in the future, I am going to continue to press this question upon all of you. What have you got to hide? What are you afraid to know? Why do you want to act in the dark? Why would you rather make decisions without the facts instead of making decisions with the facts? And if you would rather make decisions in the dark, do you not see that one day we are going to all be in the dark? We are going to be without power. We are going to have parts of this country that suffer the way California did one day. Do you not think that at least we ought to know what is coming and we ought to make wise decisions?

I thought the gentleman from California (Mr. POMBO) was very statesmanlike last night when he talked about ANWR and he talked about his own trips there. I have been there, too, as the gentleman knows. It is a fascinating place. It ought to be protected in whatever we do there. That was a very statesmanlike statement, knowing, seeing, understanding and then making wise decisions. That is the way we ought to proceed, not sticking our head in the sand and refusing to know the facts.

So we will accept this amendment, but I want to put everybody on notice that I am not through with this debate. I think we need to continue talking in the 5-year plans of this country about what we know and what we do not know and what we ought to know and what we do not know in terms of all resources development of this country.

Mrs. CAPPS. Mr. Chairman, I would point out that those of us speaking for this amendment represent a bicoastal, bipartisan consensus on its behalf.

Mr. Chairman, I am now pleased to yield 3 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I thank my colleague from California for yielding me this time and I do want to associate myself with the chairman of the Committee on Energy and Commerce because I also believe we need an inventory. However, I am a cosponsor of this amendment for two different reasons. One in particular was addressed in a letter that was sent to the leadership of this body and to the body of the Senate. It has been signed by the Governor of the State of Florida, both United States Senators, and all but one of the members of the Florida delegation.

One of the issues that has not been discussed on the floor this morning, Mr. Chairman, though, is a concern that is shared by the United States military. With the closure of Vieques in Puerto Rico, the United States has been heavily dependent on the 724-square mile testing range at Eglin Air Force Base. It is a complex of land with quite a bit of testing ranges. Also, though, there are 86,500 square miles of water ranges off the coast of Florida that stretches from the panhandle all the way down to the Florida Keys. Drilling in the eastern Gulf of Mexico will generate frequent civilian supply flights as well as create additional maritime traffic in the area. This will in turn prevent much of this airspace from being used for live fire tests of new weapons systems as well as limit the U.S. Navy from conducting carrier battle group flight operations. This long-term mission will be undermined and military training exercises will be hindered if petroleum companies were allowed to explore the area. Now more than ever is absolutely the worst time to hamstring our United States military.

Mr. Chairman, I appreciate the gentleman from California (Mr. POMBO) agreeing to accept this amendment and again I would say that I do support the energy bill, including drilling in ANWR. However, I have for the State of Florida and the other coastal areas a unique interest in this particular amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 9, 2003.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, U.S. Capitol, Washington, DC

Hon. WILLIAM FRIST,
Majority Leader, U.S. Senate, U.S. Capitol, Washington, DC.

Hon. THOMAS DASCHLE,
Minority Leader, U.S. Senate, U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER HASTERT, SENATE MAJORITY LEADER FRIST, SENATE MINORITY LEADER DASCHLE AND HOUSE MINORITY LEADER PELOSI: We are writing to express our strong concerns regarding provisions being considered in the House and Senate omnibus energy legislation that may ease the moratorium on drilling off the eastern Gulf of Mexico. The provisions in the current versions of the Energy bill allow companies to participate in ''exploratory drilling'' and ''seismic measurements''.

Several references in these bills may undermine the moratorium banning new leasing off the coast of Florida. You may recall, last year, an agreement was reached between the White House and the State of Florida, buying back offshore drilling leases within the Destin Dome, just a few miles off the coast of Florida.

The majority of Floridians oppose drilling in the Gulf of Mexico because of the threat to the tourism industry, which is vital to the state's economy. If an accident were to occur, causing an oil spill to wash ashore on Florida's beaches, the damage would be devastating and would cripple the state. It would only take ONE spill to ruin our economy for years, putting yet another tough burden on the tourism industry.

This threat is not limited to the tourism industry. Since the closing of the ranges in Vieques, Puerto Rico, the Gulf of Mexico is home to a number of training ranges for the United States military. If petroleum companies were allowed to begin to explore and inventory the area, potential impediments to our military training exercises would be created. Now is not the time to be hamstringing our military interests.

There has been a strong effort by many in Congress in the last few years to stop new drilling off the coast of Florida. We urge you once again to protect Florida's coastline by ensuring these provisions are not included in any omnibus energy legislation.

We appreciate your consideration to this matter.

Sincerely,

Jeff Miller; Jim Davis; Jeb Bush; Bob Graham; Bill Nelson; Ric Keller; Robert Wexler; Porter Goss; Kendrick

Meek; Mike Bilirakis; Dave Weldon; Katherine Harris; Ander Crenshaw; Allen Boyd; Ginny Brown-Waite; Cliff Stearns; Peter Duetsch; E. Clay Shaw, Jr., Lincoln Diaz-Balart; Mario Diaz-Balart; Adam Putnam; Mark Foley; Corrine Brown; Alcee Hastings; Tom Feeney; Bill Young; Ileana Ros-Lehtinen.

Mrs. CAPPS. Mr. Chairman, it is my pleasure to yield 4½ minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to start by responding to some of the legitimate points that were raised by the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce. In particular, the one point he said that I most strongly disagree with, the gentleman from Louisiana made the point that this is about knowing things we do not know; that the purpose of the inventory language is to find out things we do not know about the level of supply that exists in the shores right off the coast of Florida or California or others. I respectfully disagree.

We know the level of supplies out there. These areas have all been previously inventoried. There is no doubt as to the supply, or in the case of the waters right off the coast of Florida, I would say the lack of supply. And so this is not about fear of the unknown. What this is about is whether to proceed with predrilling activity. This is about whether to proceed with going out into the Gulf of Mexico and other parts of the country and moving the dirt around and taking all the steps that would be taken towards proceeding with drilling.

I think because it is the will of the House not to proceed with drilling in violation of the moratorium, there is a much-appreciated consensus today in support of the amendment. What it is fair to say is not known is what happens if the drilling proceeds in these areas close to coasts like Florida, my home, and the level of risk as far as environmental impact in Pensacola, the home of the gentleman from Florida (Mr. MILLER), or the Tampa Bay area, my home.

This is a risk that we as Floridians do not choose to accept. If it is characterized as politics, and I hope politics is not infesting this energy bill, but if it is characterized as politics, what it really is about is the fact that a single oil spill off the coast of Florida or many of these coasts would be incredibly destructive not just to the precious environment that attracts us to Florida and keeps us in Florida but to our economy. It would be a threat to the entire coastline of Florida, because news and the facts of a spill on the coast of Florida would be a tragedy for the entire coast of Florida, both the west and east coast.

The gentleman from Louisiana referred to the history. I think it is important to bring up the history. In 1982, long before I got to Congress, the Congress started with putting the moratorium in place we are discussing today. It is very important to point out that never in the history of the Congress since 1982 have we proceeded to inventory, to do predrilling activity in moratorium areas. It is a wise decision today not to reverse that course. This moratorium that we are talking about has been in place in part because of an executive order that in 1982 was put into place. This moratorium has continued through Democratic and Republican administrations. There is no reason not to honor that today.

Let me also mention a little bit more about the eastern Gulf of Mexico. The eastern Gulf of Mexico, we do know the facts about supply. The supply that has been previously inventoried is very minimal in relation to the central and western parts of the gulf where I think the chairman has and will continue to understandably support drilling. The supply in those areas approaches almost 20 billion barrels of oil in the central gulf, 12 billion barrels of oil in the western gulf, 1 billion in the eastern gulf. We know the supply in the eastern Gulf of Mexico is very minimal; and we further know that the risk to Florida's beaches, which are enjoyed not just by Floridians but by people all over the United States and all over the world, is significant and there is a small supply of oil involved. It is very credible for the chairman to talk about what the facts are and those are the facts.

I would like to close by simply asking the gentleman from Louisiana a question. My question to the gentleman which was the same question I directed to the chairman of the Committee on Resources is, Mr. Chairman, as I understand your statement earlier, it is not your intention in the conference committee to support the reinsertion of the language that is being removed today by this amendment?

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from Louisiana.

Mr. TAUZIN. It is not my intention to recommend the reinsertion of this language, no. I will say again, though, it is my intention to continue this debate with you on every 5-year plan, leasing plan, every discussion we have at Interior about how and what we know and do not know about resource development of this country, just as it is to help you find out everything we can about our environmental resources.

Mr. DAVIS of Florida. I just want to close by pledging to the chairman my support to continue the drilling in the central and western part of the gulf where there is ample supply and apparently a different standard about environmental degradation with respect to that coastline.

Mr. TAUZIN. I just want to make the point, my State contributes 25 percent of the oil and 25 percent of most of the gas that this country uses. We do it with some consequence. We benefit in the economy, but it also affects our lives dramatically. I am just telling you, there is a limit to the willingness of anyone like the people of my State to continue doing it for the country when others refuse. Just understand that, please.

Mrs. CAPPS. Mr. Chairman, I include for the RECORD a letter from 67 of our colleagues in the House of Representatives with a strong statement opposing the language in the underlying bill and in support of this amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 8, 2003.

Hon. WILLIAM FRIST,
U.S. Senate, Majority Leader, U.S. Capitol, Washington, DC.

Hon. THOMAS DASCHLE,
U.S. Senate, Minority Leader, U.S. Capitol, Washington, DC.

Hon. J. DENNIS HASTERT,
House of Representatives, Speaker, U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
House of Representatives, Minority Leader, U.S. Capitol, Washington, DC.

DEAR SENATE MAJORITY LEADER FRIST, SENATE MINORITY LEADER DASCHLE, SPEAKER HASTERT, AND HOUSE MINORITY LEADER PELOSI: We are writing to express our strong concerns regarding Outer Continental Shelf (OCS) provisions contained in energy legislation currently pending before the House and Senate.

These bills contain several provisions that would seriously undermine the longstanding bipartisan legislative moratorium on new mineral leasing activity on submerged lands of the OCS that have been included in every annual Interior Appropriations bill since 1982. The legislative moratorium language has always prohibited the use of federal funds for offshore leasing, pre-leasing, and other oil and gas drilling-related activities in moratoria areas, enhancing protection of these areas from offshore oil and gas development. These moratoria areas include northern, central and southern California, the North Atlantic, the Mid-Atlantic and South Atlantic planning areas, Washington and Oregon, and the eastern Gulf of Mexico.

As you know, in 1990 President George H. W. Bush signed an executive memorandum placing a ten-year moratorium on new leasing on the OCS. In 1998, this moratorium was renewed by President Bill Clinton and extended until 2012. Moreover, the provisions contained in the energy bill drafts contradict the moratorium contained in the President's Fiscal Year 2004 budget to enable continued protection of the OCS. These actions have all been met with public acclaim and as necessary steps to preserve the economic and environmental value of our nation's coasts.

Tourism is a major industry for coastal states and a staple of their coastal economies. The money spent by tourists pay the bills and put food on the table for the people living in these communities. Offshore oil and gas drilling directly threatens this economic engine and the people of these communities know it. That is why the House has voted twice in recent years to stop new drilling in the waters off Florida and California.

Rep. Lois Capps, Rep. Jeff Miller, Rep. Frank Pallone Jr., Rep. Anna Eshoo, Rep. Mike Thompson, Rep. Carolyn McCarthy, Rep. Jane Harman, Rep. Corrine Brown, Rep. Jim Davis, Rep. Frank A. LoBiondo, Rep. Peter Stark, Rep. Robert Wexler, Rep. Zoe Lofgren, Rep. Adam B. Schiff, Rep. Maurice Hinchey, Rep. Earl Blumenauer.

Rep. Peter Deutsch, Rep. Barney Frank, Rep. George Miller, Rep. Lynn Woolsey, Rep. Tom Lantos, Rep. Ed Markey, Rep. Ellen Tauscher, Rep. Susan Davis, Rep. William Delahunt, Rep. Grace F. Napolitano, Rep. Maxine Waters, Rep. Howard L. Berman, Rep. Rosa DeLauro, Rep. Eliot L. Engel, Rep. Alcee L. Hastings, Rep. Peter DeFazio, Rep. Brad Sherman, Rep. Sam Farr, Rep. Loretta Sanchez, Rep. Barbara Lee.

Rep. Mike Honda, Rep. Hilda L. Solis, Rep. Luis Gutierrez, Rep. Tom Allen, Rep. Bill Pascrell, Jr., Rep. Juanita Millender-McDonald, Rep. Chris Van Hollen, Rep. Jim McDermott, Rep. Rush Holt, Rep. Mike Bilirakis, Rep. Raul M. Grijalva, Rep. Randy ''Duke'' Cunningham, Rep. Henry A. Waxman, Rep. Ed Case, Rep. Bob Etheridge, Rep. Brad Miller, Rep. Xavier Becerra, Rep. David Wu, Rep. John Larson, Rep. Chris Smith.

Rep. Bart Stupak, Rep. Lucille Roybal-Allard, Rep. Bob Filner, Rep. Adam Smith, Rep. Linda T. Sanchez, Rep. Brian Baird, Rep. Jerrold Nadler, Rep. Robert T. Matsui, Rep. Jim McGovern, Rep. Diana E. Watson, Rep. Stephen Lynch.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Wisconsin (Mr. KIND), my colleague from the Committee on Resources.

Mr. KIND. Mr. Chairman, I thank the gentlewoman for yielding me this time. I am the ranking member on the Subcommittee on Energy that has jurisdiction over this provision. I rise in support of the amendment. With all due respect to our friend, the chairman of the Committee on Energy and Commerce, we on this side also believe in accumulating information and free speech and making informed decisions, but we also believe in the democratic process; and it has been clearly stated in a bipartisan fashion that the will of the people in these areas do not want leasing off their shore.

Referencing former Interior Secretary Watt for being the savior for the moratoriums a while back is a little revisionist history. It was mainly because of his zeal and his aggressiveness to increase leasing potential off the coasts of California and down in Florida that led to a political backlash, a bipartisan backlash which led to the moratoriums. So what we are doing is basically respecting the process and the will of our democracy, because people in these States have determined that they do not want to see the drilling offshore. So why would we then use their tax dollars to do a study for the same drilling that has already been prohibited? I commend my friend for this amendment.

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

In closing, I thank again the cosponsors of this amendment, the gentleman from Florida (Mr. MILLER) and the gentleman from Florida (Mr. DAVIS). I thank the chair of the Committee on Resources for the support.

The CHAIRMAN pro tempore (Mr. CULBERSON). The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 19 printed in House Report 108–69.

AMENDMENT NO. 19 OFFERED BY MR. KIND

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

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

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. KIND:
In division C, strike title II.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 10 minutes.

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

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

Mr. Chairman, as ranking member of the Subcommittee on Energy of the Committee on Resources, we have put in a lot of time and a lot of energy in trying to produce a bipartisan piece of legislation. However, today I must rise and strongly object to one of the titles that is being offered in the base bill, title II. My amendment would strike title II, the oil and gas title, which would open the door to more drilling with fewer safeguards and less public input while granting giveaways to profitable companies that will cost taxpayers hundreds of millions of dollars over the next 10 years. It is a little surreal that in light of the budget resolution that passed yesterday, Mr. Chairman, that calls for an increase in the debt ceiling by $984 billion in the next fiscal year and an increase in the debt ceiling to $12 trillion over the next 10 years, we have a title in this energy bill which is not offset, it is not paid for and which will cost the American taxpayer hundreds of millions of dollars by creating some false economic incentives to do more drilling on public lands.

Today, Mr. Chairman, we still have brave U.S. troops fighting in Iraq, in part because of the strategic importance that region has, due to our addiction to their oil. The question before us then today is, what are we going to do about it? The answer is not that we can produce our way out of that dependence. We only possess 2 percent of the world's oil reserves. Yet this bill tries to create the illusion under title II that we can produce our way out. Even if we pass this bill today, we will remain hooked on Middle East oil for two reasons: OPEC skillfully keeps the price low to maintain our addiction, and we lack the political will today to do what is necessary to reduce our dependence on oil.

In the last thousand years, Mr. Chairman, we have had a half a degree increase in the world temperature. Today most of the scientists project that over the next 100 years, we will see a 2-degree increase in the world temperature, along with the consequences that it will bring, primarily due to the burning of fossil fuels. The rest of the world gets this. Why can we not? The solution I believe is self-evident. We need to change our energy paradigm. I believe we can do it within the context of economic growth by emphasizing more conservation practices, as well as the technologies of the 21st century, alternative and renewable fuels, wind, solar, geothermal, biofuels and the energy source of the 21st century, hydrogen power. We just lack the political will to do it.

My amendment strikes title II because it is based, I believe, on two false premises, that we can produce our way out of our dependence on foreign oil and that we should do it at taxpayers' expense and at our environment's expense. A great deal of attention during this debate has been devoted to drilling in the Arctic National Wildlife Refuge. I also oppose that. Why would we take a Monet off the wall and burn it for short-term heating needs? Yet that is what is being proposed in this whole debate to open up the Arctic National Wildlife Refuge. But there are other sections of title II that, standing alone, make this a bad bill, such as the royalties-in-kind provision that is contained in it, granting broad authority to the Secretary of the Department of the Interior for permitting alternative energy-related uses on the Outer Continental Shelf without specifying the types of places to be avoided; and reimbursing oil and gas companies for doing the environmental impact studies that are required under law.

Mr. Chairman, one of the most egregious sections of this bill is what is being called royalty relief for some of our Nation's largest oil companies. This provision waives Federal royalty collections on huge amounts of publicly owned lands. Simply put, title II will put hundreds of millions of dollars of taxpayer money into the already deep pockets of many of our oil companies. Who are some of these beneficiaries?

Mr. Chairman, this is the recent Forbes magazine list of the Fortune 500 companies. Coming in at number three, Exxon Mobil with $183 billion of annual revenues and over $1.5 billion in profits last year alone. Chevron Texaco, $92 billion in annual revenues, over $1 billion in profits. These are some of the companies that will be receiving this windfall and subsidy payments from the American taxpayer when we are currently running unprecedented budget deficits and jeopardizing our children's future.

Amazingly, during the 2000 Presidential campaign, one of the candidates stood up and adamantly opposed royalty relief. He stated, and I quote, ''Giving major oil companies a huge tax break is not the right thing to do.'' Interestingly, though, this was not Vice President Al Gore. This was then-candidate George W. Bush. If it is good enough to stand on policy in order to convince the people to elect you, it should be good policy then when you

are elected to pursue it and to see it enforced. Unfortunately, that is not what is being done with this energy bill.

I know those who support this provision will say that we need to continue to encourage the development of domestic oil and gas resources from our public lands so our Nation can become more energy independent. I agree. But we do not need to create more generous subsidies to get them to do so. I submit that these companies would continue to develop these sources without being subsidized because it is in their economic interest to do so. A couple of years ago when this was being proposed, it was being sold because of the low oil prices in order to get them to do it. Now we have high oil prices, and it is being sold to do it because of the high prices. I am beginning to wonder whether there is any economic rationale at all, or whether this is merely taking care of friends in this energy bill.

Another problem with the royalty holiday proposal is that the royalties the Federal Government does not collect will starve the Land and Water Conservation Fund of critical financial resources. The Land and Water Conservation Fund provides special protection for some of our most precious habitats and national parks. It has been doing it for nearly 40 years. Title II would significantly diminish funding for these conservation measures on our public lands for water resources, wildlife and fish habitat, scenic landscapes. That is why a number of sporting and fishing groups such as the National Rifle Association, Trout Unlimited, the Izaak Walton League have opposed similar types of provisions in the past.

Mr. Chairman, title II in this energy bill really does beg the question, Where are our priorities? We have historically high budget deficits today and a budget resolution that passed last night that will raise the national debt ceiling to $12 trillion over the next 10 years. Yet we are going to offer these royalty-in-kind and royalty relief provisions, giving some of the most profitable companies in our Nation hundreds of millions of dollars of windfall subsidies at the taxpayers' expense on the public lands. I think we can do better. I would encourage my colleagues to support my amendment.

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

The CHAIRMAN pro tempore. Who seeks time in opposition to the amendment?

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

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

Mr. POMBO. Mr. Chairman, I yield 4 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I rise in strong opposition today to the Kind amendment. This amendment will do nothing to enhance our national energy security. In fact, it will just preserve the insecurity that we are going through today. The gentleman from Wisconsin is correct, these are unsettling and dangerous times. We are at war in the Middle East and many of the oil-producing nations in the world are either openly hostile toward the United States or are undergoing political turmoil. This turmoil has driven oil prices up, and meanwhile at home we are suffering a natural gas supply crisis. This winter natural gas prices reached the highest levels in history. These prices hurt American consumers, especially the elderly and the poor; and they hurt the economy.

The gentleman from Wisconsin's amendment would allow unreasonable delays to continue by allowing the bureaucracy to continue its inefficient, ineffective methods of permitting. This title helps limit the time that can be involved so that we can get energy online faster, while at the same time providing environmentally healthy gas production. This is a good title in the bill.

In the oil and gas title of the energy bill, we hold Federal agencies accountable for their leasing and permitting processes. The amendment does nothing to cut bureaucratic red tape on supplies that we already have, and it does nothing to keep energy flowing to America. In the oil and gas title, we also provide royalty relief for marginal wells on Federal lands so that these wells will not be shut in permanently when prices are prohibitively low. A marginal well is one that has almost reached the end of its productive life. Marginal wells can contain, say, 70 percent of the oil that was originally in the formation when the life of the well is depleted. It is very expensive to develop these marginal wells because you have to use tertiary production procedures. It is more expensive to produce marginal wells than it is large wells.

And so these wells would be closed in permanently, forever, leaving 70 percent of the oil in there if we did not grant these incentives to marginal well lessees. Individually, marginal wells produce very little but collectively they produce one-third of our oil supply, of our gas supply, and almost as much oil as we import from Saudi Arabia. Critics of responsible oil and gas development are always saying that production of these wells is of no particular significance, but that is absolutely wrong. Also, the poster that he was using that said that the people who benefit from these oil and gas relief measures are the major oil companies, that is simply not the case. In reality, marginal wells are so prohibitively expensive that without these incentives the majors do not produce marginal wells. They sell the marginal leases to mom-and-pop organizations. Practically every single producer in my State is an independent producer. It is that way across the country. We are not talking about billions of dollars to Exxon, Texaco, Mobil and so on. We are talking about mom-and-pop operations that keep the oil, 33 percent, flowing to this country from marginal wells.

This oil and gas title addresses the critical problems that are causing our supply crisis, but the gentleman from Wisconsin chooses to ignore reality and pretend that at some point this problem will just go away, that renewables and conservation will take care of it. Mr. Chairman, that is simply not the case. I ask my colleagues to defeat the Kind amendment.

Mr. KIND. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I rise in strong support of the Kind amendment and in opposition to H.R. 6. We need an energy policy that takes us forwards, not backwards. The Republican bill is not an energy policy. It does little to reduce America's dependence on oil, it weakens consumer and environmental protections, and it fails to include renewable alternative energy sources and robs the American people and the Treasury of oil and gas royalties.

The Kind amendment strikes the damaging oil and gas development programs which are heavily subsidized by the taxpayer. In particular, I support a provision that strikes section 30201, which I submitted as a separate, standalone amendment. Regrettably it was not put in order. The royalty-in-kind program, which requires the government to market and sell through an agent its percentage of oil and gas, is an anti-taxpayer, pro-industry provision that is a bad deal for taxpayers and a generous gift to the oil and gas industry. In an era of increasing budget deficits, we cannot afford to give away publicly owned resources to the oil and gas industry. Yet this section gives the Secretary of the Interior permanent ability to barter our oil and gas royalties instead of collecting cash that can go for programs in education and health care and to reduce our deficit.

Most of the world, even the former Soviet Union, is moving toward a free market system. Yet with this program in this bill, we are moving to a government-controlled system. In this system, the GAO report is so startling, it says there is no oversight, it will cost us money, and it says in this, the government relies on the oil companies to tell them what the worth of their oil is coming from government-owned, taxpayer-owned land. They can set the price. So it is not surprising the industry supports this so much. It gives them free rein.

Mr. Chairman, I include for the RECORD an editorial from the USA Today and the GAO report documenting the cost to the taxpayer for this program.

[From USA Today, Apr. 6, 2001]

MORE PUBLIC DRILLING? SET LET'S COLLECT BILLS FIRST

Bush administration plans to drill for oil and gas on public lands will fuel environmental debate for months. But a related

issue is being overlooked. Energy companies are cheating the public on the oil they pump now.

Why give them new resources until they pay up?

So far the administration hasn't addressed the issue, but by doing so it could burnish its quickly blackening image as a poor steward of public resources.

USA TODAY disclosed Thursday an administration draft recommendation to open millions of acres of public land for drilling. That would add to existing drilling on federal, state and Indian-owned land that accounts for more than one-third of the USA's oil and gas operations.

By assorted estimates, the industry has shorted the government on oil-royalty payments alone by about $100 million a year, through a variety of price-fixing and record-fiddling games. That's almost 10% of the government's $1.1 billion annual collections.

What has made this possible is a system that allowed industry to decide on its own what it would pay the government for the oil it pumped.

Imagine going to a filling station and being allowed to bring your own pump and gauge to figure what you've purchased—and how much it's worth. That's essentially how the industry has been allowed to account for oil and gas taken from public land.

In case after case, sworn evidence shows companies falsifying prices, using phony bills of sale and deliberately misclassifying high-quality oil as low quality in order to pay less.

After years of denials, stonewalling and evasion, more than a dozen companies have agreed in recent months to settlements totalling nearly a half-billion dollars in suits brought by whistle blowers and government attorneys. Thus they avoided defending themselves against daunting evidence of persistently cheating the public. Shell Oil alone is paying $110 million.

In one case that did go to trial, an Alabama jury recently ordered Exxon Mobil to pay $87.7 million in overdue royalties on oil taken from state property. The jury added a whopping $3.42 billion in punitive damages.

Still more claims are pending in other state courts. And similar questions are being raised about gas taken from public property.

A new oil-royalty system adopted last summer is designed to force the industry's payments to reflect more closely true market prices. It is expected to boost revenues by $70 million a year or more.

But now the industry is trying to force the government to accept payment in oil instead of cash. Its proposal would put extra costs on the taxpayer totaling more than $300 million a year, according to government estimates.

There's good reason to think the industry will get its way. Oil and gas groups and individuals gave $9 million to the Bush campaign and the Republican National Committee for the 2000 campaign, more than $20 million to GOP causes generally. Another $6 million went to Democrats.

Additional drilling on public land may be useful to meet the country's long-term energy needs. But if the nation's mineral patrimony is to be sold off, the Bush administration and Congress need to make sure it's for full price: without private discounts for politicians' patrons in the oil business.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, a ''no'' vote on this amendment is a ''yes'' vote for energy security and the families of America. Mr. Chairman, high natural gas prices are hurting consumers and businesses all over America. As Members know, natural gas is increasingly becoming the fuel of choice for both home heating and for electricity generation. This winter, natural gas prices reached their highest levels of all time. High natural gas prices are hurting working families. They are hardest on the poor in this country. Natural gas prices are also hurting our manufacturing companies, our chemical manufacturers, and our fertilizer makers. Our farmers are closing businesses. One single manufacturer in my district said that the high natural gas prices which he could not pass on cost him $10 million this year. How could he keep his doors open? Family farms are also suffering. As we well know, natural gas is a very important component in the creation of fertilizer.

The reason we are facing these high natural gas prices, Mr. Chairman, is very simple. It is very simple. It is not rocket science. Supply is not keeping up with demand. We can talk about conservation and efficiencies. I am for that. But there is a space between where we are today and where we can go. We have ample supplies of natural gas in reserves in the United States. The vast majority of the future of gas supplies will come from Federal lands, including the offshore around the United States. This amendment if enacted ignores the natural gas supply demand that we have. I urge my colleagues to vote ''no'' on this amendment.

Mr. POMBO. Mr. Chairman, I yield 3½ minutes to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. I thank the gentleman for yielding me this time.

Mr. Chairman, this un-Kind amendment is typical of the reaction we get from the other side when we try to produce a comprehensive, balanced energy bill for America. We are asked to include efficiency titles and conservation titles and renewable fuel titles and alternative fuel titles and we do.

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Then we have one title to help maintain pro-production in this country, the vital fuels, the hydrocarbon fuels, the oil, the gas. It is critical to keep electric plants working to keep this economy going, to keep people warm in the winter and cool in the summer, and we get an amendment like this to strike that part of the bill, to totally unbalance it, so it does not have the pro-production features that a balanced energy policy ought to have.

The President, in asking us to pass this bill, did a study of the Nation's needs in natural gas alone. He predicted we needed 1,600 new major electric plants in this country to supply this country with energy, and most of those plants were going to be natural gas plants because it is the environmental fuel of choice in America to produce electricity.

Where is that gas going to come from? Do my colleagues think it comes from the sky? Do they think it comes out of the wall? I mean, they did a survey in California. Believe it or not, a huge percentage of people in California, when asked where electricity comes from, they said, the wall; and when asked who put it there, they said, the contractor put it there. They had no idea that there was somebody out there drilling an oil well, producing gas, putting it in a pipeline, putting in an electric power plant to make electricity for American families.

This amendment would shut the pipeline down. This amendment would say, let us not put any more gas in the pipeline to fuel those power plants. This amendment would shut off the incentive program that Bill Clinton signed into law, the royalty relief program that Bill Clinton executed during his time in office, the program that Bill Clinton put in that was predicted, if it worked, to produce $400 to $500 million for the United States Treasury.

Do my colleagues know what it produced? It is now predicted to produce $7 billion in new royalties that would never have been obtained, but for the deep-water drilling that occurred because Bill Clinton had the wisdom to sign the act we passed in Congress on deep-water drilling.

This bill contains a similar incentive for deep-well drilling in the shallow fields, and the only place in America that most of my colleagues will allow us to drill is the offshore of Louisiana, Texas and Alabama. This bill is likely to produce enough natural gas to double the production of natural gas that the whole OCS produces in America.

This amendment would shut it down. This amendment would say, let us not produce any more natural gas for America from these exotic fields below 20,000 feet. That would never get produced without this incentive, and even Bill Clinton understood that and signed a bill and executed it into law. And the $7 billion that produces, by the way, includes $1 billion that goes into the Land and Water Conservation Fund that goes into historic preservation in this country, money that would not be available for these environmental causes but for the deep-water drilling program that Bill Clinton signed into law. This bill extends further into authorization and extends into the deep drilling of the shallow fields.

If we think natural gas and oil only powers power plants, think again. The liquids that come from these fuels, the propylenes, the ethylenes, the chemical building blocks that build most of the products we in our kitchen, shut them down, shut down American kitchens as well, shut down the entire chemical processes. That is what the un-Kind amendment does. We need to defeat it.

Mr. POMBO. Mr. Chairman, I yield myself the balance of my time.

I rise in opposition to what I believe is probably the most extreme amendment that we will face in this entire energy bill. We set off to produce a balanced energy policy for this country.

We included alternative energy, wind, solar, fuel cells, but as part of it, we also had to address today's needs which are oil and gas.

This amendment strips out everything that we put into this bill to deal with the needs of today. So I believe it is extremely important for our future that we vote against this particular amendment.

Mr. RAHALL. Mr. Chairman, I rise in support of the amendment being offered by the gentleman from Wisconsin, RON KIND, the Ranking Member on the Subcommittee on Energy and Mineral Resources.

There is no reason, no reason whatsoever, for Congress to be mandating OCS royalty relief.

The fact of the matter is that Secretary Norton apparently already has discretionary authority to grant royalty relief and is in fact promulgating regulations on this matter.

There is simply no need for this Committee to now mandate, and perhaps hamstring, Secretary Norton on the matter of granting royalty holidays.

The issue of Royalty-in-Kind deserves some attention. This stuff comes right out of the pages of the Communist Manifesto.

It is being proposed that we socialize the Federal oil and gas royalty process. That companies would send Federal bureaucrats the actual oil and gas, rather than cash payments, to meet their royalty obligations.

Then, these Federal bureaucrats would be expected to market the oil and gas, to compete with Exxon and Royal Dutch Shell, in order for the taxpayers to actually recoup the royalty proceeds. Incredible. Simply incredible.

Both of these provisions are drains on the Treasury and are simply not needed to enhance America's energy security.

And to top it off, to top it off, provisions of the bill which Mr. KIND is seeking to strike would have the taxpayer foot part of the bill for oil and gas companies to comply with NEPA.

The taxpayer is actually being called upon the pay these companies for their privilege to drill on Federal lands. At a time of soaring gasoline prices.

Suffice it to say, these provisions have not redeeming value to our energy security and should be stricken from H.R. 6.

I urge all Members to support the Kind amendment.

Mr. PETRI. Mr. Chairman, I rise this evening in support of the Kind amendment to H.R. 6, the Energy Policy Act of 2003.

This amendment will strike title II of Division C of this bill. This title addresses various aspects of oil and gas production from Federal lease lands, both onshore and offshore. It reportedly seeks to provide greater incentives and royalty relief to oil and gas producers to encourage exploration and development in these areas.

However, these incentives are far too generous. They are not in the public interest. they will not provide for a secure energy future.

Because of this, I urge my colleagues to support the Kind amendment.

The CHAIRMAN pro tempore (Mr. CULBERSON). The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

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

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

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

It is now in order to consider Amendment No. 20 printed in House Report 108–69.

AMENDMENT NO. 20 OFFERED BY MR. RAHALL

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

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

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. RAHALL: In division C, strike title VII.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed to the amendment each will control 10 minutes of this debate.

The Chair recognizes the gentleman from West Virginia (Mr. RAHALL).

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

Mr. Chairman, this amendment would strike from the bill provisions which would give rise to a monopoly controlling Federal coal leases, primarily in Wyoming's Powder River Basin. These provisions are anticompetitive, anticonsumer and against the interest of the majority of coal miners in this country.

It is important to understand that the Federal Government owns one-third of the Nation's coal, mostly in the Western States, with a high concentration in Wyoming's Powder River Basin. This coal is made available for production under a competitive leasing program. The taxpayers receive a return in the form of bids made to secure the leases and in the form of a production royalty.

Provisions of H.R. 6 would change all of this. These provisions would allow coal producers with Federal leases to seize unlimited additional Federal coal lands without competitive bidding and be relieved of paying royalties owed to the American taxpayer under certain circumstances.

Just imagine that these producers would be in the driver's seat. They could gobble up unlimited acreage of publicly owned coal lands without competition.

The net effect of these provisions would be the creation of a Federal coal-producing monopoly in the Powder River Basin, with ramifications to electricity consumers throughout the West and Midwest and to the detriment of coal producers and coal laborers in the Appalachian and Midwestern States, and the American taxpayer, the American taxpayer, the owners of the lands, would be robbed of their share of the bonus bids and royalty payments.

This map displays in red the States which lose under these provisions. These are States which either consume Powder River Basin coal or have coal producers which compete against this coal.

As United Mine Workers of America President Cecil Roberts recently wrote: ''The bill constitutes a serious threat to coal miner jobs and coal community families. If enacted, the bill would provide a huge windfall to a few, while shifting significant costs and risks to the American public.''

As it stands, electric utility companies have filed with the Surface Transportation Board, already, several cases challenging the reasonableness of coal rates involving Powder River Basin coal. These utility companies already filing suit, among them Northern State Power, Public Service Company of Colorado, West Texas Utility Company, Texas Municipal Power Agency and Wisconsin Power and Light, these utilities are alleging that the delivered price of Powder River Basin coal is already unreasonable.

The Federal coal leasing provisions of H.R. 6 would add insult to injury.

I would add that these are not by any means the only utility companies which purchase Powder River Basin coal. Whether it is the Arizona Public Service Company, the Cajun Electric Power Co-op, Detroit Edison, Nebraska Public Power, Oklahoma Gas and Electric, or Public Service Company of Colorado, the consumers of all these utilities stand to lose with the creation of a monopoly in their supplier of coal to these utilities.

It is absurd in the name of national energy security to artificially inflate the cost of delivered power to electric utility consumers. The Federal coal-leasing provisions also represent a direct assault against coal producers in States which compete with the Powder River Basin coal for electric utility markets. I make no bones about it, yes, that includes my home State of West Virginia. It also includes States such as Pennsylvania, Kentucky and Tennessee. Coal producers in Ohio, Indiana and Illinois would be harmed as well.

This amendment transcends partisan politics. Members representing States which either consume or compete against Powder River Basin coal all stand to lose if the provisions in question stay in this legislation.

I urge my colleagues to look at this map and determine how this provision adversely affects their consumers, and I urge the adoption of my amendment to strike.

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

The CHAIRMAN pro tempore. Who seeks time in opposition?

Mrs. CUBIN. Mr. Chairman, I seek time in opposition to the amendment.

The CHAIRMAN pro tempore. The gentlewoman from Wyoming (Mrs. CUBIN) is recognized for 10 minutes.

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

I am sorry that the color of the State of Wyoming was not in bright yellow on the chart that the gentleman from West Virginia (Mr. RAHALL) just

showed the body. It should be in bright yellow because the Powder River Basin produces so much coal that all of those States that use cheap Wyoming coal have a lot of light in their lives because of that.

Despite what my colleagues have heard from the sponsor about this amendment, the coal-leasing provisions are not about giving breaks to coal companies or creating monopolies that control Federal coal leases. In fact, the amendment creates an atmosphere that guarantees monopolies will exist in the coal industry.

He has not given an explanation of exactly the way the situation is. The current law artificially raises the cost of bidding on Federal coal leases to the point that only the largest corporations in the world can afford to mine them, and what the energy bill does is, right now, when he says that there is no competition on these leases, he is actually misrepresenting, well he is representing his perspective, but I would aver that it is wrong.

What happens is, people bid on the leases, and then if they cannot develop those leases, what he would have us do, because of financial costs, what he would have us do is not be able to ever develop those leases. So it would be leaving coal still in the ground. When prices are low on the world market, it is not cost-productive to produce those huge amounts of coal, so delays are necessary to produce the coal when the demand is high.

That is exactly what the amendment does. The current law gives coal operators the option of either shutting down their operation or dumping coal at bargain-basement prices onto markets that are shared with all the other producers in the East, including West Virginia, and what happens when the coal companies have to dump this cheap coal is, the Federal Government gets fewer revenues, the State governments get fewer revenues.

I just want to refer to the lawsuits that the gentleman from West Virginia (Mr. RAHALL) was discussing. The lawsuits that the gentleman brought forward are against the railroads. They are not against the coal companies. They are against the railroads because the railroads, some say, are charging monopolistic prices to transport the coal.

As a matter of fact, coal in the Powder River Basin on the spot market is selling at $6 a ton; the Appalachian areas are selling for $27 to $35 a ton. Historically, northern and central Appalachia spot prices sell about $20 to $30 per ton higher than Powder River Basin coal.

The bill before us is in no way, and will in no way, encourage monopolies, and most importantly of all, it will help America's small coal operators. It will help coal miners.

I am very worried about miners' jobs. We have a huge mining population that mine in my State. I am very worried about that. I am doing everything I can to protect their jobs. This will protect their jobs because they will be able to produce all the coal, and it will not be left.

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

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

In response to the gentlewoman from Wyoming and her assertion that the lawsuits that I mentioned in my opening comments are filed against the rail companies, I do not dispute that; that is true. They are filed over already high rates concerning coal coming out of the Powder River Basin. So this anticompetitive provision in this legislation would only further add to the high cost of coal coming out of that area and, therefore, yield even further lawsuits.

Mr. Chairman, on March 17 Mountaineer Coal in Mingo County in my district began laying off 460 people. These workers are among hundreds of others in southern West Virginia and eastern Kentucky to have gone out of work in the past year and a half. Meanwhile, the once hustling former B&O Railroad coal lines in part of my State are now recreational trails. The track has been pulled up.

Over the years, we have suffered as we have lost critical electric utility markets to Federal coal production in the Powder River Basin of Wyoming to the detriment of our employment base and regional economies.

The provisions in H.R. 6 that I seek to strike would provide that Powder River Basin coal production with an artificially created, additional competitive edge to the additional detriment of our employment base and our regional economies.

I say to my colleagues from coal-producing regions in the Midwest and in Appalachia, we once had a saying in the coal fields from which I held, Which side are you on? Which side are you on?

I stand for the coal miner and our coal communities, and today, this effort of mine is all about fighting for the heart and soul of Appalachia. To fiscal conservatives in this body, Democrat and Republican alike, I appeal to my colleagues on this amendment. Is it reasonable to make public resources available without benefit of competition and to not require a proper return for their disposition? Is this a proper stewardship of public lands in this country? I think not.

□ 1115

That is also why I am seeking to strike these provisions from H.R. 6.

And to those of my colleagues who represent electric utilities which buy Powder River Basin coal, I appeal to you as well. Stand for your consumers against potential monopolistic pricing practices. And to those of you who may not care one iota about coal, I appeal to you for a sense of fairness. There is no justifiable reason why the Federal Government, which owns over one-third of the coal in this country, should be deployed in an anti-competitive fashion against industries, workers and consumers. This is not the American way.

I urge the support of my amendment.

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

Mrs. CUBIN. Mr. Chairman, I recognize myself for 10 seconds.

Mr. Chairman, I neglected to say in my opening comments that, by the way, the royalties are paid on this coal even though it is not produced. So the royalties are paid in advance to the Federal Government and to the State governments under this proposal that is in the bill.

Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Chairman, I thank the gentlewoman from Wyoming for yielding me this time, and I rise in opposition to the Rahall amendment.

Despite what my colleagues have heard from the sponsor of this amendment, the coal leasing provisions in the underlying bill are not about giving breaks to western coal companies and they are not about creating monopolies and controlling Federal coal leases. The underlying bill is about modernizing and improving current law to allow the Federal Government and the Federal coal lessees on Federal ground the ability to protect the environment and to optimize the recovery of Federal coal, coal which they have already paid for with fair market value.

This amendment will delete the provisions that will prevent the wasting, the wasting of America's most abundant and reliable energy resource; and it will delete provisions that maximize Federal and State revenues in the form of royalties and taxes.

Now, a recent letter sent by the amendment's sponsor mistakenly attempts to tie this bill, with the coal leasing provisions, to the electric utility cases filed before the Surface Transportation Board. Those cases involve the railroad transportation costs and have absolutely nothing to do with coal production. There is no relationship between the coal producers and the railroad rates as represented in that letter.

The current law gives coal operators only two options, and that is to shut down mining operations after they have reached an arbitrary time limit or surface area, or the alternative of dumping coal at bargain basement prices, as we have heard from the gentlewoman from Wyoming previously. Current policies artificially raise the cost of bidding on Federal coal leases so high that only the largest, best capitalized corporations in the world can afford to mine the abundant coal resources.

The Rahall amendment encourages monopolies; it does not prevent them.

The current law forces coal producers to leave Federal coal in the ground forever by not allowing them to buy the coal located just across the line of the lease. If this amendment passes, this coal will never be mined and America will lose this important energy resource.

Mr. Chairman, the Federal coal leases are located on Federal lands that have been designated for coal production and have passed stringent environmental tests regarding the suitability of coal for production. The Surface Mining Act that the gentleman from West Virginia wrote in 1977 ensures the environmental integrity of these coal operations is met. However, this is not really an environmental issue; it is one of maximizing the public's interest in coal resources on public land. It is simply a matter of giving the Federal Government the same flexibility that private lessors have to maximize their return on investment while ensuring a strong energy future for America.

Who will pay the price if the Rahall amendment passes? Millions of Americans across the Southwest who pay nearly double the electricity rate will pay the price. Small coal operators, America's coal miners, and America's energy losers will all be denied America's largest domestic energy source. The Federal Treasury will be denied revenues, and they will be denied royalties and taxes from them.

No one wins with the Rahall amendment. I urge a ''no'' vote on the amendment.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. KIND), the ranking member on our Subcommittee on Energy and Mineral Resources.

Mr. KIND. Mr. Chairman, I thank my friend, the ranking member on the Committee on Resources, for yielding me this time; and I rise in strong support of his amendment here today.

Mr. Chairman, I believe this is a necessary step in order to restore the competitive bidding process in the coal industry. I mean, that is what our free economy is all about, after all. I think the provisions that have been included in this energy bill are a serious rollback in that competitive process. But no one has to sit here today and listen to the ranking member on the Committee on Resources or the ranking member on the Subcommittee on Energy and Mineral Resources to believe what we are saying. A few out outside organizations have weighed in on this very important issue, not the least of which is the Western Organization of Resource Councils.

Mr. Chairman, this is not an anti-mining group or an anti-development group or a group that fights for further development on our public lands for mining purposes. They have been supportive of that. But they are also supportive of what the gentleman from West Virginia (Mr. RAHALL) is trying to accomplish today.

In a letter in regards to this issue, they state, and I quote, ''The Coal Leasing Amendments Act of 2003,'' that the gentleman from West Virginia (Mr. RAHALL) here would like to strike with this amendment, ''would grant unjustified gifts to the western coal industry at the expense of the U.S. Treasury and diligent development of the people's coal resource. This title would eliminate existing statutory protections that require timely development and limit speculative purchase and holding of Federal coal leases, promote competitive bidding for Federal coal leases, and provide a fair return to the U.S. Treasury for the Federal coal they are taking.''

They also state this is a bad deal for the States who are virtually all under severe financial difficulties today. They go on to state that ''since half of all bonus bids and royalties actually go to the States, any reductions in the Federal coal production, the royalties or bonus bid payments, will adversely have an effect on these coal-producing States.''

Finally, Mr. Chairman, the President of the United Mine Workers of America, Mr. Cecil Roberts, has weighed in in support of this amendment in opposition to the title in the energy bill. And let me just quote the concluding paragraph in which he wrote, ''In closing, this title is nothing more than a wish list for a few selected coal companies. By eliminating competition for Federal coal leases, consolidating more Federal coal resources in the hands of a few select companies, and allowing leases to be held indefinitely without production, it constitutes a serious threat to coal miner jobs and coal community families.''

I think, Mr. Chairman, that says it all. I encourage my colleagues to support the Rahall amendment.

Mr. Chairman, I submit for the RECORD the letter from the United Mine Workers of America.

UNITED MINE WORKERS OF AMERICA,
Fairfax, VA, March 18, 2003.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources, Longworth House Office Building, Washington, DC.

Hon. NICK J. RAHALL,
Ranking Member, Committee on Resources, Longworth House Office Building, Washington, DC.

DEAR SIRS: As President of the United Mine Workers of America, I am writing to notify you of the UMWA's opposition to H.R. 794, the Coal Leasing Amendment Act of 2003. H.R. 794 would adversely revise or eliminate long standing federal coal leasing policies that were designed to encourage competition and new investment in coal mines on federal lands and ensure that the federal government on behalf of the American taxpayer maximizes its return from this resource.

In particular, H.R. 794, would enable coal companies to consolidate even larger amounts of public lands into a few active mining operations without competing for additional acreage by repealing the 160 acre lease modification limitation. The bill would also allow large coal companies to hold federal leases for indefinite periods of time without the benefit of production by giving the Secretary of the Interior the authority to forgive the payment of ''advance royalties,'' payments made when mines close down for extended periods of time. In addition, H.R. 794 would also prevent the Bureau of Land Management from requiring coal lessees to post a surety bond, a bond that guarantees payment of coal company's bonus bid for a coal lease, thereby transferring the risk of nonpayment to the American taxpayer and putting at risk millions of dollars due in deferred bonus payments.

In closing, H.R. 794 is nothing more than a wish list for a few selected coal companies. By eliminating competition for federal coal leases, consolidating more federal coal resources into the hands of a select few companies, and allowing leases to be held indefinitely without production, H.R. 794 constitutes a serious threat to coal miner jobs and coal community families. If enacted, H.R. 794 would provide a huge windfall to a few while shifting significant costs and risks to the American public. H.R. 794 should be rejected.

Sincerely,

CECIL E. ROBERTS,
International President.

Mrs. CUBIN. Mr. Chairman, may I inquire how much time is remaining on both sides.

The CHAIRMAN pro tempore (Mr. CULBERSON). The gentlewoman from Wyoming (Mrs. CUBIN) has 3½ minutes remaining, and the gentleman from West Virginia (Mr. RAHALL) has 1 minute remaining.

Mrs. CUBIN. Mr. Chairman, I yield 2½ minutes to the gentleman from Utah (Mr. CANNON).

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

Mr. CANNON. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in opposition to the Rahall amendment.

Few people realize how significant coal is in the everyday lives of Americans. Only a small portion of the population appreciates that nearly one-third of the United States' primary energy production is from coal. In addition, domestically produced coal is the most affordable and reliable electricity generation source.

The reason why this is so significant is that an estimated 60 percent of GDP, gross domestic product, is due to enterprises that use electricity as their front-end energy. Without coal, our economy would be about as robust as the Iraqi regime is today.

Credible studies project the United States will need 54 percent more power by 2025, and that power has to come from somewhere. Most experts agree the growth is most likely to come from coal and natural gas that is located on Federal lands. Mr. Chairman, the coal provisions we are discussing here today will help facilitate and expedite this necessary increase in coal production.

For example, by adjusting the existing 160-acre life-of-lease modifications, we will be moving away from regulations that waste coal reserves and which confine the use of modern mining technology and toward a more rational coal policy. In addition, the 40-

year mine-out requirement causes premature closure and results in bypassing nearby coal reserves. This bill gives the Secretary the needed discretion to allow the consolidation of leased coal reserves.

There has been some discussion about fair competition and pricing, and the suggestion has been that somehow we have higher priced coal out of the West. The problem that the people who are mining coal in the East have is that we have abundant supplies that are relatively easy to produce and are being produced at a much lower cost to consumers. So consumers today are the people who are benefiting. The American families are the people who are benefiting from this low-cost coal that this amendment would undermine.

This amendment, if passed, would cause significant increases in electricity for most Americans, or many Americans. So, Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. RAHALL. Mr. Chairman, do I reserve the right to close?

The CHAIRMAN pro tempore. The gentlewoman in opposition has the right to close.

Mrs. CUBIN. Mr. Chairman, I reserve the right to close.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time.

In conclusion, let me wrap up the debate on this amendment by saying that it is a pro-mining amendment. It is a pro-consumer amendment. It is a pro-fairness-for-American-taxpayer amendment.

The coal that is mined in the Powder River Basin for the most part is Federal coal. This is coal that has as the owner of the deed on that land all the American taxpayers. They have a right to get a fair return for the disposition of their resources. We have, as public policymakers, the obligation to ensure that the American taxpayer gets a fair return and that this coal that is mined on Federal coal leases in the Powder River Basin is leased on a competitive basis. That helps the consumer, and that helps all of America.

Those of us in the east and other States, where of course the majority of the coal that is mined is on private lands, this amendment ensures that that production will continue in a very fair and environmentally sound manner. It ensures that there is an equal balance in the distribution of our coal supplies across this country; and it means that the American taxpayer, in the long run, is the beneficiary of my amendment to strike this anti-competitive provision.

Mrs. CUBIN. Mr. Chairman, I yield myself the balance of my time.

This amendment is not about monopolies. This amendment is about a Member promoting his own district, and that is a very admirable thing to do. But what we have to do as Members of this body is protect our resources and not waste a precious resource. We have to protect the workers, and we have to protect the Federal Treasury and the State treasuries.

Current law forces coal operators to either shut down their operation or abandon coal in place. We cannot waste the resource. It is too precious. We cannot have miners out of jobs because they have to shut down the operation.

Powder River Basin coal sells for about $6 a ton. The lawsuits that the gentleman spoke to are about rate cases of utilities. Coal is sold in contracts. It is not regulated by the Surface Transportation Board, and that is what those lawsuits were about.

These royalties are paid in advance. The Federal Treasury will lose no money. Please defeat the Rahall amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

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

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

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

It is now in order to consider amendment No. 21 printed in House Report 108–69.

AMENDMENT NO. 21 OFFERED BY MR. CANTOR

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

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

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. CANTOR: Strike Section 42011.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Virginia (Mr. CANTOR) and a Member opposed each will control 5 minutes of this debate.

Mr. RAHALL. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, even though I strongly support the amendment.

The CHAIRMAN pro tempore. Without objection, the gentleman from West Virginia (Mr. RAHALL) will be recognized in opposition to the amendment.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CANTOR).

□ 1130

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

Mr. Chairman, I rise in support of the amendment which strikes section 42011, which would allow the prepayment of premium liability for coal industry health benefits.

It is my belief that this language made good sense and will ultimately improve the financial viability of the Coal Act funds and help ensure health care benefits for coal workers and their dependents. However, there are colleagues of mine in this House who differ with this opinion. In the interest of allowing the energy bill to move forward to passage, I ask that the House support this amendment striking this language.

Mr. Chairman, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Chairman, I rise in support of this amendment and would like to express my sincere appreciation for the importance of coal industry health care benefits. I would like to remind my colleagues that while my own State of West Virginia has roughly 15,000 retirees and dependents in the combined benefit fund, the overall plan covers nearly 50,000 retirees with total benefits paid out last year of over $368 million.

The viability of this health care program is extremely important to those of us in the body who represent the countless hard-working men and women in coal country who have helped provide this country's energy needs for so many years.

In addition, I would like to express my gratitude and support for recognizing the significance of clean coal tax provisions that are going to be placed back into the bill. These incentives will allow the coal industry to invest in cleaner coal technology, and ensure the country continues to have affordable and reliable energy for our homes, hospitals, schools and factories.

I support this amendment because this makes a bold statement to our coal miners that we support them not only while they are working with their health benefits, but in their retired years.

Mr. CANTOR. Mr. Chairman, I yield the balance of my time to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Virginia (Mr. CANTOR) and would like to enter into several colloquies with Members.

Mr. GOODLATTE. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, the State of Virginia recently enacted a law to delay our utilities from joining a regional transmission organization until July 2004. There is great concern in my State that the benefit that our consumers enjoy, low-price electricity, will not stay in our State if our utilities join an RTO. We have had discussions about the possibility of placing an amendment here in the bill which would resolve this problem. Unfortunately, we have not been able to accomplish that. At this time, I would ask the chairman if he can assist me.

Mr. TAUZIN. Mr. Chairman, it has come to our attention that the gentleman has very serious concerns that residents of the State of Virginia may not benefit from certain provisions in the electricity title of H.R. 6, and it is for that reason we have this colloquy;

and I want to give the gentleman certain assurances today.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman.

There is concern among those in my State that the savings clause language in the Native Load provision of the bill, section 16023, will not give our consumers the protection of that provision as we transition to an RTO.

Mr. TAUZIN. Mr. Chairman, I recognize and acknowledge that we will need to work further on the specific language in the savings clause of the Native Load provisions to address the gentleman's concerns.

The exemption of this bill may have unintended consequences in States and regions of the country which are transitioning to RTOs and ISOs. I intend to continue to work on that language to ensure that any load-serving entity that wishes to avail itself of the statutory provision is able to do so.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Louisiana (Mr. TAUZIN).

I would like to further elaborate on a colloquy with the Chairman of the Energy and Commerce Committee to clarify the intent of the Commerce Committee with regards to addressing the concerns of the Virginia delegation about a unique situation in our state regarding native-load protection.

Under FERC's proposed standard market design rulemaking, state authority to protect so-called native-load customers—buyers of electricity who have been guaranteed reliable supplies of power at fixed prices—could be supplanted. This proposal deeply concerned Virginia's State Corporation Commission (SCC), Virginia's regulatory agency which has oversight over the state's utility industry. The SCC was not assured that under this proposal my state would be subject to spiraling costs. As you may know, my constituents pay some of the lowest electric rates in the nation.

Because of the SCC's concerns, the Virginia General Assembly recently passed legislation to delay full implementation of FERC's proposed language to allow the state to examine the full consequences of restructuring. Virginia is the only state to have passed such legislation, putting it in a unique position with regard to the protection of native loads. Many Virginians could end up paying more for electricity if one of my utilities joins an RTO because the transfer of control of transmission lines may threaten the state's ability to assure reliable service at the stable and reasonable rates many customers are currently enjoying. If the power to protect transmission lines is lost, consumers will no longer be protected from escalating rates. The SCC and the General Assembly have acted to protect native-loads, but if their actions are ignored by FERC, Virginia's electricity prices could sour, and service could become unreliable.

When the Energy and Air Quality Subcommittee approved the Energy Bill several weeks ago, Congressman NORWOOD included language to protect state-regulated markets that favor native-load customers. However, Congressman BARTON included a savings clause that would exempt certain RTOs from the underlying Norwood provision. Given the unique situation that my state is in, if utilities in Virginia were to join one of these exempted RTOs, I am concerned about the protection of their native-loads.

In light of the fact that language protecting native-load preferences in my state has not been included in the Energy Bill, I would like to have the assurances of both the Chairman of the Full Committee and the Subcommittee that they will work with me as this bill moves to conference and in conference to address the unique situation and concern of the Commonwealth of Virginia in protecting native-loads. It is my understanding that Chairman TAUZIN and Chairman BARTON intend to work with me to include language in the bill that will protect native-load preferences in my state that will help ensure that Virginia gets the full benefit of the native-load preferences in the underlying bill.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODLATTE), and would now enter into a colloquy with the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, I am delighted that we are making such progress on this energy bill.

Mr. Chairman, as part of the legislative activity that preceded the introduction on H.R. 6, the Committee of Energy and Commerce reported legislation which authorized $200 million per year for 9 years for clean coal projects at new and existing plants. The legislation was based, in part, on H.R. 1213, legislation that I introduced with my colleague and our friend the gentleman from Virginia (Mr. BOUCHER).

The Clean Coal Power Initiative, contained in both the Committee on Energy and Commerce bill and H.R. 6, is a vital and necessary part of the effort to provide cleaner and more efficient electricity from coal-fired power plants. However, this initiative must be complemented by tax incentives that will encourage the successful completion and operation of clean coal projects.

As was noted during the preceding colloquy yesterday by the gentleman from California (Mr. THOMAS) and the gentleman from Kentucky (Mr. LEWIS), H.R. 6 does not contain such tax incentives. I would ask the chairman whether he would lend his support to the adoption of such incentives in conference with the Senate.

Mr. TAUZIN. First, let me acknowledge the great work of the gentleman and others like the gentlewoman from West Virginia (Mrs. CAPITO) for their support and the enactment into this bill of the Clean Coal Power Initiative that is contained in the underlying bill.

However, I believe, as the gentleman does, that the vital role of coal in our Nation's future will continue to grow and expand. At this juncture it is not possible to predict the precise tax measures that will be adopted by the full Senate. I certainly favor enactment of tax incentives for clean coal to complement the work we have done in our title on the clean coal technology programs.

The gentleman can be sure that I will work with the gentleman and with our colleagues on the Committee on Ways and Means as this matter is considered in conference with the Senate.

Mr. WHITFIELD. Mr. Chairman, I thank the gentleman.

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

Mr. Chairman, I rise in strong support of the amendment that originally was to be offered by the distinguished chairman of the Committee on Ways and Means now being offered by the author of the relevant provision in the legislation, the gentleman from Virginia (Mr. CANTOR).

In light of the fact that I had filed the very same amendment with the Committee on Rules, which is now being considered, despite all of the rhetoric we heard previously, we are back to the main amendment, which is the amendment involving health care for our retired coal miners.

In light of the fact that I was going to offer that same amendment on behalf of some 50,000 retired coal miners and their widows, I do want to thank the gentleman from California (Mr. THOMAS), who was originally supposed to offer this amendment. I thank the gentleman from Virginia (Mr. CANTOR) for offering this amendment, and the Committee on Rules for making it in order.

I would like to thank the gentleman from California (Mr. POMBO), chairman of the Committee on Resources, for allowing the amendment to be made in order. I thank the gentleman from Pennsylvania (Mr. MURTHA) on my side of the aisle and several members from the coal-producing States that have retired coal miners in their districts. I certainly have some of the largest numbers in my congressional district.

I thank all of these gentlemen for making this amendment in order. I thank the gentleman from California (Mr. THOMAS) again, because he has personally discussed this amendment with me and realized the adverse effect the original provision would have had on our Nation's coal miners.

Indeed, the legislation as originally presented to this body before this amendment would have allowed certain coal companies to be relieved of their contractual obligations to fully fund health care for their former employees. Rather than pay the annual health care premiums based on the current cost of coverage under the original language, the provisions would allow these companies to prefund their ability at what they determine are their obligations and then walk away without any further responsibility.

As the old adage goes, that would have been like the fox guarding the henhouse. Obviously, these companies are not going to ante up the true cost of providing long-term health care when they get to determine how much they pay. So it was more than fair that

this provision come out of this legislation.

This, after all, is a commitment that our Federal Government has made to our Nation's retired coal miners and their widows, which goes back to the days of President Truman and when John L. Lewis was the president of the United Mine Workers of America. It is a promise that our Federal Government has made to retired coal miners, which has been reaffirmed by administration after administration, regardless of party, in the ensuing years.

That is what we are doing in this legislation, making sure that the Energy Policy Act of 2003 does not rob, or have the possible potential to rob, these 50,000 retired coal miners and their widows of the health care coverage they deserve.

I thank the gentleman for offering this amendment, and urge adoption of the amendment.

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

The CHAIRMAN pro tempore (Mr. ISAKSON). The question is on the amendment offered by the gentleman from Virginia (Mr. CANTOR).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 22 printed in House Report 108–69.

AMENDMENT NO. 22 OFFERED BY MR. REYNOLDS

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

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

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. REYNOLDS:

At the end of the bill add the following:

DIVISION—MISCELLANEOUS PROVISIONS

SEC. 01. ENCOURAGING PROHIBITION OF OFF-SHORE DRILLING IN THE GREAT LAKES.

(a) FINDINGS.—The Congress finds that—

(1) the water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and the Canadian Province of Ontario;

(2) the environmental dangers associated with off-shore drilling in the Great Lakes for oil and gas outweigh the potential benefits of such drilling;

(3) in accordance with the Submerged Lands Act (43 U.S.C. 1301 et seq.), each State that borders any of the Great Lakes has authority over the area between that State's coastline and the boundary of Canada or another State;

(4) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin each have a statutory prohibition of off-shore drilling in the Great Lakes for oil and gas;

(5) the States of Indiana, Minnesota, and Ohio do not have such a prohibition; and

(6) the Canadian Province of Ontario does not have such a prohibition, and drilling for and production of gas occurs in the Canadian portion of Lake Erie.

(b) ENCOURAGEMENT OF PROHIBITIONS ON OFF-SHORE DRILLING.—The Congress encourages—

(1) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin to continue to prohibit off-shore drilling in the Great Lakes for oil and gas;

(2) the States of Indiana, Minnesota, and Ohio and the Canadian Province of Ontario to enact a prohibition of such drilling; and

(3) the Canadian Province of Ontario to require the cessation of any such drilling and any production resulting from such drilling.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from New York (Mr. REYNOLDS) and a Member opposed each will control 5 minutes.

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

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

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

Mr. REYNOLDS. Mr. Chairman, along with the gentleman from Michigan (Mr. ROGERS), I am offering an amendment that was passed overwhelmingly by this body 2 years ago.

The 94,000 square miles of the Great Lakes system constitutes some of this Nation's most precious resources. Lake Superior, Michigan, Huron, Erie and Ontario are the largest system of fresh water on the face of the Earth, and comprise one-fifth of the world's entire drinking supply.

For the 30 million people residing in the region and the millions more who visit its shores each and every year, the Great Lakes are also a recreational playground, an enormous fishery and wildlife breeding ground, a vital transportation link, and an important resource for agriculture and business, making untold contributions to our Nation's economy and our way of life.

Most of all, the Great Lakes are binational treasures and a vital natural resource. To protect the natural resources of the five Great Lakes, and with them, 20 percent of the world's drinking water, most in the region agree that oil and gas drilling should not be allowed within the Great Lakes. In fact, several States have enacted statutory prohibitions on offshore drilling in the Great Lakes.

In respecting the provisions of the Submerged Lands Act, which gives each State that borders the Great Lakes authority over between the State's coastline and the boundary of Canada or another State, this amendment expresses a sense of Congress for continued support for the ban on drilling.

Mr. Chairman, I believe the States and Canadian provinces are the wisest stewards of the Great Lakes resources, ensuring their effective use and sound conservation. As such, actions to protect the Great Lakes work best when all of the States and provinces work together.

At this time, not all States and provinces have equivalent nondrilling policies. Through this amendment, the States and provinces will be advised of this Congress' support for efforts that protect the world's largest fresh water supply by encouraging them to prohibit offshore drilling.

Mr. Chairman, I urge Members to support the State's right to protect the Great Lakes.

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

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

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

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

Mr. Chairman, I will not oppose the amendment. I believe this is a matter of States' rights. I believe the Great Lakes States have the ability to determine this on their own. I will tell Members, we have no desire to go after their gas and oil. However, we would like to run a pipe to the Great Lakes to take their water for California.

Mr. Chairman, I would like at this time to pay special tribute to the staff that worked so hard on this bill over the past several months and, in fact, the past several years to bring it to fruition. We shortly will vote on the amendments that are still pending, and then we will move on to final passage. I wanted to especially thank them for the hard work that they have put into it.

I would also like to wish a happy birthday to Dan Kish, one of the head staffers who has worked so hard on this bill for so many years.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman for yielding. This is the final amendment which has been authorized by the Committee on Rules for consideration on the comprehensive energy package, and so, with the adoption of this amendment, which we will support as it is, by the way, the same amendment that was adopted on the House floor that was offered by the gentleman from Michigan (Mr. ROGERS) last year on a 345–85 vote, we will accept this amendment.

But I wanted to join in, first of all, thanking my friends and colleagues, the chairman of the Committee on Resources, the chairman of the Committee on Ways and Means, the chairman of the Committee on Science, as well as the chairmen and members of the Committee on Transportation and Infrastructure, Committee on the Judiciary, Committee on Agriculture, and Committee on Financial Services, all of whom worked with us in a cooperative fashion, so many committees, to develop a comprehensive energy policy for our country.

And as the gentleman from California (Mr. POMBO) indicated, there is an awful lot of staff, too many to name because we would miss someone, and I do not want to do that, but so many staffers who spent so many late hours. Members cannot imagine the hours these staffers have put in.

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I do not know if they are appreciated enough by the people of this country. These young people who could do much better in the outside world and earn greater salaries, but they come because of their love of this work and love of this institution and who devote so many hours in helping us do the right thing and in a way that is accurate and, again, advances the cause of our great Nation. To all the staffers I want to say a big broad thank you, Mr. Chairman, for the great help they give to all the Members of Congress as we try to do this work.

We will shortly adopt this amendment, and then we will go back into the full House; and it is my understanding that the minority will offer a motion to recommit which we will oppose and we hope the House will reject that motion to recommit, and we will move on to pass, I believe, the most important energy bill in the past 50 years, the most comprehensive and far-reaching statement of American energy policy that will advance not only national security but begin the process of rebuilding this incredible American economy. So to the gentleman from California (Mr. POMBO) and everyone, again, I thank them so much for their cooperation. Mr. Chairman, for all of the chairmen who sat in that chair during these long and arduous hours, I thank them and their staffs and everyone who has participated.

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

Mr. REYNOLDS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chairman, I want to thank the gentleman from New York (Mr. REYNOLDS) for working with me on this important issue to the Great Lakes. Twenty percent of the world's freshwater is to be found there. And what we have found in this important debate on energy and where we are going in America and getting to conservation and getting away from foreign dependence is science tells us there are places that we should be drilling for oil and natural gas to become less dependent. This is not one of them. What we see here is Mr. Chris and we will find it on Lake Erie. This is a tugboat with an attitude; 550 wells on the water, on the freshwater today on the Canadian side of Lake Erie. They are looking to do 40 more. Science tells us this: we should not be on the Great Lakes poking a hole in the bottom to get oil or natural gas. Not the way to do it.

We are standing here today to tell our good friends, the Canadians, to straighten up their act. Neighbors do not do this to each other. This is not a healthy way, an environmentally friendly way, a sensible way, a logical way to extract those resources. There is a way that they can do it that does not jeopardize 20 percent of the world's fresh drinking water.

Today I stand with my friend from New York to say please to our friends from Canada to do the right thing, to stand up for the future of this country and the future of the environmental safety of those Great Lakes. We are blessed with those Great Lakes in the Midwest, and I would hope that we could stand together today and send a very clear message to our Canadian friends to cease and desist and take Mr. Chris and send him back to the docks.

And to the gentleman from California (Mr. POMBO), who wants to stick a straw and slurp up those Great Lakes, I will say to him that I will challenge him every day. If he wants to have some of that Great Lakes water, he has got to live in Michigan in February.

The CHAIRMAN pro tempore (Mr. CULBERSON). The gentleman from New York (Mr. REYNOLDS) has 1 minute remaining. The gentleman from California (Mr. POMBO) has 1½ minutes remaining.

Mr. REYNOLDS. Mr. Chairman, I urge adoption of this amendment and I yield the balance of my time to the gentleman from Texas (Mr. BARTON), the Chair of the Subcommittee on Energy and a vital link to seeing the success of this bill today.

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

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me this time.

Obviously, I rise in support of this Reynolds amendment, but I am really standing to just say in closing in the overall energy debate this is the most comprehensive energy legislation that has been on the floor of the House, I would argue, in the last 30 or 40 years. It is not an energy bill for Republicans or an energy bill for Democrats. It is an energy bill for all Americans. We have a broad-based bill. We do something to try to help coal, to try to help oil and natural gas, to try to help nuclear, to try to help renewable, to try to help electricity. We are for biomass and natural gas and will be for sassafras if it helps provide the energy resources for this great Nation.

We have the lowest-cost energy resource base in the world, and we have it because we believe in free markets and individuals working together in an entrepreneurial fashion to provide the goods and services in the energy sector that help makes us the most powerful and greatest Nation in the world. I hope that we would vote for this bill in a bipartisan fashion when it comes to final passage.

I want to thank the gentleman from Louisiana (Mr. TAUZIN), the full committee chairman, who has done just an absolutely outstanding job; and if we had the Chamber full of people, I would ask that we all stand and give him a round of applause. This is a good bill for America.

Mr. Chairman, as the Chairman of the Energy and Commerce Subcommittee of Energy and Air Quality, the subcommittee of primary jurisdiction of H.R. 6, I recognize and acknowledge we will need to work further on some of the specifics in the bill.

Next, I want to clarify section 16023, the ''native load'' section. We will want to clarify that the term ''equivalent transmission rights'' should be read to include ''firm, financial, and tradable transmission rights'', as that is our intent. I also acknowledge that the native load provisions may have unintended consequences in the region covered the Midwest Independent System Operator, and I want to continue to work to improve the savings clause so that does not undo the development of markets in that region to date.

I note that we may need to clear up the electricity title (Title VI) of Division A. Among the technical changes needed may be inaccurate references to the Electric Reliability Council of Texas (ERCOT) and ERCOT utilities, as described in the Federal Power Act.

Finally, I have not completed work with Members on a potential addition to Division E regarding Clean Coal. I will want to discuss with Members of the conference committee a potential provision on Clean Coal General Programs. This Congress has a great opportunity to expand the clean coal title to further promote and deploy new technologies that allow coal to be used as a power source for dramatically lower emissions.

The CHAIRMAN pro tempore. The gentleman from California still has 1½ minutes remaining in this debate.

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

I had had one additional request for time, but I will conclude by thanking my fellow chairman who worked so hard on this legislation, the ranking members who worked in a cooperative manner to bring this bill to the floor.

We have labored for many years to produce a balanced energy policy for this country, and I believe that this bill represents that. It is not everything I wanted. It is not everything that the gentleman from Louisiana (Mr. TAUZIN) wanted, nor is it everything that the ranking members wanted; but I do believe that it is a good compromise. It is a balanced approach, a balanced energy policy for the future. I urge my colleagues to support our energy policy for the future on the final passage.

Ms. KIPATRICK. Mr. Chairman, it is imperative that we impose a permanent ban on offshore oil and gas drilling in the Great Lakes. While considering the Energy Policy Act, the Leadership had an opportunity to make a substantive change and instead chose to accept a watered-down substitute. The amendment that I co-authored with Representatives Stupak and LaTourette would have made permanent the ban on Great Lakes off-shore oil and gas drilling which is currently effective only through 2005.

Michigan has no greater natural resource than the Great Lakes. 95% of all the fresh water in this country and 20% of the freshwater in the world comes out of the Great Lakes and its connecting waterways; we cannot afford to put that resource at risk.

Drilling poses direct threats to the safety and well being of our citizens. Drilling under the Great Lakes is a venture that has serious implications for the overall health and use of

the lake by its communities. Drinking water could be contaminated and oil could wash up onto our shores. Hydrogen sulfide, a lethal poisonous gas known to be present in the oil and gas reserves under Lake Michigan, could be released into the air and water.

Pollution from oil and gas production not only threatens public health, but also degrades habitat and surface water. Ninety percent of the approximately 200 fish species in the Great Lakes depend directly on wetlands for some part of their life cycle. Impacts from an oil leak to highly productive valuable wetlands would be severe because so many different species rely on them.

The Reynolds amendment is weak and shifts responsibility from Congress back to the States. I am disappoint that instead of enacting legislation that is proactive in preventing unnecessary environmental damage and fiscal burden, the leadership has chose legislation that is purely ornamental.

Mr. OBERSTAR. Mr. Chairman, I support the amendment offered by my colleagues, the gentleman from New York (Mr. REYNOLDS) and the gentleman from Michigan (Mr. ROGERS). This important ''Sense of the Congress'' amendment reaffirms the commitment of Congress in opposition to off-shore drilling in the Great Lakes.

The Great Lakes are a national and international treasure, serving both as the Nation's largest fresh water resource and one of the largest systems of fresh water on Earth—containing nearly 20 percent of the world's supply. Formed by the melting and retreat of mile-thick glaciers 10 to 12 thousand years ago, the Great Lakes contain 5,500 cubic miles of water and cover 94,000 square miles. In fact, if the six quadrillion gallons of water in the Lakes were poured over the continental United States, the entire landmass of the lower 48 states would be covered to a depth of nearly 10 feet.

The Great Lakes Basin is also of critical importance to the economy of two nations. The Basin is home to more than one-tenth of the U.S. population and one-quarter of the Canadian population. One of the world's largest concentrations of economic capacity is located in the Basin—some one-fifth of U.S. industrial jobs and one-quarter of Canadian agricultural production.

As a lifetime resident of the Great lakes community, I am keenly aware of the importance of the Great lakes to the surrounding region and the need to protect this vital resource for current and future generations. This great natural treasure deserves long-term protection from shortsighted exploitation.

I support the amendment offered by my colleagues that encourages the States surrounding the Great lakes to either enact a ban on, or to continue to prohibit, off-shore drilling in the Great Lakes for oil and gas deposits.

Off-shore drilling poses a serious environmental and economic risk to the Great lakes community. A large-scale spill, fire, or gas leak could despoil miles of beaches and fragile wetlands, pollute the ecosystem, and render the water unfit for drinking. It has been said that a single quart of oil can foul two million gallons of drinking water; imagine the potential impact of a massive oil or gas leak on a waterbody that currently provides drinking water to more than 10 million people. For a waterbody that takes more than 200 years to completely renew itself, such environmental risks are simply unacceptable.

In addition, most scientific estimates show that extracting all of the oil and gas reserves under the Great Lakes would have little or no impact on the nation's energy supplies or prices.

Mr. Chairman, this is not the first time Congress has spoken on the issue of oil and gas drilling under the Great Lakes. In 2001, and again earlier this year, Congress passed, and the president signed a prohibition on Federal or State permits or leases for new oil and gas drilling activities in or under the Great Lakes. This amendment takes the next step to encourage those States bordering the Lakes to either continue to prohibit this practice, or to enact similar provisions to protect the Great Lakes from further environmental degradation.

On March 27, 2003, I, together with 18 Democratic colleagues on the Transportation and Infrastructure Committee, introduced H.R. 1491, the Securing Transportation Energy Efficiency for Tomorrow Act of 2003. That bill included a provision almost identical to the Reynolds/Rogers amendment.

I urge my colleagues to support this amendment.

Mr. GILLMOR. Mr. Chairman, I rise today in strong support of an amendment expressing the sense of Congress encouraging the prohibition of offshore oil and gas drilling in the Great Lakes. I applaud my colleagues from New York and Michigan for offering such language as part of H.R. 6, a comprehensive energy package.

Over the years, an overwhelming majority of Northwest Ohio boaters, water-skiers, and Lake Erie Islands area residents have consistently expressed their opposition to drilling for oil and gas in the Great Lakes by citing potential risks to land, water, and their communities. I too, am opposed to this practice as Ohio families frequent Lake Erie year-round. I should also point out that a number of Ohio state and federal officials agree.

Last session of Congress, I supported an amendment to the Fiscal Year 2002 Energy and Water Development Appropriations measure that would ban drilling for gas and oil under the Great Lakes for two years while the U.S. Army Corps of Engineers study potential environmental impacts. Just last February, with the vote on the Fiscal Year 2003 Omnibus Appropriations bill, the ban was extended through 2005.

Mr. Chairman, protecting and restoring the Great Lakes remains vital to our region's economy, environment, and human health. I ask my colleagues to join me in supporting this amendment.

Mr. KILDEE. Mr. Chairman, while I vote in favor of the Reynolds/Rogers Amendment today in support of a continued prohibition on Great Lakes offshore oil and gas drilling, I strongly believe that an outright ban on these activities is necessary.

I am concerned that the Rules Committee would not allow into order a stronger amendment protecting our Great Lakes to be voted on by the House. Last year, I joined 2264 of my colleagues in supporting an amendment to the Energy and Water Development Appropriations Act that would have banned any U.S. Army Corps of Engineers funds from being used to process or approve permits for drilling in or under the Great Lakes. This is the kind of positive action that is needed to ensure these treasures remain safe for future generations.

While I support the Reynolds/Rogers Amendment to the Energy Policy Act of 2003, I believe much stronger action needs to be taken to protect the Great Lakes.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. REYNOLDS).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 16 by the gentlewoman from Illinois (Ms. SCHAKOWSKY), amendment No. 19 by the gentleman from Wisconsin (Mr. KIND), and amendment No. 20 by the gentleman from West Virginia (Mr. RAHALL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 16 OFFERED BY MS. SCHAKOWSKY

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Ms. SCHAKOWSKY:

In division B, at the end of title II, insert the following new section:

SEC. 22003. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) the Secretary of Energy should develop and implement more stringent procurement and inventory controls, including controls on the purchase card program, to prevent waste, fraud, and abuse of taxpayer funds by employees and contractors of the Department of Energy; and

(2) the Department's Inspector General should continue to closely review purchase card purchases and other procurement and inventory practices at the Department.

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

An insufficient number has arisen.

A recorded vote was refused.

So the amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. KIND

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 251, not voting 12, as follows:

[Roll No. 142]

AYES—171

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Ballance
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Boucher
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu

NOES—251

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carson (OK)
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schrock
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (FL)

NOT VOTING—12

Blumenauer
Combest
Fattah
Gephardt
Houghton
McCarthy (MO)
Paul
Quinn
Reyes
Towns
Waxman
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. CULBERSON) (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1214

Messrs. OSBORNE, BOEHNER, NUSSLE, BONILLA, SCOTT of Georgia, and SAM JOHNSON of Texas, and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remainder of the votes in this series will be conducted as 5-minute votes.

AMENDMENT NO. 20 OFFERED BY MR. RAHALL

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 20 offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 212, not voting 14, as follows:

[Roll No. 143]

AYES—208

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Bartlett (MD)
Becerra
Bell
Berman
Berry
Bishop (NY)
Boehlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Forbes
Ford
Frank (MA)
Frost
Gonzalez
Goode
Goodlatte
Gordon
Green (WI)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Price (NC)
Rahall
Ramstad
Rangel
Regula
Rodriguez
Rogers (KY)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Sherwood
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Wilson (SC)
Woolsey
Wu
Wynn

NOES—212

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez

Bereuter
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole
Collins
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goss
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Linder
Lucas (OK)
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Sessions
Shadegg
Shaw
Shimkus
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wolf
Young (FL)

NOT VOTING—14

Blumenauer
Combest
Fattah
Gephardt
Houghton
McCarthy (MO)
Paul
Quinn
Radanovich
Reyes
Shuster
Towns
Waxman
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised they have 2 minutes remaining in which to cast their votes.

□ 1224

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SHUSTER. Mr. Chairman, on rollcall No. 143 I was inadvertently detained. Had I been present, I would have voted ''no.''

Mr. MOORE. Mr. Chairman, we must reduce our nation's dependence on foreign oil. And while I believe our nation needs a comprehensive energy policy as a matter of national security, we also have an obligation to ensure that this need is met in a manner that does not jeopardize our financial security. This bill takes a balanced approach to meeting our nation's energy security needs. But, it fails to pay for any of these proposals, which have a cost of $18.8 billion.

H.R. 6 contains numerous provisions that I have supported in the past and will continue to support in the future under fiscally responsible circumstances. In fact, H.R. 6 includes a provision based upon a bill that I introduced during the last three Congresses that would extend the section 29 tax credit for the production of unconventional fuels such as coalbed methane. My version of this legislation [H.R. 1331] was modified and included in the Ways and Means portion of H.R. 6. I have worked for months to ensure H.R. 1331's inclusion in a comprehensive energy measure. And, while I would like to be able to vote for this provision, I cannot in good conscience support final passage of a bill that includes $18.8 billion in tax expenditures that are not offset with comparable spending reductions. This is fiscally irresponsible. Such action threatens to spend money from both the Social Security and Medicare Trust funds on which the seniors in my district rely.

Further, as a member of the House Renewable Energy Caucus, I have supported measures to encourage and increase the use of renewable and alternative energy sources. This bill includes tax incentives for energy efficiency programs and renewable energy sources such as wind and solar production that I would like to vote for, and I would support if these incentives were paid for and handled in a fiscally responsible manner. As well, H.R. 6 contains tax incentives for domestic production from marginal wells that I have supported in the past that would increase our national energy supply. As a co-chair of the Biofuels Fuels Caucus, I also support the renewable fuels standard which I have promoted to decrease our dependency on foreign oil, help U.S. farmers and protect the environment.

I cannot, however, support provisions in this legislation that do nothing to safeguard electricity consumers from unscrupulous utility companies that abuse market power and manipulate electricity prices. Rather than holding these electricity companies accountable, this bill would weaken consumer protections regarding electricity. I also find it impossible to support provisions that would protect former U.S. corporations that moved offshore to tax havens in order to avoid U.S. income taxes. This legislation continues tax benefits to companies that have already moved offshore.

I also support many aspects of Representative JOHN DINGELL'S electricity title substitute, and would have supported it had it been an amendment. As a substitute to the title rather than an amendment, however, it strikes many useful and important provisions in the electricity title without providing any alternate.

Last night, the House considered the conference report on the budget resolution which increases deficits and debt and passes these pressures onto future generations. Instead of developing a sound fiscal strategy to face the challenges that will come with the increased risks from terrorism and the impending retirement of the baby boom generation, the budget will result in over $3 trillion in additional debt that creates a long-term ''debt-tax'' for working American families.

If Congress adopts this new policy of borrow and spend it not only endangers the Medicare and Social Security surpluses, it places us back on the road to deficit spending. We must not travel down this road again.

It is time we made some tough choices. This Congress made a commitment to the American people that we would not vote to spend one single penny of the Medicare and Social Security Trust Funds. We must honor that commitment. Spending restraint, fiscal responsibility, and honoring our commitments do not come about by good intentions, but by resolute actions.

Today, I reluctantly vote against this energy package because it fails to provide any offsets to pay for its provisions. This is a particularly difficult vote for me because this bill contains a proposal I authored, as well as many other good provisions.

In an effort to honor our commitments to ensure financial responsibility, I will adhere to the levels in the budget resolution enacted by a majority of this Congress. I will oppose any efforts that reduce revenues without offsets.

The expenditures contained in H.R. 6 are not accounted for in the budget resolution and, despite the sound energy policy this bill promotes, it busts the budget and threatens the Social Security and Medicare Trust funds. I urge my colleagues to honor their commitment to preserve this country's integrity; I urge my colleagues to either find a way to pay for these tax cuts or to vote no on H.R. 6.

Mr. WICKER. Mr. Chairman, I rise to specifically support section 16023 of H.R. 6, which clarifies state and federal jurisdiction over the regulation of electricity.

When Congress enacted the Federal Power Act in 1935, it limited federal regulatory authority over electricity in section 201(a) of that Act to ''the transmission of electric energy in interstate commerce and the sale of such energy at wholesale in interstate commerce.'' It further stated in that section that ''Federal regulation . . . [shall] extend only to those matters which are not subject to regulation by the States.''

Bundled retail sales of electric service, including the transmission component of such service, is a matter that was subject to regulation by the states in 1935 (and well before), and is still a matter regulated by many states today. Yet despite the clear language of the statute, and the clearly established fact of state regulation, the Federal Energy Regulatory Commission (FERC) is proposing under its ''standard market design'' (SMD) proposal to regulate the transmission component of bundled retail sales of electricity in place of the states.

One can only assume that FERC's apparent legal theory for proposing such action is that section 206 of the Federal Power Act requires it to remedy any ''unduly discriminatory or preferential'' practice ''affecting [a] rate, charge, or classification'' subject to the jurisdiction of the Commission. After decades of states granting to local utility customers a ''native load'' priority that allows these customers to use utility resources before other customers, thereby ensuring low-cost and reliable service, the FERC in its SMD proposal now finds such a priority unduly discriminatory. This sudden and stunning change of policy by the FERC is a serious threat to retail customers in places that have opted not to risk restructuring of their electric service like my home state of Mississippi.

Section 16023 clarifies that native load priority is not an unduly discriminatory practice, and therefore that the FERC does not have a basis for reaching into the jurisdiction of the states over bundled retail sales and their components. The intent of Congress to strongly differentiate areas of regulatory jurisdiction between states and the FERC is clear and unambiguous. Congress has provided explicit direction to FERC that it should stay out of bundled retail sales and bundled retail transmission service. I hope FERC will get this message and go back to the drawing board with its SMD proposal.

Mr. STARK. Mr. Chairman, I rise in opposition to this blatantly flawed energy bill. This bill isn't sound policy. It isn't forward thinking. It is a flat-out giveaway to the big energy companies. It puts industry profits ahead of the interests of consumers and the environment.

It's no secret that the President and Republicans have held closed, backroom meetings with their friends in the big oil and gas industry. The result is no surprise. They've crafted an energy policy that promotes fossil fuel consumption above all else. Now, they say they want to free us from dependence on foreign oil. But, oil dependence is exactly what this bill promotes.

Consider the consequences. This bill grants tax cuts to the most polluting industries while providing a pittance for renewable resources, clean technologies and energy efficiency. Solar, wind and geothermal power take a back seat to oil drilling in pristine wilderness areas and off our coasts. This bill will turn the coastal plain of Arctic National Wildlife Refuge into an oil field. It will lift the ban on drilling off California's Coast. I strongly oppose these efforts!

At the same time, Republicans won't raise fuel efficiency standards for gas guzzling SUVs. But, they will cut the royalties the big oil companies have to pay to the American people for drilling on our lands. Republicans will even allow these polluting industries to get out from under paying their share of taxes by moving into tax havens overseas.

Now, for those energy market profiteers, the Republicans leave the door wide open for unfair competition and price manipulation. Clearly, Republicans don't want consumers and small public utilities to pay a fair price for their power. They want to allow the Enrons of the world to skim huge profits while wreaking havoc on the electricity market. Well, we know how well that policy worked in California.

For their final act of irresponsibility, the Republicans want to exempt the cancer causing fuel additive MTBE from product liability protections. MTBE has caused wide spread groundwater contamination and remains a significant public health risk. Yet, if this bill passes, polluters will get off scot-free while the taxpayers get stuck with the high cost of clean up.

I urge my colleagues to take a stand for consumers and the environment and vote no on this bill. It is time Republicans put a long-term, sustainable energy policy ahead of pandering to their short sighted special interests.

Mr. UDALL of Colorado. Mr. Chairman, I regret that I cannot support this legislation.

I am glad we have had the opportunity to debate these issues—for the second time in nearly as many years—and I am glad that legislation I've initiated is being considered as part of this bill.

We all know that this country is overly dependent on a single energy source—fossil fuels—to the detriment of our environment, our national security, and our economy. To lessen this dependence and to protect our environment, we must pass a bill that helps us balance our energy portfolio and increase the contributions of alternative energy sources to our energy mix.

Unfortunately, this bill doesn't provide that balance.

I am pleased with most of what was included in the Science Committee part of this bill, and I commend Chairman BOEHLERT for his bipartisan approach.

In particular, I'm pleased that the Science Committee bill included generous authorization levels for renewable energy and energy efficiency R&D. As Co-chair of the Renewable Energy and Energy Efficiency Caucus, this funding is very important to me.

I am also pleased that this bill includes the Clean Green School Bus Act, a bill that Chairman BOEHLERT and I drafted that authorizes grants to help school districts replace aging diesel vehicles with clean, alternative fuel buses.

H.R. 6 also includes provisions from my bill, the Distributed Power Hybrid Energy Act, which would direct the Secretary of Energy to develop and implement a strategy for research, development, and demonstration of distributed power hybrid energy systems. It makes sense to focus our R&D priorities on distributed power hybrid systems that can both help improve power reliability and affordability and bring more efficiency and cleaner energy resources into the mix.

The bill also includes the Federal Laboratory Educational Partners Act of 2003, a bill I introduced with my colleague Representative BEAUPREZ that would permit the National Renewable Energy Laboratory and other Department of Energy laboratories to use revenue from their inventions to support science education activities.

Unfortunately, though, this bill—like the one we debated two years ago—is very reminiscent of that old Western movie—''The Good, the Bad, and the Ugly.'' And, regrettably, some of the worst provisions are in the part of the bill developed by the Resources Committee—which is why I voted against them in that Committee.

Worst of all, of course, is the provision that would open to drilling the coastal plain of the Arctic National Wildlife Refuge.

On that question, Congress is being asked to gamble on finding oil there. So, we first must decide what stakes we are willing to risk, and then weigh the odds. The stakes are the coastal plain. The U.S. Fish and Wildlife Service says it ''is critically important to the ecological integrity of the whole Arctic Refuge'' which is ''America's finest example of an intact, naturally functioning community of arctic/subarctic ecosystems.''

What are the odds? Well, the best estimate is by the U.S. Geological Survey (USGS). In 1998 they estimated that if the price of oil drops to less than $16 per barrel (as it did a few years ago) there would be no economically recoverable oil in the coastal plain. At $24 per barrel, USGS estimated there is a 95 percent chance of finding 1.9 billion barrels of economically recoverable oil in the refuge's coastal plain and a 50 percent chance of finding 5.3 billion barrels. But Americans use 19 million barrels of oil each day, or 7 billion barrels of oil per year. So, USGS is saying that at $24 per barrel, there is a 50 percent chance of finding several months' supply of oil in the coastal plain.

There is one 100 percent sure bet—drilling will change everything on the coastal plain forever. It will never be wilderness again. We do not need to take that bet. There are less-sensitive places to drill—and even better alternatives, including conserving energy and more use of renewable resources.

But the idea of opening the refuge is only one example of misplaced priorities or flawed policies concerning energy.

I tried to improve the Resources Committee's provisions with two amendments—one dealing with the biomass provisions and the other with something just as important as energy—water.

I am a supporter of biomass, and I think the biomass provision is one of the better parts of the Resources Committee's work. But I think it should be more tightly focused—and that is what my amendment would have done.

That part of the bill authorizes cash grants to people who own or operate biomass plants, and says they can use the money to buy material removed from the forests in order to reduce the risk of forest fires. My amendment would have narrowed that by providing that the grants could only be used to buy material taken from the areas of highest priority—the so-called ''wildland-urban interface,'' or as we say in Colorado, the ''red zones.'' These are the parts of the forests that are nearest to communities, the places where people's lives and property are most at risk. That means they should have the very highest priority for thinning out brush and little trees, so that smaller fires are less likely to become big, runaway fires. In Colorado alone, the ''red zones'' cover some 6 million acres—and there are millions of acres more in other states. There is lots of thinning work to be done in those areas—and lots of material that may be useful for biomass. So, my amendment would not have been an obstacle to biomass development. But it would focus the program where it ought to be focused.

And, to make things clear, my amendment used a definition of the term ''wildland-urban interface'' that was essentially the same as the one that was in H.R. 5319, Chairman MCINNIS's bill, as reported by the Resources Committee last year.

One of the reasons I supported that bill was because of the priority it put on thinning projects in these ''red zone'' areas. I thought the House should follow that example by adopting my amendment, and regret that the Rules Committee did not allow it to be offered.

My second amendment dealt with water. In Colorado, we are blessed with rich mineral resources—we have lots of coal, oil, and gas. but in Colorado, and in the other states in the arid west, water is scarce and very precious. So, as we work to develop our energy resources, it is vital that we make sure that we protect our water. And this is just what this amendment would have done.

The amendment would have required people who develop federal oil or gas—including coalbed methane—to do what is necessary to make sure their activities do not harm water resources. The amendment said that if oil or gas drilling damages a water source by contaminating it, by reducing it, or by interrupting

it—the energy developer would have to provide replacement water.

Sometimes water that is produced in connection with oil or gas drilling is injected back into the ground. The amendment said that has to be done in a way that will not reduce the quality of any aquifer. It also said that if that water is not reinjected, it has to be dealt with in ways that comply with all Federal and State requirements.

And, because water is so important, it said that developers need to make protecting water part of their plans from the very beginning. It would have done that by requiring applications for oil or gas leases to include details of the way the developer will protect water quality and quantity and also protect the rights of water users.

These are not onerous requirements, but they are very important—particularly with the great increase in drilling for coalbed methane and other energy resources in Colorado, Wyoming, Montana, and other western states. When the amendment was considered in the Committee, it was suggested that it might interfere with State laws relating to water. That was not my intent, and I am confident that the amendment I offered in the committee would not have had that effect. However, to remove any doubt, I modified the amendment to specifically say that it would not affect any state's authority over water or affect any interstate compact related to water.

We do need to develop our energy resources—especially relatively clean-burning ones like natural gas and coalbed methane. But we need to do it in the right way, with balance. And that's what this amendment was all about. Again, I regret that the Rules Committee did not permit the House to consider it.

Without my amendments, and without other amendments that were rejected by the Committee, the Resources Committee's part of this bill puts too much emphasis on unnecessary subsidies to industry and not enough on anything else.

In conclusion, Mr. Chairman, we need a plan in place to increase our energy security. Thirteen percent of the twenty million barrels of oil we consume each day comes from the Persian Gulf. In fact, fully 30 percent of the world's oil supply comes from this same volatile and politically unstable region of the world. Yet with only 3 percent of the world's known oil reserves, we are not in a position to solve our energy vulnerability by drilling at home.

This bill does nothing to tackle this fundamental problem. For every step it takes to move us away from our oil/carbon-based economy, it takes two in the opposite direction. I only wish my colleagues in the House could understand that a vision of a clean energy future is not radical science fiction but is instead based on science and technology that exists today.

In much the same way that America set about unlocking the secrets of the atom with the ''Manhattan Project'' or placing a man on the moon with the Apollo program, we can surely put more public investment behind new energy sources that will free us from our dependence on oil.

But this bill would merely continue our addiction to finite and politically unstable energy resources. For that reason, Mr. Chairman, I cannot support it.

Mr. BLUMENAUER. Mr. Chairman, the Energy Policy Act of 2003 (H.R. 6) falls terribly short in preparing the United States for the future in terms of fiscal responsibility, environmental stewardship, and meeting our nation's energy needs. The bill mortgages our environmental future in order to meet short term energy challenges.

This bill is a missed opportunity. Any national energy policy for the 21st century should take steps to reduce our dependence on outdated and polluting sources of energy such as oil, gas, and coal. The United States has less than 3 percent of the recoverable supply of the world's oil, much of which is under ecologically important areas of land. We are currently at war with the part of the world that contains 65 percent of the earth's oil reserves: the Middle East. Yet this bill keeps us dependent on oil.

My Republican colleagues claim that American technology and innovation will enable us to meet our energy needs. American innovation and creativity should enable us to rely on renewable sources of energy such as wind, solar, and geothermal. Yet this bill continues the status quo.

The bill provides over $18 billion in tax breaks and royalty relief to oil, electric utilities and nuclear power. The oil and gas industry alone receive 55 percent of the tax breaks in this bill. During a time of war and a struggling economy, Congress should be exercising fiscal discipline. Yet this bill provides cost-of-doing business funding to mature industries.

It is important to note that the oil, gas, coal and offshore drilling industries that receive most of the benefits of this bill have also hand picked people in the administration and agencies to oversee them. Much of the energy development allowed in this bill will take place on lands now regulated by former corporate energy lobbyists.

For example, the Department of the Interior oversees over 30 percent of the total domestic energy production in the United States. Steven Griles, second in command at the Department of the Interior, is a former energy lobbyist. While he was in the private sector he represented the National Mining Association, the American Gas Association, Arch Coal, Chevron and Shell oil companies.

I cannot support an energy bill that reduces environmental protections and allows development in the Arctic National Wildlife Refuge. A few years ago I visited the Arctic and witnessed its fragile beauty. I came away with a profound sense that the American public is right. The Arctic Wildlife Refuge is absolutely the last place we should be exploring for oil, not the first.

A rational national energy policy must place conservation and efficiency at the forefront. Merely ending the fuel efficiency loophole for SUV and light trucks will save more oil than the Arctic Refuge will produce. Our energy habit accounts for 25 percent of the world's consumption—the United States simply cannot produce enough energy to meet its demand. We would do better to use the 10 years it would take to get the oil from the coastal plain of Alaska to improve the energy efficiency of our transportation system, homes and factories, and to increase our renewable energy production.

It is significant to note what this bill does not do. It does not address global climate change, even though the United States is responsible for 25 percent of the world's greenhouse gases. The bill does not increase fuel efficiency for cars, which consume a tenth of the annual global oil production. The bill does nothing to protect consumers from market manipulation such as what we saw from Enron. In fact, the bill repeals important consumer protection laws that have been in place for decades.

Without any of these provisions, I believe this bill is a missed opportunity for the American people.

Mr. STENHOLM. Mr. Chairman, the time is long overdue for Congress to enact a balanced energy policy that ensures reliable and affordable energy for all Americans. Our nation's citizens deserve a comprehensive energy plan that ensures the short-term availability of the energy supplies they need, while addressing long-term goals of increasing our use of renewable and clean sources of energy.

The performance of the energy market of the last several years, with its wide price swings on both the producer and consumer sides, simply illustrates the need for America to take responsibility of our energy future. Congress needs to consider measures to help restore market stability with domestic crude oil and natural gas prices, maintaining a level where domestic producers can compete in a global market and help reduce our dependency on foreign sources of oil.

At the same time, Congress needs to ensure consumer protection measures to guarantee price stability and fuel availability when the demand is high. I truly believe that we can achieve equilibrium in the energy sector, thus creating a situation where prices are not so low that producers are put out of business but also not so high that they hurt consumers and threaten the economy.

America can no longer sustain a situation where this nation imports almost 60 percent of its oil from foreign sources—putting our economic and national security at risk.

I have been a long time supporter of domestic energy production in all arenas including: oil, natural gas, hydro-electric, wind, solar, geothermal, biomass and the many others. I am certainly glad to see that H.R. 6, ''The Energy Policy Act of 2003'', includes provisions to insure further domestic production of these resources.

However, these production incentives come at a cost and must be accounted for. It is entirely unacceptable to simply write off the cost of this bill and add it to the current deficit that America is facing. In fact, we are already expecting a $361 billion deficit this year, even prior to considering the costs of this bill, the Iraq war, prescription drugs, new tax curt or any other expenses being debated currently. This is a remarkable contrast from the $250 billion surplus that last occurred in fiscal year 2000.

I cannot understand how my colleagues on the other side of the aisle continue their efforts to expedite tax cuts and not address Americas' financial health. The cost of this war could be well over $100 billion, yet we continue to promote over $1.5 trillion in tax cuts over the next decade.

And this week the spending continues. This energy bill comes at a cost of $18.7 billion dollars and includes no provision to offset these costs. I have long championed for: Increased access to capital for domestic oil and gas production; more research in alternative fuels such as nuclear energy; advanced clean coal

technology; a sound commitment to renewable energy, including a renewable fuels standards; and improved energy efficiency and environmental standards.

As Ranking Member on the House Agriculture Committee, I was especially pleased to see the Renewable Fuels Standard increasing the required use of ethanol, made from corn, as a fuel additive by gasoline refineries to 5 billion gallons by 2015.

There is no doubt I am glad to see these provisions in H.R. 6, but I am very disappointed that my colleagues on the other side made no attempts to offset some of the costs of this bill. This energy bill continues down the path of more deficit spending and makes no realistic attempt to justify this spending.

America deserves a balanced and forward looking energy policy and therefore I intend to vote for this bill despite my reservations about its cost. It is my sincere hope that Congress will ultimately be responsible and pay for provisions included in the Energy Policy Act of 2003 without burdening our children and grandchildren with continued deficit spending.

Mr. OSE. Mr. Chairman, I regretfully rise to oppose this bill today.

When President Bush introduced the National Energy Policy in 2001, I applauded the plan. The President laid out a comprehensive, balanced policy to address our nation's energy needs. I supported the President energy policy and voted for the House version, H.R. 4, in the 107th Congress.

The bill we have before us today includes much of the beneficial programs embedded in H.R. 4. However, it also includes an ethanol mandate that I am adamantly opposed to. This provision is bad public policy. It is bad for consumers, bad for air quality, and bad for the environment.

Last year, the Government Reform Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, which I chair, held a hearing to review the concept of an ethanol mandate. One of our expert witnesses predicted that the ethanol mandate would cause reformulated gasoline to raise almost 10 cents per gallon.

On Tuesday, the Energy Information Agency (EIA) predicted that, by the time ethanol is fully integrated in California, the price increase for reformulated gas would be 9 cents per gallon. California has already seen huge price increases this year as refiners attempt to shift from MTBE to ethanol.

For a State like California, or New York, or Connecticut, which uses a large amount of reformulated gasoline, this will represent an income shift of hundreds of millions of dollars from our citizen's pockets to those in ethanol-producing States. Furthermore, when the EPA implements its new 8-hour ozone rule, 155 new counties will have to use reformulated gasoline. I hope my colleagues who represent these counties know that the ethanol mandate will increase their constituents gas prices.

Ethanol will also make it tougher to meet our air quality standards. While the supporters of ethanol love to tell us that ethanol reduces carbon monoxide, they fail to tell us that ethanol use results in higher volatile organic compounds, which contribute to ozone. In fact, ethanol has to get a waiver from the Clean Air Act to be used in the summertime because of its ozone forming qualities.

Ethanol proponents also claim that ethanol will reduce our demand for foreign oil. But a 2002 study published by the Encyclopedia of Physical Sciences and Technology concluded that it takes more energy to produce a gallon of ethanol than that gallon yields. Furthermore, an ethanol mandate that subsidizes corn production will have adverse effects on water quality, as farmers use more and more fertilizer to produce their crops.

No wonder ethanol proponents slipped into the Bill liability protection for ethanol producers. If we find that ethanol does indeed harm our water supply—like we found with MTBE—ethanol manufacturers will get a free ride.

I offered an amendment at the Rules committee—along with my colleague ELLIOT ENGEL—to improve the ethanol mandate. My amendment would have allowed a credit against the ethanol mandate for any refiner that produces clean burning gasoline.

This is the direction our nation's fuel policy should take. Instead of mandating inputs into gasoline, we should set high environmental standards and let oil refiners and automakers meet those standards. California today can produce the cleanest burning gasoline in the nation without ethanol.

The bottom lie is that an ethanol mandate will increase our gasoline prices and harm our air and water quality. And therefore, I cannot vote for this bill.

Mr. FILNER. Mr. Chairman, I rise today to oppose this Energy bill. Rather than emphasizing conservation and renewable energy sources, this bill focuses on destroying our natural resources and using fossil fuels to meet our energy needs.

Supporters of this bill claim it is a consumer friendly bill that increases Americans' access to cheaper energy. Admittedly, there are a few positive aspects of the bill. For example, there are incentives to use cellulosic biomass ethanol. This not only makes gasoline cleaner, but it also creates jobs and other uses for crops such as sugar cane. There are also a few incentives to use renewable fuels such as wind and solar energy.

Unfortunately, the rest of the provisions in this bill show its true colors. It provides monetary incentives for big oil and gas companies that are nearly twice as much as those that are available for conservation and the use of alternative fuels. These measures do not reduce our dependence on foreign oil. Further, by giving big companies incentives to burn fossil fuels it puts our air quality at risk—our tax dollars are funding the polluting of our air. It doesn't stop with our air. It also puts our water at risk by weakening protections of rivers, coastal areas, and drinking water. As if that wasn't enough, this bill opens the Arctic National Wildlife Refuge to gas and oil drilling, destroying one of our last great natural resources.

The final blow is that it weakens consumer protections against companies like Enron from manipulating the energy market. As a Congressman from California, where we suffered through blackouts and sky-high electricity bills because of electricity market abuse, this is unacceptable. This bill rips the blanket of protection off consumers, leaving them with no tools to fend off corporate abuses.

This is not the best way to reduce our dependence on foreign oil; this is not the best use of technology and this is not the best way to protect our health and environment. That is why I cannot support this bill and I urge my colleagues to vote against this bill.

Mr. DELAY. Mr. Chairman, I rise in support of the Energy Policy Act of 2003 and congratulate the leaders of all the Committees involved for reporting a comprehensive, balanced energy plan.

This legislation will begin to free our nation from its dependence on foreign sources of energy, a vital priority for America's national security. The more energy we produce within our borders, the more we know we can rely on, no matter what international circumstances arise. The bill also contains provisions to allow lower-income Americans to pay their energy bills. This is a real benefit to real people, right now.

Finally, the increased production of oil in the United States will help lower America's gas prices, which now are too heavily impacted by the actions of other nations. It has been more than a decade since our nation had a comprehensive energy plan, and quiet frankly, if it were up to the Democrat leadership, we still wouldn't have one.

Instead of engaging the debate with an alternative proposal, they complain. They complain about specific measures and complain about our governing philosophy, yet they refuse to offer their own.

Take ANWR. The estimated daily production from ANWR would exceed the currently daily production of any individual state. As our economy grows, even as Americans conserve more energy, our consumption of it will rise. The larger an economy becomes, the more energy it will require. This is common sense. ANWR represents an opportunity to produce billions and billions of barrels of oil. The ANWR provisions in this legislation permit development of only 2,000 acres out of a designated area the size of Delaware!

The bill answers environmental concerns. Recovery projects under this legislation will either respect the health of local fish and wildlife, or they will be shut down.

The facts, then, are clear. Recovering oil from ANWR will help the national economy. It will reduce our dependence on foreign oil, thus improving our national security. It will preserve local fish and wildlife populations and respect the surrounding environment. And in response to these facts, the other side just says ''NO''. No constructive criticism. No alternative proposals. Just obstruction and obstinacy.

The American people deserve an energy policy, and the Republican Congress has an obligation to give them one. They can lecture. We will lead.

The CHAIRMAN pro tempore. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having resumed the chair, Mr. CULBERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, pursuant to House Resolution 189, 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? If not, the Chair will put them 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.

MOTION TO RECOMMIT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DINGELL. Most vigorously opposed, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Dingell moves to recommit the bill H.R.6 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendments:

Strike title III of Division A and insert the following:

TITLE III—HYDROELECTRIC ENERGY

SEC. 13001. ALTERNATIVE CONDITIONS AND FISHWAYS.

(a) ALTERNATIVE MANDATORY CONDITIONS.—Section 4 of the Federal Power Act (16 U.S.C. 797) is amended by adding at the end the following:

''(h)(1) Whenever any person applies for a license for any project works within any reservation of the United States, and the Secretary of the department under whose supervision such reservation falls deems a condition to such license to be necessary under the first proviso of subsection (e), the license applicant or any other party to the licensing proceeding may propose an alternative condition.

''(2) Notwithstanding the first proviso of subsection (e), the Secretary of the department under whose supervision the reservation falls shall accept the proposed alternative condition referred to in paragraph (1), and the Commission shall include in the license such alternative condition, if the Secretary of the appropriate department determines, based on substantial evidence provided by the party proposing such alternative condition, that the alternative condition—

''(A) provides no less protection for the reservation than provided by the condition deemed necessary by the Secretary; and

''(B) will either—

''(i) cost less to implement, or

''(ii) result in improved operation of the project works for electricity production,

as compared to the condition deemed necessary by the Secretary.

''(3) Within 1 year after the enactment of this subsection, each Secretary concerned shall, by rule, establish a process to expeditiously resolve conflicts arising under this subsection.''.

(b) ALTERNATIVE FISHWAYS.—Section 18 of the Federal Power Act (16 U.S.C. 811) is amended by—

(1) inserting ''(a)'' before the first sentence; and

(2) adding at the end the following:

''(b)(1) Whenever the Commission shall require a licensee to construct, maintain, or operate a fishway prescribed by the Secretary of the Interior or the Secretary of Commerce under this section, the licensee or any other party to the proceeding may propose an alternative to such prescription to construct, maintain, or operate a fishway.

''(2) Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Commerce, as appropriate, shall accept and prescribe, and the Commission shall require, the proposed alternative referred to in paragraph (1), if the Secretary of the appropriate department determines, based on substantial evidence provided by the party proposing such alternative, that the alternative—

''(A) will be no less effective than the fishway initially prescribed by the Secretary, and

''(B) will either—

''(i) cost less to implement, or

''(ii) result in improved operation of the project works for electricity production,

as compared to the fishway initially prescribed by the Secretary.

''(3) Within 1 year after the enactment of this subsection, the Secretary of the Interior and the Secretary of Commerce shall each, by rule, establish a process to expeditiously resolve conflicts arising under this subsection.''.

SEC. 13002. FERC DATA ON HYDROELECTRIC LICENSING.

(a) DATA COLLECTION PROCEDURES.—The Federal Energy Regulatory Commission shall revise its procedures regarding the collection of data in connection with the Commission's consideration of hydroelectric licenses under the Federal Power Act. Such revised data collection procedures shall be designed to provide the Commission with complete and accurate information concerning the time and costs to parties involved in the licensing process. Such data shall be available for each significant stage in the licensing process and shall be designed to identify projects with similar characteristics so that analyses can be made of the time and costs involved in licensing proceedings based upon the different characteristics of those proceedings.

(b) REPORTS.—Within 6 months after the date of the enactment of this Act, the Commission shall notify the Committee on Energy and Commerce of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate of the progress made by the Commission under subsection (a), and within 1 year after such date of the enactment, the Commission shall submit a report to such Committees specifying the measures taken by the Commission pursuant to subsection (a).

□ 1230

Mr. DINGELL (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes in support of his motion to recommit.

Mr. DINGELL. Mr. Speaker, the motion to recommit directly addresses major concerns, and that is destruction of fish, wildlife resources and the denial of the ability of this Nation, through its system of hydro licensing and relicensing to protect those fish and wildlife resources and the precious outdoor values that this Nation feels important.

The motion includes reforms contained in the bill which I would have offered or, rather, the amendment which I would have offered with the gentleman from New York (Mr. BOEHLERT) of the Committee on Science. It is necessary to protect the egregious wrongs committed against fish, wildlife and the environment by the outrageous provisions of H.R. 6.

As I pointed out yesterday, all sportsmen, conservationists, hunters, fishermen organizations and all environmentalists support this language.

The amendment which we would have offered was not made available to the House because it was not permitted by the Committee on Rules, and the voices of the conservationists of this country were stilled by that outrageous action.

I want to remind my colleagues of exactly what this legislation does, and I refer to the bill, H.R. 6. It confers superparty status on license applicants by allowing them to propose alternatives to resource protection conditions, giving them special procedural rights that are not granted to other legitimate stakeholders like States, tribes, sportsmen or ordinary citizens.

It dilutes environmental protections included in current law and will overturn over 100 years of fish and wildlife protections which we have given with regard to the rivers and streams of this Nation.

It creates an entirely new and costly subsidy program for a mature industry that does not need, nor does it deserve, the support of taxpayers at a time of enormous deficits. Needless to say, the language we have before us lies in stark contrast to the hydroelectric provisions that were contained in last year's energy bill.

Last year, our work was not only bipartisan in character, but it was supported by the industry as well as the groups that now oppose the provisions of the legislation. Indeed, of all of those who supported the hydroelectric title last year, only one group remains satisfied today, the utilities. A quick reading of the bill explains why.

The bill before us gives the hydropower industry unprecedented advantage during the licensing process at the expense of protections for fish, wildlife and natural resources. The bill before us would do enormous damage to fish passage requirements of current law. It would deny the need for fishways and would afford no ability by sportsmen groups or conservationists or the Indian tribes to insist that such be included in dams so as to facilitate the upward or the downward passage of fish in our great rivers.

This imperils the ability of fish to reach spawning grounds and subjects them to the hideous cruelties of having to pass through hydroelectric turbines to carry out their natural functions.

The bill is strongly opposed by, as I have said, almost all conservation, sportsmen and environmental groups. I will have a list of those people who oppose and the organizations who oppose

available to discuss with any Member who so desires.

The compromise we offer today is identical to the language which the House passed in the last Congress and which my good friend, the distinguished chairman of the committee, joined me in supporting and which involved a compromise not just between the two parties here in the Congress but also a compromise between industry and conservationists.

The motion and the amendment which we have before us protects natural resources, fish and wildlife. The bill does not. The motion allows the license applicant or any other party to a licensing proceeding to propose an alternative to the conditions set by the resource agencies so that the fullest possible discussion of methods for protection of fish and wildlife values in our rivers and waters may be achieved.

I note that the language that we offer in the motion to recommit is exactly the same which I agreed on with my good friend, the gentleman from Louisiana (Mr. TAUZIN). I would note that he described this legislation with me as a bipartisan consensus provision that carefully balances energy and environmental priorities to achieve a significant breakthrough in licensing reform.

I urge my colleagues, in the interest of protecting our natural resources, to vote for the legislation, and let us make this a better bill in the interests of all of us and in the interests of future generations.

Mr. Speaker, I yield back the balance of my time, and I pay my respects to the chairman.

Mr. TAUZIN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 5 minutes.

Mr. TAUZIN. Mr. Speaker, let me first thank my friend, the gentleman from Michigan (Mr. DINGELL), and the members of the Committee on Energy and Commerce in particular for the cooperative spirit and civility in which we have passed out of committee and onto the floor this immensely important bill for our Nation's future. And I thank the gentleman from Michigan (Mr. DINGELL) in every way for those courtesies.

Let me, on the other hand, greatly oppose this motion to recommit. There are three great ironies here. Let me first set the stage for my colleagues.

The amendment that the gentleman from Michigan (Mr. DINGELL) offers in the motion to recommit is, in fact, the position the House took last year. It was agreed to as a condition, as part of the package of a bill that the gentleman from Michigan (Mr. DINGELL) agreed to support last year, and we were pleased to get his support for it.

On the other hand, the Democratic Senate passed a hydro provision, and guess what, the provision in our House bill today is nearly identical to the Senate-passed hydro provisions of last year under a Democratic-controlled system. It is nearly identical to the hydro provisions passed out of the Senate committee this week, and it is a much better version of the hydro provisions that we contain in this bill that would get stripped by the Dingell motion to recommit.

Let me tell my colleagues why. Let me tell my colleagues the ironies here. The irony, number one, hydropower is the number one renewable fuel in America. It provides more renewable clean energy than wind, solar, all other renewables combined. One would think we would want to encourage relicensing of hydro plants. It is the cleanest, the safest, most renewable energy in America. Our bill's hydro provisions helps to relicense and continue hydropower in America.

The other great irony of this bill, of the motion to recommit offered by the gentleman from Michigan (Mr. DINGELL) is that while everything the gentleman from Michigan (Mr. DINGELL) will set forth in his motion to recommit some very arbitrary standards, under which the Secretary has to do this relicensing, he actually provides such a limited list of alternatives to the Secretary that if anyone comes up with a better way of protecting fish, that would be illegal.

The greatest irony is that this amendment in the nature of a substitute is offered for fish, and it cuts off alternative designs that would better protect fish and it leads to bureaucrats in the Department to make decisions about what rules to apply on a case-by-case basis when it comes to conditions on the license.

This is not a good hydro provision. The hydro provision the gentleman from Michigan (Mr. DINGELL) offers this House will cripple the relicensing provisions of the bill. It will hurt hydropower. It will make it more difficult for us to have the number one, cleanest renewable fuel in America, and we ought not to adopt that kind of a policy in a good bill.

Let me tell my colleagues the greatest irony. The greatest irony, while I do not have the gentleman from Michigan's (Mr. DINGELL) support on this bill, I have the support of the Alliance of Automobile Manufacturers, the American Farm Bureau, the American Petroleum Institute, the National Mining Association, the Domestic Petroleum Council, the Edison Electric Institute, Large Public Power Council, the National Farmers Union, the Teamsters Union, the Association of American Railroads, the National Gas Vehicle Coalition, the Solar Energy Industries Association, the Renewable Fuels Association, the National Corn Growers Association, the U.S. Chamber of Commerce and on and on and on.

This bill is great for America. This motion to recommit would cripple an important part of renewable, clean energy, and we need to defeat it.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I might point out that this is also supported by the National Hydropower Association.

The title on hydro relicensing that is in the bill that is before us does not waive anything of the Endangered Species Act. It does not waive any part of the Safe Water Drinking Act. It does not waive any environmental law that is currently on the books.

What it does do, if a person has an application to relicense a hydro project in this country, and if a Federal agency proposes what is called a mandatory condition to that relicensing, we allow under our bill the applicant to offer an alternative to that mandatory condition; and if that alternative is as effective in protecting the environment and is more cost-effective or energy-efficient, then the agency has to accept the alternative. That is the principal difference between this bill and the bill that we adopted in the last Congress that the gentleman from Michigan (Mr. DINGELL) has in his motion to recommit.

I would urge my colleagues to support the bill. The bill was introduced as a stand-alone hydro relicensing bill with several Democrats as cosponsors, and when we had votes on this in subcommittee and full committee, a fair number of Democrats crossed over to oppose the gentleman from Michigan's (Mr. DINGELL) bill and support what is in our bill.

So let us vote in a bipartisan fashion to oppose the motion to recommit.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman for his comments.

Let us vote this motion to recommit down and let us give America its first good shot in the economic arm. Let us get this country rolling again with national security and economic growth.

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

There was no objection.

The SPEAKER pro tempore. 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

Mr. DINGELL. 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 minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 171, noes 250, not voting 13, as follows:

[Roll No. 144]

AYES—171

Abercrombie	Becerra	Boucher
Ackerman	Berkley	Boyd
Allen	Berman	Brady (PA)
Andrews	Berry	Brown (OH)
Baldwin	Bishop (NY)	Brown, Corrine
Ballance	Boswell	Capps

Capuano
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hoeffel
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu

NOES—250

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

NOT VOTING—13

Blumenauer
Combest
Fattah
Gephardt
Houghton
Kaptur
McCarthy (MO)
Miller, George
Paul
Quinn
Reyes
Towns
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1300

Mr. TANNER changed his 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. 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. TAUZIN. 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 247, noes 175, not voting 13, as follows:

[Roll No. 145]

AYES—247

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bell
Bereuter
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boucher
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Rush
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—175

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Ballance
Bass
Becerra
Berkley
Berman
Berry
Bishop (NY)
Boehlert
Boswell
Boyd
Bradley (NH)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Castle
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frelinghuysen
Gonzalez
Goode
Gordon
Green (WI)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hoeffel
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (CT)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick

Kind
Kirk
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Price (NC)
Rahall
Rangel
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Blumenauer
Bono
Combest
Fattah
Gephardt
Houghton
McCarthy (MO)
Miller, George
Paul
Quinn
Reyes
Towns
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1307

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:

Mrs. BONO. Mr. Speaker, on rollcall No. 145 I was inadvertanly detained. Had I been present, I would have voted "aye."

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 6, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 6, ENERGY POLICY ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 6, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

CLEAN DIAMOND TRADE ACT

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1584) to implement effective measures to stop trade in conflict diamonds, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Diamond Trade Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Funds derived from the sale of rough diamonds are being used by rebels and state actors to finance military activities, overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed civilians. During the past decade, more than 6,500,000 people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. A million of these are refugees eking out a miserable existence in neighboring countries, and tens of thousands have fled to the United States. Approximately 3,700,000 people have died during these wars.

(2) The countries caught in this fighting are home to nearly 70,000,000 people whose societies have been torn apart not only by fighting but also by terrible human rights violations.

(3) Human rights and humanitarian advocates, the diamond trade as represented by the World Diamond Council, and the United States Government have been working to block the trade in conflict diamonds. Their efforts have helped to build a consensus that action is urgently needed to end the trade in conflict diamonds.

(4) The United Nations Security Council has acted at various times under chapter VII of the Charter of the United Nations to address threats to international peace and security posed by conflicts linked to diamonds. Through these actions, it has prohibited all states from exporting weapons to certain countries affected by such conflicts. It has further required all states to prohibit the direct and indirect import of rough diamonds from Sierra Leone unless the diamonds are controlled under specified certificate of origin regimes and to prohibit absolutely the direct and indirect import of rough diamonds from Liberia.

(5) In response, the United States implemented sanctions restricting the importation of rough diamonds from Sierra Leone to those diamonds accompanied by specified certificates of origin and fully prohibiting the importation of rough diamonds from Liberia. The United States is now taking further action against trade in conflict diamonds.

(6) Without effective action to eliminate trade in conflict diamonds, the trade in legitimate diamonds faces the threat of a consumer backlash that could damage the economies of countries not involved in the trade in conflict diamonds and penalize members of the legitimate trade and the people they employ. To prevent that, South Africa and more than 30 other countries are involved in working, through the ''Kimberley Process'', toward devising a solution to this problem. As the consumer of a majority of the world's supply of diamonds, the United States has an obligation to help sever the link between diamonds and conflict and press for implementation of an effective solution.

(7) Failure to curtail the trade in conflict diamonds or to differentiate between the trade in conflict diamonds and the trade in legitimate diamonds could have a severe negative impact on the legitimate diamond trade in countries such as Botswana, Namibia, South Africa, and Tanzania.

(8) Initiatives of the United States seek to resolve the regional conflicts in sub-Saharan Africa which facilitate the trade in conflict diamonds.

(9) The Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002, states that Participants will ensure that measures taken to implement the Kimberley Process Certification Scheme for Rough Diamonds will be consistent with international trade rules.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Ways and Means and the Committee on International Relations of the House of Representatives, and the Committee on Finance and the Committee on Foreign Relations of the Senate.

(2) CONTROLLED THROUGH THE KIMBERLEY PROCESS CERTIFICATION SCHEME.—An importation or exportation of rough diamonds is ''controlled through the Kimberley Process Certification Scheme'' if it is an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is—

(A) carried out in accordance with the Kimberley Process Certification Scheme, as set forth in regulations promulgated by the President; or

(B) controlled under a system determined by the President to meet substantially the standards, practices, and procedures of the Kimberley Process Certification Scheme.

(3) EXPORTING AUTHORITY.—The term ''exporting authority'' means 1 or more entities designated by a Participant from whose territory a shipment of rough diamonds is being exported as having the authority to validate the Kimberley Process Certificate.

(4) IMPORTING AUTHORITY.—The term ''importing authority'' means 1 or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regulating imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

(5) KIMBERLEY PROCESS CERTIFICATE.—The term ''Kimberley Process Certificate'' means a forgery resistant document of a Participant that demonstrates that an importation or exportation of rough diamonds has been controlled through the Kimberley Process Certification Scheme and contains the minimum elements set forth in Annex I to the Kimberley Process Certification Scheme.

(6) KIMBERLEY PROCESS CERTIFICATION SCHEME.—The term ''Kimberley Process Certification Scheme' means those standards, practices, and procedures of the international certification scheme for rough diamonds presented in the document entitled ''Kimberley Process Certification Scheme'' referred to in the Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002.

(7) PARTICIPANT.—The term ''Participant'' means a state, customs territory, or regional economic integration organization identified by the Secretary of State.

(8) PERSON.—The term ''person'' means an individual or entity.

(9) ROUGH DIAMOND.—The term ''rough diamond'' means any diamond that is unworked or simply sawn, cleaved, or bruted and classifiable

under subheading 7102.10, 7102.21, or 7102.31 of the Harmonized Tariff Schedule of the United States.

(10) UNITED STATES.—The term ''United States'', when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any United States citizen or any alien admitted for permanent residence into the United States;

(B) any entity organized under the laws of the United States or any jurisdiction within the United States (including its foreign branches); and

(C) any person in the United States.—

SEC. 4. MEASURES FOR THE IMPORTATION AND EXPORTATION OF ROUGH DIAMONDS.

(a) PROHIBITION.—The President shall prohibit the importation into, or exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme.

(b) WAIVER.—The President may waive the requirements set forth in subsection (a) with respect to a particular country for periods of not more than 1 year each, if, with respect to each such waiver—

(1) the President determines and reports to the appropriate congressional committees that such country is taking effective steps to implement the Kimberley Process Certification Scheme; or

(2) the President determines that the waiver is in the national interests of the United States, and reports such determination to the appropriate congressional committees, together with the reasons therefor.

SEC. 5. REGULATORY AND OTHER AUTHORITY.

(a) IN GENERAL.—The President is authorized to and shall as necessary issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to carry out this Act.

(b) RECORDKEEPING.—Any United States person seeking to export from or import into the United States any rough diamonds shall keep a full record of, in the form of reports or otherwise, complete information relating to any act or transaction to which any prohibition imposed under section 4(a) applies. The President may require such person to furnish such information under oath, including the production of books of account, records, contracts, letters, memoranda, or other papers, in the custody or control of such person.

(c) OVERSIGHT.—The President shall require the appropriate Government agency to conduct annual reviews of the standards, practices, and procedures of any entity in the United States that issues Kimberley Process Certificates for the exportation from the United States of rough diamonds to determine whether such standards, practices, and procedures are in accordance with the Kimberley Process Certification Scheme. The President shall transmit to the appropriate congressional committees a report on each annual review under this subsection.

SEC. 6. IMPORTING AND EXPORTING AUTHORITIES.

(a) IN THE UNITED STATES.—For purposes of this Act—

(1) the importing authority shall be the United States Bureau of Customs and Border Protection or, in the case of a territory or possession of the United States with its own customs administration, analogous officials; and

(2) the exporting authority shall be the Bureau of the Census.

(b) OF OTHER COUNTRIES.—The President shall publish in the Federal Register a list of all Participants, and all exporting authorities and importing authorities of Participants. The President shall update the list as necessary.

SEC. 7. STATEMENT OF POLICY.

The Congress supports the policy that the President shall take appropriate steps to promote and facilitate the adoption by the international community of the Kimberley Process Certification Scheme implemented under this Act.

SEC. 8. ENFORCEMENT.

(a) IN GENERAL.—In addition to the enforcement provisions set forth in subsection (b)—

(1) a civil penalty of not to exceed $10,000 may be imposed on any person who violates, or attempts to violate, any license, order, or regulation issued under this Act; and

(2) whoever willfully violates, or willfully attempts to violate, any license, order, or regulation issued under this Act shall, upon conviction, be fined not more than $50,000, or, if a natural person, may be imprisoned for not more than 10 years, or both; and any officer, director, or agent of any corporation who willfully participates in such violation may be punished by a like fine, imprisonment, or both.

(b) IMPORT VIOLATIONS.—Those customs laws of the United States, both civil and criminal, including those laws relating to seizure and forfeiture, that apply to articles imported in violation of such laws shall apply with respect to rough diamonds imported in violation of this Act.

(c) AUTHORITY TO ENFORCE.—The United States Bureau of Customs and Border Protection and the United States Bureau of Immigration and Customs Enforcement are authorized, as appropriate, to enforce the provisions of subsection (a) and to enforce the laws and regulations governing exports of rough diamonds, including with respect to the validation of the Kimberley Process Certificate by the exporting authority.

SEC. 9. TECHNICAL ASSISTANCE.

The President may direct the appropriate agencies of the United States Government to make available technical assistance to countries seeking to implement the Kimberley Process Certification Scheme.

SEC. 10. SENSE OF CONGRESS.

(a) ONGOING PROCESS.—It is the sense of the Congress that the Kimberley Process Certification Scheme, officially launched on January 1, 2003, is an ongoing process. The President should work with Participants to strengthen the Kimberley Process Certification Scheme through the adoption of measures for the sharing of statistics on the production of and trade in rough diamonds, and for monitoring the effectiveness of the Kimberley Process Certification Scheme in stemming trade in diamonds the importation or exportation of which is not controlled through the Kimberley Process Certification Scheme.

(b) STATISTICS AND REPORTING.—It is the sense of the Congress that under Annex III to the Kimberley Process Certification Scheme, Participants recognized that reliable and comparable data on the international trade in rough diamonds are an essential tool for the effective implementation of the Kimberley Process Certification Scheme. Therefore, the executive branch should continue to—

(1) keep and publish statistics on imports and exports of rough diamonds under subheadings 7102.10.00, 7102.21, and 7102.31.00 of the Harmonized Tariff Schedule of the United States;

(2) make these statistics available for analysis by interested parties and by Participants; and

(3) take a leadership role in negotiating a standardized methodology among Participants for reporting statistics on imports and exports of rough diamonds.

SEC. 11. KIMBERLEY PROCESS IMPLEMENTATION COORDINATING COMMITTEE.

The President shall establish a Kimberley Process Implementation Coordinating Committee to coordinate the implementation of this Act. The Committee shall be composed of the following individuals or their designees:

(1) The Secretary of the Treasury and the Secretary of State, who shall be co-chairpersons.

(2) The Secretary of Commerce.

(3) The United States Trade Representative.

(4) The Secretary of Homeland Security.

(5) A representative of any other agency the President deems appropriate.

SEC. 12. REPORTS.

(a) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act and every 12 months thereafter for such period as this Act is in effect, the President shall transmit to the Congress a report—

(1) describing actions taken by countries that have exported rough diamonds to the United States during the preceding 12-month period to control the exportation of the diamonds through the Kimberley Process Certification Scheme;

(2) describing whether there is statistical information or other evidence that would indicate efforts to circumvent the Kimberley Process Certification Scheme, including cutting rough diamonds for the purpose of circumventing the Kimberley Process Certification Scheme;

(3) identifying each country that, during the preceding 12-month period, exported rough diamonds to the United States and was exporting rough diamonds not controlled through the Kimberley Process Certification Scheme, if the failure to do so has significantly increased the likelihood that those diamonds not so controlled are being imported into the United States; and

(4) identifying any problems or obstacles encountered in the implementation of this Act or the Kimberly Process Certification Scheme.

(b) SEMIANNUAL REPORTS.—For each country identified in subsection (a)(3), the President, during such period as this Act is in effect, shall, every 6 months after the initial report in which the country was identified, transmit to the Congress a report that explains what actions have been taken by the United States or such country since the previous report to ensure that diamonds the exportation of which was not controlled through the Kimberley Process Certification Scheme are not being imported from that country into the United States. The requirement to issue a semiannual report with respect to a country under this subsection shall remain in effect until such time as the country is controlling the importation and exportation of rough diamonds through the Kimberley Process Certification Scheme.

SEC. 13. GAO REPORT.

Not later than 24 months after the effective date of this Act, the Comptroller General of the United States shall transmit a report to the Congress on the effectiveness of the provisions of this Act in preventing the importation or exportation of rough diamonds that is prohibited under section 4. The Comptroller General shall include in the report any recommendations on any modifications to this Act that may be necessary.

SEC. 14. DELEGATION OF AUTHORITIES.

The President may delegate the duties and authorities under this Act to such officers, officials, departments, or agencies of the United States Government as the President deems appropriate.

SEC. 15. EFFECTIVE DATE.

This Act shall take effect on the date on which the President certifies to the Congress that—

(1) an applicable waiver that has been granted by the World Trade Organization is in effect; or

(2) an applicable decision in a resolution adopted by the United Nations Security Council pursuant to Chapter VII of the Charter of the United Nations is in effect.

This Act shall thereafter remain in effect during those periods in which, as certified by the President to the Congress, an applicable waiver or decision referred to in paragraph (1) or (2) is in effect.

Mr. THOMAS (during the reading). Mr. Speaker, I ask unanimous consent

that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, first of all, I am extraordinarily pleased that I found the gentleman from Texas (Mr. DELAY).

Mr. Leader, I would appreciate and I know all Members would: We were here late last night. We have been working hard. I know the conference committee has been working very hard.

If the gentleman would bring us up to date for what he sees as the balance of the day and the balance of the week.

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding to me, and I also appreciate being found.

As the gentleman and Members know, a very important conference committee is meeting on the war supplemental. Very intensive discussions are going on. We anticipate, hopefully anticipate that the conference can be wrapped up later on this evening, but there is absolutely no way that we can assure the Members that we can vote on that bill today. We will have no more votes this afternoon, and anticipate coming back to consider the war supplemental tomorrow at noon.

Mr. HOYER. Mr. Leader, it is my understanding there has not been an agreement yet, but if there were an agreement and, from our perspective, if the gentleman from Wisconsin (Mr. OBEY) and our conferees believe that the conference report was something that they could sign off on, it is my understanding that it is possible, if there were agreement, that we would not have to have a vote tomorrow on that piece of legislation; is that correct?

Mr. DELAY. If the gentleman would continue to yield, it would be beneficial to all Members if we could come to some agreement on the bill. I know that the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) have worked very, very hard to protect the interests of the House and this institution, and they are remaining firm. And we should congratulate the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) for the work they have done.

If it works to the satisfaction of those two Members and this body, it would be very preferable to work out some sort of agreement that we could voice the vote; but I must warn Members that it does not guarantee that there will not be a vote.

Mr. HOYER. Reclaiming my time, I would reiterate and share the view of the majority leader, but at this point in time, we do not know and cannot guarantee Members that there will not be a vote tomorrow.

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

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

Mr. OBEY. Mr. Speaker, let me simply say that I think it is fair to say that there have been virtually no political differences between either side of the aisle on this side of the Capitol; and I think it is fair to say that the House conferees are virtually unanimous in their view about what has to happen in order for us to get out of here.

I do not know yet whether we are going to get the full cooperation that we are going to need from the other side of the Capitol, but it is certainly our intent on both sides that we come out of here as one. It would be very good for the House if we had a bill that had 100 percent support. We could go home with a feeling of unity, and I know that both sides are going to try to accomplish that.

Mr. HOYER. Reclaiming my time, I want to echo the comments of the majority leader. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) have worked diligently not only on the substance of what is in the supplemental, but also in upholding the position of the House as it relates to the balance of power between the executive department and the legislative department as set forth in the Constitution of the United States.

As a matter of fact, when we started our consideration of the supplemental, the first thing the gentleman from Florida (Mr. YOUNG) did was to read article I and appropriate provisions of the Constitution. I think all of us in this body can be appreciative of the fact that the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) have taken the position that I think is appropriate for our institution, as well as for our country, and I share the majority leader's view.

We appreciate their efforts.

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. I appreciate and agree with the gentleman's remarks. I want to tell Members that, as they know, at this point in time in the session it is very difficult to communicate with Members, so I urge Members to stay in touch with their offices because we will be giving all Members updates on an hourly to 2-hour basis as to what is going on with the conference committee and what the future may hold for another session tomorrow.

Mr. HOYER. Mr. Leader, am I correct it would be our hope collectively, both sides of the aisle, to be able to give definitive information to the Members at least by 5 p.m. as to what they might expect for tomorrow?

Mr. DELAY. Mr. Speaker, if the gentleman would continue to yield, I would hope we can give it sooner than that. In talking to the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG), we should have some sort of sense as to what direction the conference will be going in the next hour or two.

Mr. HOYER. Mr. Leader, in the event there is a vote tomorrow, would I be correct in assuming we would give to Members a minimum of an hour's notice and no vote will be held before noon tomorrow? Is that your thought at this point in time?

□ 1315

Mr. DELAY. Of course. And we would like to give them even more notice than that, but at least an hour before we would actually ring the bells and go back into session would we give Members notice.

Mr. HOYER. Mr. Speaker, I am not sure what I am being told, but the gentleman indicated that he may give us, and may be contemplating, more notice than 1 hour. I am not sure what that has to do with the committee, but in any event Members will have a minimum of 1 hour's notice before they would be called back to vote on any legislation tomorrow?

Mr. DELAY. The gentleman is correct.

Mr. HOYER. I thank the gentleman for that. Let me ask the gentleman another question that I was asked by another Member. Am I correct that the only votes, if we have votes tomorrow, would be on the supplemental?

Mr. DELAY. Correct. The only votes we would have, if required, would be on the rules leading up to the supplemental and on the supplemental.

Mr. HOYER. So there may be two votes tomorrow if they were required?

Mr. DELAY. If the gentleman would yield, it could be three. A same-day rule, a rule for the conference report, and the conference report.

Mr. HOYER. Reclaiming my time, in other words, Members should understand that, although we are saying there may be votes tomorrow or there may not be, but there may be multiple votes tomorrow; so it would be more than one vote required. I thank the gentleman.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS

Mrs. MYRICK (during consideration of H. Res. 187), from the Committee on Rules, submitted a privileged report

(Rept. No. 108–75) on the resolution (H. Res. 197) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

CONGRATULATING UNIVERSITY OF CONNECTICUT HUSKIES

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the resolution, (H. Res. 187) congratulating the University of Connecticut Huskies for winning the 2003 National Collegiate Athletic Association Division I women's basketball championship, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 187

Whereas the University of Connecticut Huskies women's basketball team won its third National Collegiate Athletic Association championship in 4 years by defeating the University of Tennessee by the score of 73–68;

Whereas, after losing 4 All-American players to graduation, the Huskies were still able to finish the 2002–2003 season with a nearly perfect 37–1 record, becoming only the 3rd NCAA Division I women's basketball team to repeat as national champions;

Whereas Diana Taurasi was chosen as the consensus national women's Player of the Year and named the Final Four Most Outstanding Player;

Whereas the University of Connecticut Huskies set an NCAA Division I women's record by winning 70 games in a row;

Whereas University of Connecticut Huskies head coach Geno Auriemma was named NCAA Division I women's basketball Coach of the Year, won his 501st game and 4th National Championship;

Whereas the high caliber of the University of Connecticut Huskies in both athletics and academics has significantly advanced the sport of women's basketball and provided inspiration for future generations of young men and women alike; and

Whereas the University of Connecticut Huskies' championship season has rallied Connecticut residents of all ages behind a common purpose and triggered a wave of euphoria across the State: Now, therefore, be it

Resolved, That the House of Representatives commends the University of Connecticut Huskies women's basketball team for winning the 2003 National Collegiate Athletic Association Division I women's basketball championship and for completing the 2002-2003 season with a 37–1 record.

The SPEAKER pro tempore. The gentleman from Connecticut (Mr. SIMMONS) is recognized for 1 hour.

Mr. SIMMONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from Connecticut (Ms. DELAURO), pending which I yield myself such time as I may consume.

Mr. Speaker, I rise today and to join all of my Connecticut colleagues to honor the 2003 NCAA Women's Basketball Champion, the University of Connecticut Huskies. This resolution congressionally recognizes a group of young women who have excelled both on and off the court. Connecticut is incredibly proud of them.

This is the University of Connecticut's second consecutive basketball championship, only the third time an NCAA women's basketball team has ever repeated as national champions.

Led by the NCAA Player of the Year, Diana Taurasi, the Huskies capped a 37 and 1 season by beating the University of Tennessee Tuesday tonight, 73 to 68. All of the State of Connecticut watched with pride as the Huskies claimed their place as the repeat national champions.

The University of Connecticut was founded in 1881 and has a rich history of providing educational and athletic opportunities to undergraduates of diverse interests, abilities, and backgrounds. It is with great joy, Mr. Speaker, that as a former teaching assistant at the University of Connecticut I take the floor today to say way to go, Huskies.

I wanted to congratulate Diana Taurasi, Maria Conlon, Ann Strother, Jessica Moore, and Barbara Turner. But do not forget the other players on the team who contributed so much to the success and overall efforts of the team: Ashley Battle, Willnet Crocket, Stacey Marron, Nicole Wolff, Ashley Valley, and Morgan Valley. And a special ''way to go'' goes to Head coach Geno Auriemma, associate head coach Chris Dailey, Tonya Cardoza, and Jamelle Elliot, athletic director Lew Perkins, and the parents of all of the members of this national championship team. And finally to my friend, UCONN president Philip Austin, and his administration for fielding such a fine team of scholar-athletes.

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

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

I want to thank the gentleman from Connecticut (Mr. SIMMONS), my colleague from the Connecticut delegation, for introducing this resolution honoring the Huskies for their fourth NCAA women's basketball championship and their third and fourth seasons. An extraordinary group of young women.

This year's victory is especially inspirational because the Huskies overcame incredible odds this year, to repeat with only one starting player returning from last year's championship team. They are the first women's basketball team in history to win a national championship without a single senior on the roster and only the third to win back-to-back championships. With this title victory against the mighty Tennessee Vols, and I might just say to my colleague from Tennessee that we honor today these young women for their competitive spirit and their heart, our Huskies are certain to be remembered as one of the greatest basketball teams in sports history.

The people of Connecticut are tremendously proud of their Huskies, who have set an example for all us with their teamwork and with their standard for perfection. Though this victory was a team effort, as the gentleman from Connecticut (Mr. SIMMONS) has said, and he listed the names of all of the members of the team, I just want to make particular mention of guards Maria Conlon, who is from Derby, Connecticut, and I represent Derby, Connecticut. It is in the third congressional district. And Diana Taurasi, a fellow daughter of Italian immigrants who scored 28 points on her way to being named the Final Four Most Outstanding Player and Consensus National Player of the year. Diana was nothing less than dominating. She scored the third-most points in Division I tournament history, the fourth most-ever in the Final Four, and tied for the second most-ever in a title game. She did this all with an aching back, one good ankle, and a heart whose size is only matched by that of the Huskies' dreams and their determination.

The game of women's basketball has changed since the days when women in my generation played it on only a half court, and I did that for 4 years at the Academy of Our Lady of Mercy Laurelton Hall in Milford, Connecticut. I am sure that in the days when my mother played, and she did, and my mother is 89 years old, but she played in the leagues when they had them in New Haven, Connecticut, women's leagues all those years ago, but no one dreamed at that time that women would one day play before a national audience of millions. The game may have changed, but the need to get young girls involved in sports has not.

Without question, the Huskies have illustrated for us that the results of Congress's commitment and my colleagues' commitment through title IX, that when given the resources, women are just as talented and as exciting to watch as any men's team that is out there. Women now constitute 40 percent of college athletes compared to the 15 percent 30 years ago before title IX became law. As evidenced by the trailblazing UCONN Huskies, the values that women learn from sports participation, leadership, teamwork, discipline, pride and accomplishment are irreplaceable. Today's athletic successes help us to increase our participation in tomorrow's workforce, like the number of business management and ownership positions. In fact, 80 percent of female managers of Fortune 500 companies have a sports background. There may be a future Fortune 500 executive on the Huskies right now.

Either way, one cannot deny that participation in athletics has given women many of the tools they need for

success. Because of their hard work, absolute determination, and a commitment to teamwork on and off the court, these talented young women will be remembered as we debate title IX and its impact on the women in this country. They will be the image in our minds of women reaching for their dreams and succeeding.

The UCONN Huskies have set a new standard of excellence that teams in the future will strive to match. They achieved perfection, and they have inspired all of us.

Mr. Speaker, I congratulate the Huskies on their championship win and on their incredible season. They have once again earned our recognition and respect. Let's go, Huskies.

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

Mr. SIMMONS. Mr. Speaker, I yield 5 minutes to the gentleman from the second district of Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Connecticut (Mr. SIMMONS) for yielding me this time.

I will not take the full 5 minutes, but I do rise in the spirit of good sportsmanship that we see exhibited in our wonderful system of collegiate athletics on almost a daily basis to offer credit where credit is due and congratulate the great women's basketball team at the University of Connecticut on their victory over my own hometown Lady Vols.

I have had the privilege on two occasions of being Pat Summit's honorary assistant coach, and my collegiate coaching record is two and zero, I am proud to say, because Coach Summit has been certainly one of the most outstanding coaches in the history of basketball, having led her teams to six national championships. But certainly our number one rival in women's basketball has been the great teams and program that Coach Geno Auriemma has established and built at the University of Connecticut. And those University of Connecticut women certainly showed in every way that not only were they talented athletes but they were wonderful young women as well and outstanding examples for young people all over this Nation.

□ 1330

Unfortunately, I do wish that I was on the other side of this resolution and that I was offering it, and that my friend the gentleman from Connecticut (Mr. SIMMONS) was up congratulating me. I do now, unfortunately, owe him some Tennessee country ham and some honey, that I will bring following the recess.

Mr. Speaker, I will simply end by saying once again, congratulations to a really outstanding team and also by saying, wait until next year.

Mr. SIMMONS. Mr. Speaker, I want to thank the gentleman for his remarks and to extend our commendations to his team. It was a tough game, it was a tight game, it was an exciting game. I had promised that if we came up short I would give him an evening's supply of our fine Mystic Pizza from Mystic, Connecticut. Fortunately I do not have to do that. But I look forward to getting some of that fine Tennessee ham.

Mr. DUNCAN. Mr. Speaker, if the gentleman will yield further, I did say some good things about Pat Summitt; and I do want to say that I am really very, very proud of my Lady Vols, because coming in second in the entire Nation is really a great, great accomplishment. I wish we were number one, but number two is not bad at all, and I am very, very proud of my hometown Lady Vols.

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

Mr. Speaker, I just say to my colleague from Tennessee, who has an office across from mine in the Rayburn Building, that our staffs had a wager, and they have been gracious in making sure that we were the recipients of the goodness of the State of Tennessee and the district.

As I said in my comments, it is wonderful and marvelous to watch these young women, whether they are the Huskies or the Lady Vols, just play their hearts out. I think it is a tremendous tribute to them and to what they do in terms of their leadership of our country, now and for the future. We are proud of the Lady Vols as well, and I thank my colleague.

Mr. SIMMONS. Mr. Speaker, I yield 10 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I appreciate the opportunity to speak on this.

Mr. Speaker, I rise today to pay tribute to the outstanding accomplishments of the University of Connecticut women's basketball team, who defeated the University of Tennessee Volunteers 73 to 68 to win the NCAA tournament on April 8, 2030.

These young women demonstrated throughout their season an ability to focus, to maintain effort even when losing, to work as a team and to hone their individual skills that was truly inspiring, month after month.

That much said, the Lady Vols did a fantastic job as well, and Connecticut admires and respects their skill and ability each year.

I would note that without title IX, none of these young women would have had the opportunity to develop into world class athletes.

I would like to offer, as well, special congratulations to head coach Geno Auriemma, who won his second consecutive national title. After losing four senior starters last year, junior Diana Taurasi took control of the team and led them to victory, scoring 28 points herself.

Mr. Speaker, these extraordinary young women do not need me to tell them they are champions or that their accomplishments are appreciated. This year was supposed to be a year of rebuilding, but the Huskies were not going to rest on their laurels. Over the past years, they have only lost one game.

Mr. Speaker, I rise today to point out that the outstanding achievements of this team offer a fine example to our Nation's young people. We can rise to incredible heights if we are able to combine individual excellence of skill and dedication with the communication and overarching commitment to shared goals that the small word ''teamwork'' denotes.

I applaud the UCONN Huskies for their remarkable achievements, both on and off the court, individually and as a team. We are proud of each one of you, and of our UCONN Huskies.

Ms. DELAURO. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank my dear friend and colleague for yielding me time.

Mr. Speaker, I am amazed that I learn something every time I come to this floor. I have always known of the gentlewoman's great tenacity and ability to put on a full court press, but I had never known that she was a basketball player before, and clearly am astonished to learn that her mom was a basketball player as well, although certainly she was in the center of her life and a point guard in the women's movement in Connecticut.

I am honored, as well, to be joined by my colleagues from Connecticut, and want to especially thank the gentleman from Connecticut (Mr. SIMMONS) for organizing this. The University of Connecticut at Storrs is in the heart of the Second Congressional District. I thank, of course, the gentlewoman from Connecticut (Mrs. JOHNSON) for joining us as well.

The University of Connecticut's women's basketball team is special to the State of Connecticut. They are virtually embraced by all of our citizens, and there has been a love affair in the State of Connecticut with this team. As most of you and everyone knows, throughout the Northeast the winters can get pretty severe, and this was no exception. But the Huskies, both the men's and women's teams, bring extraordinary delight into people's homes all across the State of Connecticut.

We, day in and day out, have the best fans anywhere in the United States, as witnessed by sellout after sellout after sellout of our games, and it is because of the extraordinary program that has been put together at the University of Connecticut.

So, along with the gentleman from Connecticut (Mr. SIMMONS), the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentlewoman from Connecticut (Ms. DELAURO), I want to give the tribute that rightfully belongs to Geno Auriemma and his entire coaching staff, Lew Perkins, and President Austin for the outstanding job they have done at the University of Connecticut.

I would also like to point out that this was a special final four, and, as both the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Connecticut (Mrs. JOHNSON) have pointed out, underscored by the importance of those that are thinking about changing title IX. So, in many respects, though the University of Connecticut Huskies walked off the court victorious, the real winners were women's athletics and its importance.

I say that because I think that there is a unique purity about this game and those that watch athletic competition. I liken it to baseball in the 1950s and 1960s. For sports enthusiasts and purists who watched the women's final four and got to see Duke and Tennessee and Connecticut and Texas, and then the final game between Connecticut and Tennessee, you saw athleticism, sportsmanship, camaraderie and gamesmanship at its very best, something certainly that we all can be proud of and something that I know, having two girls and a son at home, that by watching that kind of play are inspired and get to dream the big dreams that the Lady Vols and the University of Connecticut Huskies have dreamt.

For UCONN it was a tremendous victory. I sincerely hope that Geno and Kathy and their family get to really live this moment, because for the coach and for Chris Dailey and all of the assistant coaches, a three-peat is already expected of them.

Their accomplishments are legendary. They set a national record for consecutive victories this year by winning 70 games in a row, they won 76 of 77 games on their way to their second national championship, and they beat every ranked team along the way. As was pointed out, this was done for the first time by a team of all underclassmen.

In Connecticut we like to say that the Supremes had Diana Ross, certainly the British had Princess Diana, but in Connecticut, we have D, Diana Taurasi, simply the best basketball player in the country. Throughout this past week people from West Virginia have been coming up to me and talking about how she reminds them of Jerry West; and people from Indiana have been coming up and saying how she reminds them of Larry Byrd. And we had Sue Byrd last year, who was not a bad player either; but Diana Taurasi is in a class of her own.

They say a team is an extension of its coach, and certainly this team is the personification of Geno Auriemma, of his spirit, his style, his manner of coaching. He does so with class. Geno Auriemma won his 500th game against the University of Texas and his 501st against Tennessee, and his remarks on beating Tennessee were a tribute to Pat Summitt and the Lady Vols, saying that they had beat the best women's basketball program in the country, and Tennessee arguably was playing the best basketball of any team in the tournament at that point. Of course, Pat Summitt's credits are legendary as well.

This is a rivalry that has been established and will continue for some time to come, but it is one, I think, that again highlights the importance of making sure that people all across this country get to see women's athletics played out on a national stage with all the excitement, drama and athleticism that this competition has brought to the country.

I would also point out that what makes us so proud of our Huskies is that, as extraordinary as they are on the court, they are equally extraordinary off the court, not only academically, in the classroom, but as ambassadors.

I would be remiss if I did not mention the outstanding success of the Big East throughout this tournament. Our colleagues from New York, of course, are very proud of the Syracuse team that went on to win the national championship; and our men's team, again going to the Sweet 16, and also being joined by three other teams, and, of course, the eventual winner, Syracuse.

I know New York and the gentleman from New York (Mr. MEEKS), if he is still within earshot and is listening, is proud of the great job that St. John's did in winning the NIT; and I know that the gentleman from Pennsylvania (Mr. MURTHA) was somewhat chagrined that Pitt did not make it all the way. But nonetheless, nonetheless, it was a stellar achievement on the part of the Big East. Geno Auriemma, again, pointed that out.

So I am very proud to stand with my colleagues here today and pay tribute to the University of Connecticut and their outstanding women's basketball team. They are a credit to their families, to their university, to our great State of Connecticut and to the entire Nation.

Mr. SIMMONS. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. WAMP), a gentleman who is himself a great basketball player and distinguishes himself on the court in congressional play.

Mr. WAMP. Mr. Speaker, certainly I thank the authors of this resolution for coming to the floor today, just a few hours after there was significant rancor and division, to a point of unity here, to recognize the best in college athletics.

□ 1345

There is no doubt that Geno and Diana and the entire UConn team deserve the national championship, one of the greatest games I think in the history of women's basketball, certainly the two most prominent programs in the land. And as a basketball player myself, and I appreciate the compliment, but great is a relative term, and the older I get, the better I used to be. That is the way most of us are.

The best lessons I have learned in my life were in the game of basketball. Sports are very important at every level. Also, I am the chairman of the Congressional Fitness Caucus, and it is important that we promote physical activity and to see the example of these female college athletes, the heart that they have, the dignity that their coach displayed, in victory and, a long time ago, in defeat. It has been a long time since the UConn Lady Huskies have not had a good year. It is really incredible.

I just have to tell my colleagues, I am a Lady Vols fan, rooted for them, so proud of our program. But I tell my colleagues, this was a very special team and a very special year for a great bunch of ladies. And to see Geno, I watched every minute of the game and watched Geno's comments, and for him to even hail the proud Italian heritage that we saw demonstrated in the heart and soul, just the hustle, the determination.

Of course, Tennessee played their hearts out as well: Karen, the Jacksons, incredible female athletes.

This game of women's basketball is one of the fastest moving sports climbs in the history of this country. There is excitement filling up the greatest domes in the country with sports fans and enthusiasts of all shapes and sizes and ages. It is just really good that women's sports are doing so well. And boy, the apex I think of the competition was the University of Connecticut's victory for the national championship.

So I applaud my colleagues. In a time of unity today on the House floor, we can come and praise this dedication. It is just wonderful that physical exercise and athletic competition can bring out the best in people, both physically and mentally, because I think that there is a tremendous respect between Pat Summit and Geno and the greatest coaches in the land in female sports. It is great for women's basketball that these two teams made it all the way to that final game. I do not know what the ratings were, but they had to be high; and I know many of my colleagues were glued to the television that night as they knew the two most successful programs in women's basketball had made it to the final game of the national championship. They played their hearts out, and my hat is off to the Connecticut Huskies. They deserved to win, they deserve to be champions, and they are true champions with dignity. They have the respect of every person, I think, in this country.

So this brings out the best in America where two good teams compete and the best team won. So congratulations, Connecticut. We will see you next year.

Mr. SIMMONS. Mr. Speaker, I thank the gentleman for his comments, for his sportsmanship, and for his encouragement of physical fitness among those of us who serve here in Congress. He is a terrific leader in that regard.

Seeing no further speakers on my side, I would ask my colleague if she would like to close.

Ms. DELAURO. Mr. Speaker, I thank my colleague, and I do have someone else who would like to speak, another colleague. I just want to say to my colleague from Connecticut (Mr. LARSON) I had no idea that he aspired to sports commentary. We have talked about Maryland and Missouri and Texas, but we have to deal with California as well.

But the long and the short of it, I yield such time as he may consume to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentlewoman from Connecticut for yielding, and I congratulate her and the gentleman from Connecticut (Mr. SIMMONS) for hosting this resolution for congratulations for UConn.

I rise to celebrate the coaches and the rest of the team. But I rise in support of Barbara Turner. Barbara Turner is my constituent. She attended East Technical High School in the 11th Congressional District of Ohio, which is Cleveland. I watched her play basketball in high school. My son Mervyn graduated at the same time she did; he is a basketball player as well, and I wish I could say their school was doing as good as UConn. I cannot. But I am so pleased to join with all of my colleagues in celebrating UConn.

I want to just close with two things. Is it not wonderful to see how well we are doing with this program as a result of the strong support of title IX? It is time for us to stand up and continue to support a successful program. It is time for us to stand up and continue to support another successful program in colleges and universities: affirmative action. I would just ask my colleagues across this country to think about how great those programs are.

Finally, I invite my colleagues to Cleveland, Ohio, in 2007 for the women's NCAA finals. I am the Chair of that event. Come on to Cleveland, and we will celebrate another victory.

Mr. SIMMONS. Mr. Speaker, we have no further speakers, if the gentlewoman wishes to close; and then I will close.

Ms. DELAURO. Mr. Speaker, I will take my colleague up on the trip to Cleveland.

Mr. Speaker, I am reluctant to do this, but my colleague from Connecticut (Mr. LARSON) has asked for a minute, so I yield 1 minute to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentlewoman for yielding me this time. I would feel remiss, with the gentleman from Tennessee (Mr. WAMP) taking most of the time here, that I did not get an opportunity to mention that the gentleman from Tennessee (Mr. FORD) had also been involved in a wager, far more dramatic, I might point out, I say to the gentleman from Connecticut (Mr. SIMMONS), than the paultry ham that you were able to get. The gentleman from Tennessee (Mr. FORD) had committed that the Tennessee delegation, working through the gentleman from Tennessee (Mr. WAMP), was going to get us a new wing at the University of Connecticut; and we want to greatly thank him for that as well.

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

Mr. LARSON of Connecticut. I yield to the gentleman from Connecticut.

Mr. SIMMONS. That is not ham. That would be what?

Mr. LARSON of Connecticut. Pork.

Ms. DELAURO. Mr. Speaker, we have a rally going here. I yield 1 minute to the gentleman from Washington State (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, we just wanted, from the State of Washington, from the University of Washington Huskies, to congratulate the Connecticut Huskies on this tremendous achievement. I just want to tell my colleagues, it is a particular personal satisfaction to see women's basketball so successful nationally.

My dad was the athletic director for the Seattle public schools in the 1970s when we were starting to break these barriers to fight the sort of coaches of the boys' team to get them to share the gym. This was a very controversial effort to get some of these old codgers to see the light to share the gym, and it is really satisfying to see this tremendous satisfaction. I hope we can work together to make sure that our title IX continues to protect the wonderful growth of women's athletics. Congratulations.

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

I think it is absolutely clear that we do have to work together and we will work together to make sure that we preserve title IX.

In closing, I want to thank the gentleman from Connecticut (Mr. SIMMONS) for bringing this resolution to the floor. We all wholeheartedly congratulate the number one NCAA women's team in the country, the UConn Huskies.

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

Mr. SIMMONS. Mr. Speaker, I yield myself the remaining time.

In closing, I would like to say that my colleague, the gentleman from Connecticut (Mr. SHAYS), was unavailable for this colloquy and to speak to this resolution because he is chairing a committee at this time; but I suspect he will submit comments for the RECORD.

I would also like to point out that one of the things that I have always admired about the UConn Huskies as a basketball team was the fact that when we look at their jerseys, and I have a T-shirt in front of me that commemorates their great victory this year, but when you look at their jerseys as they play, you will not see the players' names on the jerseys. You will only see the name of UConn, University of Connecticut. I think that that is important because what it shows is that in spite of the tremendous talent of the members of this team and the tremendous talent of all of the members of this team, they play as a team, not as individuals. And even somebody like Diana Taurasi, who is so talented, so gifted, who plays such a marvelous game of basketball, but she plays as part of the team, and the team does so well for those reasons.

Mr. SHAYS. Mr. Speaker, my constituents and all of Connecticut congratulate the University of Connecticut Lady Huskies for winning the 2003 NCAA Women's Basketball Championship.

Last year, I stood on this same floor to congratulate the 2002 championship squad, which I felt was the greatest team in the history of women's college basketball. That 39–0 team never trailed in the second half all season. During the NCAA tournament, they won their six games by an average margin of 27 points.

Going into this season, the Lady Huskies had lost four All-American players to graduation. Without their senior leadership, many questioned whether the team would be able to win a third national championship in just 4 years.

But UConn women's basketball has always been a program rich in tradition and a desire to excel. Quite simply, they would not be denied.

Led by junior Diana Taurasi, the national women's player of the year, a pair of freshmen sensations, Barbara Turner and Ann Strother, and the unyielding dedication of teammates Maria Conlon, Jessica Moore, Ashley Battle, Nicole Wolff, Morgan and Ashley Valley, Wilnett Crockett and Stacey Marron, the UConn Lady Huskies again finished the season as the finest team in the land.

I also want to commend the hard work of Geno Auriemma, the NCAA Coach of the Year, who along with his coaching staff put together another unbelievable team. With the championship victory, Coach Auriemma won his 501st game and fourth national championship.

Mr. Speaker, this team's speed, precision shooting, and hustle have all contributed to its success. But what strikes me the most about the Lady Huskies is their ability to rise to any occasion.

In the semifinal game, UConn was down 50–41 with 12 minutes left against the University of Texas Longhorns. All game long Texas had stunned the Lady Huskies with its strong rebounding and intense defense. But the Lady Huskies settled down and received a spark off the bench from Wilnett Crockett. In two of the greatest final minutes of women's Final Four history, the Lady Huskies found a way to win. They hit key shots and shut down the Longhorns on their way to a hard-fought 71–69 victory and a ticket to the national championship game.

By the time the Lady Huskies met the Lady Vols of Tennessee in the title game, they could taste victory. Against the most successful women's basketball program in NCAA history, UConn never trailed throughout the game. The result was a 73–68 victory!

I want to congratulate these young women for being such extraordinary role models for Americans of all ages.

These UConn Lady Huskies continue to be the team by which all others are measured.

They were really a joy to watch, and I congratulate them on their tremendous achievement.

Mr. SIMMONS. 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.

GENERAL LEAVE

Mr. SIMMONS. 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. Res. 187.

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

There was no objection.

SMALLPOX EMERGENCY PERSONNEL PROTECTION ACT OF 2003

Mr. BURR. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce, the Committee on Education and the Workforce, and the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 1770) to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mrs. CAPPS. Mr. Speaker, reserving the right to object, the emergency supplemental appropriations bill which the Congress should pass shortly was going to include a smallpox vaccination compensation program. Now it is being presented for unanimous consent.

For many months I have worked closely with the community of first responders. Many of them are nurses. I commend the leadership of the gentleman from Michigan (Mr. DINGELL) and the gentleman from California (Mr. WAXMAN), who have worked with many other Members of this body to make this program, this compensation program as good as possible. And when we beat a bad bill, which was on the suspension calendar a few days ago as we did, then it gives us an opportunity to improve the program as it was presented. That is what has been attempted to do. Great efforts have been expended and have resulted in marked improvements on the woefully inadequate proposal that the administration initially put forward.

I salute again my colleagues who have worked hard from within this body to represent the needs of our first responders as they anticipate and step forward to become a part of the shield against bioterrorist attack.

The administration, however, was difficult in this area. I am not convinced that this end product which is before us today really will inspire enough confidence in nurses to make the vaccine program work. However, again, I reiterate that there are improvements in the initial bill that were put forward.

But the process back and forth from the White House to the House of Representatives was very much in the arena of parsimonious, as the progress that was made came in bits and pieces. It felt to the community of first responders as if they were being nickeled and dimed. And now, with the product that we have, the nursing community, many of the people who will be the first responders, many of them tell me that the safety net provided in the bill before us today still has large holes in it. And it is told to us that the administration has refused to go any further than what is in this bill.

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Now, time will tell us if this proposal succeeds, and the proof is actually not right here in this body but out in the community, in our homeland security efforts, in our communities where firefighters, police officers, EMTs, nurses will be asked to roll up their sleeves to become heroes on behalf of us all.

If they feel confidence that the government will stand behind them with a good compensation package, they will be more inspired to do this. I wish I could be more confident. However, again I remark that there has been progress made.

For example, I myself was recently asked by the Capitol physician to be a first responder here in the Congress. For that reason, I have been asked to get a smallpox vaccination myself; and I am presently consulting with my doctor, as I should do, and with other medical experts about the advisability of this.

But if I do take this vaccine and something goes wrong, I know that my family and my dependents will be taken care of because I am covered by the Federal Employees Compensation Act.

Under the bill that we will pass today under unanimous consent, a nurse in Santa Barbara, a firefighter in any community across this country who takes a vaccine to serve his or her country, may not have that same confidence. So this goes beyond the consideration of a particular vaccine; it really gets down to how we value our first responders and what we are asking them to do on behalf of their country.

Many have said that on 9/11 we crossed through a threshold in this country, and life has been different ever since. We now face the prospect lurking every single day, the possibility of a terrorist attack.

One of the real threats that we face as a nation to which we desire to protect ourselves is the threat of a bioterrorist attack. We saw that as the anthrax situation came upon us.

Who are the first responders who are called upon to answer the call in the event of such an attack? These are those who work and live among us, ordinary citizens asked now by their government, by their President, to take on extraordinary responsibility.

For many, life goes on as normal. They take the vaccine and nothing will happen. But for a few, and a very few, a drastic reaction could happen. There is a risk to this act of patriotism that we are asking our fellow citizens to take on.

I want us to be, with every measure within us, standing behind them; so that for that handful of people who have life permanently altered for themselves and are never able to be the breadwinner for their family, as they have been in the past, because they stepped forward on behalf of their country, I want them to have the full measure of protection such as I have as a Federal employee.

Reluctantly, I look at the package before us: parsimonious, in my regard. I will withdraw my reservation, but I will do so reluctantly, because I want this process to be better.

Mr. Speaker, I will withdraw my reservation of objection with the hope that our administration, our leaders, will continue to work to give the assurance that screening, that education be available for every first responder to avoid the risks, as many of them as we can.

We can work to make this package even better.

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

Mrs. CAPPS. I yield to the gentleman from North Carolina.

Mr. BURR. Mr. Speaker, I thank the gentlewoman for yielding to me.

This process has been enhanced by the gentlewoman from California (Mrs. CAPPS) and her expertise and her passion on this particular issue.

There is no doubt that this initiative is one that is needed for first responders, regardless of the community that they come from, because without identifying specifically where the threat may be, we have to make sure that we prepare 100 percent of our first responders and health care workers.

Mr. Speaker, the unanimous consent request before us today for the Smallpox Emergency Personnel Protection Act of 2003, a bill critical to our public health security and to our national security against the potential devastating threat of a terrorist release of the deadly smallpox virus, this bill is based on H.R. 1463, which I introduced in the Committee on Energy and Commerce, but it contains refinements, refinements that have been agreed to on a bipartisan basis with the ranking member, the gentleman from Michigan (Mr. DINGELL), the gentlewoman from California (Mrs. CAPPS), the gentleman from California (Mr. WAXMAN), and the

gentleman from Louisiana (Chairman TAUZIN).

It has also been the subject of bipartisan negotiations with Senator GREGG, Senator KENNEDY; and yes, the administration. I applaud the leadership of all parties in this matter. I have stated before, we need to get this done as soon as possible to improve homeland security, to make sure that we are covered in case something happens.

In January of this year, HHS Secretary Tommy Thompson called on health professionals and emergency responders across the Nation to volunteer to receive the smallpox vaccination in order to join the smallpox emergency response team. The goal is to ensure that our country is better prepared to deal with any outbreak of this deadly disease caused by terrorists or rogue regimes, such as Iraq, by having in place thousands and potentially millions of first responders who could help treat others with smallpox or vaccinate the public without the fear of infection.

This legislation, which has been requested by the administration, as the gentlewoman pointed out, is a top personal priority of the President and does a number of important things. Let me point those out, if I may.

First, it provides coverage for reasonable and necessary medical expenses incurred by individuals who are vaccinated and suffer adverse effects, to the extent that such expenses are not picked up by the individual's primary health insurer.

Second, the bill provides a lost-employment-income benefit if an individual misses more than 5 days of work due to an adverse effect from the vaccine. Under this benefit, an individual can receive up to 75 percent of his monthly salary and up to $50,000 a year in supplemental wages.

For partial disabilities, the amount of Federal benefits would be capped at the maximum amount of the death benefit amount payable under the Public Safety Officers Benefits Program, or PSOB, an existing Federal program that currently provides $262,000 in a lump sum to public safety officers who are killed or totally disabled in the line of work.

Third, the act provides a PSOB-equivalent death benefit for health care workers and first responders in the unlikely and regrettable cases where there may be a fatal adverse reaction to the smallpox inoculation.

Because of the rare, but potentially severe, adverse side effects uniquely associated with this particular vaccine, a compensation program such as this one is essential if we are to properly incentivize these volunteers, these public safety heroes, to roll up their sleeves and to take the shot at potential risk to themselves and to their spouses and dependents whom their death or injury could leave behind.

While some might say our compensation program is too generous and others might say that it is not enough in some cases, I think we have struck a good balance, given the uniqueness and the urgency of the national security situation we face today with respect to the potential threat of smallpox.

Finally, this legislation provides sensible, noncontroversial technical amendments to last year's homeland security bill to better provide liability protection to hospitals, doctors, nurses, and public health officials at the State and local levels whom we are asking to participate in this important national initiative.

Again, without this protection, the program is unlikely to be successful. That hurts all of us. This bill has been intensely negotiated, and it is a bipartisan consensus product that is needed for our national security now.

Mr. Speaker, let me say, seldom do we produce a perfect product, but we try our best. Because I believe we have tried our best in this case, I would urge unanimous consent for passage of this measure to be accepted.

Mrs. CAPPS. Continuing to reserve my right to object, Mr. Speaker, I agree with the gentleman from North Carolina that progress has been made since the original presentation that the administration put forth before the House of Representatives.

I would stand before the Members as a Member of Congress, but also as a first responder covered with the full protection of the Federal Government; and look forward to an opportunity, now it will be in the future, perhaps, when I can go among other first responders in our Nation with the full assurance that their protection and their compensation is as great as my own.

This compensation package is only as good as the confidence that it inspires within our first responder community, these folks we ask to be heroes. So I make the request to my colleague, the gentleman from North Carolina (Mr. BURR), and to my colleagues in Congress that we must monitor this program as this piece of legislation is unanimously passed here in this body.

We should keep track of it. If it does not work in its present form, we should make the commitment that we will revisit this.

Again, this is a program that is only as good as it will be resulting in the goals that the administration has set before the Nation in terms of its bioterrorist protection.

Mr. DINGELL. Mr. Speaker, I support this smallpox vaccine compensation program. The nurses and first responders recognize that this framework is, unfortunately, the best we can get from this Administration. And even though this compensation program may not be sufficient to build the necessary confidence in those we are asking to receive this risky vaccine, it is better than nothing. We need to begin protecting those we are asking to protect us.

Of course, it remains in the Administration's hands to determine whether this program will ultimately work. Will the Administration devote the necessary resources to do a proper job of education and screening? Will the Administration work with those directly affected as it implements the program? Will the Administration take necessary steps to assure any inured party that the money to protect their families will be there?

Given that Democrats have been seeking a viable and effective screening and compensation program for months, and given that any concessions from the Administration have been grudging at best, I am not optimistic. But because of the importance of the program, I will continue to fight on behalf of the nurses and other first responders to see that the Administration does not let it fail.

Mrs. CAPPS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1770

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 ''Smallpox Emergency Personnel Protection Act of 2003''.

SEC. 2. SMALLPOX EMERGENCY PERSONNEL PROTECTION.

Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by adding at the end the following part:

''PART C—SMALLPOX EMERGENCY PERSONNEL PROTECTION

''SEC. 261. GENERAL PROVISIONS.

''(a) DEFINITIONS.—For purposes of this part:

''(1) COVERED COUNTERMEASURE.—The term 'covered countermeasure' means a covered countermeasure as specified in a Declaration made pursuant to section 224(p).

''(2) COVERED INDIVIDUAL.—The term 'covered individual' means an individual—

''(A) who is a health care worker, law enforcement officer, firefighter, security personnel, emergency medical personnel, other public safety personnel, or support personnel for such occupational specialities;

''(B) who is or will be functioning in a role identified in a State, local, or Department of Health and Human Services smallpox emergency response plan (as defined in paragraph (7)) approved by the Secretary;

''(C) who has volunteered and been selected to be a member of a smallpox emergency response plan described in subparagraph (B) prior to the time at which the Secretary publicly announces that an active case of smallpox has been identified either within or outside of the United States; and

''(D) to whom a smallpox vaccine is administered pursuant to such approved plan during the effective period of the Declaration (including the portion of such period before the enactment of this part).

''(3) COVERED INJURY.—The term 'covered injury' means an injury, disability, illness, condition, or death (other than a minor injury such as minor scarring or minor local reaction) determined, pursuant to the procedures established under section 262, to have been sustained by an individual as the direct result of—

''(A) administration to the individual of a covered countermeasure during the effective period of the Declaration; or

''(B) accidental vaccinia inoculation of the individual in circumstances in which—

''(i) the vaccinia is contracted during the effective period of the Declaration or within 30 days after the end of such period;

''(ii) smallpox vaccine has not been administered to the individual; and

''(iii) the individual has been in contact with an individual who is (or who was accidentally inoculated by) a covered individual.

''(4) DECLARATION.—The term 'Declaration' means the Declaration Regarding Administration of Smallpox Countermeasures issued by the Secretary on January 24, 2003, and published in the Federal Register on January 28, 2003.

''(5) EFFECTIVE PERIOD OF THE DECLARATION.—The term 'effective period of the Declaration' means the effective period specified in the Declaration, unless extended by the Secretary.

''(6) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means an individual who is (as determined in accordance with section 262)—

''(A) a covered individual who sustains a covered injury in the manner described in paragraph (3)(A); or

''(B) an individual who sustains a covered injury in the manner described in paragraph (3)(B).

''(7) SMALLPOX EMERGENCY RESPONSE PLAN.—The term 'smallpox emergency response plan' or 'plan' means a response plan detailing actions to be taken in preparation for a possible smallpox-related emergency during the period prior to the identification of an active case of smallpox either within or outside the United States.

''(b) VOLUNTARY PROGRAM.—The Secretary shall ensure that a State, local, or Department of Health and Human Services plan to vaccinate individuals that is approved by the Secretary establishes procedures to ensure, consistent with the Declaration and any applicable guidelines of the Centers for Disease Control and Prevention, that—

''(1) potential participants are educated with respect to contraindications, the voluntary nature of the program, and the availability of potential benefits and compensation under this part;

''(2) there is voluntary screening provided to potential participants that can identify health conditions relevant to contraindications; and

''(3) there is appropriate post-inoculation medical surveillance that includes an evaluation of adverse health effects that may reasonably appear to be due to such vaccine and prompt referral of, or the provision of appropriate information to, any individual requiring health care as a result of such adverse health event.

''SEC. 262. DETERMINATION OF ELIGIBILITY AND BENEFITS.

''(a) IN GENERAL.—The Secretary shall establish procedures for determining, as applicable with respect to an individual—

''(1) whether the individual is an eligible individual;

''(2) whether an eligible individual has sustained a covered injury or injuries for which medical benefits or compensation may be available under sections 264 and 265, and the amount of such benefits or compensation; and

''(3) whether the covered injury or injuries of an eligible individual caused the individual's death for purposes of benefits under section 266.

''(b) COVERED INDIVIDUALS.—The Secretary may accept a certification, by a Federal, State, or local government entity or private health care entity participating in the administration of covered countermeasures under the Declaration, that an individual is a covered individual.

''(c) CRITERIA FOR REIMBURSEMENT.—

''(1) INJURIES SPECIFIED IN INJURY TABLE.—In any case where an injury or other adverse effect specified in the injury table established under section 263 as a known effect of a vaccine manifests in an individual within the time period specified in such table, such injury or other effect shall be presumed to have resulted from administration of such vaccine.

''(2) OTHER DETERMINATIONS.—In making determinations other than those described in paragraph (1) as to the causation or severity of an injury, the Secretary shall employ a preponderance of the evidence standard and take into consideration all relevant medical and scientific evidence presented for consideration, and may obtain and consider the views of qualified medical experts.

''(d) DEADLINE FOR FILING REQUEST.—The Secretary shall not consider any request for a benefit under this part with respect to an individual, unless—

''(1) in the case of a request based on the administration of the vaccine to the individual, the individual files with the Secretary an initial request for benefits or compensation under this part not later than one year after the date of administration of the vaccine; or

''(2) in the case of a request based on accidental vaccinia inoculation, the individual files with the Secretary an initial request for benefits or compensation under this part not later than two years after the date of the first symptom or manifestation of onset of the adverse effect.

''(e) STRUCTURED SETTLEMENTS AT SECRETARY'S OPTION.—In any case in which there is a reasonable likelihood that compensation or payment under section 264, 265, or 266(b) will be required for a period in excess of one year from the date an individual is determined eligible for such compensation or payment, the Secretary shall have the discretion to make a lump-sum payment, purchase an annuity or medical insurance policy, or execute an appropriate structured settlement agreement, provided that such payment, annuity, policy, or agreement is actuarially determined to have a value equal to the present value of the projected total amount of benefits or compensation that the individual is eligible to receive under such section or sections.

''(f) REVIEW OF DETERMINATION.—

''(1) SECRETARY'S REVIEW AUTHORITY.—The Secretary may review a determination under this section at any time on the Secretary's own motion or on application, and may affirm, vacate, or modify such determination in any manner the Secretary deems appropriate. The Secretary shall develop a process by which an individual may file a request for reconsideration of any determination made by the Secretary under this section.

''(2) JUDICIAL AND ADMINISTRATIVE REVIEW.—No court of the United States, or of any State, District, territory or possession thereof, shall have subject matter jurisdiction to review, whether by mandamus or otherwise, any action by the Secretary under this section. No officer or employee of the United States shall review any action by the Secretary under this section (unless the President specifically directs otherwise).

''SEC. 263. SMALLPOX VACCINE INJURY TABLE.

''(a) SMALLPOX VACCINE INJURY TABLE.—

''(1) ESTABLISHMENT REQUIRED.—The Secretary shall establish by interim final regulation a table identifying adverse effects (including injuries, disabilities, illnesses, conditions, and deaths) that shall be presumed to result from the administration of (or exposure to) a smallpox vaccine, and the time period in which the first symptom or manifestation of onset of each such adverse effect must manifest in order for such presumption to apply.

''(2) AMENDMENTS.—The Secretary may by regulation amend the table established under paragraph (1). An amendment to the table takes effect on the date of the promulgation of the final rule that makes the amendment, and applies to all requests for benefits or compensation under this part that are filed on or after such date or are pending as of such date. In addition, the amendment applies retroactively to an individual who was not with respect to the injury involved an eligible individual under the table as in effect before the amendment but who with respect to such injury is an eligible individual under the table as amended. With respect to a request for benefits or compensation under this part by an individual who becomes an eligible individual as described in the preceding sentence, the Secretary may not provide such benefits or compensation unless the request (or amendment to a request, as applicable) is filed before the expiration of one year after the effective date of the amendment to the table in the case of an individual to whom the vaccine was administered and before the expiration of two years after such effective date in the case of a request based on accidental vaccinia inoculation.

''SEC. 264. MEDICAL BENEFITS.

''(a) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary shall make payment or reimbursement for medical items and services as reasonable and necessary to treat a covered injury of an eligible individual, including the services, appliances, and supplies prescribed or recommended by a qualified physician, which the Secretary considers likely to cure, give relief, reduce the degree or the period of disability, or aid in lessening the amount of monthly compensation.

''(b) BENEFITS SECONDARY TO OTHER COVERAGE.—Payment or reimbursement for services or benefits under subsection (a) shall be secondary to any obligation of the United States or any third party (including any State or local governmental entity, private insurance carrier, or employer) under any other provision of law or contractual agreement, to pay for or provide such services or benefits.

''SEC. 265. COMPENSATION FOR LOST EMPLOYMENT INCOME.

''(a) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary shall provide compensation to an eligible individual for loss of employment income (based on such income at the time of injury) incurred as a result of a covered injury, at the rate specified in subsection (b).

''(b) AMOUNT OF COMPENSATION.—

''(1) IN GENERAL.—Compensation under subsection (a) shall be at the rate of 66 2/3 percent of the relevant pay period (weekly, monthly, or otherwise), except as provided in paragraph (2).

''(2) AUGMENTED COMPENSATION FOR DEPENDENTS.—If an eligible individual has one or more dependents, the basic compensation for loss of employment income as described in paragraph (1) shall be augmented at the rate of 8 1/3 percent.

''(3) CONSIDERATION OF OTHER PROGRAMS.—

''(A) IN GENERAL.—The Secretary may consider the provisions of sections 8114, 8115, and 8146a of title 5, United States Code, and any implementing regulations, in determining the amount of payment under subsection (a) and the circumstances under which such payments are reasonable and necessary.

''(B) MINORS.—With respect to an eligible individual who is a minor, the Secretary may consider the provisions of section 8113 of title 5, United States Code, and any implementing regulations, in determining the amount of payment under subsection (a) and the circumstances under which such payments are reasonable and necessary.

''(4) TREATMENT OF SELF-EMPLOYMENT INCOME.—For purposes of this section, the term 'employment income' includes income from self-employment.

''(c) LIMITATIONS.—

''(1) BENEFITS SECONDARY TO OTHER COVERAGE.—

''(A) IN GENERAL.—Any compensation under subsection (a) shall be secondary to the obligation of the United States or any third party (including any State or local governmental entity, private insurance carrier, or employer), under any other law or contractual agreement, to pay compensation for loss of employment income or to provide disability or retirement benefits.

''(B) RELATION TO OTHER OBLIGATIONS.—Compensation under subsection (a) shall not be made to an eligible individual to the extent that the total of amounts paid to the individual under such subsection and under the other obligations referred to in subparagraph (A) is an amount that exceeds the rate specified in subsection (b)(1). If under any such other obligation a lump-sum payment is made, such payment shall, for purposes of this paragraph, be deemed to be received over multiple years rather than received in a single year. The Secretary may, in the discretion of the Secretary, determine how to apportion such payment over multiple years.

''(2) NO BENEFITS IN CASE OF DEATH.—No payment shall be made under subsection (a) in compensation for loss of employment income subsequent to the receipt, by the survivor or survivors of an eligible individual, of benefits under section 266 for death.

''(3) LIMIT ON TOTAL BENEFITS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)—

''(i) total compensation paid to an individual under subsection (a) shall not exceed $50,000 for any year; and

''(ii) the lifetime total of such compensation for the individual may not exceed an amount equal to the amount authorized to be paid under section 266.

''(B) PERMANENT AND TOTAL DISABILITY.—The limitation under subparagraph (A)(ii) does not apply in the case of an eligible individual who is determined to have a covered injury or injuries meeting the definition of disability in section 216(i) of the Social Security Act (42 U.S.C. 416(i)).

''(4) WAITING PERIOD.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an eligible individual shall not be provided compensation under this section for the first 5 work days of loss of employment income.

''(B) EXCEPTION.—Subparagraph (A) does not apply if the period of loss of employment income of an eligible individual is 10 or more work days.

''(5) TERMINATION OF BENEFITS.—No payment shall be made under subsection (a) in compensation for loss of employment income once the eligible individual involves reaches the age of 65.

''(d) BENEFIT IN ADDITION TO MEDICAL BENEFITS.—A benefit under subsection (a) shall be in addition to any amounts received by an eligible individual under section 264.

''SEC. 266. PAYMENT FOR DEATH.

''(a) DEATH BENEFIT.—

''(1) IN GENERAL.—The Secretary shall pay, in the case of an eligible individual whose death is determined to have resulted from a covered injury or injuries, a death benefit in the amount determined under paragraph (2) to the survivor or survivors in the same manner as death benefits are paid pursuant to the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) with respect to an eligible deceased (except that in the case of an eligible individual who is a minor with no living parent, the legal guardian shall be considered the survivor in the place of the parent).

''(2) BENEFIT AMOUNT.—

''(A) IN GENERAL.—The amount of the death benefit under paragraph (1) in a fiscal year shall equal the amount of the comparable benefit calculated under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) in such fiscal year, without regard to any reduction attributable to a limitation on appropriations, but subject to subparagraph (B).

''(B) REDUCTION FOR PAYMENTS FOR LOST EMPLOYMENT INCOME.—The amount of the benefit as determined under subparagraph (A) shall be reduced by the total amount of any benefits paid under section 265 with respect to lost employment income.

''(3) LIMITATIONS.—

''(A) IN GENERAL.—No benefit is payable under paragraph (1) with respect to the death of an eligible individual if—

''(i) a disability benefit is paid with respect to such individual under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.); or

''(ii) a death benefit is paid or payable with respect to such individual under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.).

''(B) EXCEPTION IN THE CASE OF A LIMITATION ON APPROPRIATIONS FOR DISABILITY BENEFITS UNDER PSOB.—In the event that disability benefits available to an eligible individual under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) are reduced because of a limitation on appropriations, and such reduction would affect the amount that would be payable under subparagraph (A) without regard to this subparagraph, benefits shall be available under paragraph (1) to the extent necessary to ensure that the survivor or survivors of such individual receives a total amount equal to the amount described in paragraph (2).

''(b) ELECTION IN CASE OF DEPENDENTS.—

''(1) IN GENERAL.—In the case of an eligible individual whose death is determined to have resulted from a covered injury or injuries, if the individual had one or more dependents under the age of 18, the legal guardian of the dependents may, in lieu of the death benefit under subsection (a), elect to receive on behalf of the aggregate of such dependents payments in accordance with this subsection. An election under the preceding sentence is effective in lieu of a request under subsection (a) by an individual who is not the legal guardian of such dependents.

''(2) AMOUNT OF PAYMENTS.—Payments under paragraph (1) with respect to an eligible individual described in such paragraph shall be made as if such individual were an eligible individual to whom compensation would be paid under subsection (a) of section 265, with the rate augmented in accordance with subsection (b)(2) of such section and with such individual considered to be an eligible individual described in subsection (c)(3)(B) of such section.

''(3) LIMITATIONS.—

''(A) AGE OF DEPENDENTS.—No payments may be made under paragraph (1) once the youngest of the dependents involved reaches the age of 18.

''(B) BENEFITS SECONDARY TO OTHER COVERAGE.—

''(i) IN GENERAL.—Any payment under paragraph (1) shall be secondary to the obligation of the United States or any third party (including any State or local governmental entity, private insurance carrier, or employer), under any other law or contractual agreement, to pay compensation for loss of employment income or to provide disability benefits, retirement benefits, life insurance benefits on behalf of dependents under the age of 18, or death benefits.

''(ii) RELATION TO OTHER OBLIGATIONS.—Payments under paragraph (1) shall not be made to with respect to an eligible individual to the extent that the total of amounts paid with respect to the individual under such paragraph and under the other obligations referred to in clause (i) is an amount that exceeds the rate of payment that applies under paragraph (2). If under any such other obligation a lump-sum payment is made, such payment shall, for purposes of this subparagraph, be deemed to be received over multiple years rather than received in a single year. The Secretary may, in the discretion of the Secretary, determine how to apportion such payment over multiple years.

''(c) BENEFIT IN ADDITION TO MEDICAL BENEFITS.—A benefit under subsection (a) or (b) shall be in addition to any amounts received by an eligible individual under section 264.

''SEC. 267. ADMINISTRATION.

''(a) ADMINISTRATION BY AGREEMENT WITH OTHER AGENCY OR AGENCIES.—The Secretary may administer any or all of the provisions of this part through Memorandum of Agreement with the head of any appropriate Federal agency.

''(b) REGULATIONS.—The head of the agency administering this part or provisions thereof (including any agency head administering such Act or provisions through a Memorandum of Agreement under subsection (a)) may promulgate such implementing regulations as may be found necessary and appropriate. Initial implementing regulations may be interim final regulations.

''SEC. 268. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2003 through 2007, to remain available until expended, including administrative costs and costs of provision and payment of benefits. The Secretary's payment of any benefit under section 264, 265, or 266 shall be subject to the availability of appropriations under this section.

''SEC. 269. RELATIONSHIP TO OTHER LAWS.

''Except as explicitly provided herein, nothing in this part shall be construed to override or limit any rights an individual may have to seek compensation, benefits, or redress under any other provision of Federal or State law.''.

SEC. 3. AMENDMENTS TO PROVISION REGARDING TORT LIABILITY FOR ADMINISTRATION OF SMALLPOX COUNTERMEASURES.

(a) AMENDMENT TO ACCIDENTAL VACCINIA INOCULATION PROVISION.—Section 224(p)(2)(C)(ii)(II) of such Act (42 U.S.C. 233(p)(2)(C)(ii)(II)) is amended by striking ''resides or has resided with'' and inserting ''has resided with, or has had contact with,''.

(b) DEEMING ACTS AND OMISSIONS TO BE WITHIN SCOPE OF EMPLOYMENT.—Section 224(p)(2) of such Act (42 U.S.C. 233(p)(2)) is amended by adding at the end the following new subparagraph:

''(D) ACTS AND OMISSIONS DEEMED TO BE WITHIN SCOPE OF EMPLOYMENT.—

''(i) IN GENERAL.—In the case of a claim arising out of alleged transmission of vaccinia from an individual described in clause (ii), acts or omissions by such individual shall be deemed to have been taken within the scope of such individual's office or employment for purposes of—

''(I) subsection (a); and

''(II) section 1346(b) and chapter 171 of title 28, United States Code.

''(ii) INDIVIDUALS TO WHOM DEEMING APPLIES.—An individual is described by this clause if—

''(I) vaccinia vaccine was administered to such individual as provided by subparagraph (B); and

''(II) such individual was within a category of individuals covered by a declaration under subparagraph (A)(i).''.

(c) EXHAUSTION; EXCLUSIVITY; OFFSET.—Section 224(p)(3) of such Act (42 U.S.C. 233(p)(3)) is amended to read as follows:

''(3) EXHAUSTION; EXCLUSIVITY; OFFSET.—

''(A) EXHAUSTION.—

''(i) IN GENERAL.—A person may not bring a claim under this subsection unless such person has exhausted such remedies as are available under part C of this title, except that if the Secretary fails to make a final determination on a request for benefits or compensation filed in accordance with the requirements of such part within 240 days after such request was filed, the individual may seek any remedy that may be available under this section.

''(ii) TOLLING OF STATUTE OF LIMITATIONS.—The time limit for filing a claim under this subsection, or for filing an action based on such claim, shall be tolled during the pendency of a request for benefits or compensation under part C of this title.

''(iii) CONSTRUCTION.—This subsection shall not be construed as superseding or otherwise affecting the application of a requirement, under chapter 171 of title 28, United States Code, to exhaust administrative remedies.

''(B) EXCLUSIVITY.—The remedy provided by subsection (a) shall be exclusive of any other civil action or proceeding for any claim or suit this subsection encompasses, except for a proceeding under part C of this title.

''(C) OFFSET.—The value of all compensation and benefits provided under part C of this title for an incident or series of incidents shall be offset against the amount of an award, compromise, or settlement of money damages in a claim or suit under this subsection based on the same incident or series of incidents.''.

(d) REQUIREMENT TO COOPERATE WITH UNITED STATES.—Section 224(p)(5) of such Act (42 U.S.C. 233(p)(5)) is amended in the caption by striking ''DEFENDANT'' and inserting ''COVERED PERSON''.

(e) AMENDMENT TO DEFINITION OF COVERED COUNTERMEASURE.—Section 224(p)(7)(A)(i)(II) of such Act (42 U.S.C. 233(p)(7)(A)(i)(II)) is amended to read as follows:

''(II) used to control or treat the adverse effects of vaccinia inoculation or of administration of another covered countermeasure; and''.

(f) AMENDMENT TO DEFINITION OF COVERED PERSON.—Section 224(p)(7)(B) of such Act (42 U.S.C. 233(p)(7)(B)) is amended—

(1) by striking ''includes any person'' and inserting ''means a person'';

(2) in clause (ii)—

(A) by striking ''auspices'' and inserting ''auspices—'';

(B) by redesignating ''such countermeasure'' and all that follows as clause (I) and indenting accordingly; and

(C) by adding at the end the following:

''(II) a determination was made as to whether, or under what circumstances, an individual should receive a covered countermeasure;

''(III) the immediate site of administration on the body of a covered countermeasure was monitored, managed, or cared for; or

''(IV) an evaluation was made of whether the administration of a countermeasure was effective;'';

(3) in clause (iii) by striking ''or'';

(4) by striking clause (iv) and inserting the following:

''(iv) a State, a political subdivision of a State, or an agency or official of a State or of such a political subdivision, if such State, subdivision, agency, or official has established requirements, provided policy guidance, supplied technical or scientific advice or assistance, or otherwise supervised or administered a program with respect to administration of such countermeasures;

''(v) in the case of a claim arising out of alleged transmission of vaccinia from an individual—

''(I) the individual who allegedly transmitted the vaccinia, if vaccinia vaccine was administered to such individual as provided by paragraph (2)(B) and such individual was within a category of individuals covered by a declaration under paragraph (2)(A)(i); or

''(II) an entity that employs an individual described by clause (I) or where such individual has privileges or is otherwise authorized to provide health care;

''(vi) an official, agent, or employee of a person described in clause (i), (ii), (iii), or (iv);

''(vii) a contractor of, or a volunteer working for, a person described in clause (i), (ii), or (iv), if the contractor or volunteer performs a function for which a person described in clause (i), (ii), or (iv) is a covered person; or

''(viii) an individual who has privileges or is otherwise authorized to provide health care under the auspices of an entity described in clause (ii) or (v)(II).''.

(g) AMENDMENT TO DEFINITION OF QUALIFIED PERSON.—Section 224(p)(7)(C) of such Act (42 U.S.C. 233(p)(7)(C)) is amended—

(1) by designating ''is authorized to'' and all that follows as clause (i) and indenting accordingly;

(2) by striking ''individual who'' and inserting ''individual who—''; and

(3) by striking the period and inserting ''; or

''(ii) is otherwise authorized by the Secretary to administer such countermeasure.''.

(h) DEFINITION OF ''ARISING OUT OF ADMINISTRATION OF A COVERED COUNTERMEASURE''.—Section 224(p)(7) of such Act (42 U.S.C. 233(p)(7)) is amended by adding at the end the following new subparagraph:

''(D) ARISING OUT OF ADMINISTRATION OF A COVERED COUNTERMEASURE.—The term 'arising out of administration of a covered countermeasure', when used with respect to a claim or liability, includes a claim or liability arising out of—

''(i) determining whether, or under what conditions, an individual should receive a covered countermeasure;

''(ii) obtaining informed consent of an individual to the administration of a covered countermeasure;

''(iii) monitoring, management, or care of an immediate site of administration on the body of a covered countermeasure, or evaluation of whether the administration of the countermeasure has been effective; or

''(iv) transmission of vaccinia virus by an individual to whom vaccinia vaccine was administered as provided by paragraph (2)(B).''.

(i) TECHNICAL CORRECTION.—Section 224(p)(2)(A)(ii) of such Act (42 U.S.C. 233(p)(2)(A)(ii)) is amended by striking ''paragraph (8)(A)'' and inserting ''paragraph (7)(A)''.

(j) EFFECTIVE DATE.—This section shall take effect as of November 25, 2002.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CLERK TO MAKE TECHNICAL AND CONFORMING CHANGES IN ENGROSSMENT OF H.R. 1770, SMALLPOX EMERGENCY PERSONNEL PROTECTION ACT OF 2003

Mr. BURR. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical and conforming changes in the engrossment of H.R. 1770, the bill just passed.

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

There was no objection.

GENERAL LEAVE

Mr. BURR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1770, the bill just passed.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BURGESS). Under the Speaker's announced policy of January 7, the Chair will recognize Members for special order speeches without prejudice to the resumption of legislative business.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING AND COMMENDING HARDIN-SIMMONS UNIVERSITY'S 2003 WOMEN'S BASKETBALL TEAM

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

Mr. STENHOLM. Mr. Speaker, I rise today to honor and commend the Hardin-Simmons University 2003 women's basketball team from Abilene, Texas, who have achieved an incredible record, including their first undefeated regular season in school history, a fifth straight American Southwest Conference Tournament title, and a fifth consecutive ''Sweet 16'' appearance in the NCAA Division 3 Tournament.

Our Cowgirls exhibited incredible determination and drive as they worked to set a new benchmark for their university. Their school, community, and district stand behind them and join in celebrating their accomplishments.

□ 1415

When the basketball games first began the season, the university and the surrounding community knew this

team had a winning chemistry. The Cowgirls won all 24 of their regular season games, a milestone in school history. Games at Maybee Complex were some of the largest attended events the Cowgirls had ever seen, and soon Hardin Simmons University led the division in home attendance. With great talent and wide support, the Cowgirls attained their first number one ranking in the nation since becoming an NCAA member.

But the Cowgirls did not stop there. They soon played some of the most competitive teams in the American Southwest conference and triumphantly won their fifth straight AFC tournament title. And their win made them one of only two undefeated teams in the Nation, earning them a spot in the coveted NCAA Division III basketball tournament and a number one ranking in the Nation by the ESPN USA Today Women's Basketball Coaches Association.

The Cowgirls fought a tough battle at the NCAA championships. In the end, however, they were unable to win the title. But as Vince Lombardi once said, ''The spirit, the will to win and the will to excel are the things that endure. These qualities are so much more important than the events that occur.'' Trophy or not, they have already won the most important prize, the pride, the joy, and the honor of representing their university and community for all of America to see. To me and those I represent, you, the Cowgirls, are already the biggest winners of all.

None of these victories could have been achieved without the incredible team work that these 15 young women have demonstrated. From Abilene and San Angelo, Brady, and Stephenville, and all over the district, these women came from all areas, and through their hard work and efforts they became more than just teammates. They became life-long friends. Their names will be remembered with pride at their school and within our communities: Sarah Allen, Kendra Anderson, KraTaura Buckner, Diane Cox, Sara Dickey, Lauren Harris, Hannah Jones, Veronica Jones, Erika Keese, Diana Martinez, Leigh Ann Neal, Keila Remmele, Laura Ricci, and Terri Robinson. We will remember your victories in our hearts and our memories.

The team as a whole has an incredible spirit, but one player in particular has achieved notable recognition for her abilities on the team and for women's basketball at large. Kendra Anderson has been named the Division III National Player of the Year by the Women's Basketball Coaches Association. She has been the American Southwest Conference's most valuable player for the third straight year, the conference tournament most valuable player for the fourth straight year, and the first team All American and All South Region for the third year. She was also a WBCA All Star Challenge participant with 17 Division I All Stars. She scored an average of 20.1 points and 10 rebounds per game this season alone. Kendra has forever raised the bar of excellence to a new standard for her friends and teammates to follow.

We all know that a basketball team can have all the best players in the world, but without direction and guidance, strong leadership and vision, the team cannot develop and grow. That guiding force was first-year head coach, Shanna Briggs. Miss Briggs brought out the best in her players, sharpened their strengths and improved their weaknesses. The Hardin Simmons women's basketball program will continue in future years to prosper under her leadership and the dedication of its players.

Mr. Speaker, I am proud to give the recognition today to the 2003 Hardin Simmons University Cowgirls, the hard work that the players and coaches have done to make this team the champions they are. They have learned, as Grace Lichenstein once said, that ''your opponent in the end is never really the player on the other side of the net or the swimmer in the next lane or the team on the other side of the field or even the bar you must high jump. Your opponent is yourself, your negative internal voices, your levels of determination.''

The 2003 Cowgirls are examples and role models for athletes everywhere and proof of the powerful and resilient nature of women's sports. Hardin Simmons University's 2003 Cowgirls, congratulation on a great year.

HONORING AMERICAN SOLDIERS

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

Mr. GUTKNECHT. Mr. Speaker, Daniel Webster said, ''God grants liberty only to those who love it and are always ready to guard and defend it.''

What you see here is a banner that was displayed and then signed by thousands of my constituents 2 weeks ago at a ''support the troops'' rally in Rochester, Minnesota. Now, I know rallies like this have been conducted all over the United States, but this particular banner is on its way with me to Germany and will be displayed to the brave Americans who are in the hospitals at Ramstein Air Force Base, and then hopefully it will make it from there down to the gulf so that the soldiers who are serving there can see this banner and know that people in Southeastern Minnesota as well as people all over the United States support them.

No nation has given more in the defense of liberty than we Americans. From Valley Forge to Gettysburg, from Normandy to this very day, we have demonstrated what President Kennedy meant when he said that, ''we will pay any price, we will bear any burden, we will meet any hardship, support any friend, oppose any foe, and shoulder any burden to keep the lamp of liberty burning brightly throughout the world.''

We have all been heartened by the stories coming out of Iraq. Many of us have read of the rescue of PFC Jessica Lynch as recounted by Central Command briefer Major General Gene Renuart. According to General Renuart, a Special Ops soldier called to Private Lynch as he entered the room saying, Jessica Lynch, we are United States soldiers. We are here to protect you and take you home.

As he walked over and took off his helmet, she looked up to him and said, I am an American soldier too.

But not as many of us have heard the story of the recovery of the remains of the soldiers believed to have been soldiers killed there. And I quote, ''At the same time,'' Renuart recounted, ''the team was led to a burial site where, in fact, they did find a number of bodies that they believed could be Americans missing in action. They did not have shovels in order to dig up those graves so they dug them up with their hands. And they wanted to do it very rapidly so they could race the sun and be off the site before the sun came up; a great testament to the will and desire of coalition forces to bring their own home.''

They did dig them up with their hands and raced the sun.

On a cold and windy Sunday afternoon just 2 weeks ago, the people of Southern Minnesota gathered to send a simple message. We sang songs, heard speeches, read letters, and most of us got a little misty eyed as proud parents held pictures of their sons and daughters wearing the uniforms of each branch of our military. Our purpose was simple. We wanted to say thank you for their service; and, second, we wanted them to know that we stand with them wherever they may be serving. All took their places in that long line, that long gray line that has never failed us.

The images of the Iraqi citizens cheering our Armed Forces make us happy and proud, but somehow not surprised. Once the Commander in Chief gave the order to liberate Iraq, most of us knew that the result and those images were inevitable. On behalf of all who have attended rallies, and especially those who signed this banner, let me say first that we mourn with those families who have borne the heaviest price of this battle.

No politician can adequately salve wounds that will never completely heal. The best that we can say is that we will never forget. To all those, who, like PFC Lynch, are ''American soldiers too,'' and to all our sailors, airmen and Marines, we say thank you. And we stand with you. May God continue to bless and protect our Nation and all who defend her.

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

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

HONORING THE LIVES OF FREDA JONES AND OFFICER CLARK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a week ago last Saturday I visited with the family of a young woman who may not have been known in our community in Houston, Texas, maybe a few weeks ago. Just a young mother with two wonderful children, one a 3-month-old daughter and one a 10-year-old son, hard working, trying to provide for them. Her life became intimately intertwined with our departed and dear friend, Officer Clark.

For just about 10 days ago, Houston Police Officer Clark lost his life in a heroic attempt to save Freda Jones's life in a horrible and brutal robbery in our community.

Just this past week we buried Officer Clark, and I paid tribute to him, although I was not able to attend his going-home service because of business here in Washington. But through my office we shared with his wonderful family how much we appreciated his bravery and his service, how much we appreciated his love for his community, the fact that he was a consummate police officer.

Now, within 24 hours we will bury Freda Jones, who, listening to her family both Saturday and Sunday at a prayer vigil for her, I have come to understand her as a wonderful young woman, someone who simply wanted to provide for her family in working in the job she was working, innocently opening the office of a check cashing office by herself, taking up the responsibilities of another employee because that employee had been injured in a car accident. She was always a willing person, as we understand. She was a person who loved her family. She was, likewise, a person who brought the family together. She was certainly like your neighbor.

And so I would like to say to the Jones family, all of her brothers and sisters, her mother and father, her mother and father lost another child to brutality or brutal act of murder just a few years ago. And now they lost a cherished daughter to a brutal robbery, an unnecessary, callous act of murder.

And all of the perpetrators should be brought to justice because they took the life of a young woman who simply wanted to raise her children to make a decent living in this Nation.

So I think it is appropriate that as we honor so many heroes, we are so grateful for the young men and women who serve us in the United States military.

I had the opportunity to visit some of our injured soldiers at Bethesda Hospital this morning. We are grateful for them. We pray for their families. We pray for the families of MIAs. We pray for the families of the POWs. We pray for the families of those who lost their lives. And every day in America there are heroes as well. Because Freda Jones lost her life by trying to fend off these robbers by calling the police. And I imagine in the act of calling the police, her life was taken. And then Officer Clark who responded, or was responding, had his life taken.

What a terrible testimony to the freedom of America. But we will keep pressing forward honoring heroes, local heroes like Freda Jones and Officer Clark. And to the Houston community, I offer my deepest sympathy to the family that will mourn tomorrow as she will be laid to rest. I say to you that you have at least had a wonderful time in her life and as well the wonderful memories; and, yes, you have her two beautiful children and this wonderful extended family.

I hope that you, the Jones family and the Clark family, will find strength in each other. You are forever bonded together. And I hope you will know that the Houston community, the 18th Congressional District appreciates so much that you lived, but also that your life tragically was sacrificed but it will not ever be forgotten. We will remember, and we will work together to fight against the brutal and criminal acts that sick minds think they can perpetrate on our communities without paying the price.

We hope justice will be rendered. But most of all, Freda Jones, we hope that you will have a peaceful going-home service, recognizing that the community loved you and will continue to show its love to your family and to your children.

□ 1430

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

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

MURDER OF CUBAN FREEDOM SEEKERS

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

Mr. FOLEY. Mr. Speaker, I rise today once again to talk about one of the last hostile regimes on the planet, an island 90 miles to the south of my home State of Florida, Cuba.

For well over 40-plus years, Fidel Castro has time and time again shown his reprehensible disregard for the safety and welfare of his own people. His tyrannical regime has forced countless innocent people to risk their lives to seek the shores of the United States. What is worse, these people go to the furtherest of extremes, even placing other countrymen at risk in order to seek freedom.

On April 2, in another one of the countless stories of Cubans trying to seek refuge, a group of three men attempted to take over a ferry ship and force it to go to the United States. Though I am in no way supportive of hijacking or putting others at risk, it is clear from our history with this oppressive Nation that its people will do almost anything for just a taste of freedom.

The men were prosecuted on Tuesday, those three men, in summary trials for very grave acts of terrorism and given only a few days to appeal their sentences. This pathetic excuse for a judicial system never gave these men a chance. I must report to this body that, earlier today, these three men were executed.

Mr. Speaker, these actions were not that of terrorists but those of people seeking freedom. It is clear that these men never intended to harm anyone. All they wanted was a chance at what millions of Cubans have been thirsting for since Fidel Castro took control and took power, and that is freedom, a right we in this country enjoy and a right we are fighting for today in Iraq. Though these acts should have been punished, the penalty was extreme, barbarous, even by the most strict of standards.

I have fought on this floor against terrorism all my life, and I will not accept it in any form, but this execution today was clearly a message to the Cuban people that freedom is not an option.

To those colleagues of mine who have suggested over the past year-and-a-half that we open trade and opportunity with Fidel Castro, they need to look at this material and see that this man executed three people today. Would these same Members offer a peaceful resolution to Saddam Hussein who I consider equally heinous as Fidel Castro? Would they suggest going to do trade with Saddam? Let us look at what Fidel Castro is all about, and let us recognize what danger he puts his own people in.

We must continue what we do by upholding the sanctions and further limiting U.S. government involvement with this rogue Nation. The people of Cuba deserve a democracy. Their leader is a tyrant, a dictator and now, based on this evidence, a murderer. Many of us have known that. My colleagues, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), the gentleman from Florida (Mr. MARIO DIAZ-BALART) and the gentlewoman from Florida (Ms. ROS-LEHTINEN), have all been telling this body about the horrors of the oppression, of the silencing of people merely trying to get a democracy in place in that Nation.

Mr. Speaker, if anyone must be put in front of a firing squad it is Mr. Castro himself for these despicable acts.

So I ask and urge my colleagues to be as outraged as we are in Florida. This was murder of three citizens. This was murder, a trial of 3 days, an appeal of 24 hours and a firing squad a day later.

This is the Nation we want to do business with? This is the Nation we want to trade with? This is a person my colleagues want to ship goods and medicine to? Prop up his regime? I think not.

HONORING WEST POINT CLASSMATES

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

Mr. SHIMKUS. Mr. Speaker, I take this 5 minutes to talk about an historical trend in this country that ties together those who have come before us in the past and those who are serving today, and I speak about the long gray line and those individuals who have served at West Point.

Many of us know that West Point celebrated its 200th anniversary last year, 200th anniversary of creating leaders of character to serve in our Nation and that commitment by this country to have a professional military institution that helps train leaders of character to lead our young men and women into battle but also understands how to deal with the current civil military operations that are occurring is a great credit to this country and one that we need to remember.

Many of us know the great names of Lee and Grant and Eisenhower and Patton, MacArthur, those who have gone there before, but I want to brag, if I may, about my classmates, graduates of the class of 1980 who are serving so admirably currently now in Iraq. They probably would not like me to be doing this, but I take this opportunity as a Member of Congress to speak in pride about my classmates.

I brought down my graduation yearbook, and although many of my colleagues cannot see it, I turn to a page and a familiar picture for those of us who have been following the briefings. We have a young Vince Brooks, first captain of the class of 1980. Yes, it is the same Vince Brooks who is giving the briefings over in Qatar on a daily basis talking about our command.

The line of my classmates is long and very grand in their services, and I want to recognize them all here.

Lieutenant Colonel (promotable) John Agoglia, J5 Plans CENTCOM; Colonel (promotable) Chuck Anderson, Chief of Staff, 32nd Army Air and Missile Defense Command. I mentioned Brigadier General Vince Brooks, Deputy for Operations and Coalition spokesman. Colonel Dave Brown, G3 section, V Corp, Iraq; Lieutenant Colonel Curt Cheeseman, J5 Plans, CENTCOM; Colonel Perry Clawson, Commander of the 1186th Transportation Terminal Brigade; John Davis, who is in the CENTCOM area of operation; Pat Donahue; Lieutenant Colonel Bruce Dow, HQ, Stateside; Lieutenant Colonel Bill Duffy, Commander, Task Force 513 Military Intelligence.

I want to pause here to say that many of my classmates are active duty and have served now over 20 years. Many of them are serving continually as reservists or members of the National Guard. We cannot tell the difference when I read this list because of the one Army philosophy that joins Active, Reserve and Guardsmen.

Lieutenant Colonel Dale Egger, Commander of 3rd Battalion, 289th Training Support Brigade, Stateside; Jim Embrey, in Kuwait; Colonel Mark Eshelman, 3rd Army, CENTCOM; Lieutenant Colonel T.J. Farrell, Force Protection Officer, 143rd TRANSCOM in Kuwait; Colonel Tim Glaeser, Commander, 11th ADA Brigade, Kuwait; Major Curt Grayer, Deputy Commander, 310th Personnel Support Group; Lieutenant Colonel Vern Green, Commander, 1181st Transportation Terminal Battalion; Colonel Ben Hodges, Commander, 1st Battalion, 101st Airborne Division; Lieutenant Colonel Frank Hudson, assignment undisclosed, 5th Special Forces Group, somewhere in the area of operation; Lieutenant Colonel Doug Lobdell, commander, 361st Training Support Brigade; Lieutenant Colonel Jan Kozlowski, C7 engineer, Kuwait; Lieutenant Colonel Mark Kucera, Forward Engineer Support Team; Colonel Mike Linnington, Commander, 2nd Brigade, 101st Airborne Division; Colonel Dave MacLean, J5–E, CENTCOM; Colonel Steve Mains, Chief, JFCOM J9, Lessons Learned Team, CENTCOM; Dr. Major Kathy Mathews, who is the wife of one of my classmates, Johnny Ham, who is a brigade surgeon in the 108th Brigade; Lieutenant Colonel Tom Miller, Civil Affairs Officer, en route to CENTCOM; Lieutenant Colonel Paul Oettinger, Commander of the 195th Contract Support Detachment, Kuwait; Colonel John Peabody, Commander, 3rd Infantry Division; Colonel Dave Perkins, Commander, 2nd Brigade, 3rd Infantry Division, Baghdad, Iraq; Colonel Tony Puckett, J5, Kuwait; Lieutenant Colonel Willie Ramos, Commander, 345th Rear Area Operations Center; CW3 Kathy Silvia, en route to CENTCOM; Colonel (promotable) Joe Votel, Commander of the 75th Ranger Regiment, location undisclosed; Kurt Westerman, en route to CENTCOM.

I am very proud of our classmates and those who are helping to support them here at home.

The West Point Alma Mater reads like this. Actually it is a song, and it is appropriate.

Hail, Alma Mater dear,
To us be ever near,
Help us thy motto bear
Through all the years,
Let Duty be well performed,
Honor be e'er untarned,
Country be ever armed,
West Point, by thee.

Guide us, thy sons, aright,
Teach us by day, by night,
To keep thine honor bright,
For thee to fight.
When we depart from thee,
Serving on land or sea,
May we still loyal be,
West Point, to thee.

And when our work is done,
Our course on earth is run,
May it be said, ''Well done;
Be thou at peace.''
E'er may that line of gray
Increase from day to day,
Live, serve and die, we pray,
West Point, for thee.

I am tremendously proud of my classmates who are serving in the area of operation and throughout the world. They have done great credit to this country, this Nation, the people of Iraq and our alma mater West Point. Their names will be etched in history with those who have served honorably and distinctively in service to their country.

May God bless them all and may God bless the United States of America.

NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. HOYER) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOYER. Mr. Speaker, our brave men and women in uniform continue to risk their lives at this hour in Iraq, and let there be no mistake: there cause is noble.

They are disarming and deposing a ruthless tyrant who has brutalized the Iraqi people for more than 20 years, and who has threatened the security of the Middle East region and the world.

As the result of the courage, sacrifice, patriotism and professionalism of our American Armed Forces—as well as our Coalition allies—the Iraqi people have broken free of Hussein's stranglehold.

Who could not be moved by the scenes broadcast from Baghdad, where thousands of newly liberated Iraqi citizens celebrated Hussein's defeat?

However, danger still lurks around every corner. Thus, we pray for a successful conclusion to this war and our troops' safe return.

We also pray for the loved ones and families of the American servicemen and servicewomen who will not be returning safely to our shores; those who have given their lives for their Nation and the cause of freedom.

And we say a special prayer for the seven Americans who are listed as prisoners of war and eight who are listed as missing.

As we come to this House floor to commemorate national former POW Recognition Day, which was observed this past Wednesday, April 9, let us join together and offer this solemn pledge: the United States of America shall never—never—rest until every single American who is believed to be in enemy hands is freed, and every single American who is missing is fully accounted for.

Freedom's defenders must never be forgotten, and thus our mission in Iraq is far from accomplished.

Our former prisoners of war are national heroes who deserve our gratitude and respect.

Their service placed them in dangerous circumstances, causing their capture and imprisonment, often in atrocious conditions.

We also owe a debt of gratitude to their families for weathering agonizing uncertainty while demonstrating support for their loved ones' service to our country.

Although former POWs returned home, too often they carried the extra burden of physical and emotional scares.

They are a testament to history's eternal truth—freedom is not free—as well as its unforgiving lesson: the price of freedom is always great.

We remember these courageous heroes in the shadow of the dramatic rescue of Pfc Jessica Lynch on April 2.

She owes her life to the American commandos who stormed the hospital where she was being held and rescued her, as well as the brave Iraqi man who risked certain death by providing our troops with accurate information regarding her whereabouts.

We recognize the tremendous sacrifice of former prisoners of war like Jessica, and we pledge that our Nation will keep its promises to all former POWs and veterans.

Let me close, however, by saying that even as our servicemen and women are overseas defending our values, freedom, democracy, human rights and the rule of law, there are schemes afoot in this very Capitol to give them short shrift once they return home.

While President Bush has extended his appreciation to members of veterans service organizations for ''the lifetime of service you have given to our Nation,'' some have proposed cutting veterans' benefits and health care by more than $28 billion to help pay for a tax cut.

This is not only bad policy, it is, in my view, immoral.

This Nation, as far as I am concerned, has an irrevocable contract with America's veterans. And it is one that we must always honor.

Our veterans and former POWs deserve more than medals and a thank you for their service and sacrifice.

At a time when we are sending thousands of America's sons and daughters into harm's way, we should be investing in the programs and services our veterans and former prisoners of war deserve, not pulling back on our promises.

We must stand behind our words of gratitude by honoring the commitment we made to them for answering freedom's call.

Mr. HONDA. Mr. Speaker, it is an honor for me to be here today to address the situation of former American POWs.

In this time of war, it is especially important to recognize April 9 as National Former Prisoner of War Recognition Day.

While the plight of courageous soldiers such as Pfc. Jessica Lynch, who had been captured with 11 other U.S. soldiers from the 507th Maintenance Company, brings the concern of POWs to the forefront of our minds today, I would like to address my concerns for a group of POWs from a previous war, the war from which this important date of April 9 was chosen.

I am speaking of those who fought in the Pacific Theater during World War II.

I would especially like to talk about one former POW, Dr. Lester Tenney. Dr. Tenney's story mirrors what many of our WWII POWs in the Pacific went through.

Mr. Tenney became a prisoner of war on April 9, 1942, with the fall of Bataan in the Philippines. A survivor of the Bataan death march, he was sent in a ''hell ship'' to Japan, where he became part of the slave labor force in a Mitsui company coal mine.

Dr. Tenney has stated, and I quote, ''I was forced to shovel coal 12 hours a day, 28 days a month, for over 2 years, the reward I received for this hard labor was beatings by the civilian workers in the mine. And if I did not work fast enough or if the Americans had won an important battle the beatings would be that much more severe.''

These POWs who survived the Bataan death march only to be transported to Japan in the infamous death ships and forced to work for private Japanese companies under the most horrendous conditions are the true heroes of our Nation.

After the war, approximately 16,000 POWs returned—all battered and nearly starved to death, many permanently disabled, all changed forever. More than 11,000 POWs died in the hands of Japanese, among the worst records of physical abuse of POWs in recorded history.

Now, like many other victims of World War II-era atrocities, the remaining survivors and the estates of those who have since passed away are seeking justice and historical recognition of their ordeal.

The former POWs do not seek any action or retaliation against the current Japanese Government or against the Japanese people. Nor do they seek to portray Asian-Americans in any sort of negative light.

Rather, they simply seek just compensation from the Japanese companies who were unjustly enriched by their slave labor and sufferings.

I am honored to stand here in the House of Representatives, to let these men know that I will work with my colleagues to see that there is justice done in their situation.

We must never forget, these are the men of our Nation's greatest generation. They volunteered to serve our country, some only 17 or 18 years old at the time.

They survived the ordeal of a forced surrender in the Philippines, they survived the cruelties of the Bataan death march, they survived the hell ships, they survived being POWs in Japan and the tortures of slavery.

For the sake of the past, for the sake of these men today, and the sake of our future, we must do right for these men.

Mr. Speaker, I thank you for allowing me to address the House floor this evening on this very important matter.

Mr. MCNULTY. Mr. Speaker, I am proud to join with my colleagues, the gentleman from Maryland, Mr. HOYER, and the gentleman from Missouri, Mr. SKELTON, in solemn observance of National Former Prisoner of War Recognition Day.

At this hour, thousands of brave young Americans in the Armed Forces of the United States are carrying out a dangerous yet necessary mission in Iraq. Like many Americans, I hoped and prayed for a diplomatic settlement to the crisis posed by Saddam Hussein's refusal to disarm. Unfortunately, 12 years of diplomacy did not produce the desired result. With all other options exhausted, we were forced to proceed with the action that should always be reserved for last—the use of military force.

Our troops have heroically responded to this call to arms with unyielding courage, devastating efficiency, and unparalleled concern for the safety and well being of countless thousands of Iraqi civilians. I continue to pray for a swift end to this conflict, and to hope that our military personnel will come home soon and safely, having liberated the citizens of Iraq from the nightmare they have endured for a quarter of a century.

Despite the unprecedented success of our military forces, Mr. Speaker, scores of American families have already had to come to terms with the horrible and irrevocable reality of war. Nearly 100 brave soldiers have been killed in action. They were mothers, fathers, sons, daughters, sisters, brothers and lifelong friends, and my heart goes out to all those who loved them.

My family knows the pain of war. On August 9, 1970, my brother, H.M. 3 William F. McNulty, a medical corpsman in the Navy, was in the field in Quang Pam province, patching up his buddies. He stepped on a land mine and he lost his life.

But his body was recovered. And he was brought back home, and we had a wake and a funeral and a burial. Our family suffered a tremendous loss, our small village of Green Island, New York, suffered a tremendous loss—but we had some closure.

Mr. Speaker, the families of seven American serviceman and women currently listed as prisoners of war, and the families of eleven soldiers listed as duty status unknown, or missing in action may never enjoy this sense of closure. Just ask the families of the 1,887 Americans still missing and unaccounted for from the war in Vietnam.

I have always wondered how terrible it must be for an MIA family, never exactly knowing what happened to their loved one—not for a day, a week, a month or a year, but for decades.

Every once in a while, this profound sense of frustration and loss is interspersed with joyous news of rescue and heroism. By now, we are all familiar with the story of Pfc. Jessica Lynch. Pfc. Lynch was captured with 11 other American soldiers of the 507th Maintenance Company but was later rescued from a hospital in Iraq on April 2, due in no small part to the superior skill and preparedness of our Special Forces, as well as the courage and humanity of an Iraqi civilian who risked his own life, and the lives of his family, by walking 6 miles to inform coalition forces of Pfc. Lynch's location. Thanks to these efforts, Pfc. Lynch escaped further torture and abuse at the hands of Iraqi forces, and lays tonight in an American military hospital in Germany, enjoying the company of her family.

Mr. Speaker, we pay tribute tonight to courageous American heroes like Pfc. Lynch. She and so many other former prisoners of war suffered through the atrocious coditions of capture and internment, sacrificing so much of their freedom in defense of the citizens of this nation and the world.

In the name of all former POWs, I pledge to continue to work to ensure that future generations understand the courage of these heroes, and that our government follows through on all promises made to former POWs—and all veterans.

Ms. CARSON of Indiana. Mr. Speaker, I want to thank our esteemed whip, Mr. HOYER,

and the ranking member of the Armed Services Committee, Mr. SKELTON, for organizing this time to reflect on those who have sacrificed so much for this country.

Those members of our military who are still prisoners of war or are missing in action have made the ultimate sacrifice without the opportunity to return home.

We can only hope that those young men and women who have been taken captive in the current conflict will be treated humanely and returned home to us soon.

Mr. Speaker, there is one former POW I would like to single out, current Lt. Gov. Joe Kernan. He entered the United States Navy in 1969 and served as a naval flight officer aboard the USS *Kitty Hawk.*

In May of 1972, Lt. Joe Kernan was shot down by the enemy while on a reconnaissance mission over North Vietnam. He was held as a prisoner of war for nearly 11 months.

Joe Kernan was repatriated in 1973 as part of the last convoy of prisoners of war exchanged that ended the war, and continued on active duty with the Navy until December of 1974. For his service, Kernan received numerous awards, including the Navy Commendation Medal, two Purple Hearts and the Distinguished Flying Cross.

He never forgets May 7, ''the day I was shot down.''

It was his 26th mission. He was in the rear seat of an RA–5C Vigilante reconnaissance jet, on a picture-snapping mission to assess bomb damage. They raced along at 650 mph, 80 miles south of Hanoi, then navigated down Highway 1 to take photos of traffic.

They were relatively low—4,500 feet high, compared with the 35,000-foot altitude a B–52 bomber would fly—when anti-aircraft fire hit the plane's tail.

''The nose pitched down very violently,'' he said, and the pilot tried to make it to the potential safety of the U.S.-controlled Gulf of Tonkin. The jet couldn't make it. Kernan ejected, followed closely by the pilot.

''I blacked out on the ejection,'' Kernan said.

''I landed in somebody's front yard on a beautiful Sunday afternoon,'' he recalled. ''When I woke up, I found myself on the edge of a group of people, surrounding me, watching me get up, with people coming at me from everywhere.''

March 27 marked the 30th anniversary of his release from captivity. When looking back on his time in captivity, he minimizes the details of his treatment there, saying the end of the war was not as bad as the beginning.

''What you rely on is your faith, your family, your desire to see them again, your will to survive and the knowledge that you're not going to be left behind. We won't go home without them. That has been a commitment made to everyone who wears the uniform, and it will be honored,'' Kernan said.

We remember those who are still fighting the past wars, those who have not had the chance to come home to the families.

I ask unanimous consent to place in the RECORD the names of those who have not had the chance to come home from the Korean and Vietnam wars.

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

KOREAN WAR POW/MIA—INDIANA

Floyd Neal Acton, James Dwight Adams, Herbert D. Akers, George Anspaugh, Robert Gene Archer, David Baker, Donald Lewis Baker, Donald Lee Barker, Lester William Bauer, Robert Allen Beard, Milton Marion Beed, Lowell W. Bellar, Victor Vernon Bender, A.D. Berry, Charles F. Binge, William Stanley Blasdel, William J. Bowerman, Allen Milford Bowman, Eldon R. Bradley, Kenneth Wilber Brock, Kenneth Brown, Thomas James Brown, Hugh Maynard Burch, Forrest S. Burns, Billie Jack Byard, Donald Caddell, Stanley Louis Calhoun, Jr., George R. Chadwell, Richard A. Chappel, Gene Franklin Clark, Harold Robert Clark, Clyde R. Clifford, James Allen Coleman, Louis Bernard Conde, Jack Dwayne Conrad, Richard Leon Conrad, James L. Constant, Folton Cosby, John Harold Cowger, Clarence Vernon Cox, Jr., Kenneth Lee Cozad, George Eldon Cranor.

Reed A. Criswell, William R. Cunningham, Kenneth Horton Dally, Howard Dale Dalton, Ezekiel Alfonso Davis, Jack A. Davis, Norman Glen Davis, George Debaun, Jr., Hobart Decker, Raymond Alfred Decker, Clayton C. Delong, Gene Alton Dennis, Stanley L. Dewitt, William L. Dick, Jr., Milton J. Dinerboiler, James Thomas Doody, Donald D. Drew, James R. Dunn, Joseph Durakovich, Donald Wayne Eads, John Omer Eaton, Herbert Phillip Eggers, Howard W. Emrick, William Chester Enright, Robert Vernon Estes, Don Carlos Faith, Jr., Robert Clarence Finch, Peter Paul Fluhr, Jr., Edward Leo Frakes, Ned Charles Frankart, Jack Marvin Frans, George Arthur Frantz, Charles Garrigus, Clifton E. Gibson, Willard M. Gibson, Clyde Goe, Robert Goodall, Joseph P. Greene, Jack Walter Griffith, Edward Allen Gude, John Edwin Guynn, Donald Sewell Hamilton.

Donald Lane Hamm, Keith Edward Hammon, Gilbert Larry Harmon, Elmer Harris, Jr., Max Eugene Harris, Bannie Harrison, Jr., Gene N. Hatch, Kenneth Verne Hay, Leo Joseph Henkenius, James Fella Hill, Robert Lee Hinds, William M. Hodge, Joseph Francis Holle, Charles Rutherford Holman, Floyd E. Hooper, Ralph Ernest Hubartt, Jr., Paul F. Hukill, Richard George Inman, Edward R. Jaynes, William F. Jester, William R. Jester, Leonard W.E. Jinks, Cornelius A. Jochim, William H. Johnson, Paul Martin Killar, Lawrence Edward Lander, Robert Warren Langwell, Everett W. Leffler, Harry H. Liddle, Jr., Larry Loveless, Earl Paul Lykins, Delbert Ulysses Mace, Donald F. Mangus, Everett D. Manion, Donald Lee Marlatt, Albert F. Martin, Herbert O. Martin, Steve A. Mastabayvo, Earl E. Mcclain, Charles H. Mcdaniel, Raymond John Mcdoniel, Edward Q. Mcfarren, James T. Mcintyre, Herbert V. Mckeehan, Joseph Lawrence Mcanally,

Morris Meshulam, R. Maurice Metzcar, Melvin J. Michaels, Harry Richard Middleton, Robert G. Minniear, James E. Mishler, Donald K. Mitchell, John D. Moore, Jr., Clarence Taylor Morris, David Wesley Morris, Russell F. Morris, Richard Everett Mullett, Jackie Lee Murdock, Donald William Myers, Thomas W. Neiswinger, Richard L. Nicholson, Charles Northcutt, Jr., Richard Lee Olcott, Raymond Edward Pearson, Virgil L. Phillips, Russell B. Pickens, Lewis Peifer Pleiss, James Plump, Bobby Lee Pothast, Bernard Clayton Reynolds, Donald Ray Rice, Alexander David Rider, Charles D. Riley, Marvin L. Rodman, Edward F. Ross, Robert Lewis Ross, Gene Robert Ruby, John Earl Rush, Marle D. Scott, Richard Dale Scott, Donald R. Sechman, Clifford Gene Selman, Luther Dean Serwise, Gerald Ivin Shepler, Wallace Simmons, Jr., Charles Edward Sizemore, Charles E. Smith, Leland Ford Smith, Marvin W. Soderstrom, Donald E. Spangler,

Alvin Lowell Stebbens, Paul P. Strawser, Charles Sturdivant, Gene Alfred Sturgeon, Harold Paul Suber, Edwin Felix Tabaszynski, James Willis Talley, John Edward Thurman, Robert Eli Titus, William Wilber Toops, Robert Jerome Tucker, Robert William Turner, Gene Lewis Wagner, Richard L. Wasiak, Robert Lee White, Robert Louis White, Robert Dewitt Wilder, Grover Lois Williams, Merble Eugene Wilson, John George Woliung, Bernard M. Zekucia,

VIETNAM WAR POW/MIA—INDIANA

William W. Bancroft, Jr., Charles Elberg Beals, Quentin Rippetoe Beecher, Stephen Eugene Briener, Harry Franklin Carver, Charles Dennis Chomel, Lawrence Clark, Thomas D. Clem, Kenneth Lloyd Crody, Gene Edmond Davis, Phillip Allen Ducat, Dean Arnold Duvall, George Curtis Green, Jr., Ralph L. Harper, Steven W. Heitman, John Wayne Held, Samuel Eugene Hewitt, John Russell Hills, Donald Russell Hoskins, George A. Howes, Paul F. Johns, James Reed Johnson, Grayland Jones, Karl E. Klute, Charles Allen Knochel, Robert J. Kuhlman, Jr., Bennie Richard Lambton, Michael Lautzenheiser, Karl Wade Lawson, Charles W. Lindewald, James Michael Lyon, Robert L. Mann, Jerry Dean Martin, James Maurice McGarvey, Francis B. Midnight, Harry E. Mitchell, Ronald Wayne Montgomery, Ralph Edward Moore, John M. Nash, William L. Nellans, Larry Stephen Newburn, Thomas Aquinas Parker, Russell Arden Poor, George Ray Posey, Billy L. Rogers, Charles Edward Rogers, Charles David Schoonover, Ronald Eugene Smith, Ronald P. Soucy, Sr., Bruce Wayne Staehli, Kenneth A. Stonebraker, John F. Stuart, John Steiner Stuckey, Jr., Donald Joesph Trampski, Raymond Anthony Wagner, Junior Lee Whittle, Thomas T. Wright, Robin Ray Yeakley, Jeffrey Jerome Young.

Mr. SKELTON. Mr. Speaker, I am proud of the fact that I frequently take time in this chamber to salute the men and women of our nation's armed forces who serve America so well. Today, I am proud to join my colleagues in this special order to express gratitude to a special category of U.S. veterans on National Former Prisoner of War Recognition Day.

While the men and women of our Armed Forces may expect to experience some hardships during their service to our country—perhaps in boot camp, or in time away from home and family, or even in combat—our soldiers, sailors, airmen, and Marines who have been captured and held as prisoners of war have experienced hardships we can barely imagine and frequently even they cannot bear to share with anyone.

Last year, our former colleague from Florida Representative Karen Thurman hosted a briefing with two survivors of World War II's Bataan death march and the Japanese prisoner of war camps. They came to Washington to discuss their war experiences with Members and with staff. It is no exaggeration to say that after hearing their testimony and other similar accounts, it is simply a wonder and a miracle they survived. A majority of their comrades in arms did not.

One of the veterans said that although more than 50 years have passed, it was only in the last several years that he had even told his wife about the horrors he and his fellow soldiers suffered. After the war, I am told, many of the heroic Americans who made it through unspeakable suffering were encouraged not to tell anyone about their prisoner of war status. If this is true, and I have no real reason to doubt it, that in itself is shameful and I am so glad we can put that sentiment to rest by honoring and recognizing our former POWs today.

Proclamations declaring National Former Prisoner of War Recognition Day happen every year, but this year it is particularly meaningful as we remember those from past conflicts and also focus on those service members who are currently engaged in the war in Iraq. Our thoughts and prayers are with all of our coalition forces and their families, particularly those who may have lost a loved one or whose family member or friend has been listed as missing or as a POW. Many families throughout the United States are having to call upon reserves of strength to get through this difficult time, but they should never forget that the entire nation shares their hope for the future, their joy in times of good news, and if need be, their grief in loss.

In recent days, the harrowing accounts told by Americans who were held by the Iraqis during the 1991 Gulf War have raised fears that the men and women who are missing today may suffer similarly criminal treatment. The evidence that we have so far indicates that this is the case. I am very concerned, as I am sure my colleagues are concerned, that we must do everything in our power to ensure that those who have committed war crimes are brought to justice.

Last Friday, the House Armed Services Committee held a hearing to examine the international law regulating the treatment of prisoners of war. Yesterday, House Armed Services Committee Chairman DUNCAN HUNTER and I sent a letter to the President suggesting that post-World War II's Nuremberg trials be used as a framework to convene an international military tribunal for the prosecution of war crimes committed during Operation Iraqi Freedom. Just as the Nuremberg trials were conducted by the four nations who won that war—the United States, Great Britain, France, and the Soviet Union—so, too, could a tribunal resulting from this war be conducted by the principal coalition partners: the United States, the United Kingdom, Australia, Poland, and Kuwait. Whatever system is put in place, justice will be our priority.

Without a doubt, we live in a special country. Americans have a spirit of idealism that cannot be broken, and our citizens strive to serve our country however possible. This spirit is evident throughout our nation, but also in the U.S. Congress, where several former POWs serve with distinction. Congressman SAM JOHNSON of Texas, Senator JOHN MCCAIN of Arizona, and former Congressman Pete Peterson of Florida could have very easily and justifiably returned home from Vietnam and devoted their lives to things other than government service. But they chose to continue their contribution by participating in electoral politics and doing the work that makes our American democracy a success. Their stories, as young men in uniform and in their later careers, inspire us all.

On this National Former POWs Recognition Day, we honor and express our gratitude to all former prisoners of war, whether they served during World War II, the Korean War, the Vietnam War, the Gulf War, or the current Iraq War. There is absolutely nothing we can do to make up for the sacrifices our service members and their families endured during their captivity in enemy hands. But as a nation, we can, and we must, thank them for their willingness to pay the price required to ensure America's freedoms. In the Congress, we must also be vigilant to ensure that our nation follows through on the promises we have made to our veterans and former POWs. As fellow citizens, it is the least we can do to begin to repay the debt that we owe them for their service to the American people.

Mrs. MALONEY. Mr. Speaker, I rise today to honor former prisoners of war, and to thank them for their bravery and dedication to our nation.

The United States military has no equal. Our servicemen and women are the best-trained and are the best-prepared to accomplish successfully their missions. However, as the war in Iraq has reminded us, we cannot always prevent the worst from happening.

The conditions for POWs, more often than not, are too difficult and too painful to imagine. I can only imagine the worry and the uncertainty that their families must feel each day until their loved one is brought home. The rescue of Jessica Lynch showed not only the commitment of our troops to finding their fellow servicemembers, but the bravery of Lynch herself, who stayed strong and focused.

Throughout history, America's military men and women have traveled around the world to fight for the causes of freedom and democracy. In this selfless pursuit, they knew that the battle would not always be easy. We owe them all an enormous debt of gratitude.

We cannot forget our veterans who helped to make this country what it is today and who have brought peace to other nations across the globe. Our nation's fighting men and women are currently engaged in a military conflict in Iraq. While they fight bravely for the principles upon which the United States was founded, we at home cannot turn our backs on veterans who deserve to have access to the benefits that they deserve.

Today, we recognize National Former Prisoner of War Recognition Day. I believe that each day we should remember these brave individuals, and the sacrifices that they made for all of us.

Thank you.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 43 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1846

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CANTOR) at 6 o'clock and 46 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 95) entitled ''Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to rule XXVII, as a result of the adoption by the House and the Senate of the conference report on House Concurrent Resolution 95, House Joint Resolution 51, increasing the statutory limit on the public debt, has been engrossed and is deemed to have passed the House on April 11, 2003.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today after 3:00 p.m. on account of schedule and district work period.

Mr. REYES (at the request of Ms. PELOSI) for today on account of attending a memorial service for the soldiers of the 507th Maintenance Company who were killed in Iraq.

Mr. BOYD (at the request of Ms. PELOSI) for today from 1:00 p.m. through the district work period on account of official business in the district.

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 Member (at the request of Mr. STENHOLM) to revise and extend their remarks and include extraneous material:)

Mr. STENHOLM, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today. (The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. SHIMKUS, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 538. An act to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes; to Committee on Energy and Commerce.

S. 783. An act to expedite the granting of posthumous citizenship to members of the United States Armed Forces; to Committee on the Judiciary.

S. 870. An act to amend the Richard B. Russell National School Lunch Act to extend the availability of funds to carry out the fruit and vegetable pilot program; to Committee on Education and the Workforce.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1505. An act to designate the facility of the United States Postal Service located at 2127 Beatties Ford Road in Charlotte, North Carolina, as the ''Jim Richardson Post Office.''

H.R. 1584. An act to implement effective measures to stop trade in conflict diamonds, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 151. An act to prevent child abduction and sexual exploitation of children, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

H.R. 397. To reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois.

H.R. 672. To rename the Guam South Elementary/Middle School of the Department of Defense Domestic Dependents Elementary and Secondary Schools System in honor of Navy Commander William ''Willie'' McCool, who was the pilot of the Space Shuttle Columbia when it was tragically lost on February 1, 2003.

SUNDRY BILLS PRESENTED TO THE PRESIDENT

H.R. 273. To provide for the eradication and control of nutria in Maryland and Louisiana.

ADJOURNMENT

Mr. RYAN of Wisconsin. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Saturday, April 12, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1793. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 00-03, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1794. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 02-04, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1795. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James C. Riley, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1796. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Joseph K . Kellogg, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1797. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 03-14), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1798. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services (Transmittal No. 03-11), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1799. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an unauthorized retransfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on International Relations.

1800. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-53, ''Closing of a Portion of a Public Alley in Square S.O. 02-2491, Act of 2003'' received April 11, 2003, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1801. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1802. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1803. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1804. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lindstrand Balloons Ltd Fuel Hoses [Docket No. 2002-CE-50-AD; Amendment 39-13078; AD 2003-05-02] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1805. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes [Docket No. 2003-CE-13-AD; Amendment 39-13150; AD 2003-07-09] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1806. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model BAe.125 Series 800A, 800A (C-29A), 800A (U-125), and 800B Airplanes; Model BH.125 Series 400A Airplanes; Model DH.125 Series Airplanes; Model Hawker 800, 800 (U-125A), and 800XP Airplanes; and Model HS.125 Series F3B, F3B/RA, F400B, F403B, 1B, 1B-522, 1B/R-522, 1B/S-522, 3B, 3B/R, 3B/RA, 3B/RB, 3B/RC, 400B, 400B/1, 401B, 403A(C), and 403B Airplanes [Docket No. 2002-NM-268-AD; Amendment 39-13103; AD 2003-07-07] (RIN: 2120-AA64) Received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1807. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-300 Airplanes That Have Been Modified in Accordance with Supplemental Type Certificates (STC) ST00973WI-D [Docket No. 2002-NM-31-AD; Amendment 39-12694; AD 2002-06-16] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1808. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robert E. Rust Models DeHavilland DH.C1 Chipmunk 21, 22, and 22A Airplanes [Docket No. 2000-CE-66-AD; Amendment 39-13082; AD 2003-05-06] (RIN: 2120-AA64) received April 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1809. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robert E. Rust Models DeHavilland DH.C1 Chipmunk 21, 22,and 22A Airplanes [Docket No. 2000-CE-63-AD; Amendment 39-13081; AD 2003-05-05] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1810. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Moundridge, KS [Airspace Docket No. 02-ACE-12] received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1811. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Presque Isle, ME [Docket No. FAA-2003-14346; Airspace Docket No. 2003-ANE-101] received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1812. A letter from the Senior Attorney, RSPA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Requirements for Cargo Tanks [Docket No. RSPA-98-3554 (HM-213)] (RIN: 2137-AC90) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. 810. A bill to amend title XVIII of the Social Security Act to provide regulatory relief and contracting flexibility

under the Medicare Program; with an amendment (Rept. 108–74 Pt. 1). Ordered to be printed.

Mrs. MYRICK: Committee on Rules. House Resolution 197. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 108–75). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TIBERI (for himself and Mr. LUCAS of Kentucky):

H.R. 1766. A bill to make permanent the provisions of the Fair Credit Reporting Act and amend the Gramm-Leach-Bliley Act to establish a national uniform privacy standard for financial institutions; to the Committee on Financial Services.

By Mr. KENNEDY of Minnesota (for himself and Mr. SMITH of Washington):

H.R. 1767. A bill to amend title 23, United States Code, to empower State and local authorities with tools to eliminate congestion on the Interstate System; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, and Mr. COBLE):

H.R. 1768. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and for other purposes; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. RANGEL, Mr. MANZULLO, Mr. LEVIN, Mr. COLLINS, Mr. MCDERMOTT, Mr. LAHOOD, Mr. NEAL of Massachusetts, Mr. SHIMKUS, and Mr. MATSUI):

H.R. 1769. A bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States; to the Committee on Ways and Means.

By Mr. BURR:

H.R. 1770. A bill to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, and for other purposes;

By Mr. MCCOTTER:

H.R. 1771. A bill to amend the Communications Act of 1934 to prohibit knowingly misinforming the relative of a member of the Armed Forces of the United States that such member is deceased, injured, or missing due to an event associated with their military service; to the Committee on Energy and Commerce.

By Mr. AKIN (for himself and Mr. SCHROCK):

H.R. 1772. A bill to improve small business advocacy, and for other purposes; to the Committee on Small Business.

By Mr. BOEHLERT:

H.R. 1773. A bill to amend the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990, and for other purposes; to the Committee on Science.

By Mr. BOEHLERT:

H.R. 1774. A bill to provide for the establishment at the Department of Energy of a program for hydrogen fuel cell vehicles and infrastructure, and for other purposes; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. SMITH of Texas, Mr. GOSS, and Mr. OSBORNE):

H.R. 1775. A bill to amend title 36, United States Code, to designate the oak tree as the national tree of the United States; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mrs. JOHNSON of Connecticut, Mr. POMEROY, Mr. BLUNT, Mr. MOORE, Mr. UPTON, Mrs. TAUSCHER, Mr. GALLEGLY, and Mr. WYNN):

H.R. 1776. A bill to amend the Internal Revenue Code of 1986 to make today's retirement savings opportunities permanent, to expand and improve retirement savings vehicles, to extend pension coverage through regulatory simplification and small business incentives, to enhance fairness and pension portability, to revitalize defined benefit plans, to provide additional defined contribution plan protections, to assist individuals in preserving their income throughout retirement, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHLERT:

H.R. 1777. A bill to provide for the establishment at the Department of Energy of a program for hydrogen fuel cell vehicles and infrastructure, and for other purposes; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALLENGER (for himself, Mr. ROHRABACHER, Mrs. JOHNSON of Connecticut, and Mr. PORTMAN):

H.R. 1778. A bill to establish a commission on employee ownership; to the Committee on Education and the Workforce.

By Mr. BEAUPREZ (for himself and Mr. BARRETT of South Carolina):

H.R. 1779. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans during the period that a military reservist or national guardsman is called to active duty for an extended period, and for other purposes; to the Committee on Ways and Means.

By Mr. BEAUPREZ (for himself, Mr. BLUNT, Ms. GRANGER, Mrs. MUSGRAVE, and Mr. TOOMEY):

H.R. 1780. A bill to amend the Internal Revenue Code of 1986 to eliminate the tax on the net capital gain of taxpayers other than corporations, to exclude interest and dividends from gross income, and to repeal the 1993 income tax increase on Social Security benefits; to the Committee on Ways and Means.

By Mr. BEAUPREZ:

H.R. 1781. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for certain expenses in connection with the determination, collection, or refund of any tax; to the Committee on Ways and Means.

By Mr. BECERRA (for himself, Mr. RANGEL, Mr. STARK, Mr. MATSUI, Mr. MCDERMOTT, Mr. NEAL of Massachusetts, Mr. DOGGETT, Mr. ACEVEDO-VILA, Ms. BORDALLO, Mr. CASE, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINOJOSA, Ms. LEE, Mr. PAYNE, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, and Mr. SERRANO):

H.R. 1782. A bill to amend the Internal Revenue Code of 1986 to change the calculation and simplify the administration of the earned income tax credit; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. KINGSTON, Mr. BURTON of Indiana, Mr. BOEHNER, Mr. BARTLETT of Maryland, Mr. HALL, Mr. YOUNG of Alaska, Mr. WELDON of Florida, Mr. SESSIONS, Mr. BONILLA, Mr. SMITH of Texas, and Mr. SCOTT of Georgia):

H.R. 1783. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers a flat tax alternative to the current income tax system; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mr. KLECZKA, Mr. SAM JOHNSON of Texas, Mr. ISRAEL, Mr. MCNULTY, Mr. ROGERS of Michigan, Mr. PAUL, Mr. HAYWORTH, Mr. ENGLISH, Mr. WHITFIELD, and Mr. LEWIS of Georgia):

H.R. 1784. A bill to amend title XVIII of the Social Security Act to update the renal dialysis composite rate; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. CANTOR:

H.R. 1785. A bill to require the Secretary of the Treasury to redesign $1 Federal reserve notes so as to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Amendments to the Constitution, on the reverse side of such notes; to the Committee on Financial Services.

By Mr. CAPUANO (for himself, Mr. TOWNS, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. HOLT, Mr. PASCRELL, Ms. WOOLSEY, Mr. SANDLIN, Mrs. MALONEY, Mr. MCNULTY, and Mr. MCDERMOTT):

H.R. 1786. A bill to provide grants to assist State and local prosecutors and law enforcement agencies with implementing juvenile and young adult witness assistance programs that minimize additional trauma to the witness and improve the chances of successful criminal prosecution or legal action; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mr. KENNEDY of Minnesota, Mr. PASCRELL, Mr. WILSON of South Carolina, Mr. MCNULTY, Ms. HARMAN, Mr. SMITH of Michigan, Mr. GOODE, Mr. COLE, Mr. FOSSELLA, Mr. MCHUGH, Mr. DUNCAN, Mr. BRADY of Texas, Mr. BEREUTER, Mr. KING of New York, Mr. WALSH, Mr. GILCHREST, Mr. DOYLE, Mr. NEY, Mr. SHIMKUS, Mr. EMANUEL, Mr. EHLERS, Mr. DAVIS of Tennessee, Mr. REYNOLDS, Mr. MCGOVERN, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 1787. A bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies; to the Committee on the Judiciary.

By Mr. COSTELLO:

H.R. 1788. A bill to amend title XVIII of the Social Security Act to extend the minimum Medicare deadlines for filing claims to take into account delay in processing adjustments from secondary payor status to primary payor status; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE:

H.R. 1789. A bill to amend the Internal Revenue Code of 1986 to repeal the income taxation of corporations, to impose a 10 percent

tax on the earned income (and only the earned income) of individuals, to repeal the estate and gift taxes, to provide amnesty for all tax liability for prior taxable years, and for other purposes; to the Committee on Ways and Means.

By Mrs. CUBIN:

H.R. 1790. A bill to provide for the equitable treatment of rural communities in the distribution of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN (for herself and Mr. MCINNIS):

H.R. 1791. A bill to amend the Internal Revenue Code of 1986 to provide an election for a special tax treatment of certain S corporation conversions; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. KIRK, Mr. BUYER, and Mr. TAYLOR of Mississippi):

H.R. 1792. A bill to amend title 37, United States Code, to alleviate delay in the payment of the Selected Reserve reenlistment bonus to members of Selected Reserve who are mobilized; to the Committee on Armed Services.

By Mr. DEMINT (for himself, Mr. BALLENGER, Mr. CARTER, Mr. BEREUTER, Mr. BRADY of Texas, Mr. CUNNINGHAM, Mr. DOOLITTLE, Ms. GRANGER, Mr. HAYWORTH, Mr. MCKEON, Mr. NORWOOD, Mr. PAUL, Mr. SOUDER, Mr. WICKER, Mr. FRANKS of Arizona, and Mr. MANZULLO):

H.R. 1793. A bill to amend the National Labor Relations Act to protect employer rights; to the Committee on Education and the Workforce.

By Mr. DOOLITTLE (for himself and Mr. OSE):

H.R. 1794. A bill to authorize the Secretary of the Interior to construct and rehabilitate Federal water supply lines associated with Folsom Dam in California, and for other purposes; to the Committee on Resources.

By Mr. GARRETT of New Jersey:

H.R. 1795. A bill to provide that the income tax shall not apply for taxable years during which the taxpayer, or either spouse of a married couple, is serving in the war in Iraq; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. OLVER, Mr. LEACH, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, Mr. UDALL of Colorado, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. HOLDEN, Mr. OWENS, Mr. GRIJALVA, Ms. LEE, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. DEUTSCH, Mr. NEAL of Massachusetts, Mr. BECERRA, Mrs. MALONEY, Mr. WEXLER, Ms. BALDWIN, Ms. ROYBAL-ALLARD, Mr. MORAN of Virginia, Mr. CAPUANO, Ms. MCCARTHY of Missouri, Mr. WYNN, Mr. FROST, Mr. KUCINICH, Mr. SPRATT, Mr. RUSH, Mr. BALLANCE, Mr. ENGEL, Mr. FORD, Mr. LYNCH, Mr. HOEFFEL, Mr. HONDA, Mr. SERRANO, Ms. VELAZQUEZ, Mr. PAYNE, Mr. LOBIONDO, Mr. CLAY, Mr. SMITH of Washington, Mr. STRICKLAND, Mr. DICKS, Mr. HOLT, Mr. INSLEE, Mr. MCNULTY, Mr. FATTAH, Mr. BERMAN, Mr. RANGEL, Mr. WEINER, Mr. MARKEY, Ms. WOOLSEY, Mr. MILLER of North Carolina, Mr. STARK, Mr. FARR, Mr. LEVIN, Mr. ACKERMAN, Mr. DELAHUNT, Mrs. CAPPS, Ms. MCCOLLUM, Mr. PASCRELL, Mr. COOPER, Mr. BOUCHER, Mr. MCGOVERN, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Mr. MOORE, Mr. SIMMONS, Ms. MILLENDER-MCDONALD, Mr. GUTIERREZ, Mr. KILDEE, Ms. HARMAN, Mr. DOGGETT, Mr. JACKSON of Illinois, Ms. CORRINE BROWN of Florida, Mrs. MCCARTHY of New York, Mrs. CHRISTENSEN, Ms. NORTON, Mr. COSTELLO, Mr. LIPINSKI, Mr. HASTINGS of Florida, Mr. KLECZKA, Ms. DELAURO, Ms. ESHOO, Mr. BAIRD, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. NADLER, Mr. ROTHMAN, Mrs. LOWEY, Mr. MICHAUD, Mr. RYAN of Ohio, Mr. SHAYS, Mr. LANGEVIN, Mr. GONZALEZ, Mrs. DAVIS of California, Mrs. TAUSCHER, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. LAMPSON, Mrs. JOHNSON of Connecticut, Mr. ISRAEL, Mr. SANDERS, Mr. BRADY of Pennsylvania, Mr. HILL, Mr. CARDIN, Mr. FILNER, Mr. PRICE of North Carolina, Mr. GORDON, Mr. BISHOP of New York, Mr. CROWLEY, Mr. WAXMAN, Mr. PALLONE, Mr. MEEHAN, Ms. SLAUGHTER, Mr. MEEKS of New York, Mr. LARSON of Connecticut, Ms. LINDA T. SANCHEZ of California, Mr. MATSUI, Mr. BLUMENAUER, Mr. SABO, Mr. EVANS, Ms. HOOLEY of Oregon, Mr. KIRK, Mr. SCHIFF, Mr. CONYERS, Mr. JEFFERSON, Mr. ALLEN, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of New Jersey, Mr. SHERMAN, Mr. PETERSON of Minnesota, Mr. CUMMINGS, Mr. DEFAZIO, Mr. MENENDEZ, Ms. CARSON of Indiana, Ms. DEGETTE, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. THOMPSON of California, Ms. SOLIS, Mr. BELL, and Mr. THOMPSON of Mississippi):

H.R. 1796. A bill to designate certain Federal land in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Ms. HOOLEY of Oregon:

H.R. 1797. A bill to ensure that exports of Alaskan North Slope crude oil are prohibited; to the Committee on International Relations, and in addition to the Committee on Resources, 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. JOHNSON of Connecticut (for herself and Mr. OLVER):

H.R. 1798. A bill to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes; to the Committee on Resources.

By Mr. JONES of North Carolina:

H.R. 1799. A bill to amend the Immigration and Nationality Act to waive the requirement of 2 years of marriage for a spouse to self-petition to be an immediate relative in the case of spouses of citizens killed in service in the Armed Forces and to prohibit any fees relating to posthumous citizenship for aliens killed while on active duty service during periods of military hostilities; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. SHAYS, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Ms. BORDALLO, Mrs. CAPPS, Mr. CLAY, Mr. CONYERS, Mr. COSTELLO, Mr. CROWLEY, Mr. DEFAZIO, Ms. DELAURO, Mr. DEUTSCH, Mr. DOYLE, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GALLEGLY, Mr. GOSS, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. KUCINICH, Mr. LANTOS, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. MCNULTY, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. PRICE of North Carolina, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. STARK, Mrs. TAUSCHER, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WAXMAN, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 1800. A bill to end the use of conventional steel-jawed leghold traps on animals in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, International Relations, 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. MALONEY (for herself, Mr. WEINER, Mr. RANGEL, Mr. SERRANO, Mr. CROWLEY, Mr. NADLER, Mr. TOWNS, and Ms. SCHAKOWSKY):

H.R. 1801. A bill to accord honorary citizenship to the alien victims of the September 11, 2001, terrorist attacks against the United States and to provide for the granting of citizenship to the alien spouses and children of certain victims of such attacks; to the Committee on the Judiciary.

By Mr. MCDERMOTT (for himself, Mr. SANDERS, Ms. NORTON, Mr. NADLER, Ms. CARSON of Indiana, Mr. EVANS, Mr. OWENS, Ms. SOLIS, Mr. STARK, Mr. KUCINICH, Mr. LANTOS, Ms. LEE, and Mr. FRANK of Massachusetts):

H.R. 1802. A bill to amend the Federal Unemployment Tax Act and the Social Security Act to modernize the unemployment insurance system, and for other purposes; to the Committee on Ways and Means.

By Mr. MENENDEZ (for himself, Mr. MCNULTY, Mr. FROST, Mr. CASE, Ms. LEE, Mr. REYES, Mr. MCINTYRE, Mr. BOYD, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. FARR, Mr. MCGOVERN, Mr. DAVIS of Tennessee, Mr. EMANUEL, Mr. FILNER, Mr. ACEVEDO-VILA, Mr. DAVIS of Florida, Mr. RUPPERSBERGER, Mr. ABERCROMBIE, Mrs. MALONEY, Mr. BERMAN, Mr. UDALL of New Mexico, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. PETERSON of Minnesota, Mr. BISHOP of New York, Mr. RANGEL, Mr. PASCRELL, Mr. OWENS, Mr. KIND, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. SCOTT of Georgia, Mr. TOWNS, Ms. LINDA T. SANCHEZ of California, Mr. ROSS, Mr. LANGEVIN, Mr. ANDREWS, Ms. KILPATRICK, Mr. MEEHAN, Mr. ORTIZ, Mr. BOSWELL, Ms. LORETTA SANCHEZ of California, Ms. SLAUGHTER, Mr. BACA, and Mr. MARSHALL):

H.R. 1803. A bill to authorize the Secretary of Homeland Security to make grants to reimburse State and local governments and Indian tribes for certain costs relating to the mobilization of Reserves who are first responder personnel of such governments or tribes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, 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. OWENS:

H.R. 1804. A bill to raise revenue and reduce large and increasing Federal budget deficits due to the cost of the war in Iraq; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. ETHERIDGE, Mr. MOORE, Mr. MCINTYRE, Ms. CORRINE BROWN of Florida, Mr. BERRY, Mr. HOLT, Mr.

STRICKLAND, Mr. GUTIERREZ, Mr. FROST, Mr. MILLER of North Carolina, Mr. BALLANCE, Ms. LOFGREN, Mr. BALLENGER, and Mr. WATT):

H.R. 1805. A bill to establish a national teaching fellowship program to encourage individuals to enter and remain in the field of teaching at public schools; to the Committee on Education and the Workforce.

By Mr. PUTNAM:

H.R. 1806. A bill to amend the Immigration and Nationality Act to change the requirements for naturalization to citizenship through service in the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. REYNOLDS:

H.R. 1807. A bill to amend the trade adjustment assistance program under the Trade Act of 1974 to establish a demonstration project to provide self-employment training and assistance to eligible adversely affected workers; to the Committee on Ways and Means.

By Mr. REYNOLDS (for himself, Mrs. BLACKBURN, Ms. GINNY BROWN-WAITE of Florida, and Mr. SOUDER):

H.R. 1808. A bill to amend the Internal Revenue Code of 1986 to allow an immediate deduction for start-up and organizational expenditures in order to spur entrepreneurship; to the Committee on Ways and Means.

By Mr. ROGERS of Kentucky (for himself and Mr. WAMP):

H.R. 1809. A bill to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:

H.R. 1810. A bill to require door delivery of mail sent to persons residing in senior communities; to the Committee on Government Reform.

By Mr. SESSIONS (for himself, Mr. WAXMAN, Mr. ABERCROMBIE, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. BROWN of Ohio, Mr. CAMP, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CROWLEY, Mrs. JO ANN DAVIS of Virginia, Ms. DEGETTE, Mr. DEUTSCH, Mr. DINGELL, Mr. DOYLE, Mr. ENGEL, Mr. FARR, Mr. FROST, Mr. GORDON, Mr. GREEN of Texas, Mr. HINCHEY, Mr. HOEFFEL, Mr. INSLEE, Mr. ISAKSON, Mr. KILDEE, Ms. KILPATRICK, Mr. LANTOS, Mrs. MALONEY, Mr. MARKEY, Mr. MATSUI, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mrs. NORTHUP, Mr. OXLEY, Mr. PALLONE, Mr. PAUL, Mr. PAYNE, Mr. RAHALL, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SHAYS, Ms. SOLIS, Mr. SOUDER, Mr. STARK, Mr. STRICKLAND, Mr. TERRY, Mr. THORNBERRY, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WOLF, Mrs. CAPITO, Mrs. JOHNSON of Connecticut, Mr. JOHN, Mr. REYNOLDS, and Mr. KUCINICH):

H.R. 1811. A bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid Program for such children, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself, Mrs. JOHNSON of Connecticut, Mr. TOWNS, Mr. DINGELL, Mr. HINCHEY, Mr. PAYNE, Mr. DEFAZIO, Ms. KILPATRICK, Ms. LEE, Mr. GEORGE MILLER of California, Mr. ABERCROMBIE, Mr. DAVIS of Illinois, Mr. OLVER, Mr. WEXLER, Mr. SHERMAN, Mrs. LOWEY, Mr. LEVIN, and Mr. KUCINICH):

H.R. 1812. A bill to establish a public education and awareness program relating to emergency contraception; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. PITTS, Mr. MCGOVERN, Ms. MCCOLLUM, and Mr. SABO):

H.R. 1813. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign centers and programs for the treatment of victims of torture, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SOLIS (for herself, Mr. CANNON, Mr. CONYERS, Mr. DREIER, Mr. FROST, and Mr. MCINNIS):

H.R. 1814. A bill to change the requirements for naturalization through service in the Armed Forces of the United States, to extend naturalization benefits to members of the Ready Reserve of a reserve component of the Armed Forces, to extend posthumous benefits to surviving spouses, children, and parents, and for other purposes; to the Committee on the Judiciary.

By Mr. SPRATT:

H.R. 1815. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to carry out a grant program for providing financial assistance for rail line relocation projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STARK:

H.R. 1816. A bill to amend the National Flood Insurance Act of 1968 to ensure homeowners are provided adequate notice of flood map changes and a fair opportunity to appeal such changes; to the Committee on Financial Services.

By Mr. STUPAK:

H.R. 1817. A bill to authorize the Secretary of the Army to carry out a dredging project to increase the depth of Menominee Harbor, Menomiee River, Michigan and Wisconsin, from 24 feet to 26 feet; to the Committee on Transportation and Infrastructure.

By Mr. TOOMEY:

H.R. 1818. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Ways and Means.

By Mr. UPTON (for himself, Mr. TOWNS, Mr. CAMP, Mr. COSTELLO, Mr. GREENWOOD, and Mr. JOHN):

H.R. 1819. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Energy and Commerce.

By Mr. VITTER (for himself, Mr. CRANE, and Mr. MCCRERY):

H.R. 1820. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. WATSON (for herself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALEXANDER, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BAKER, Ms. BALDWIN, Mr. BALLANCE, Mr. BECERRA, Mr. BELL, Mr. BEREUTER, Ms. BERKLEY, Mr. BERMAN, Mr. BERRY, Mrs. BIGGERT, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mrs. BONO, Mr. BOSWELL, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. CAMP, Mrs. CAPITO, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CARDOZA, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Mr. CASE, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. CRAMER, Mr. CRANE, Mr. CROWLEY, Mrs. CUBIN, Mr. CUMMINGS, Mr. CUNNINGHAM, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Tennessee, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. DOYLE, Mr. DREIER, Mr. DUNCAN, Ms. DUNN, Mr. EDWARDS, Mr. EMANUEL, Mrs. EMERSON, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. EVERETT, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. GUTKNECHT, Mr. HALL, Ms. HARMAN, Ms. HART, Mr. HASTINGS of Florida, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. HYDE, Mr. INSLEE, Mr. ISRAEL, Mr. ISSA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KUCINICH, Mr. LAMPSON, Mr. LANGEVIN, Mr. LAHOOD, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LATOURETTE, Ms. LEE, Mr. LEVIN, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mr. LYNCH, Ms. MAJETTE, Mrs. MALONEY, Mr. MARKEY, Mr. MARSHALL, Mr. MATHESON, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCCRERY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MICA, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOLLOHAN, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. PICKERING, Mr. POMBO, Mr. POMEROY, Mr. PORTMAN, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUSH, Mr. RYAN of Wisconsin, Mr. SABO, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHROCK, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMMONS, Mr.

SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SNYDER, Ms. SOLIS, Mr. SPRATT, Mr. STARK, Mr. STENHOLM, Mr. STRICKLAND, Mr. STUPAK, Mr. TANNER, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TOWNS, Mr. TURNER of Texas, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, Ms. VELAZQUEZ, Mr. VISCLOSKY, Mr. WALDEN of Oregon, Mr. WAMP, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WEINER, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WEXLER, Mr. WILSON of South Carolina, Ms. WOOLSEY, Mr. WU, Mr. WYNN, and Mr. YOUNG of Florida):

H.R. 1821. A bill to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation; to the Committee on Financial Services.

By Ms. WATSON:

H.R. 1822. A bill to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the ''Dosan Ahn Chang Ho Post Office''; to the Committee on Government Reform.

By Mr. WEINER:

H.R. 1823. A bill to prohibit United States assistance for the Palestinian Authority and for programs, projects, and activities in the West Bank and Gaza; to the Committee on International Relations.

By Mr. WELDON of Pennsylvania (for himself and Mr. LANGEVIN):

H.R. 1824. A bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By —:

H.J. Res. 51. A joint resolution increasing the statutory limit on the public debt; considered and passed.

By Mr. CUMMINGS (for himself, Mr. WYNN, Mr. CARDIN, Mr. RUPPERSBERGER, Mr. BARTLETT of Maryland, Mr. HOYER, Mr. VAN HOLLEN, Mr. GILCHREST, and Mr. OWENS):

H.J. Res. 52. A joint resolution recognizing the Dr. Samuel D. Harris National Museum of Dentistry, an affiliate of the Smithsonian Institution in Baltimore, Maryland, as the official national museum of dentistry in the United States; to the Committee on House Administration.

By Mrs. CAPPS (for herself, Mr. GIBBONS, Mr. CUNNINGHAM, Mr. EVANS, Mr. KIRK, Mr. MENENDEZ, Mr. NEY, Mr. FARR, Mr. PENCE, Mr. LANTOS, Mr. SCHROCK, Mr. CONYERS, Mr. GILCHREST, Ms. DELAURO, Mr. COLLINS, Mr. REYES, Mr. MCCOTTER, Mr. BERMAN, Mr. RYUN of Kansas, Mr. SABO, Mr. UPTON, Mr. EDWARDS, Mr. WHITFIELD, Mr. GRIJALVA, Mr. MCGOVERN, Mr. BALLANCE, Mr. MCDERMOTT, Mr. PASCRELL, Mr. HOLDEN, Ms. CARSON of Indiana, Ms. LINDA T. SANCHEZ of California, Mr. BISHOP of New York, Mr. HINOJOSA, Mr. RAHALL, Mr. FROST, Mr. BACA, Mr. WEXLER, Mr. MARKEY, Mr. EMANUEL, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Alabama, Mr. LARSEN of Washington, Mr. STRICKLAND, Mr. BROWN of Ohio, Mr. TOWNS, Mr. MICHAUD, Mr. WYNN, Ms. KILPATRICK, Mr. JACKSON of Illinois, and Mr. MILLER of North Carolina):

H. Con. Res. 151. Concurrent resolution extending the thanks of Congress and a grateful nation to the Iraqis Mohammed and Iman for their brave actions against oppression and tyranny in providing to United States forces, at great risk to themselves, information essential for the rescue of Private First Class Jessica Lynch, United States Army, on April 1, 2003; to the Committee on International Relations.

By Mr. CUNNINGHAM (for himself and Ms. HARMAN):

H. Con. Res. 152. Concurrent resolution expressing the appreciation of the Nation to the members of the Armed Forces serving in Operation Iraqi Freedom and Operation Enduring Freedom and encouraging communities across the Nation to prepare appropriate homecoming ceremonies to welcome the members of the Armed Forces returning from those operations and to recognize their contributions to homeland security and expansion of freedoms around the globe and to prepare days of remembrance to commemorate the brave service and selfless sacrifice of the members of the Armed Forces who do not return; to the Committee on Armed Services.

By Mrs. MYRICK:

H. Res. 197. A resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

By Mr. COLE (for himself, Mr. HAYWORTH, Mr. HERGER, Mr. BARRETT of South Carolina, Mrs. MUSGRAVE, Mr. TIAHRT, Mr. SIMMONS, Mr. CHABOT, Mr. TURNER of Ohio, Mr. WELLER, Mr. GIBBONS, and Mr. SMITH of New Jersey):

H. Res. 198. A resolution expressing the sense of the House of Representatives that France, Germany, and Russia can initially best contribute to the reconstruction of Iraq by the forgiveness of outstanding debt between both Iraq and France, Iraq and Germany, and Iraq and Russia; to the Committee on International Relations.

By Mr. FRANK of Massachusetts (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. CAPUANO, Mr. COX, Mr. DELAHUNT, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. OLVER, Mr. ROHRABACHER, Mr. MARKEY, and Mr. PITTS):

H. Res. 199. A resolution calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, and for other purposes; to the Committee on International Relations.

By Mr. KUCINICH:

H. Res. 200. A resolution expressing the sense of the House of Representatives with respect to a nationwide Town Hall meeting on the new foreign policy doctrines of the President; to the Committee on International Relations.

By Mr. ROGERS of Michigan:

H. Res. 201. A resolution expressing the sense of the House of Representatives that our Nation's businesses and business owners should be commended for their support of our troops and their families as they serve our country in many ways, especially in these days of increased engagement of our military in strategic locations around our Nation and around the world; to the Committee on Energy and Commerce.

By Mr. SPRATT:

H. Res. 202. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in honor of John Birks ''Dizzy'' Gillespie; to the Committee on Government Reform.

By Mr. WELDON of Pennsylvania (for himself and Mr. WELLER):

H. Res. 203. A resolution calling for the prosecution of Iraqis and their supporters for war crimes, and for other purposes; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the followingtitles were introduced and severally referred, as follows:

By Mrs. KELLY:

H.R. 1825. A bill for the relief of Frank Redendo; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 1826. A bill for the relief of Thomas J. Sansone, Jr; to the Committee on the Judiciary.

By Mr. SCHROCK:

H.R. 1827. A bill to authorize the Secretary of Transportation to issue a certificateof documentation with appropriate endorsement for employment in thecoastwise trade for the vessel M/T *Miss Linda*; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 57: Mr. CARTER, Mr. NEY, Ms. HART, Mr. FRELINGHUYSEN, Mrs. BONO, Mr. HENSARLING, Mr. BRADY of Texas, Mr. MURPHY, Mr. HASTERT, and Mr. BONNER.

H.R. 63: Mr. PLATTS.

H.R. 100: Mr. ISRAEL.

H.R. 196: Ms. LEE and Mr. FILNER.

H.R. 219: Mr CHOCOLA and Mr. BARTLETT of Maryland.

H.R. 235: Mr. FLETCHER, Mrs. CUBIN, Mr. COX, Mr. SAM JOHNSON of Texas, Mr. ENGLISH, Mr. SCHROCK, Mr. KINGSTON, Mr. FORBES, Mrs. EMERSON, Mr. BROWN of South Carolina, Mr. VITTER, Mr. CHABOT, Mr. NETHERCUTT, Mr. SHADEGG, Mr. THORNBERRY, Mr. WALSH, and Mr. TAYLOR of North Carolina.

H.R. 284: Mr. MILLER of North Carolina, Mr. OWENS, and Mr. GOODE.

H.R. 303: Mr. TIAHRT, Mr. BISHOP of Utah, and Mr. LARSON of Connecticut.

H.R. 328: Mr. FRANK of Massachusetts, Mr. MEEHAN, Mr. DELAHUNT, Mr. CAPUANO, Mr. TIERNEY, Mrs. JO ANN DAVIS of Virginia, and Mr. LUCAS of Kentucky.

H.R. 347: Mrs. MALONEY and Mr. STUPAK.

H.R. 428: Ms. HART and Mr. DREIER.

H.R. 433: Mr. ENGLISH and Ms. LOFGREN.

H.R. 434: Mr. BARRETT of South Carolina, Mr. MCHUGH, Mr. BURNS, and Mr. CANTOR.

H.R. 442: Ms. CORRINE BROWN of Florida.

H.R. 465: Mr. WHITFIELD.

H.R. 476: Mr. ROSS.

H.R. 490: Mr. GRIJALVA and Ms. MAJETTE.

H.R. 527: Mr. FRANK of Massachusetts.

H.R. 528: Mr. HOEFFEL and Mr. GUTKNECHT.

H.R. 583: Mr. NORWOOD, Mr. LUCAS of Oklahoma, Mr. PITTS, Mr. ISSA, Mr. BRADLEY of New Hampshire, Mr. HYDE, Mr. GILLMOR, Mr. SMITH of Michigan, and Mr. CARTER.

H.R. 589: Mr. WEINER, Mr. COLE, Mr. GIBBONS, Mr. DOYLE, Mr. BEREUTER, Mr. NEY, Mr. GREENWOOD, and Mr. KLINE.

H.R. 611: Mr. DEAL of Georgia.

H.R. 615: Mr. DEAL of Georgia.

H.R. 645: Mr. NUSSLE, Mr. FILNER, and Mr. BERRY.

H.R. 684: Ms. MAJETTE and Mr. KOLBE.

H.R. 687: Mr. FLAKE, Mr. HYDE, Mr. WELDON, of Pennsylvania, Mr. COX, Mr. STEARNS, Mr. UPTON, Mr. AKIN, Mr. KING of Iowa, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 709: Mr. HILL.

H.R. 713: Mr. MICHAUD.
H.R. 715: Mr. TOWNS.
H.R. 716: Mr. HINOJOSA, Mr. SCHIFF, and Ms. MAJETTE.
H.R. 717: Mr. LYNCH and Mr. MCNULTY.
H.R. 722: Mr. CRENSHAW, Mr. FRANKS of Arizona, Mr. KAPTUR, and Mr. REHBERG.
H.R. 737: Ms. WATERS.
H.R. 754: Mr. PAUL.
H.R. 765: Mr. RAMSTAD.
H.R. 792: Mr. BECERRA.
H.R. 813: Mr. RYAN of Ohio.
H.R. 851: Mr. MICHAUD.
H.R. 857: Mr. UDALL of New Mexico and Mr. PLATTS.
H.R. 872: Mrs. CAPITO and Mr. DEAL of Georgia.
H.R. 876: Mr. DOOLEY of California and Mr. UPTON.
H.R. 879: Ms. BORDALLO, Mr. UPTON, and Mr. GILLMOR.
H.R. 898: Mr. GUTIERREZ, Mr. GONZALEZ, Mr. BECERRA, and Mr. CLAY.
H.R. 935: Ms. MAJETTE.
H.R. 953: Mr. SCOTT of Georgia.
H.R. 957: Mr. SHADEGG.
H.R. 967: Mr. LARSEN of Washington and Mr. WAMP.
H.R. 995: Mr. MILLER of Florida.
H.R. 977: Mrs. KELLY.
H.R. 1046: Mr. ENGLISH and Ms. MAJETTE.
H.R. 1061: Mr. DUNCAN.
H.R. 1068: Mr. MCHUGH, Mr. KENNEDY of Minnesota, Mr. HINOJOSA, Mr. MCINTYRE, Mr. WELDON of Florida, and Mr. BACHUS.
H.R. 1105: Ms. KILPATRICK, Mrs. KELLY, and Mr. DAVIS of Illinois.
H.R. 1108: Ms. CARSON of Indiana, Mr. KUCINICH, and Mr. GUTIERREZ.
H.R. 1115: Mr. CHOCOLA.
H.R. 1146: Mr. TANCREDO.
H.R. 1165: Mr. INSLEE.
H.R. 1168: Mr. JANKLOW.
H.R. 1170: Mr. ROGERS of Michigan.
H.R. 1179: Mr. LINDER.
H.R. 1191: Mr. TAYLOR of Mississippi.
H.R. 1202: Ms. HARRIS, Mr. GARRETT of New Jersey, Mr. ROGERS of Alabama, Mr. FRANKS of Arizona, Mr. ADERHOLT, Mr. BONNER, Mr. RUPPERSBERGER, Mr. BURNS, Mr. WYNN, Mr. BALLANCE, Mr. SANDLIN, Mr. BAKER, Mr. CARTER, Ms. GINNY BROWN-WAITE of Florida, Mr. WILSON of South Carolina, Mr. GINGREY, Mr. BARRETT of South Carolina, and Mr. PUTNAM.
H.R. 1206: Mr. JONES of North Carolina.
H.R. 1207: Ms. LEE.
H.R. 1209: Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. SHIMKUS, Ms. LEE, Mr. SERRANO, Mr. MCDERMOTT, Mr. CASE, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. ENGEL, Mr. FILNER, Mrs. MCCARTHY of New York, Mr. RANGEL, Mr. OWENS, Mr. MARSHALL, Mr. DEUTSCH, and Mr. NEAL of Massachusetts.
H.R. 1214: Ms. BALDWIN, Mr. HAYWORTH, Mr. VISCLOSKY, and Mr. GUTIERREZ.
H.R. 1231: Mr. DICKS, Mr. BURNS, Mr. COLE, Mrs. MILLER of Michigan, Mr. STRICKLAND, and Mr. RYAN of Ohio.
H.R. 1235: Mr. CRENSHAW.
H.R. 1258: Mr. DOYLE and Mr. KENNEDY of Rhode Island.
H.R. 1261: Mr. TIBERI and Mr. ISAKSON.
H.R. 1270: Mr. BROWN of South Carolina.
H.R. 1276: Mr. KING of New York and Mr. PUTNAM.
H.R. 1294: Ms. BERKLEY.
H.R. 1309: Ms. MCCOLLUM.
H.R. 1310: Mr. POMBO.
H.R. 1336: Mr. SOUDER.
H.R. 1340: Mr. WAXMAN, Mr. FROST, Mr. COOPER, Mr. KUCINICH, Mr. ACKERMAN, Mr. MCNULTY, Mr. HOEFFEL, and Mr. OWENS.
H.R. 1355: Ms. MCCOLLUM.
H.R. 1367: Mr. PETERSON of Pennsylvania, Mr. PRICE of North Carolina, and Mr. BOSWELL.
H.R. 1372: Mr. SOUDER and Mr. MEEKS of New York.
H.R. 1400: Mr. DOGGETT.
H.R. 1414: Mr. BAIRD.
H.R. 1430: Mr. WAXMAN, Mr. MCNULTY, and Mr. PALLONE.
H.R. 1442: Mr. MARSHALL, Mr. BOSWELL, Mr. MCINTYRE, Mr. ROSS, Mr. NEAL of Massachusetts, Ms. BORDALLO, Mr. GREEN of Texas, Mr. COLE, Mr. CARSON of Oklahoma, Mr. CONYERS, Mr. WYNN, Mr. CARDOZA, and Mr. FILNER.
H.R. 1451: Mr. PICKERING, Mr. JONES of North Carolina, Mr. FLETCHER, Mr. BROWN of South Carolina, and Mr. WELDON of Florida.
H.R. 1470: Mr. BLUMENAUER.
H.R. 1472: Mr. MCGOVERN, Mrs. CAPPS, and Mr. COSTELLO.
H.R. 1480: Mr. GUTIERREZ.
H.R. 1508: Mr. CROWLEY.
H.R. 1511: Mr. BEREUTER, Mr. TOM DAVIS of Virginia, Mrs. CAPITO, Mr. ISAKSON, Mr. DEAL of Georgia, Mr. EVERETT, Mr. HUNTER, Mr. GALLEGLY, Mr. HEFLEY, Mr. LINDER, Mr. LOBIONDO, Mr. BARTLETT of Maryland, Mr. COLLINS, Mr. WICKER, Mr. CRANE, Mr. KENNEDY of Minnesota, Mr. BACHUS, Mr. WOLF, Mr. JOHN, Mr. ALEXANDER, Mr. WAMP, Mr. HALL, Mr. COX, Mr. SWEENEY, Mr. CANNON, Mrs. WILSON of New Mexico, Mr. SHIMKUS, Mr. LUCAS of Oklahoma, Mr. LATOURETTE, Mr. MANZULLO, Mrs. BIGGERT, Mr. GARY G. MILLER of California, Mr. TIBERI, Mr. MURPHY, Mr. FLETCHER, Ms. HART, Ms. GRANGER, Mr. HENSARLING, Mr. BOYD, Mr. LUCAS of Kentucky, Mr. HOEKSTRA, Mr. POMBO, Mr. ROHRABACHER, Mrs. JONES of Ohio, Mr. FEENEY, Mr. LATHAM, Mr. CRAMER, Mr. HYDE, Mr. DOOLITTLE, Mr. NORWOOD, and Mrs. NORTHUP.
H.R. 1523: Mr. SESSIONS.
H.R. 1543: Mr. ANDREWS and Mr. DUNCAN.
H.R. 1568: Mr. HINOJOSA.
H.R. 1569: Mr. PAYNE, Mr. LOBIONDO, Mr. PASCRELL, and Mr. FERGUSON.
H.R. 1576: Mr. WEXLER, Ms. MILLENDER-MCDONALD, and Mr. MCNULTY.
H.R. 1586: Mr. HENSARLING.
H.R. 1614: Mr. SCOTT of Georgia.
H.R. 1625: Mr. LOBIONDO and Mr. ANDREWS.
H.R. 1635: Mr. HINCHEY.
H.R. 1643: Mr. MCINTYRE, Mr. ISAKSON, Mr. GRIJALVA, Mr. THOMPSON of Mississippi, Mr. GRAVES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PLATTS, Mr. CARDOZA, and Mrs. NORTHRUP.
H.R. 1662: Mr. CARDOZA and Mrs. EMERSON.
H.R. 1675: Mr. JENKINS, Mr. MCINTYRE, Mr. SHUSTER, Mr. EDWARDS, Mr. TANNER, Mr. GOODE, Mr. BOOZMAN, Mr. ALEXANDER, Mr. SNYDER, Mr. OSBORNE and Mrs. CAPITO.
H.R. 1684: Mr. FROST and Mr. GRIJALVA.
H.R. 1688: Mr. MCNULTY, Mr. BLUMENAUER, Ms. LORETTA SANCHEZ of California, Mr. BROWN of Ohio, and Mr. CAPUANO.
H.R. 1693: Mr. PAUL.
H.R. 1700: Mrs. CHRISTENSEN.
H.R. 1708: Mr. RUPPERSBERGER, Mr. MEEHAN, Mr. TANNER, Mr. STRICKLAND, Mr. CARSON of Oklahoma, Mr. GREEN of Texas, Mr. MCINNIS, Mr. PASCRELL, Mr. DELAHUNT, and Mr. LANTOS.
H.R. 1713: Mr. KENNEDY of Rhode Island.
H.R. 1717: Mr. BLUMENAUER and Mr. SHERMAN.
H.R. 1725: Mr. GARY G. MILLER of California, Mr. LEWIS of Kentucky, Mr. YOUNG of Alaska, Mr. AKIN, Mrs. CUBIN, Mr. POMBO, and Mr. SENSENBRENNER.
H.R. 1738: Mr. HOLT and Mr. LAMPSON.
H.R. 1751: Ms. LEE.
H.J. Res. 46: Mr. CALVERT.
H.J. Res. 48: Mr. FOLEY.
H. Con. Res. 30: Mr. GERLACH and Mr. FOLEY.
H. Con. Res. 56: Mr. CUMMINGS.
H. Con. Res. 78: Mr. STARK.
H. Con. Res. 94: Mr. MCNULTY and Mr. LANGEVIN.
H. Con. Res. 110: Ms. PRYCE of Ohio, Mr. BROWN of Ohio, Mr. SCHIFF, Mr. HAYWORTH, and Mr. UPTON.
H. Con. Res. 114: Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. WATSON, Ms. NORTON, Mr. MCDERMOTT, Mr. STARK, Mr. KUCINICH, Ms. WOOLSEY, and Mrs. JONES of Ohio.
H. Con. Res. 119: Mr. BURNS, Mrs. MYRICK, Mr. CHOCOLA, Ms. WOOLSEY, and Mr. FOLEY.
H. Con. Res. 130: Mr. RANGEL, Ms. KAPTUR, Ms. CORRINE BROWN of Florida, Ms. MCCOLLUM, Mr. PAYNE, Mr. SHERMAN, Mr. JACKSON of Illinois, and Mrs. JONES of Ohio.
H. Res. 60: Mr. SCHIFF, Mr. LAHOOD, Mr. ISAKSON, Mr. CANTOR, and Mr. ROGERS of Alabama.
H. Res. 136: Mr. HAYWORTH and Mr. TIBERI.
H. Res. 137: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDAH of Colorado, Mr. MEEHAN, Mrs. TAUSCHER, Mr. LARSON of Connecticut, Mr. DAVIS of Alabama, and Mr. RYAN of Ohio.
H. Res. 142: Mr. HOEFFEL, Mr. DEFAZIO, Mr. PALLONE, Mr. ACKERMAN, Mr. EVANS, Mr. MILLER of North Carolina, Mr. RODRIGUEZ, Mr. MCGOVERN, Mr. GOODE, and Mr. DELAHUNT.
H. Res. 154: Mr. LANTOS, Mr. KELLER, Mr. SKELTON, Mr. MCHUGH, Ms. GRANGER, Mr. SOUDER, Mr. FERGUSON, Mr. FROST, Mr. FOLEY, and Ms. GINNY BROWN-WAITE of Florida.
H. Res. 157: Mr. ABERCROMBIE.
H. Res. 164: Mr. SHAYS and Ms. DELAURO.
H. Res. 174: Mr. NADLER, Mr. MORAN of Virginia, Ms. CARSON of Indiana, and Mr. HOLT.
H. Res. 194: Mr. LANTOS and Mr. STARK.