

word of caution to my friends on the other side of the aisle. Recently there have been questionable advertisements on television that present a misleading picture of President Bush.

During this year's State of the Union speech President Bush cited intelligence about the possibility that Iraq was attempting to purchase uranium from Africa. To hear the advertisements sponsored by the Democratic National Committee, you would guess President Bush, on a whim, decided to add this language without any consultation or evidence.

Let me enlighten my colleagues with the facts by reading our President's entire quote. "The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa." This is quite different from the half statement, 10 words, that our colleagues in the minority attribute to President Bush.

Shame on some of my colleagues for politicizing the war on terrorism for their own political gain and using half-truths while pretending to seek the whole truth. I call for the immediate removal of these blatant misleading ads.

#### USA-ASIA RELATIONS

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

Mr. KLINE. Mr. Speaker, this is an historic moment for U.S.-Asia relations. The United States and Singapore have agreed to formalize their mutually beneficial economic relationship with the ground-breaking U.S.-Singapore Free Trade Agreement. This monumental agreement is the first free trade agreement between the United States and an Asian country. It opens new markets for U.S. businesses and provides strong protections for U.S. companies and investors.

Singapore is an important economic ally of the United States. In 2002, Singapore was the 12th largest U.S. trading partner. Not only is Singapore itself an important market to the United States, but it also serves as a bridge between the United States and other markets in the Asia-Pacific region. This agreement builds on Singapore's many strengths and solidifies an important economic relationship between the two nations, presenting new opportunities for U.S. businesses and investors.

The U.S.-Singapore Free Trade Agreement will set an example for economic relations with other U.S. allies in the Asia-Pacific region. I urge my colleagues to join me in supporting the U.S.-Singapore Free Trade Agreement.

#### CONDOLENCES EXTENDED TO THE HONORABLE SHELLEY BERKLEY

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

Mr. PORTER. Mr. Speaker, I rise today to express my deepest sympathies to my dear friend and colleague, the gentlewoman from Nevada (Ms. BERKLEY).

Yesterday, Estelle Auslander, the mother of the gentlewoman from Nevada, passed away after a long battle with cancer at the age of 74. As many of my colleagues know, the gentlewoman from Nevada left Washington last week to be with her mother during this very serious time.

My thoughts and prayers are with my colleague and all of Mrs. Auslander's friends and family. I know that my colleagues will join me in these sentiments.

#### PROVIDING FOR CONSIDERATION OF H.R. 2800, FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS ACT, 2004

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 327 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 327

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2800) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: sections 568(a)(3), 572, and 575. Where points of order are waived against part of a section, points of order against a provision in another part of such section may be made only against such provision and not against the entire section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. BASS). The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for purposes of

debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 327 is an open rule that provides for the consideration of H.R. 2800, the fiscal year 2004 Foreign Operations, Export Financing and Related Programs Appropriations Act.

The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member on Appropriations. The rule also provides one motion to recommit with or without instructions.

The legislation we bring today to the floor, Mr. Speaker, appropriates over \$17 billion for operations across the globe. This bill is fiscally sound while at the same time, I think, is responsive to many of the needs that we are seeking to address throughout the world where there are extraordinarily difficult issues related to disease and famine and many other forms of international disaster.

H.R. 2800 provides over \$1.4 billion to combat HIV/AIDS, tuberculosis, and malaria. It is \$86 million above the President's request. The funding will continue its important mission to provide training and technical assistance to private and voluntary organizations that work to eradicate debilitating diseases from both individuals and, in fact, societies.

The majority of this funding will be included in the Child Survival and Health Programs Fund, dedicated to lowering infant, child and maternal mortality rates in developing countries. The fund will see, through this legislation, a substantial increase of over \$400 million over last year's appropriation.

The Agency for International Development, AID, will receive over \$4.7 billion, \$166 million above last fiscal year. Continuing its mission first defined by the Marshall Plan following World War II, AID has embarked on aggressive plans to promote health and economic strength through environmental protection, agricultural assistance and educational programs.

As with many other agencies following September 11, 2001, AID has recently seen its work extend to essential tasks related to the elimination of terrorism and social unrest through programs that attempt to contribute to stability. Although AID's work on terrorism is vital, H.R. 2800 goes much further, seeking to ensure significant funding for international security through assistance programs and activities in other realms.

The bill provides over \$2.6 billion for assistance to Israel. As the roadmap to peace in this very delicate process

moves forward, it is our obligation, it is the obligation of this Congress to ensure support for Israel in every way necessary.

In other foreign assistance, H.R. 2800 funds the Andean Counterdrug Initiative, at the President's request, \$731 million. For years, terrorists in Colombia have plagued efforts in that democratic country for peace. We believe that proactive action must continue to be taken to help the Colombian people defeat the armed rebels and to, as much as possible, stabilize that democratic society.

With the current landscape in the world today, foreign assistance is as strategically just, really, as it is a moral imperative. Instability in the world creates, Mr. Speaker, an environment in which terrorism finds it easy to breed new converts. We must not take progress, in the Andean region for example, for granted. If the United States turns its back on that region, the possible scenarios are extremely worrisome.

For the first time, Mr. Speaker, this bill appropriates \$800 million for the President's Millennium Challenge Account. This historic expansion in foreign aid serves to bring economic security and basic tenets of democracy to those that really have not seen them in the past or to societies where democracy is extremely fragile. The Millennium Challenge Account will be administered by a government corporation held responsible to results and yet benefiting from flexibility to provide innovative solutions to the problems of poverty.

H.R. 2800, Mr. Speaker, was introduced by the gentleman from Arizona (Mr. KOLBE), chairman of the subcommittee, and was reported out of the Committee on Appropriations on July 16 by a voice vote, in other words, with extraordinary bipartisan support. It is very good legislation.

Chairman KOLBE has long worked on this, as well as the members of the subcommittee, and I think they all deserve our gratitude. So I thank Chairman KOLBE and the ranking member, the gentlewoman from New York (Mrs. LOWEY), for their leadership on this important issue. And I urge my colleagues to support both the rule and the underlying legislation.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself 8 minutes.

Mr. Speaker, adoption of this rule will allow the House to consider H.R. 2800, the Foreign Operations Appropriations Act for fiscal year 2004. This rule exposes to points of order three sections of the bill, a section relating to debt forgiveness through the Commodity Credit Corporation for poor countries; a section relating to open bidding process for reconstruction contracts in Iraq; and a section relating to the duties of the Millennium Challenge

Commissioner. And we are very concerned about that, Mr. Speaker.

Although this rule allows any Member to offer amendments under the 5-minute rule, it is not completely open. The standing rules of the House severely restrict the amendment process on all appropriations bills. Therefore, even though the Committee on Rules granted a rule that technically does not restrict the amendment process, by its nature, that amendment process for appropriations bills is still limited.

Spending amendments almost always require funding offsets elsewhere in the bill. Limitations must be very narrowly crafted and cannot impose any new duty on the agency or department to which the limitation is directed.

□ 1030

Whether or not an amendment is germane is just one criterion that must be met in order for an amendment to be made in order on an appropriations bill. House rules prohibit amendments to appropriations bills if they contain authorizing language, if they provide funding for unauthorized programs, services or projects, and if amendments violate the Budget Act. In general, nearly all substantive amendments require some type of waiver, waivers that are rarely granted by the Committee on Rules.

Mr. Speaker, several Members came before the Committee on Rules last night and requested waivers for their amendments. I supported the right of every Member who came before the committee to offer their amendments. They are serious amendments and this is an important bill.

However, I am particularly disappointed that a very thoughtful amendment offered by the ranking member of the Subcommittee on Foreign Operations, Export Financing and Related Programs, the gentlewoman from New York, was not made in order by this rule. The Lowey amendment would designate as emergency funding an additional \$1 billion for HIV/AIDS programs. Had it been made in order, the Lowey amendment would have given this body the opportunity to help President Bush fulfill the promises he has so recently made to African nations to provide \$3 billion in fiscal year 2004 in the global campaign against HIV/AIDS.

The gentleman from Arizona and the gentlewoman from New York are to be commended for the funding for HIV/AIDS that is provided in the bill given overall funding constraints placed on foreign aid funding for fiscal year 2004. The bill contains a total of \$1.43 billion in global assistance to combat HIV/AIDS, tuberculosis and malaria, most of which is within the Child Survival and Health Programs Fund. But even when this amount is combined with the funding in the Labor-HHS appropriations bill, it is still nearly \$1 billion short of the \$3 billion for fiscal year 2004 pledged by President Bush and authorized by this Congress with great

fanfare just a few weeks ago. Mr. Speaker, I fear that once again this House may be making promises that it has absolutely no intention of keeping.

And although the House will not have the opportunity to consider the Lowey amendment, Members will have a chance to consider at least two other amendments that attempt to address the shortfalls. The gentlewoman from Michigan (Ms. KILPATRICK) will offer an amendment that would transfer \$300 million from the Millennium Challenge Account to the Child Survival and Health Programs Fund to boost the amount for HIV/AIDS and other infectious diseases. And the gentleman from Missouri (Mr. SKELTON) and I will offer an amendment to make very modest reductions from two accounts that provide military aid for Colombia in order to add \$75 million to the Child Survival and Health Programs Fund for programs that combat HIV/AIDS, tuberculosis, malaria and other deadly infectious diseases.

If adopted, Mr. Speaker, each of these amendments will save hundreds of thousands of lives. \$75 million alone, the funding in the McGovern-Skelton amendment, would ensure that an additional 250,000 people could receive the HIV/AIDS generic drug treatment for an entire year. Think of it, Mr. Speaker. If the McGovern-Skelton amendment is approved, 250,000 more fathers and mothers and children will have access to these lifesaving drugs. The Kilpatrick amendment would increase the expansion of mother-to-child transmission programs, expand prevention programs and establish drug purchase and distribution centers in Africa and throughout the developing world.

Forty-two million people are currently living with AIDS around the world. Last year, 3 million people died of AIDS and 5 million more were infected. Mr. Speaker, the House has the opportunity to do the right thing, to save more lives this afternoon, by supporting both the McGovern-Skelton and Kilpatrick amendments. I would urge my colleagues to support both of them.

H.R. 2800 provides \$17.1 billion, far below the fiscal year 2003 total spending level of \$23 billion for foreign operations and \$1.7 billion below the amount requested by President Bush. While it increases moneys for basic education and funds reconstruction in Afghanistan and U.S. commitments in the Middle East, it still falls short of what the United States should do, indeed must do, to ensure our long-term security at home and abroad.

Development assistance, for example, is cut by \$63 million from last year's level. This is the account that funds microenterprise programs, clean water projects, agricultural and rural development and a wide variety of USAID-supported projects that move impoverished communities toward food security, self-sufficiency, and economic prosperity. What does a cut of \$63 million mean? It means thousands of

women who were enrolled in micro-enterprise projects will be cut off. Small farmers who were encouraged to cultivate new crops that might be able to compete in regional or even global markets will find that their project funding has disappeared and they have been left to fend for themselves without seed, without credit, without technical assistance.

So not only will these programs not expand; we will be cutting off precious aid, support, and hope to tens of millions of people around the world. From East Timor to Mali to Bolivia, from eastern Europe to the Balkans to South Asia, people will be cut off. These are people and communities and governments who have chosen to be our partners. What kind of partner does the United States show itself to be when we turn our backs on the very people we just shook hands with?

Mr. Speaker, we need a foreign operations bill that honors the promises our Nation has already made to the nations and peoples of the world and one that seeks to expand our very best programs even further. We need such a bill not only because it helps those in need but because it is essential for our own national security. This bill, in my opinion, does not meet those needs. It cannot, because from the very start this House simply failed to make those resources available.

Mr. Speaker, I regret that this bill is so restricted in funding. I regret that several amendments that required waivers were not made in order.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. KNOLLENBERG), a distinguished, fine leader of the Committee on Appropriations.

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

Mr. Speaker, as a member of the Subcommittee on Foreign Operations, Export Financing and Related Programs, I rise to strongly support this bill. I hope my colleagues on both sides of the aisle will do likewise. I commend and thank the gentleman from Arizona for his hard work and leadership as the chairman of the subcommittee. He has consistently sought to accommodate the many concerns expressed by Members while remaining focused on bringing a responsible and effective bill before us here today. That, of course, is not an easy task; but he has accomplished it effectively, and he has the good help obviously of the ranking member, the gentlewoman from New York. I also thank the committee staff for their tireless work. They are an excellent group, and we are lucky to have them in this House.

Mr. Speaker, foreign assistance remains an inseparable part of our Nation's overall foreign policy, national security and economic interests. This is a responsible bill that effectively allocates the foreign assistance that we

have available. For the first time ever, this foreign operations bill includes funding for the Millennium Challenge Account, some \$800 million. Our President deserves some great credit for proposing this initiative. The strength of the MCA, or Millennium Challenge Account, is that it focuses responsibility for economic growth on the policies of the governments of developing countries. One important lesson the United States has learned from our experience is financial assistance can only be effective when developing countries are committed to establishing the necessary economic, legal, and political reforms.

With our financial assistance, we can help a country grow; but we cannot make a country grow. The governments have to have the right policies in place. In light of this reality, MCA funding will be targeted to projects in specific nations that govern justly, invest in their people, and encourage economic freedom. I urge my colleagues to support the funding for this very important initiative.

Mr. Speaker, one of the most important contributions this bill makes to our foreign policy is the annual assistance package to the Middle East. Israel, of course, is our closest ally in the region and shares our values of democracy and freedom. I am pleased that this bill fully supports the administration request of \$2.6 billion in military and economic assistance to Israel as well as \$50 million to support the resettlement of Jewish refugees. The United States must continue to stand in strong support of Israel. In addition, this bill provides some \$1.9 billion to Egypt and over \$450 million to Jordan, both critical allies of the United States.

Further, I am pleased that this bill provides \$35 million for Lebanon to support the American educational institutions and the excellent USAID mission there. Combined with our funding for Morocco, Yemen, the West Bank and Gaza, and our regional programs like the Middle East Partnership Initiative, our programs in the Middle East, if focused properly, can help foster changes in the region.

The Middle East faces severe development challenges. Reports such as the "2002 Arab Human Development Report" by the United Nations Development Program has provided a clear diagnosis of this problem. It is my hope that American assistance to our Arab allies will help support institutional changes that lead to greater freedom, political empowerment, and economic growth.

Mr. Speaker, this bill also helps to strengthen our relationship with our friend and ally, Armenia. Armenia continues to suffer from blockades by its neighbors. Our assistance to the country helps to offset these conditions. Therefore, I am pleased that this bill increases assistance to Armenia to \$70 million, some \$20.5 million above the President's request. I look forward to

working with the chairman in conference on this issue.

Mr. Speaker, there are other important elements of this bill, including trade capacity building, foreign military financing for new NATO members and, of course, significant funding beyond the President's request to continue the fight against the HIV/AIDS crisis in Africa and around the world. I believe this to be a good bill, within the allocation provided to the subcommittee, and represents a responsible contribution to our Nation's foreign policy, national security, and economic goals.

I once again want to commend the chairman for his efforts on this bill. I urge my colleagues on both sides of the aisle to support this what I believe to be a great bill, a balanced bill. We need to do it right here in the House today.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), who has taken the lead in fighting for additional funds for HIV/AIDS programs.

Mrs. LOWEY. Mr. Speaker, although I am a strong supporter of this bill, I rise to express my disappointment with the rule. On a party-line vote, the Committee on Rules refused to make my amendment in order to add \$1 billion in emergency funds for HIV/AIDS. I requested that it be made in order so that the full House would have the opportunity to vote to provide the \$3 billion authorized in the recently passed HIV/AIDS bill. Unfortunately, we are being denied the opportunity to live up to the promises we have made. It is truly a shame that the White House opposed this amendment when I offered it during full committee consideration of the bill. These funds are needed and can be used effectively next year.

The gentlewoman from Michigan (Ms. KILPATRICK) will be offering an amendment to the bill adding \$300 million for HIV/AIDS, which I urge Members to support. The amendment will be offset with \$300 million from the Millennium Challenge Account, which in my judgment is overfunded in the bill at \$800 million, because I do not believe they can spend it in this appropriations cycle.

I am perplexed by other aspects of this rule. Apparently, the Committee on Rules feels compelled not to protect language in appropriation bills if authorizing committee chairmen object. A provision requiring competitive contracting in Iraq has been left unprotected. Language allowing bilateral agricultural debt to be rescheduled along with all other U.S. Government debt has also been left unprotected. And language clarifying how AID should interact with the new Millennium Challenge Corporation is unprotected as well. All of these provisions were included for sound policy reasons and were supported by the Committee on Appropriations. It was necessary to include them only because the authorizing committees have failed to address the issues involved. It is my hope that

the authorizing committee members involved would think twice before making their points of order, but the practical implications of dropping the language in the bill seem to be of secondary concern to jurisdictional interests.

The rule also failed to make in order a number of important provisions, including a request from the Committee on Financial Services to authorize several international banks. This authorization is badly needed and long overdue. There were other Democratic amendments that were not given protection from points of order, including amendments by the gentleman from Illinois (Mr. JACKSON), a member of the Subcommittee on Foreign Operations, Export Financing and Related Programs, which would have helped fill the gap in our funding for various programs in Africa. Again, my colleagues, it is very disappointing that the full House will not be allowed to consider a number of sound policy initiatives today.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. BALLENGER), the distinguished chairman of the Subcommittee on The Western Hemisphere of the Committee on International Relations.

Mr. BALLENGER. Mr. Speaker, first of all, I would like to thank the gentleman for yielding me this time. I want to say some good words about something that very few people say in a positive fashion and that is the AID supplement that goes on by our State Department in handling disastrous areas and helping develop countries that need all the assistance in the world.

□ 1045

As I am chairman of the Western Hemisphere Subcommittee, I have been heavily involved in Central and South America for 35 years, and I have watched AID build and construct efforts on growing democracy in all of these areas, as well as trying to take care of people who are starving.

It is hard to believe it, but in Venezuela after the floods killed close to 50,000 to 75,000, AID was there immediately to supply equipment for fresh water, to help supply foods, to help supply all of the necessary things to rebuild that country.

In Honduras, I do not know how many people remember Hurricane Mitch, but it almost wiped out the whole country of Honduras. AID helped build, at least I know I was involved with them in 3,000 homes that they helped build, and to rebuild their banana crops which were completely destroyed.

In El Salvador after the earthquake that people may or may not remember, 1,000 people were killed. AID furnished a hospital in the area that had been completely just about wiped out by landslides caused by the earthquake, and also helped to rebuild the homes

that were destroyed in the countryside of El Salvador.

But mostly I want to thank AID for the effort that they have done in Colombia in developing alternative crops, every type of crop that one can think of, trying to develop some with a method of replacing coca, which is the major producer of cocaine. They supply pretty close to 100 percent of all the cocaine that is used in this country, killing our children on a daily basis; and AID and its workers have been all over Colombia developing anything they can to strengthen their economy and to give them some other way of earning a living, rather than growing coca.

Coffee itself was Colombia's major crop, and then some brilliant mind came along with the idea of let us teach the Vietnamese how to grow coffee. The Vietnamese expanded coffee growth and so forth, along with the Brazilians. It just about destroyed the market for coffee. So the area that AID is trying to help the Colombian people, where the major production of coffee exists, is to somehow strengthen the product in such a way of making it cleaner and easier to sell it in this country. And they are doing a wonderful job, and they need all the assistance they can get.

They are also working in the area of Putamayo, which is the heaviest area of growth of coca in the whole country of Colombia, in developing what people would say is something that makes a great deal of sense. They happen to be in almost the Amazon area of South America with large amounts of lumber, timber, and so forth and so on; and they have been cutting trees and shipping the whole tree to Bogota where it is cut up and sawn and so forth, and they have a fairly large furniture industry that happens to be tied into the furniture industry in Hickory, North Carolina, where I come from.

What they are doing is, they are trying to help these people down there in Putamayo, a very poor area of their country, to develop an actual timbering process where they cut the trees down, they saw them up into boards, and then they kiln dry it in such a way that it all of a sudden is usable as lumber in the industry of manufacturing furniture.

Also, the shipment of the goods from Putamayo to Bogota, if they ship the whole tree, they are shipping half water. With this effort that they are putting in right now, it is an effort to really be able to upgrade the living standard of those people there, and I would just like to say that any time anybody questions what AID is doing, I hope they will speak to me.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I just wanted to take the opportunity to thank the ranking member on the subcommittee and the chairman of the subcommittee and also the gentleman from Michigan (Mr. KNOLLENBERG), the

cochair of the Armenia Caucus, for the increased funding for Armenia that is in the Foreign Ops appropriations bill. The administration had requested only \$49.5 million for humanitarian assistance to Armenia this year, and the subcommittee increased the funding by \$20.5 million. Basically, it is \$70 million now. In addition, they allocated \$2.5 million in foreign military financing and \$900,000 for International Military Education and Training, as well as \$5 million in assistance to Nagorno-Karabakh.

I will say, Mr. Speaker, of course, the overall funding for the former Soviet states that was recommended by the administration was significantly lower, so this amount still does not reach the \$90 million that Armenia received last year. But I know that the subcommittee was working with tremendous constraints, and so what they accomplished to get us up to the \$70 million was truly exceptional. I am hoping, of course, that during the conference with the Senate, we can do more, but I just wanted to take this opportunity to mention how important this aid is.

Armenia continues to be blockaded on both sides by Turkey and Azerbaijan. There is a continued need for humanitarian assistance. There continue to be improvements in the Armenian economy in their efforts to achieve a market economy, but unemployment is still very high in the majority of the population. So this type of assistance is important, and the fact that the subcommittee and the members on a bipartisan basis were willing to increase the funding is certainly appreciated.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

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

Mr. Speaker, I just want to point out one thing that is of great concern to me. I am extremely disappointed that the majority in the Committee on Rules exposes to a point of order a section requiring an open bidding process for reconstruction contracts in Iraq. This section, included by the gentleman from Arizona (Chairman KOLBE) in the fiscal year 2004 Foreign Operations bill requires competitive bidding for any new reconstruction contract in Iraq. Without this provision, the administration will be able to award enormously valuable contracts to large corporations without any competition and all behind closed doors, if they so chose.

Mr. Speaker, we have seen this happen before. After the war in Iraq began, the Department of Defense began to negotiate and award contracts for the reconstruction of Iraq. One contract was awarded to Halliburton, the Vice President's former employer. This contract to clean up the oil wells and to get them ready for mass production was awarded without competition and behind closed doors to Halliburton.

The gentleman from Arizona (Chairman KOLBE), to his great credit, wants to end this practice and return to the standard of competitive bidding. But there is opposition to this effort. The chairman of the Committee on Government Reform and a former chairman of the National Republican Congressional Committee requested that this section be exposed to a point of order.

Mr. Speaker, that is very unfortunate. We must make sure that the rebuilding effort in Iraq is above-board without the appearance of shady dealings and smoke-filled rooms. So I would urge my colleagues to make sure that we retain this important provision.

Finally, Mr. Speaker, I again want to commend the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), ranking member, for all the good that they have done in this bill. I only wish they had had more resources to work with.

To me, the major shortfall of this bill is the inadequate funding for HIV/AIDS programs. It is important that the United States keep its promise. And Members will have two opportunities later this afternoon to do just that, by supporting the McGovern-Skelton amendment and the Kilpatrick amendment. Both of these amendments will in the end increase the amount of money for HIV/AIDS programs.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

The legislation that we bring to the floor today is extremely important to the national interests of the United States. The \$17-plus billion in this legislation helps millions of people throughout the world. This is an extremely important piece of legislation.

We bring it to the floor with an open rule. In other words, any relevant amendment, any germane amendment by any Member of this House will be able to be introduced and debated. It is an open rule.

So again I thank the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), ranking member, and members of the subcommittee for their hard work on this important issue; and at this point, once again, urge all of our colleagues to support the underlying legislation and this open rule.

Mrs. MALONEY. Mr. Speaker, I rise in strong opposition to this rule. This rule has been designated as "Open" but the truth is that a number of important amendments were defeated in Committee on a party line vote.

I am disappointed that the Maloney/Crowley amendment that would direct the \$25 million appropriated in this bill for the United Nations Population Fund (UNFPA) to prevent, treat, and repair obstetric fistula was ruled out of order.

Two weeks ago, President Bush visited Senegal, South Africa, Botswana, Uganda and Nigeria. This was an important visit which

demonstrated that this Administration is willing to work with and commit resources to the continent of Africa. Two of the countries he visited, Uganda and Nigeria, were included in a recent report released by the United Nations Population Fund (UNFPA) and EngenderHealth, *Obstetric Fistula Needs Assessment: Findings from Nine African Countries*. The report determines the capacity of 35 hospitals in Benin, Chad, Malawi, Mali, Mozambique, Niger, Uganda, and Zambia to treat patients with obstetric fistula and assess their need for additional supplies, staff, and surgical supplies.

Obstetric fistula is a horrible condition. More than two million women world-wide are living in shame and suffering with this devastating condition, which results from obstructed labor during childbirth. In the United States and the rest of the developed world, fistula was once as common as it is now in Africa—the Waldorf Astoria in New York was built on the site of a fistula repair hospital. But Caesarean section changed history in the wealthier countries, and it is now our automatic response to obstructed labor. In poor areas of Africa and elsewhere, where health care is scarce and where undernourished and stunted young girls may be required to marry before their bodies have matured, a pregnant woman (usually a young girl) may be in agonizing labor for days. The baby usually dies, and if the woman survives, her birth canal may be damaged, creating an opening between her vagina and her bladder or her rectum, sometimes both. The result is an uncontrollable leakage of urine or feces, or both. The woman is constantly wet and highly unpleasant; she suffers recurrent infections and shame, and is usually abandoned and ostracized by her community. No one knows the true extent of this problem, for the women tend to hide, not knowing that help is available—from programs supported by UNFPA.

Fortunately, UNFPA provides the very maternal health care that helps save the lives of women and their babies and avoids medical complications like fistula. I have always said that USAID does important work, but one thing they don't do is prevent and combat the incidence of fistula. In my opinion, it is a terrible lapse on the part of our government and gives added incentive and reason to fund UNFPA.

This amendment is a positive compromise. If it has been ruled in order, I am confident that this is the kind of program that no one would object to. It would have been a dramatic initiative demonstrating a commitment to Africa's poor and in particular to saving the lives of African women. Providing funding to UNFPA to fight fistula would have shown immediate results in the form of thousands of grateful women whose lives could resume. And it would have resolved the contentious issue of UNFPA funding that has repeatedly stalled the passage of urgent State Department initiatives and international aid programs worldwide.

Once again, I would like to say that I am very disappointed that the full House will not be allowed to consider this important, thoughtful compromise that will help save the lives of millions of women around the world.

I urge a "no" vote on the rule.

Mr. LINCOLN DIAZ-BALART of Florida. 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.

PROVIDING FOR CONSIDERATION OF H.R. 2799, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 326 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 326

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2799) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: the first proviso under the heading "National Telecommunications and Information Administration, Salaries and Expenses"; in section 201, all after "prescribed by the Act"; the final proviso under the heading "Federal Communications Commission, Salaries and Expenses"; the final proviso under the heading "Federal Trade Commission, Salaries and Expenses"; section 603; and section 607(a) and (b). Where points of order are waived against part of a paragraph or section, points of order against a provision in another part of such paragraph or section may be made only against such provision and not against the entire paragraph or section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. BASS). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.