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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. RENZI).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 4, 2003.

I hereby appoint the Honorable RICK RENZI to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2800. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2800) ''An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints, Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, Mr. DEWINE, Mr. STEVENS, Mr. LEAHY, Mr. INOUYE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate has passed bills and a joint resolution and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 269. An act to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species.

S. 1132. An act to amend title 38, United States Code, to improve and enhance certain benefits for survivors of veterans, and for other purposes.

S. 1210. An act to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries.

S. 1400. An act to develop a system that provides for ocean and coastal observations, to implement a research and development program to enhance security at United States ports, to implement a data and information system required by all components of an integrated ocean observing system and related research, and for other purposes.

S. 1757. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts.

S.J. Res. 22. Joint resolution recognizing the Agricultural Research Service of the Department of Agriculture for 50 years of outstanding service to the Nation through agricultural research.

S. Con. Res. 58. Concurrent resolution raising awareness and encouraging prevention of stalking by urging the establishment of January 2004 as National Stalking Awareness Month.

S. Con. Res. 76. Concurrent resolution recognizing that November 2, 2003, shall be dedicated to ''A Tribute to Survivors'' at the United States Holocaust Memorial Museum.

The message also announced that pursuant to Public Law 105–83, the Chair, on behalf of the Majority Leader, announces the appointment of the following Senator to serve as a member of the National Council of the Arts: The Senator from Utah (Mr. BENNETT), in lieu of the Senator from Alabama (Mr. SESSIONS).

The message also announced that pursuant to Public Law 105–83, the Chair, on behalf of the Majority Leader, announces the appointment of the following Senator to serve as a member of the National Council of the Arts.

The Senator from Ohio (Mr. DEWINE).

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will

NOTICE

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alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

POST OFFICE COMMUNITY PARTNERSHIP ACT

Mr. BLUMENAUER. Mr. Speaker, I came to Congress to help the Federal Government be a better partner with local communities, to make them liveable, to make our families safe, healthy and economically secure. The simplest way to achieve that objective does not require new laws, regulations, fees or massive outlays of Federal dollars driving us even deeper into debt.

The simplest way is simply for the Federal Government to merely obey the rules that it sets for others. One of the best illustrations of this principle has been realized in massive grass roots support across America for the postal service to obey the rules in locating its facilities.

We have had support from the National Association of Home Builders, the Sierra Club, the Trust for Historic Preservation, realtors, landscape architects, the American Planning Association. Good government organizations across the country have joined with local officials, mayors and Governors, to understand that the over 37,000 postal facilities are not just remote outposts of Federal activities. They can, often are and always should be the centers of community activity.

As a local official, I had my own experiences where the postal service was sadly indifferent to the impacts of its operations on local communities. When putting in a new facility they refused, for example, to pave the sidewalks, to integrate the facility into the local fabric and make them accessible to citizens. I had experiences where the postal service would not work with us to promote orderly traffic flow.

In Florida there was a post office where they were going to put in a parking lot by paving a flood plain. If a private developer had tried to do that, people would have demanded that they be put in jail.

These experiences from around the country were the inspiration for the Post Office Community Partnership Act on which we have been working the last several Congresses. The bill outlines minimum community involvement that the United States Postal Service must pursue to significantly change any post office. More important, the bill requires the postal service to fully comply with local zoning, planning and other land use laws, to play by the same rules as everyone else.

In the past, we have had a majority of the House cosponsor this legislation. Once it even passed the Senate, but so far it has been the victim of politics of postal reform. In recent sessions, all of the major efforts of more comprehensive legislation have included some variation of this bill as an enticement for passage.

The pressure from our legislation has, in fact, encouraged the postal service to make significant progress, and I have been encouraged by meetings I have had with members of the Board of Governors, the Postal Rate Commissioners, and recent Postmaster Generals. They have made progress. Outstanding examples exist from coast to coast.

In Fairview, Oregon, in my district, working with the developers in the community, the post office was the first civic building in a new development, enacted as an anchor for what has developed into a retail street. By centrally locating the post office as the developers proposed, the residents can easily walk or drive to the post office from anywhere in this village.

In Castine, Maine, the postal service first proposed moving the oldest operating post office in the country, an historic landmark, from its downtown location out to the suburbs. After a public outcry, the postal service and the town worked together to find a way to expand the existing location and keep the post office in its historic downtown location.

It is time, however, to make this relationship something that every community can count on. It should not be the exception. It should not require luck or extraordinary political action. There should be no variation in the commitment of the post office to be part of each and every community.

The recent report from the President's Commission on Postal Service is going to prompt more discussion and analysis of operations. If the recommendations are implemented from the Commission to streamline the postal service, it will result in closure of rural and innercity of post offices. Additionally, opportunities for public response and hearings will be cut, and the role will shrink to giving written complaints to the regulatory board after the decisions are made.

Now is the time to act. I urge my colleagues to sponsor the Post Office Community Partnership Act to guarantee that the postal service is a better partner and to set the tone for the Federal Government to lead by example in the livability of our communities, so that our families are safer, healthier and more economically secure.

WE WILL NOT RUN

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Texas (Mr. DELAY) is recognized during morning hour debates for such time as he may consume.

Mr. DELAY. Mr. Speaker, 2 days ago in Iraq, the United States lost 16 soldiers in a missile attack on an Army CH–47 Chinook helicopter. Twenty more American servicemen and women were wounded. All on board were headed to Baghdad, on the way to the airport and a well-deserved break from combat service.

Today, we all mourn their loss and offer our heartfelt prayers for the victims and, most especially, their families. But, Mr. Speaker, we will not run. The United States will stay in Iraq, along with our coalition partners, until the work there is done.

Until innocent Iraqis are no longer threatened by thuggish holdovers from the old regime; until state-sponsored murderers from neighboring counties no longer enter Iraq to terrorize its people; until the citizens of Iraq have a democratic government to set their own course among the free nations of the Earth; and until the nexus of the weapons of mass destruction, international terrorism, and outlaw regimes can no longer threaten the United States from Iraq.

These things, these long overdue and wonderful things, are going to happen. Let there be no mistaking in this or any capital around the globe, justice is coming to the Middle East with hope and freedom riding close behind.

We all have always known that delivering these basic human rights to a region unfamiliar with them will be hard, but that is our mission, and one worth the sacrifice.

Just as it has been since we began debating the removal of Saddam Hussein from Iraq, this war remains a test of America's moral leadership in the world.

Are we serious about destroying international terrorism? Are we serious about holding outlaw regimes accountable for their sponsorship of it? Are we resolved to see our mission through to the end, despite the disproportionate costs and risks we must assume? And finally, is human freedom worth fighting for?

The answers to all of these, of course, is yes. And so we will not run. No matter how perilous our journey, we will stand and fight and humanity will win. Iraq will be free. Terrorism will fall. Evil will be turned back. And the Chinook 16, Mr. Speaker, will not have died in vain.

AMERICA WILL NOT RETREAT

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from North Carolina (Mr. COBLE) is recognized during morning hour debates for 5 minutes.

Mr. COBLE. Mr. Speaker, I voted in favor of the resolution to remove the poisonous, snake-infested Iraqi regime because I believe it was the appropriate response.

Do I approve of the manner in which the postcombat peacekeeping effort is developing? No.

It appears to me that we should be beneficiary of more precise intelligence gathering from our Iraqi allies on the ground. We must insist upon better, more timely intelligence. These ruthless murderers who kill and wound our servicemen and women, who bomb and destroy hotels and other facilities must

be identified and apprehended before they subsequently kill and destroy. Granted, the borders are porous and terrorists enter at will, but I believe that better surveillance can be effected, and we must insist upon it.

Some Members of Congress, Mr. Speaker, have accused President Bush of practicing political opportunism by dispatching troops into Iraq. They should be ashamed. Common sense clearly concludes the safe political course would have been to have done nothing. President Bush acted presidential. The approval ratings of President Bush and Prime Minister Blair would be far more favorable had they turned blind eyes to Iraq. Great risk was assumed in going forward, but they responded as able leaders.

Approximately 18 months ago, an Iraqi citizen said to me, the U.S. must take out Saddam. We are afraid of him because we know what punishment and torture he is capable of inflicting. The U.S. must remove him. The world is not safe as long as he remains in power, he concluded.

I then asked him, If we remove this evil regime, will the Iraqi people embrace us or reject us?

The gentleman was silent. I repeated my question, and he reluctantly replied, I do not know. I said, Neither do I and that concerns me.

It continues to concern me. It concerns me, as well, that we have become the Rodney Dangerfield in the world of diplomacy to some; no respect for what we have done. Oh, yes, Mr. Speaker, the great majority wanted Saddam gone, but they did not want to become involved. Let someone else do the heavy lifting. Let others expose themselves to danger.

We were given warnings. The first attack on the World Trade Center in the nineties; our two embassies subsequently attacked; the attack upon the USS *Cole*, and we did virtually nothing in response. No surprise that the terrorists concluded these Americans have no backbone. They have no will to respond. We can attack them with impunity. Then 9/11. Some insist we should have delayed our efforts to remove Saddam.

Delay for what? The U.N. was indecisive. The U.N. observed Saddam's violation of one agreement after another without reprimand, and all the while Saddam operated as he pleased. Surely, Saddam must have viewed the U.N. as his own personal dancing bear.

Some insist that our responding to the 9/11 attack was a mistake, implying that had we done nothing in response, that terrorists would simply have gone away. That gang does not simply go away.

Finally, weapons of mass destruction. There is ample evidence voiced by Democrats and Republicans alike that Iraq and Saddam did possess, in fact, weapons of mass destruction. They have not been detected, but do we then conclude that these weapons do not exist? Neither have Saddam nor Osama bin Laden been detected, so applying this logic, I suppose they do not exist.

We are at war. And war has a way, Mr. Speaker, of frustrating timetables, good intentions notwithstanding; I cite Bosnia.

I know we in the Congress are appreciative to the countries around the world that are assisting us in this effort and to our servicemen and women as well. If we prevail, the world will be better for it, but we must be strong. As we know from the outset, it will not be a quick fix. Many have compared Saddam and Osama bin Laden and their fellow terrorists with Adolf Hitler, but there is a salient distinction, Mr. Speaker. Hitler and his gang wanted to conquer the world. Saddam and Osama bin Laden and their thugs are not averse to destroying the world. Therein lies a distinction, Mr. Speaker, that makes our task far more formidable.

As the majority leader just said earlier, to retreat at this juncture would be ill-advised.

GOOD ECONOMIC NEWS

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, last week brought the American taxpayers some good news. Whether it was in the USA Today newspaper, Associated Press stories, the New York Times or the Washington Post, they all said pretty much the same thing. The U.S. economy grew at a rapid pace of 7.2 percent during the third quarter of this year.

□ 1245

Mr. Speaker, this is an accomplishment that has not been seen in 19 years, or since 1984, when Ronald Reagan was President of the United States. Most economic analysts were expecting just a 6 percent gain. In addition, the growth rate accelerated from a 3.3 percent rate in the second quarter. This must come as quite a surprise to those who have been hoping for bad economic news.

I would like to greet the economic detractors with even more positive news: the value of U.S. stock markets has increased with shareholder wealth up $2.9 trillion, an increase of 22 percent since October 2002; and the 10,000 mark in the Dow Jones is well within reach. Disposable income is up 5.8 percent at an annual rate in 2003.

This is very interesting. U.S. homeownership in the United States was 68.4 percent in the third quarter. Now this is the highest level it has ever been.

Productivity growth remains strong, which has bolstered business profits. Orders of manufacturing goods have been increasing since earlier this year, and shipments of durable goods have increased since this summer after, of course, a period of decline and stagnation.

Consumer confidence has increased and consumer spending has increased on food and clothes by 7.9 percent, and this is the best increase since 1976.

Business spending on equipment and business software has increased 15.4 percent, the largest increase since 2001.

Mr. Speaker, these economic facts are evidence that what President Bush proposed and Congress passed was right in passing the Jobs Growth and Tax Relief package, that is, the tax cuts. It has given the economy the shot it needed from the recession that started at the end of the Clinton administration; and with higher economic activity, American workers obtain better wages and living standards.

While this significant growth is encouraging, we must strive to ensure that our economy continues on this positive track. Of course, we cannot logically expect that the economy will continue to grow at this rate as it did in the third quarter, but most private forecasters predict the economy will be above the historical average.

Of course, one thing a good economy must do is create jobs; 57,000 new jobs were created in September, the first gain in nonfarm payroll employment since January. This is positive news, and we are seeing signs that the labor market is improving. Initial claims for unemployment insurance have declined by more than 10 percent, and the 4-week moving average has stayed below 400,000 claims for 4 straight weeks.

As the economy has recovered, the U.S. has become more productive. With higher productivity, fewer people are needed to do the same job. Because of this, there has not been a corresponding job increase in the national economic growth.

Of course, I think there is more we need to do to continue these progrowth policies. I would offer one caveat this afternoon. Part of a progrowth economic policy is to reduce spending. Federal Government spending increased by 1.4 percent in the third quarter alone. Over the past 5 years, the government has increased spending by $586 billion. Spending is now just over 20 percent of the gross domestic product. If we continue to follow an alarming increase in Federal spending, the government will be faced with more and more difficult choices, none of which will help our economic recovery and economic growth.

We have a healthy economy to look forward to today. Let us keep it that way. Let us control government spending.

RECESS

The SPEAKER pro tempore (Mr. RENZI). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess until 2 p.m. today.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HEFLEY) at 2 p.m.

PRAYER

The Reverend Johnny L. Green, Senior Pastor, Bethel Assembly of God, Savage, Maryland, offered the following prayer:

O Lord, I stand before You this afternoon in this prestigious place; a place where decisions are made and honor is given; a place where discussions and debates are challenged and recommendations are forwarded; yes, Lord, in this place. In this home of the free and land of the brave, Your Word tells us to ''make prayers, intercession, and thanksgiving for those in authority, for this pleases You.'' I offer that prayer today. For this opportunity to pray for our Nation, its leaders, and our people, I give You thanks. For each man and woman chosen to lead in the directing of this Nation, would You provide wisdom and guidance for them to perform it? May each Representative here truly acknowledge and seek Your grace in every decision they make. For it is by Your grace that I stand here today and proclaim ''How Great Thou Art.'' Lord, please bless America. 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 Illinois (Mr. DAVIS) come forward and lead the House in the Pledge of Allegiance.

Mr. DAVIS of Illinois 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.

DISPENSING WITH CALL OF PRIVATE CALENDAR ON TODAY

Mr. TURNER of Ohio. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with today.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 3, 2003.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 3, 2003 at 11:40 a.m.

That the Senate passed without amendment H.R. 3288.

That the Senate passed without amendment H. Con. Res. 159.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 3, 2003.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 3, 2003 at 6:26 p.m.

That the Senate agreed to conference report H.R. 2691.

That the Senate agreed to conference report H.R. 3289.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such record votes on postponed questions will be taken after 6:30 p.m. today.

JOHN G. DOW POST OFFICE BUILDING

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3166) to designate the facility of the United States Postal Service located at 57 Old Tappan Road in Tappan, New York, as the ''John G. Dow Post Office Building.''

The Clerk read as follows:

H.R. 3166

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

SECTION 1. JOHN G. DOW POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 57 Old Tappan Road in Tappan, New York, shall be known and designated as the ''John G. Dow Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the John G. Dow Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TURNER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. TURNER of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3166, introduced by the gentleman from New York (Mr. ENGEL), designates this U.S. Postal Service facility in Tappan, New York as the ''John G. Dow Post Office Building.'' The entire New York State delegation has cosponsored this legislation.

Congressman John Dow was elected to a seat in this House from the people of New York's Hudson Valley in 1964. He dutifully served three terms in this body during the height of the Vietnam War. He was known for his strong opposition to the war during that tumultuous period in American history.

Congressman Dow passed away on March 11th of this year at the age of 97. He was a principled, poised, and passionate representative of the people of New York.

Along with the gentleman from New York (Mr. ENGEL), I certainly want to extend the best wishes of this House to the family of John Dow. The post office in Tappan will be a deserved commemoration of his public service. Mr. Speaker, I urge all Members to support the passage of H.R. 3166, and I congratulate the gentleman from New York for having his bill considered by the whole House.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Government Reform, I rise in support of H.R. 3166, legislation naming a postal facility located at 57 Old Tappan Road in Tappan, New York, after John G. Dow. H.R. 3166, introduced by the gentleman from New York (Mr. ENGEL) on September 24, 2003, was unanimously approved by our committee on October 8, 2003. The

measure has met the Committee on Government Reform policy and has the support and cosponsorship of the entire New York State delegation.

Mr. John G. Dow was a former Member of Congress and a staunchly liberal New York Democrat from the lower Hudson Valley. One of the earliest congressional opponents of the Vietnam War, he died in March of this year at the age of 97. John Dow was born in New York City in 1905 and grew up in New Jersey. His family later moved to Kennebunkport, Maine. He graduated from Harvard University, became a businessman and began dabbling in local politics, serving as chairman of the Zoning and Appeals Board.

In 1964, Mr. Dow won election to Congress, representing Rockland County, New York. Representative John Dow served two terms before he was defeated. He later ran again and won his seat back, serving one term before being defeated by Representative Benjamin Gilman.

Mr. Speaker I commend my colleagues for seeking to honor the memory of the late Representative John Dow by naming a postal facility after him, and I urge swift adoption of this bill.

Mr. ENGEL. Mr. Speaker, I rise in support of H.R. 3166, legislation to name the United States Postal Facility at 57 Old Tappan Road in Tappan, New York after former Congressman John G. Dow. The House of Representatives lost a member of its family on March 11th of this year when John Dow passed on at the age of 97. After living a storied life dedicated to serving the propel of Rockland County and the State of New York, it is a privilege to honor this great man on the floor of the House of Representatives.

Born and bred in New York, John Dow earned a bachelor's degree from Harvard University and later a master's from Columbia University. In 1954 he began his career in public service holding the post of Civil Defense Director in Grandview, NY and later Chairman of the Grand View Zoning Board of Appeals. John Dow then stepped onto the national political scene, winning a seat in Congress in 1965 in the 22nd Congressional District, which encompassed Rockland County.

John Dow served just six years in Congress but his imprint on this body was far greater than his tenure. He was one of the few Members of Congress that openly questioned and opposed the U.S. involvement in the Vietnam War. Despite popular opinion, he spoke out against laws that would ban flag burning and fiercely defended the civil rights movements, even marching in the south to show his support for equal rights. He was an independent thinker that did not always take the popular stand but fought for what he felt was right for Rockland County, for New York, and for the United States.

John Dow upheld the great values of this country at a time when we most needed it. He was considered a voice of dissent in the Congress against the Vietnam War even though it was a President of the same party leading us into that war. John Dow's warnings and cautions would ring true in later years as the reality of the Vietnam War set in. His principled stance eventually cost him the opportunity to continue serving in Congress but that did not deter him. As the political winds shifted, John Dow was swept out of office in 1968. He would return for another term, winning election in 1970, but would lose his seat for good two years later. However, John Dow would continue serving the people of New York and Rockland County until his death.

Mr. Speaker, I am a life-long New Yorker and I am proud of that fact. I am proud to serve the people of my district and the Rocklanders that John Dow once represented. It is a tribute to his service and his memory that every Member of the New York delegation, Democrat and Republican alike cosponsored this legislation to honor one of our own. I want to thank Chairman DAVIS and Congressman WAXMAN for expediting this legislation so that we can honor Congressman Dow and his service to this great nation.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TURNER of Ohio. Mr. Speaker, I urge passage of H.R. 3166. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 3166.

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

A motion to reconsider was laid on the table.

S. TRUETT CATHY POST OFFICE BUILDING

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3029) to designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the ''S. Truett Cathy Post Office Building''.

The Clerk read as follows:

H.R. 3029

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

SECTION 1. S. TRUETT CATHY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, shall be known and designated as the S. Truett Cathy Post Office Building.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the S. Truett Cathy Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TURNER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. TURNER of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3029, introduced by the distinguished gentleman from the State of Georgia (Mr. SCOTT) designates the U.S. Postal Service facility in Jonesboro, Georgia, as the ''S. Truett Cathy Post Office Building.'' All members of the Georgia State delegation have signed on to this legislation.

Mr. Speaker, this legislation honors a wonderful American entrepreneur, S. Truett Cathy. The respected founder of the Chik-Fil-A restaurant chain, Mr. Cathy has developed one of the most successful privately-owned restaurant chains in the United States. S. Truett Cathy lived the American Dream by spending just a few thousand dollars to open a tiny diner with his brother, Ben, in the Atlanta suburb of Hapeville, Georgia, in 1946. It was almost 20 years later, in 1967, before Mr. Cathy opened his first Chik-Fil-A restaurant in an Atlanta shopping mall. Today there are over 1,000 Chik-Fil-A restaurants from coast to coast.

Many people know that Chik-Fil-A restaurants are not open on Sundays. This has been true ever since the first restaurant opened in 1967. Mr. Cathy makes no exceptions for his ''closed-on-Sunday'' policy, ensuring that all Chik-Fil-A employees have a chance to worship, spend time with their families and friends, and simply relax 1 day a week. On his day off, Mr. Cathy has taught Sunday school classes for nearly 50 years.

Mr. Cathy also should be recognized for his work in offering educational scholarships. He has established the Chik-Fil-A Team Member Scholarship that awards a $1,000 scholarship to 25 Chik-Fil-A employees each year, encouraging them to pursue advanced educations. Chik-Fil-A has generously given away nearly $18 million to its employees through this program. Mr. Cathy has also created the WinShape Centre Foundation that annually grants dozens of $24,000 scholarships to students wishing to attend Berry College in Rome, Georgia. Chik-Fil-A has also provided $25,000 in general scholarship funds to each of the universities who participate in the Chik-Fil-A Peach Bowl football game in late December.

Mr. Speaker, for all these reasons, I commend the gentleman from Georgia for his meaningful work on H.R. 3029 that honors S. Truett Cathy. S. Truett Cathy's success as an entrepreneur and charity as a philanthropist are truly worthy of commendation by this House.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with the gentleman from Ohio (Mr.

TURNER) in support of H.R. 3029, legislation naming a Postal Service facility located at 255 North Main Street in Jonesboro, Georgia, after S. Truett Cathy. H.R. 3029 was introduced by the gentleman from Georgia (Mr. SCOTT) on September 5, 2003. The bill has met the Committee on Government Reform policy and has the support and cosponsorship of the entire Georgia delegation.

S. Truett Cathy is the founder and chairman of the third largest fast-food chicken chain in the United States. The first restaurant opened in 1967 in Atlanta, Georgia. As of February, 2003, there are more than 1,000 restaurants in 36 States and Washington, D.C.

Not content to be just a successful businessman, Mr. Cathy continues to give back to his community. He provides leadership scholarships to employees, scholarships to young people to attend college, sponsors long-term care for foster children, and a summer camp program to build self-esteem. He also sponsors golf and football sporting events.

□ 1415

Mr. Speaker, naming a postal facility after Mr. S. Truett Cathy continues the tradition of honoring dedicated and committed individuals who make a difference in their community and in our Nation. I am pleased to join in urging swift adoption of H.R. 3029.

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

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. SCOTT), the proud Georgian sponsor of this legislation.

Mr. SCOTT of Georgia. Mr. Speaker, I thank the distinguished gentleman from Illinois (Mr. DAVIS) and the gentleman from Ohio (Mr. TURNER) for their excellent remarks.

Mr. Speaker, as the sponsor of this legislation today, I am pleased to speak on the House floor regarding H.R. 3029. This legislation honors a Georgia entrepreneur and restaurateur and a great American, S. Truett Cathy, the founder, chairman and CEO of Chick-Fil-A, Incorporated. This legislation designates the post office in Jonesboro, Georgia, in my district, as the S. Truett Cathy Post Office Building. I appreciate the support of the entire Georgia congressional delegation, which has cosponsored this important legislation.

The Chick-Fil-A story began in 1946 when Truett and his younger brother, Ben, spent $10,000 to open a tiny 24-hour restaurant called the Dwarf Grill in Hapeville, Georgia; and the Dwarf Grill still stands in Hapeville, Georgia. In 1967, Mr. Cathy opened his first Chick-Fil-A restaurant at Atlanta's Greenbriar Mall, which established the in-mall fast-food quick-service restaurant concept in this Nation. Today, Chick-Fil-A is the third largest quick-service chicken restaurant chain in the entire United States based on annual sales. Currently, there are more than 1,080 restaurants in 36 States and in Washington, D.C.

Truett Cathy is a devoted religious man who built his life and his business based upon hard work, humanity, humility, and Biblical principles. Based on these principles, all of Chick-Fil-A's restaurants operate with a closed-on-Sunday policy, without exception, to allow the employees of Chick-Fil-A to attend services on Sunday. When not managing his company, Cathy donates his time to community efforts and teaches a Sunday school class to 13-year-old boys, as he has done for more than 45 straight years.

Chick-Fil-A's official statement of corporate purpose says that it exists ''to glorify God by being a faithful steward of all that is entrusted to us and to have a positive influence on all who come in contact with Chick-Fil-A.'' That is why Mr. Cathy invests in scholarships, character-building programs for kids, foster homes and other community services.

Mr. Cathy has established the WinShape Centre Foundation, the Leadership Scholarship Program, and the WinShape Homes Program. The WinShape Center Foundation annually awards 20 to 30 students wishing to attend Berry College in Georgia with $24,000 scholarships that are jointly funded by the Rome, Georgia, institution. Through its Leadership Scholarship Program, the Chick-Fil-A chain has given over $17.5 million in $1,000 scholarships to Chick-Fil-A restaurant employees since 1973. As part of his WinShape Homes Program, a long-term care program for foster children, 13 foster care homes have been started in Georgia, Alabama, Tennessee, and even in Brazil. They are operated by Cathy and the WinShape Foundation.

S. Truett Cathy is a dedicated husband and family man. He is a father and grandfather. Cathy and his wife, Jeanette, have 12 grandchildren and more than 125 foster grandchildren. Due to inspiring his life story and his dedication to community service, I am pleased to honor this great Georgian and his legacy in this manner.

I especially would like to thank my colleagues from Georgia, the gentleman from Georgia (Mr. KINGSTON), the gentleman from Georgia (Mr. BISHOP), the gentleman from Georgia (Mr. MARSHALL), the gentlewoman from Georgia (Ms. MAJETTE), the gentleman from Georgia (Mr. LEWIS), the gentleman from Georgia (Mr. ISAKSON), the gentleman from Georgia (Mr. LINDER), the gentleman from Georgia (Mr. COLLINS), the gentleman from Georgia (Mr. NORWOOD), the gentleman from Georgia (Mr. DEAL), the gentleman from Georgia (Mr. GINGREY), and the gentleman from Georgia (Mr. BURNS) for their support in joining me as sponsors of this legislation.

In addition, I would like to thank the members of the Committee on Government Reform and the committee staff for including my bill in the list of suspension bills today. I would especially like to thank my good friend, the gentleman from Illinois (Mr. DAVIS), for managing this bill on the floor, and the gentleman from Georgia (Mr. DEAL) for all his efforts as a member of the committee on behalf of my legislation.

I encourage all of my colleagues to support this legislation and pass this bill in the House today. I look forward to working with Senator MILLER and Senator CHAMBLISS and the Senate Governmental Affairs Committee and the entire Senate in order to gain quick passage of this bill in the Senate.

What an outstanding story, what an outstanding life, what an outstanding man is S. Truett Cathy. We humbly honor this great servant of God by naming this post office in Jonesboro, Georgia, after him.

Mr. TURNER of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. BURNS).

Mr. BURNS. Mr. Speaker, I rise today in support of H.R. 3029, renaming the post office in Jonesboro, Georgia, for S. Truett Cathy. I join my distinguished colleague, the gentleman from Georgia (Mr. SCOTT), in recognizing this man's great achievement in our State, in our community, and in our Nation. Truett Cathy is truly a leader and truly a friend, and I am very honored to call him a friend of not only Georgia, but of the Nation.

Certainly at his opening of that first small restaurant called the Dwarf Grill back in the 1940s, no one could have imagined the impact that he has had on our communities throughout the Nation. He developed a keen art of both marketing and culinary skills and developed what we all know as the Chick-Fil-A sandwich. I will tell you one of the things I enjoy most when I have the opportunity is to visit one of his restaurants. Begun in 1967, it is now the third largest chicken quick-serve establishment in the world.

The most interesting thing about Mr. Cathy is he has been true to his principles. As the gentleman from Georgia (Mr. SCOTT) pointed out, he chooses not to operate his business on Sunday so that his employees can worship their God and enjoy their families. He is a member and deacon of the First Baptist Church in Jonesboro.

I got to know Truett Cathy through his involvement in education, not only at Berry College, but at multiple universities around the State. At the university that I had an opportunity to be on the faculty of at Georgia Southern, he was one of our strongest supporters. We have a Chick-Fil-A Room in our university where we teach marketing. His son Dan is a graduate of Georgia Southern; and he continues to be very, very active in education throughout our State and throughout our Nation.

As the gentleman from Georgia (Mr. SCOTT) pointed out, he has the WinShape Foundation that operates long-term care programs for foster

children. He provides scholarships to Berry College, and he provides scholarships to employees of Chick-Fil-A, over $17 million worth of development and education scholarships. He believes in the youth of America. He believes that our future is in those individuals that will shape and mold and become the future leaders that we so desperately need.

I am indeed privileged to join the gentleman from Georgia (Mr. SCOTT) and to join the rest of the Georgia delegation as we provide a tribute to the life and the accomplishments of S. Truett Cathy. I urge my colleagues in this body to join us as we vote today on H.R. 3029.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is clear that Mr. Cathy is indeed a remarkable man. I congratulate the gentleman from Georgia (Mr. SCOTT) and the Georgia delegation. I urge swift passage of this legislation.

Ms. MAJETTE. Mr. Speaker, I rise today to honor S. Truett Cathy. Guided by his ability, dedication, and faith, Mr. Cathy took a small restaurant in Atlanta, Georgia, and built Chik-Fil-A, Inc., the third largest fast food chicken restaurant in America, with more than 1,080 restaurants nationwide.

This is in itself a great enterprise. Yet Mr. Cathy, through his success in business and exemplary community service, has come to serve as a paradigm of excellence. In 1984, Mr. Cathy founded the WinShape Center Foundation, designed to ''shape winners'' by helping young people succeed in life through scholarships and other youth-support programs.

Like Mr. Cathy, the foundation he began is the epitome of responsible citizenry. The foundation annually joins Berry College in Rome, Georgia to award 20 to 30 students with $24,000 scholarships. In addition, through its Leadership Scholarship Program, the Chick-Fil-A chain has awarded more than $17.5 million in $1,000 scholarships to Chick-Fil-A restaurant employees since 1973. Chik-Fil-A's partnerships with the LPGA and college football's Peach Bowl have resulted in more than $1.25 million for WinShape homes and other charities in 2002 alone.

Mr. Cathy's philanthropic endeavors extend to children as well. As part of his WinShape Homes program—a long-term care program for foster children—Mr. Cathy launched and operates 13 foster care homes in Georgia, Alabama, Tennessee, and Brazil. These homes, accommodating up to 12 children with two full-time foster parents, provide long-term care for foster children with a positive family environment. In addition, more than 1,600 young campers from throughout the country attend annual sessions at Camp WinShape. An initiative of the WinShape Center Foundation, this camp offers a series of two-week summer programs to help boys and girls build self-esteem through physical and spiritual activities.

Mr. Cathy is a devoutly religious man who built his life and business on hard work, humanity and biblical principles. Based on his strong faith and sense of purpose, all of Chik-Fil-A's restaurants operate with a ''closed-on-Sunday'' policy, allowing employees to practice their faith and spend time with their families. Mr. Cathy spends his day off teaching a Sunday school class to 13-year-old boys, as he has done for more than 45 years.

S. Truett Cathy represents the best that Georgia and this country has to offer. I am proud to be a co-sponsor of H.R. 3029, designating the post office of Jonesboro, Georgia as the ''S. Truett Cathy Post Office Building.''

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TURNER of Ohio. Mr. Speaker, I have no other speakers. I urge passage of H.R. 3029, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 3029.

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

A motion to reconsider was laid on the table.

MAJOR HENRY A. COMMISKEY, SR. POST OFFICE BUILDING

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2438) to designate the facility of the United States Postal Service located at 115 West Pine Street in Hattiesburg, Mississippi, as the ''Major Henry A. Commiskey, Sr. Post Office Building''.

The Clerk read as follows:

H.R. 2438

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

SECTION 1. MAJOR HENRY A. COMMISKEY, SR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 115 West Pine Street in Hattiesburg, Mississippi, shall be known and designated as the ''Major Henry A. Commiskey, Sr. Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Major Henry A. Commiskey, Sr. Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TURNER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. TURNER of Ohio. 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. 2438.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Government Reform, I am pleased that the House is considering H.R. 2438. This post office designation bill, introduced by the gentleman from Mississippi (Mr. TAYLOR), honors the service of Major Henry A. Commiskey, Sr.

Major Commiskey earned the Medal of Honor and a Purple Heart for his service to our Nation in the U.S. Marine Corps. Born on January 10, 1927, in Hattiesburg, Mississippi, he enlisted in the Marines at age 17. He ultimately served in the Pacific Theater during World War II. Major Commiskey earned the Purple Heart for his valor during the invasion of Iwo Jima in 1945.

After World War II ended, he returned safely home and continued to serve in the Marine Corps. He advanced to the rank of staff sergeant and became a drill instructor at Parris Island, South Carolina. When war broke out in Korea, he was shipped overseas again. For his tremendous efforts during the conflict in Korea, he earned the Medal of Honor.

Mr. Speaker, we owe so much to members of our Armed Forces who have fought for democracy and freedom throughout our Nation's history. Major Commiskey deserves all our thanks and praise, and this legislation is a way for the Members of this House to honor his brave legacy.

Mr. Speaker, I urge support for H.R. 2438 that names a post office after the late Major Henry A. Commiskey, Sr.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2438, legislation naming a postal facility located at 115 West Pine Street in Hattiesburg, Mississippi, after Major Henry A. Commiskey, Sr. H.R. 2438, introduced by the gentleman from Mississippi (Mr. TAYLOR) on June 11, 2003, was unanimously approved by our committee on July 10, 2003. The measure has met the Committee on Government Reform policy and has the support and cosponsorship of the entire Mississippi State congressional delegation.

Mr. Speaker, Henry A. Commiskey was born in Hattiesburg, Mississippi, in 1927. He enlisted in the Marine Corps at age 17 during World War II and participated in the 1945 invasion of Iwo Jima, where he earned the Purple Heart. He remained in the corps after the war, rose to the rank of staff sergeant to become a drill instructor at Parris Island, and then graduated from Officer Candidate School in 1949.

Henry volunteered for combat service at the outbreak of the Korean War and was presented the distinguished Medal of Honor by President Truman in 1951 for leading a charge up Hill 85 in North Korea and killing seven enemy soldiers in hand-to-hand combat on September 20, 1950.

Henry A. Commiskey obtained the rank of major before retiring from the corps.

Last year, the Hattiesburg City Council and the Board of Supervisors for Forrest County, Mississippi, passed official resolutions requesting the assistance of the gentleman from Mississippi (Mr. TAYLOR) in renaming the city's downtown post office after the late Major Henry A. Commiskey, Sr., a long-time resident of the community and Medal of Honor recipient from the Korean War.

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I want to thank the gentleman from Virginia (Chairman DAVIS) and the gentleman from California (Ranking Member WAXMAN) and the House majority and minority leadership for moving this bill to the floor so expeditiously. I also commend my colleague, the gentleman from Mississippi (Mr. TAYLOR) for seeking to honor the tremendous sacrifice of Major Commiskey.

Mr. Speaker, I know that the gentleman from Mississippi (Mr. TAYLOR) has been trying to get here, but he has been traveling from Mississippi and has not made it yet. He wanted to be here to speak in favor of this legislation. Unfortunately, he did not make it. So I will insert his statement in the RECORD at the appropriate place, and I urge swift passage of this bill.

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

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 2438.

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

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS IN SUPPORT OF THE NATIONAL ANTHEM ''SINGAMERICA'' PROJECT

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 262) expressing the sense of the Congress in support of the National Anthem ''SingAmerica'' project.

The Clerk read as follows:

H. CON. RES. 262

Whereas the performance and singing of traditional, patriotic music has served as a vital instrument for the recruitment and retention of members of the armed forces of the United States, has been a catalyst for the development of public support for a common defense policy, and has united Americans of all backgrounds throughout the history of the United States as an inspirational expression of the national purpose of freedom;

Whereas the national anthem, the Star Spangled Banner, holds a special place in the hearts and minds of the American people as a symbol of national unity, resolve, and willingness to sacrifice in order to preserve the nation's sacred heritage of freedom;

Whereas the members of the MENC: the National Association for Music Education, the officers of the Smithsonian Institution, and the members of the American Sportscasters Association have joined in the National Anthem ''SingAmerica'' project to restore the original Star Spangled Banner flag and to renew national awareness of the patriotic musical traditions of the United States; and

Whereas this dynamic national initiative promises to invigorate and inspire the American people to have a greater appreciation of their patriotic musical heritage and the preeminent role that heritage has in promoting national defense efforts, motivating public and military service, infusing national pride, encouraging good citizenship practices, and teaching American history: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) commends the MENC: The National Association for Music Education, the Smithsonian Institution, the American Sportscasters Association, and all those involved in the National Anthem ''SingAmerica'' project for their initiative to promote national awareness of the patriotic musical heritage of the United States; and

(2) urges all Americans to assist, enjoy, and participate in the National Anthem ''SingAmerica'' project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TURNER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. TURNER of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 262, introduced by the distinguished chairman of the Committee on Government Reform, the gentleman from Virginia (Mr. DAVIS), expresses support for the National Anthem ''SingAmerica'' project.

Mr. Speaker, the ''SingAmerica'' project is an ongoing patriotic effort about which most Americans may not be aware. ''SingAmerica'' is a collaboration between the Smithsonian National Museum of American History and the National Association for Music Education, along with a great deal of support from the American Sportscasters Association. The project aims to remind all Americans of the importance of our magnificent National Anthem.

The project has begun this fall during the National Football League season by encouraging the singing of the National Anthem before all games. Other professional sports leagues will also take part in the project over the next few years, including the National Basketball Association, the Women's National Basketball Association, and Major League Baseball.

The culminating event of the ''SingAmerica'' project will be here in Washington, D.C. on June 14, 2006. This event will be called ''A Star Spangled Celebration'' and will feature the President and First Lady, celebrity musicians, and literally thousands of bands from across the country. These artists will join together for the largest performance of the National Anthem in history.

Mr. Speaker, on behalf of the gentleman from Virginia (Chairman DAVIS), I urge all Americans to enjoy and participate in the National Anthem ''SingAmerica'' project. I also urge all Members to support the adoption of House Concurrent Resolution 262.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the members of the National Association for Music Education, the offices of the Smithsonian Institute, and the members of the American Sportscasters Association have joined in the National Anthem ''SingAmerica'' project.

The ''SingAmerica'' project aims to restore the original Star Spangled Banner Flag and to renew national awareness of the patriotic musical traditions of the United States. The performance and singing tradition of patriotic music has served as a vital instrument for the recruitment and retention of the Armed Forces of the United States. Such patriotic music can be found on the SingAmerica! Patriotic Collection CD, which marks the first time all of the U.S. military bands: Army, Marine Corps, Navy, Air Force, and Coast Guard have been recorded on a single album.

The National Anthem and the Star Spangled Banner hold a special place in the hearts and minds of the American people as symbols of national unity, resolve, and willingness to sacrifice in order to preserve the Nation's sacred heritage of freedom. This resolution urges all Americans to assist, enjoy, and participate in the National Anthem ''SingAmerica'' project.

Sometimes, when you are listening to just the song, you can imagine that you see Francis Scott Key as he looked out and saw that the flag was still waving in the pitch of battle and was inspired to write the words ''Oh, say can you see by the dawn's early light. What so proudly we hailed at the twilight's last gleaming.''

Or, you think of other patriotic songs like ''America, The Beautiful'' and ''God bless America.'' All of those symbolize what America has been, but also what America has the potential of being.

Mr. Speaker, this is an excellent project, and I would urge passage of this resolution.

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

Mr. TURNER. Mr. Speaker, I have no other speakers. I urge all Members to support the adoption of House Concurrent Resolution 262. I thank the gentleman from Virginia (Chairman DAVIS) for introducing this patriotic measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 262.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. TURNER of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING AND SUPPORTING FINANCIAL PLANNING WEEK

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 176) supporting the goals and ideals of Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life's goals, and honoring American families and the financial planning profession for their adherence and dedication to the financial planning process.

The Clerk read as follows:

H. CON. RES. 176

Whereas the financial planning process can play a vital role in helping American workers achieve financial independence by empowering them to identify and manage realistic financial objectives and negotiate the financial challenges that arise at every stage of life;

Whereas all Americans can improve their quality of life by securing competent, objective, and comprehensive financial advice to assist them in attaining their financial goals;

Whereas, in the past year, proclamations have been issued in numerous States and the District of Columbia recognizing the importance of the financial planning process in meeting the goal of financial independence and other long-term financial objectives;

Whereas widespread adherence to a financial planning process can help reduce the burdens and obligations of the public and private sectors in providing a financial safety net for less fortunate Americans; and

Whereas the Financial Planning Association has designated the week beginning October 6, 2003, as ''Financial Planning Week'': Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the goals and ideals of ''Financial Planning Week'';

(2) recognizes the significant impact that sound financial planning can have on securing financial independence and achieving life's goals and dreams;

(3) acknowledges and commends the millions of American families across the United States, as well as the financial planning profession, for their adherence and dedication to the financial planning process; and

(4) encourages the American people to observe ''Financial Planning week'' with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TURNER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. TURNER of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 176 supports the goals and ideals of Financial Planning Week. This resolution, introduced by the gentleman from Pennsylvania (Mr. PLATTS), the chairman of the Committee on Government Reform Subcommittee on Government Efficiency and Financial Management, aims to make all Americans aware of the importance of effective financial planning to prepare for all stages of life.

Mr. Speaker, all Americans were happy to learn last week that the gross domestic product for the third quarter of fiscal year 2003 grew at a rate of 7.2 percent, the highest rate since the 1980s. Clearly, that is good news about the direction our economy is headed and, hopefully, that will translate into increased job growth and more income for all Americans.

However, smart financial planning is a timeless and invaluable way for all of us to help ensure a secure financial future. American families are working harder today than perhaps at any other time in our Nation's history, but it is imperative that we all accompany our hard work with thoughtful, personal financial planning.

I want to cite the third resolved clause of the resolution that states that ''Congress acknowledges and commends the millions of American families across the United States for their adherence and dedication to the financial planning process.'' No one takes time out to recognize the millions of Americans who are working, spending wisely, and prudently saving for their own and their family's future. This resolution attempts to acknowledge these people.

Mr. Speaker, I commend the chairman of the Subcommittee on Government Efficiency and Financial Management for introducing this important legislation, and I support the adoption of House Concurrent Resolution 176.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a young child, I was taught that he or she who fails to plan, plans to fail. Therefore, Mr. Speaker, this resolution is very timely, given the sluggish economy and loss of jobs.

H. Con. Res. 176 supports the goals and ideals of Financial Planning Week. The financial planning process allows individuals to achieve their dreams by empowering themselves to identify and manage realistic financial goals, and to negotiate the financial barriers that arise at every stage of life.

Everyone can benefit from knowing about the value of financial planning and where to turn for objective financial advice. The Financial Planning Association designated the week beginning October 6, 2003 as Financial Planning Week, and with good reason.

Saving money has steadily declined in this country over the past 50 years, while borrowing has increased. In 1950, savings averaged 12.3 percent of national output. By the 1960s, it was down to 8.5 percent. By the 1980s it was down to 4.7 percent. In the early 1990s, it was only 2.4 percent. Americans need to work to achieve financial independence, and financial planning is crucial to that process.

Determining what you have, determining what resources you need for living, and setting goals are all part of the financial planning process. Experts suggest setting aside a goal to pay ourselves first, to plan and to manage our spending so that we will be able to save. We then should gradually increase the percentage of our income that we save. Over time, Americans should try to set aside enough savings to meet each of the following needs: Day-to-day living expenses, including debt repayment; common emergencies; large recurrent expenses; short-term goals; long-term goals; and special opportunities that would require substantial sums in the future.

We as individuals are responsible for becoming well-informed and for making thoughtful decisions that improve our prospects for financial security. H. Con. Res. 176 serves as a reminder of how important it is for us to save and to have a financial plan, so that we can improve not only our individual quality of life, but so that we can have a better outlook for our Nation and improve the quality of life for all Americans.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TURNER of Ohio. Mr. Speaker, I strongly support the adoption of House Concurrent Resolution 176, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 176.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. TURNER of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ORVILLE WRIGHT FEDERAL BUILDING AND WILBUR WRIGHT FEDERAL BUILDING

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3118) to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.

The Clerk read as follows:

H.R. 3118

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

SECTION 1. ORVILLE WRIGHT FEDERAL BUILDING.

(a) DESIGNATION.—The Federal building located at 800 Independence Avenue, Southwest, in Washington, District of Columbia, shall be known and designated as the ''Orville Wright Federal Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the ''Orville Wright Federal Building''.

SEC. 2. WILBUR WRIGHT FEDERAL BUILDING.

(a) DESIGNATION.—The Federal building located at 600 Independence Avenue, Southwest, in Washington, District of Columbia, shall be known and designated as the ''Wilbur Wright Federal Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the ''Wilbur Wright Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, H.R. 3118, offered by the gentleman from North Carolina (Mr. HAYES), designates the building located at 800 Independence Avenue, Southeast as the ''Orville Wright Federal Building,'' and the building located at 600 Independence Avenue, Southeast as the ''Wilbur Wright Federal building.''

Recognized as the fathers of aviation, Orville and Wilbur Wright were raised in Dayton, Ohio, the sons of Bishop Milton Wright and Susan Catherine Wright. The two brothers were raised in a home where education was important and creativeness was encouraged. At an early age, the boys showed an aptitude for mechanics, a skill that was useful in their early career making and selling bicycles.

In 1901, the boys built their first aircraft. Not much more than a glider and flown like a big kite, this initial step was critical in determining the aerodynamics of flight. The brothers tried various designs in their quest for flight and 2 years later, on December 17, 1903, they flew the world's first powered airplane.

Planes are still using the aeronautics developed by the Wright brothers. Their design of the propeller and wing are still the basic shapes we use today. They truly are the fathers of modern aviation.

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It is fitting that we grant the Wright brothers this important honor at this time. This December will mark 100 years since the Wright brothers took their Wright Flyer aircraft on to the dunes of Kitty Hawk, North Carolina, and ushered in the age of flight. It is doubly fitting that we grant this honor as the buildings in question are in use by the Federal Aviation Administration.

Mr. Speaker, I support this legislation and encourage my colleagues to do the same.

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

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

Mr. Speaker, I too rise in support of this legislation. It is appropriate for us to designate the Federal Government building located down on Independence Avenue as the Orville Wright Federal Building. As the gentlewoman from West Virginia (Mrs. CAPITO) pointed out, we are approaching the centennial of the birth of flight. I only wish that we had available on the floor the repartee that we had in committee, Mr. Speaker, between our colleagues from Ohio and North Carolina about what State is the true birth place of flight.

Orville and Wilbur were from Ohio. That is where their bicycle shop was located; that is where they did the engineering and the research. There were some, I would not say unkind, but pointed comments from some of our colleagues that they had to go to North Carolina to get the hot air for the lift for the initial flight, although our friend, the gentleman from North Carolina (Mr. HAYES), I think had an interesting rejoinder.

Suffice it to say, this has been an important designation for our country. Aviation has played a critical part in the development of our industry in terms of the United States military might. In terms of today, it is one of the leading employers in our country still. Despite the travail of the industry and the economy, there are still more than 600,000 employees and the United States is the leading aviation country in the world with over 600 million passenger flights, including a number of people in this Chamber whose lives would not be possible in two States were it not for aviation.

It is fitting that we honor the matchless contributions of the Wright brothers, not only to American history but to the world.

Mr. Speaker, I support the legislation and urge its passage, but do point out as Chair of the Bicycle Caucus that this is yet another American innovation in infrastructure that owes its founding to the genius behind the cycling community.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, as a pilot of 35 years of experience, I appreciate the work that was done by Wilbur and Orville Wright, and I am pleased to sponsor H.R. 3118, which will honor the memory and achievements of Orville and Wilbur Wright by naming the Department of Transportation building, which houses the Federal Aviation Administration in Washington in their honor. It is a fitting tribute to men with a vision and determination to fly.

The first 12 seconds of flight started America down the path to such accomplishments as passing the speed of sound, achieving low-Earth orbit, developing reusable manned space vehicles, and even landing on the moon.

Today the U.S. aviation system is the busiest, safest system in the world, and in large measure we have the Wright brothers to thank for this. To commemorate the 100th anniversary of the milestone event, two celebrations in North Carolina deserve special recognition. This past May, Fayetteville, North Carolina held the Festival of Flight Celebration, and in December the State of North Carolina will present the First Flight Centennial Celebration to take place at the National Park in Kitty Hawk, North Carolina, not in Dayton, Ohio, where the Wright brothers first flew. A monument to the brothers was placed on the dunes of Kitty Hawk.

As we approach the 100th anniversary of the birth of aviation at Kitty Hawk, North Carolina, it is indeed fitting to recognize these two aviation pioneers by naming the Federal buildings at 600 and 800 Independence Avenue in their honor. I thank the Wright brothers.

Mr. TURNER. Mr. Speaker, the designation of two Federal Aviation Administration buildings in Washington, DC, in honor of Wilbur and Orville Wright's contribution to history with their invention of powered flight, is a fitting tribute to their conviction and courage.

I am fortunate to represent the hometown of the Wright Brothers, a place where they studied and tinkered over their design for an airplane. The lessons they learned from their failures, over time became the key to their successes.

In a little over a month, the world will celebrate the 100th anniversary of powered flight, one of the human race's greatest achievements. The contributions of powered flight to the world are immeasurable and have pushed the human race forward in countless ways.

Wilbur and Orville Wright dreamt of searing and sweeping across the sky, of far away places and thrilling adventures. They were crazy enough to believe that their dream of flight was within their grasp. On December 17, 1903, by making the dream of flight a reality, the Brothers gave us one of our hearts great desires, they gave us wings.

The Wilbur and Orville Wright Federal Buildings, located in Washington, DC, follows the long line of history makers that have left an indelible impression on the city and the country. Earlier this year, the Dayton community celebrated the Centennial of Flight and the shared aviation heritage of Dayton, OH and Kitty Hawk, NC. As a cosponsor of H.R. 3118, I am pleased to offer my support and to commend my good friend and colleague Representative ROBIN HAYES for his leadership.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 3118, a bill to designate the Federal Building located at 800 Independence Avenue as the Orville Wright Federal Building, and the Federal building located at 600 Independence Avenue as the Wilbur Wright Federal Building. Fittingly, these buildings house the headquarters of the Federal Aviation Administration.

Wilbur Wright was born on a farm near Millville, Indiana, in 1867, and his younger brother Orville was born in Dayton, Ohio, in 1871. Both boys were excellent students with a love for invention. As young men in Dayton, the Wright brothers owned a now-famous bicycle shop where they sold and repaired bicycles. In a few short years the shop was a huge success, and the men earned a reputation as talented mechanics. The profits from their bicycle shop were put toward their aviation experiments, providing the seeds of what would become our modern aviation industry.

Between 1899 and 1903 the brothers had developed five experimental airplanes, including the 1899 Wright Kite and the 1902 Glider. Then, in 1903, with a flight of 120 feet lasting a total of 12 seconds, the Wright brothers launched the world into the age of aviation. These daring experiments laid the groundwork for the American aviation industry, which in 2002 employed 621,000 people, had more than 9 million departures, carried 612,000,000 passengers, flew 25 billion miles, included 5,000 passenger jets, 1,000 cargo jets, and over several hundred propeller planes.

The Wright brothers' personal history and amazing achievements are the stuff of American legend. This designation honors the contributions they made to American history.

As we approach the 100th anniversary of the Wright brothers' historic flight at Kitty Hawk on December 17, 1903, it is a just and fitting tribute to name the Federal Aviation Administration Headquarters Buildings after the ''Fathers of Aviation''.

I urge my colleagues to honor the Wright brothers and to support H.R. 3118.

Mr. HOBSON. Mr. Speaker, I rise today in support of H.R. 3118, legislation to name the Federal office buildings at 600 and 800 Independence Avenue, SW., in Washington, DC in honor of Wilbur and Orville Wright. I thank my colleague and friend from North Carolina, Robin Hayes, for introducing this bill, and I was pleased to add my name as an original co-sponsor.

This legislation is an appropriate honor for the Wright Brothers for two reasons. First, the office buildings currently house the main offices of the Federal Aviation Administration, which was made possible by the development of manned flight. Second, these two buildings are literally across the street from the original Wright 1903 Flyer, which is maintained in its place of honor at the National Air and Space Museum.

It is also appropriate that this action will take place this year, on the centennial of the Wright Brothers' great achievement. We have already seen an amazing series of events in the Dayton, Ohio area commemorating this landmark year, and we look forward to the 100th anniversary this December, where the first flight will be appropriately commemorated at Kitty Hawk in North Carolina.

As air travel continues to change our world, there has been a growing appreciation and public interest in the earliest days of manned flight. The past few years has seen the establishment in Ohio of the Dayton Aviation Heritage National Historical Park encompassing the Wright Cycle Shop; Huffman Prairie Flying Field; the John W. Berry, Sr. Wright Brothers Aviation Center; and the Paul Laurence Dunbar State Memorial. Additionally, a new interpretive center was recently opened at Huffman Prairie at Wright-Patterson Air Force Base in my district, where the Wright Brothers perfected the techniques they first used at Kitty Hawk.

As an Ohioan, I am proud to reside in the same state as the two brothers whose invention changed the world. I appreciate Representative HAYES authoring this legislation to provide a visible and appropriate commemoration of the lives of Wilbur and Orville Wright in our Nation's Capital, and urge its approval by the House of Representatives.

Mrs. CAPITO. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and pass the bill, H.R. 3118.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE AMERICAN CONCRETE INSTITUTE

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 394) recognizing the American Concrete Institute's 100-year contribution as the standards development organization of the concrete industry and for the safe and technologically current construction activity it has enabled, which contributes to the economic stability, quality of life, durability of infrastructure, and international competitiveness of the United States.

The Clerk read as follows:

H. RES. 394

Whereas concrete is the world's most consumed man-made material and second only to water of all materials consumed;

Whereas production of concrete exceeded 3,500,000,000 cubic yards worldwide in 2002, more than a half cubic yard for every person on the planet;

Whereas production of concrete exceeded 500,000,000 cubic yards domestically in 2002, approximately two cubic yards for every person in the United States;

Whereas the ready mixed component alone of total concrete production in the United States in 2002 was enough to build a continuous road ten feet wide and four inches thick encircling the globe at the equator nearly 51 times;

Whereas concrete construction provided 2,000,000 jobs in the United States in 2002 during a time of economic recession;

Whereas the concrete industry provides employment to numerous skilled employees, including batchers, truck drivers, ironworkers, laborers, carpenters, finishers, equipment operators, and testing technicians, as well as professional engineers, architects, surveyors, and inspectors;

Whereas concrete was the predominant material of choice in a construction industry that built $843,000,000,000 of construction in 2001, being used in virtually every construction project;

Whereas concrete has an estimated $200,000,000 annual impact on Gross Domestic Product;

Whereas the concrete industry is a significant contributor to the economy of every Congressional district in the United States;

Whereas the many agencies of the Federal Government rely upon the American Concrete Institute, the technical society for the concrete industry, as a major standards developing organization for concrete design, construction, and repair;

Whereas the American Concrete Institute has, through its 18,000-member network of private and public sector volunteer citizens, developed and operated a review system that has provided concrete standards and guides for durable, safe, and uniform construction in the United States; and

Whereas the American Concrete Institute celebrates its 100th anniversary of service in advancing the technology of concrete for educational and scientific purposes in order to increase the knowledge and understanding of concrete materials and to support programs that improve concrete design and construction for the common good: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the American Concrete Institute—

(A) for 100 years of service to the people of the United States as the technical society for the concrete industry; and

(B) for the economic stability, quality of life, durability of infrastructure, and international competitiveness that the Institute has made possible to the United States; and

(2) encourages and supports the designation of an appropriate day as ACI Centennial Day in recognition of 100 years of service by the American Concrete Institute to the people of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, House Resolution 394 recognizes the American Concrete Institute's 100-year contribution as the standards development organization of the concrete industry. ACI has made a valuable and lasting contribution to our Nation's infrastructure and economy and improved the quality of life for all our citizens.

Concrete is the world's most consumed man-made material and is the predominant material of choice in a construction industry that built $843 billion of construction in the year 2001. Virtually every construction project uses concrete, from roads and bridges to homes and skyscrapers.

Major concrete operations continually function in every congressional district, creating well-paying jobs and boosting local economies. In 2002, concrete construction provided 2 million jobs in the United States. The concrete industry provides employment for numerous skilled employees, including batchers, truck drivers, iron workers, laborers, carpenters, finishers, equipment operators, and testing technicians, as well as professional engineers, architects, surveyors, and inspectors.

The American Concrete Institute has, through its 18,000-member network of public and private sector volunteer citizens, developed and operated a review system that has provided concrete standards and guides for durable, safe, and uniform construction in the United States. ACI's achievements over the past 100 years have strengthened our Nation both structurally and economically.

I commend the American Concrete Institute for 100 years of service to the people of the United States as the technical society for the concrete industry and look forward to working with them in the future to help improve our Nation's infrastructure.

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

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

Mr. Speaker, I too rise in support of this resolution. As has been pointed out, concrete is ubiquitous in terms of our daily life. Life as we experience it in the United States, and, indeed, increasingly in any developed country would be impossible without the use of this product. It does, in fact, touch every community. It is a backbone in terms of economic development for organized labor, for skilled building trades. It touches a wide array of people who are actually making the built environment.

The work that has been done by the Concrete Institute is critical. We have seen across the world examples of what happens when we rely on concrete that is not properly made, where the standards are not observed. It is a serious matter in terms of destruction where in the case of an earthquake or other natural disaster we have seen lives lost and commerce disrupted.

Here in this country, as a result of the work of the institute and the thousands of companies and professionals who are associated with it, we have been able to extend the use of concrete in creative and innovative ways, protecting the environment, enhancing the built environment.

Mr. Speaker, I congratulate the American Concrete Institute as it celebrates its 100th anniversary, advancing the technology of concrete for educational and scientific purposes in order to increase the knowledge, understanding of the materials, and the safety of our communities.

Mr. BISHOP of New York. Mr. Speaker, I rise in strong support of two resolutions under consideration in the House today: H. Con. Res. 280, which honors the 100th Anniversary of the National Stone, Sand and Gravel Association, and H. Res. 394, which recognizes the 100th Anniversary of the American Concrete Institute.

These resolutions come before us at a particularly appropriate time, as we continue working to reauthorize our Nation's primary transportation law. We all know that transportation investment yields tremendous economic dividends. For each $1 billion invested in our infrastructure, we create 47,500 jobs and generate $6.2 billion in economic activity. Of course, we could not accomplish any of this growth without the materials needed to pave new roads, build news mass transit systems, repair sidewalks and rehabilitate aging bridges.

Since coming to Congress and joining the House Transportation and Infrastructure Committee, I have had the privilege of learning more about the valuable contribution that these industries make in our communities and in the course of daily lives. If it weren't for the producers we are honoring today none of us could have flown to our Nation's capital, driven to this building or walked in this great building.

For 100 years, the National Stone, Sand and Gravel Association has represented producers of construction aggregates in this country and around the world. Their products have been the crucial building blocks in countless projects, from constructing the interstate highway system to building local hospitals for veterans. As this resolution notes, the Association has worked tirelessly to improve its products to save taxpayers money, and to further the professional development of industry employees to improve employee safety and health at workplaces.

The concrete industry has also contributed immensely to the development of our Nation. Production of concrete exceeded 3,500,000,000 cubic yards worldwide in 2002, with 500,000,000 cubic yards produced in our Nation alone. H. Res. 394 honors the American Concrete Industry's 100 years of service to the people of the United States as the technical society for the concrete industry and as an engine behind the extraordinary economic progress and prosperity that we have enjoyed as a Nation.

Mr. Speaker, I strongly support both of these resolutions, which honor great service to the American people and to the transportation community in particular. I urge my colleagues to do the same.

Mr. BLUMENAUER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and agree to the resolution, H. Res. 394.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE NATIONAL STONE, SAND & GRAVEL ASSOCIATION

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 280) recognizing the National Stone, Sand & Gravel Association for reaching its 100th Anniversary, and for the many vital contributions of its members to the Nation's economy and to improving the quality of life through the constantly expanding roles stone, sand, and gravel serve in the Nation's everyday life.

The Clerk read as follows:

H. CON. RES. 280

Whereas the National Quarry Owners Association, the precursor of the National Stone, Sand & Gravel Association, was founded on May 19, 1903, and represents approximately 800 members with more than 10,000 operations across North America;

Whereas the National Stone, Sand & Gravel Association, an international trade association with members throughout the United States, Canada, Mexico and throughout the world, represents producers of construction aggregates—sand, gravel, and crushed stone—and by product volume is the largest mining trade association in the world;

Whereas the National Stone, Sand & Gravel Association has advocated tirelessly for a strong infrastructure and transportation system that serves the Nation's needs and interests;

Whereas the National Stone, Sand & Gravel Association is a key member of the Transportation Construction Coalition and a founding member of Americans for Transportation Mobility whose objective is to improve the Nation's roads, bridges, mass transit systems, waterways, airports, and water and wastewater system that are the backbone of the Nation's economy;

Whereas the National Stone, Sand & Gravel Association invests valuable resources into improving the professional development of industry employees by sponsoring educational seminars, and advocates that members maintain a strong and unwavering commitment to safety and health at workplaces;

Whereas the National Stone, Sand & Gravel Association believes all legislation and regulations should be based on sound science and encourages members to meet all established environmental, safety, and health regulatory requirements, and where possible to do better than the law or regulation requires;

Whereas among the environmental benefits of the use of aggregates are erosion and flood control, reclaimed land and water improvements, wildlife and habitat creation and enhancement, water and sewage treatment plant construction, flue gas desulfurization,

acid neutralization, and storm water runoff prevention;

Whereas the research and development supported by the National Stone, Sand & Gravel Association is creating increasingly superior asphalt and concrete products that are cost-effective, easier to maintain, and have a longer life span, resulting in significant savings for taxpayers;

Whereas 400 tons of aggregate is used on average per home and aggregate composes 80 percent of concrete and 94 percent of asphalt, making stone, sand, and gravel quarries essential members of communities as the product contributes to both the development and continued growth of neighborhoods;

Whereas the multi-modal transportation system, homes, skyscrapers, schools, hospitals, and many other structures created through the use of stone, sand, and gravel have made the economy of the United States the largest and strongest in the world providing an un-matched quality of life;

Whereas pulverized aggregates are used in the manufacture of such varied household items as paper, paint, plastics, roofing materials, cosmetics, pharmaceuticals, toothpaste, and cleansers that are important to the Nation's culture and quality of life; and

Whereas the leaders in the aggregates industry are continuously demonstrating their willingness and desire to act and operate responsibly in serving the construction needs of the country by respecting and observing the well-being and the environmental sensibilities of the communities of which they are an important part: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) acknowledges the achievements of the National Stone, Sand & Gravel Association and celebrates this 100th anniversary milestone;

(2) recognizes the grand impact the National Stone, Sand & Gravel Association and its members have had on the business, social, and cultural landscape by helping create an unparalleled quality of life in the United States; and

(3) congratulates the National Stone, Sand & Gravel Association for this achievement and challenges the association and its members to continue its tradition of excellence, increase research and development for the benefit of consumers, and to continue its vital advocacy in support of a strong transportation system for the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, House Concurrent Resolution 280 recognizes the National Stone, Sand, & Gravel Association for reaching its 100th anniversary and for the many vital contributions that its members make to the Nation's economy.

The National Stone, Sand, & Gravel Association is an international trade association representing approximately 800 members with more than 10,000 operations across North America. Its members are producers of construction aggregates, sand, gravel, and crushed stone. And by product volume this association is the largest mining trade association in the world.

The National Stone, Sand, & Gravel Association is a key member of the Transportation Construction Coalition and a founding member of Americans for Transportation Mobility, whose objective is to improve the Nation's roads, bridges, mass transit systems, waterways, airports, and water and waste water treatment that are the backbone of this Nation's economy.

This association has advocated tirelessly for a strong infrastructure and a comprehensive transportation system that serves the Nation's needs and interests. I commend them for their achievements, and I look forward to working with them as we move forward with the reauthorization of the aviation, water, infrastructure, and surface transportation infrastructure programs.

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

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

Mr. Speaker, I too rise in support of our resolution today recognizing the National Stone, Sand, and Gravel Association. Again, Mr. Speaker, this is a part of the infrastructure that so many people take for granted, but they should not. This is an area that is absolutely vital to the way that we conduct our industry today. It employs well over 100,000 men and women, and the amounts of material that are moved are staggering: 2¾ billion metric tons of crushed stone, sand, and gravel.

And it is not just the dollar value that approaches $15 billion. It is the way that it fits throughout how we run our economy today. For a typical home, there are about 400 tons of crushed stone, sand, and gravel that are used in the overall construction process. For a mile of interstate highway, it is 78 million pounds of aggregate.

Without aggregate we would not have the transportation infrastructure that we depend upon, whether for sidewalks, roads, airport runways, or railroad beds. They are so essential to human activity that virtually every county in the United States of any size has at least one of these facilities. I count in my State over two dozen active quarries, and eight companies just in my congressional district.

At times this produces a little heartburn for neighbors and local officials. But having the materials from a local quarry or sand or gravel mine significantly reduces the cost to the community in terms of residential, commercial, and industrial construction. It also reduces the wear and tear on other infrastructure transporting it and it saves energy.

We are learning today how many of these aggregate operation sites, can be reclaimed and converted to further beneficial use for the community. In some cases it is residential or commercial; in other cases office parks, golf courses, parks, storm water management facilities, or even farm land.

In my community we are watching a major reclamation effort taking place with Ross Island Sand and Gravel that has had a facility for years adjacent to and, in fact, in the Willamette River. As a result of the work with our State and local authorities, the company, and its owner Dr. Robert Pamplin, Jr., we are accelerating the reclamation of 118 acres of forest, 22 acres of wetlands, 14 additional acres of shallow water habitat. There is a commitment to make it a model in our community. It is going to be a jewel that for years has provided important materials but is going to be giving back to our community for generations to come.

There are other environmental benefits from the aggregates in terms of natural filtration, aggregates used in sewage control, waste water control, the purification of drinking water, wildlife protection. In many areas there are buffers around aggregate operations that can be used for wildlife habitat.

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In terms of flue gas desulfurization, aggregates like limestone are used in the reduction of sulphur dioxide from industrial smokestacks, the treatment of landfill leachate, and landfill construction to precipitate heavy metals from discharges and to line or cap landfills.

It is not easy having these facilities in and around our communities, but they are absolutely essential and can work in harmony with the environment.

There is also work that is being undertaken now how to recycle many of these materials. The benefit economically goes far beyond just the actual output, and the estimate is that it is a multiplier effect of more than 1½ times the output of the aggregate. For each million dollars expended on aggregate, we create almost 20 jobs.

Mr. Speaker, I am pleased today that the House is taking a moment to reflect on this often invisible top. It was valuable to remind the members of the Committee on Transportation and Infrastructure of the critical role these basic materials play and the progress that has been made to continue this essential supply on into the future in ways that not only advance the built environment, but protect the natural environment as well.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I rise today in strong support of H. Con. Res. 280, honoring 100 years of contributions by the National Stone, Sand, and Gravel Association to the growth, strength, and prosperity and jobs in the United States. As a cosponsor, I am proud to work with members of this distinguished association on infrastructure projects that are vital to local, State, and national interests.

Members of this association play a crucial role in the economic development and job creation across the United States. A typical example can be found in my hometown of Concord, North Carolina, where Vulcan Materials Company is working cooperatively with Concord Regional Airport on expansion projects. Vulcan is supplying the airport with excess material that will be used to help extend the runway and provide areas for future hangar construction.

The new, longer runway and additional hangar space are important components in recruiting new businesses and industry to relocate to the area. The increased business investment will improve the economic opportunities and outlook for the citizens of Cabarrus County.

As we look to the future, members of this influential association will play a leading role in providing necessary infrastructure, upgrades, and improvements that will increase the productivity, efficiency, and safety, and also reliability of our transportation system for the 21st century.

As the National Sand, Stone, and Gravel Association begins its second century of service, and as a former highway contractor, I urge my colleagues and thank my colleagues for supporting this bill.

Mr. CARSON of Oklahoma. Mr. Speaker, today, I rise to acknowledge the achievements of the National Stone, Sand and Gravel Association. I commend the association for its work in creating an unparalleled quality of life in the United States, and I challenge its members to continue this standard of excellence.

The National Stone, Sand and Gravel Association, previously the National Quarry Owners Association, was founded in 1903 and today we celebrate its 100th anniversary. In the course of these 100 years, the National Stone, Sand and Gravel Association has worked tirelessly to ensure a strong infrastructure and transportation system for this nation. An international trade association, the National Stone, Sand and Gravel Association represents producers of construction aggregates and, measured by product volume, is the largest mining trade association in the world.

The National Stone, Sand and Gravel Association has made a vital contribution to the nation's economy. The transportation system, as well as homes, office buildings, schools, and hospitals, all have been created and maintained through the use of aggregates. This extraordinary contribution to the nation's economy has created an unprecedented quality of life for our citizens, helping to make the United States economy the largest and strongest in the world.

The use of sand, stone, and gravel aggregates provides many environmental benefits. Providing control of erosion and floods, improving reclaimed land and water, creating and enhancing wildlife habitats, and constructing water and sewage treatment plants are only a few benefits of aggregates. In addition, the association has sponsored numerous educational seminars and encouraged its members in an unwavering commitment to safety in the workplace.

Therefore, I rise today to congratulate the National Stone, Sand and Gravel Association on the occasion of this 100th milestone. I challenge this organization to continue its commitment to the tradition of excellence born a century ago by increasing its research and development for the benefit of our citizens and by continuing to support a strong transportation infrastructure in this great nation.

Mr. BISHOP of New York. I rise in strong support of two resolutions under consideration in the House today: H. Con. Res. 280, which honors the 100th Anniversary of the National Stone, Sand and Gravel Association, and H. Res. 394, which recognizes the 100th Anniversary of the American Concrete Institute.

These resolutions come before us at a particularly appropriate time, as we continue working to reauthorize our nation's primary transportation law. We all know that transportation investment yields tremendous economic dividends. For each $1 billion invested in our infrastructure, we create 47,500 jobs and generate $6.2 billion in economic activity. Of course, we could not accomplish any of this growth without the materials needed to pave new roads, build new mass transit systems, repair sidewalks and rehabilitate aging bridges.

Since coming to Congress and joining the House Transportation and Infrastructure Committee, I have had the privilege of learning more about the valuable contribution that these industries make in our communities and in the course of daily lives. If it weren't for the producers we are honoring today none of us could have flown to our nation's capital, driven to this building or walked in this great building.

For 100 years, the National Stone, Sand and Gravel Association has represented producers of construction aggregates in this country and around the world. Their products have been the crucial building blocks in countless projects, from constructing the interstate highway system to building local hospitals for veterans. As this resolution notes, the Association has worked tirelessly to improve its products to save taxpayers money, and to further the professional development of industry employees to improve employee safety and health at workplaces.

The Concrete industry has also contributed immensely to the development of our nation. Production of concrete exceeded 3,500,000,000 cubic yards worldwide in 2002, with 500,000,000 cubic yards produced in our nation alone. H. Res. 394 honors the American Concrete Industry's 100 years of service to the people of the United States as the technical society for the concrete industry and as an engine behind the extraordinary economic progress and prosperity that we have enjoyed as a nation.

Mr. Speaker, I strongly support both of these resolutions, which honor great service to the American people and to the transportation community in particular. I urge my colleagues to do the same.

Mr. HOLDEN. Mr. Speaker, I rise in support of H. Con. Res. 280 and congratulate my friends at the National Stone, Sand and Gravel Association on the occasion of reaching their 100th anniversary.

For 100 years, the National Stone, Sand and Gravel Association and its 800 members have made vital contributions to the Nation's economy and to improving the quality of life through the constantly expanding roles stone, sand, and gravel serve in the Nation's everyday life.

Mr. Speaker, each man, woman and child across the nation ''uses'' about 10 tons of aggregate (crushed stone, sand and gravel) each year. These aggregates are so essential to human activity that there is a quarry or sand and gravel pit in almost every county in the Nation.

Four hundred tons of crushed stone, sand and gravel are used in the construction of the average home, 38,000 tons of aggregate go into each mile of interstate highway. Pulverized minerals from rock are used in the manufacture of paint, paper, plastics, vinyl, pharmaceuticals, toothpaste, chewing gum, glass, cleansers and dozens of other everyday household items.

Without aggregates, there would be no paved streets, roads, sidewalks, airport runways or railroad beds. In fact, more than 94 percent of asphalt pavement and more than 80 percent of a concrete sidewalk is aggregate.

The National Stone, Sand and Gravel Association is a key member of the Transportation Construction Coalition and a founding member of Americans for Transportation Mobility, whose objective is to improve the Nation's roads, bridges, mass transit systems, waterways, airports, and water and wastewater system that are the backbone of the Nation's economy.

The association invests valuable resources in improving the professional development of industry employees by sponsoring educational seminars, and advocates that members maintain a strong and unwavering commitment to safety and health at workplaces.

Research and development supported by the National Stone, Sand and Gravel Association is creating increasingly superior asphalt and concrete products that are cost-effective, easier to maintain, and have a longer life span, resulting in significant savings for taxpayers.

The leaders in the aggregates industry are continuously demonstrating their willingness and desire to act and operate responsibly in serving the construction needs of the country by respecting and observing the well-being and the environmental sensibilities of the communities of which they are an important part.

Mr. Speaker, I am proud to stand in support of this resolution and give recognition to the 100th anniversary of the National Stone, Sand and Gravel Association. I strongly urge you to vote aye on H. Con. Res. 280.

Mr. PETRI. Mr. Speaker, I want to express my support for this resolution which recognizes the 100th Anniversary of the National Stone, Sand and Gravel Association. As a member of the Transportation and Infrastructure Committee, I know first hand the valuable role that the Association and all its many member companies play in building infrastructure around the country. This has a very direct impact on our quality of life and helps to maintain our transportation network that is so vital to our economic prosperity.

First founded as the National Quarry Owners Association one hundred years ago, the Association now represents about 800 members across North America. The Association devotes energy and resources to encouraging the professional development of its members, promoting safe workplaces, and conducting research to improve the quality and longevity of asphalt and concrete products.

Aggregates are one of the building blocks of our nation's infrastructure, composing 80 percent of concrete and 90 percent of asphalt. And in terms of building structures, about 400 tons of aggregate is used on the average home. The work of this industry can be seen all around us. And yet, most of us probably take for granted the contributions of this industry as we drive on roads, learn in schools, and even brush our teeth at night with toothpaste—all of which are created by aggregates in one form or another.

On the occasion of its 100th Anniversary, I want to recognize the efforts of the National Stone, Sand and Gravel Association and the many contributions its members make to our nation every day.

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 280.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3118, H. Res. 394, and H. Con. Res. 280.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

CONFERENCE REPORT ON H.R. 2559, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2004

Mr. YOUNG of Florida (during consideration of H. Con. Res. 280) submitted the following conference report and statement on the bill (H.R. 2559) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes:

CONFERENCE REPORT (H. REPT. 108–342)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2559) ''making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes,'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2004, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,448,239,000, to remain available until September 30, 2008: Provided, That of this amount, not to exceed $126,833,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 107–249, $137,850,000 are rescinded: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 107–64, $24,000,000 are rescinded: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 106–246, $17,415,000 are rescinded: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 106–52, $4,350,000 are rescinded.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,238,458,000, to remain available until September 30, 2008: Provided, That of this amount, not to exceed $71,001,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Navy'' under Public Law 107–249, $27,213,000 are rescinded: Provided further, That of the funds appropriated for ''Military Construction, Navy'' under Public Law 107–64, $18,409,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,067,751,000, to remain available until September 30, 2008: Provided, That of this amount, not to exceed $95,778,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Air Force'' in Public Law 107–249, $23,000,000 are rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $773,471,000, to remain available until September 30, 2008: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $65,130,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 107–249, $72,309,000 are rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $311,592,000, to remain available until September 30, 2008.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $222,908,000, to remain available until September 30, 2008.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $88,451,000, to remain available until September 30, 2008.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $45,498,000, to remain available until September 30, 2008.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $62,032,000, to remain available until September 30, 2008.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

(INCLUDING RESCISSION)

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization

Acts and section 2806 of title 10, United States Code, $169,300,000, to remain available until expended: Provided, That of the funds appropriated for ''North Atlantic Treaty Organization Security Investment Program'' under Public Law 107–249, $8,000,000 are rescinded.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $383,591,000, to remain available until September 30, 2008: Provided, That of the funds appropriated for ''Family Housing Construction, Army'' under Public Law 107–249, $94,151,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $1,033,026,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSION)

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $184,193,000, to remain available until September 30, 2008: Provided, That of the funds appropriated for ''Family Housing Construction, Navy and Marine Corps'' under Public Law 107–249, $40,508,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $835,078,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $657,065,000, to remain available until September 30, 2008: Provided, That of the funds appropriated for ''Family Housing Construction, Air Force'' under Public Law 107–249, $19,347,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $816,074,000.

FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $350,000, to remain available until September 30, 2008.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $49,440,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

(INCLUDING RESCISSION)

For the Department of Defense Family Housing Improvement Fund, $300,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities: Provided, That of funds available in the ''Family Housing Improvement Fund'', $9,692,000 are rescinded.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $370,427,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater

share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

(TRANSFER OF FUNDS)

SEC. 121. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

SEC. 122. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 123. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 124. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 125. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days advance prior notification to the appropriate committees of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 126. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 127. No funds appropriated in this Act under the heading ''North Atlantic Treaty Organization Security Investment Program'', and no funds appropriated for any fiscal year before fiscal year 2004 for that program that remain available for obligation, may be obligated or expended for the conduct of studies of missile defense.

SEC. 128. (a) COMMISSION ON REVIEW OF OVERSEAS MILITARY FACILITY STRUCTURE OF THE UNITED STATES.—(1) There is established the Commission on the Review of the Overseas Military Facility Structure of the United States (in this section referred to as the ''Commission'').

(2)(A) The Commission shall be composed of eight members of whom—

(i) two shall be appointed by the Majority Leader of the Senate;

(ii) two shall be appointed by the Minority Leader of the Senate;

(iii) two shall be appointed by the Speaker of the House of Representatives; and

(iv) two shall be appointed by the Minority Leader of the House of Representatives.

(B) Individuals appointed to the Commission shall have significant experience in the national security or foreign policy of the United States.

(C) Appointments of the members of the Commission shall be made not later than 45 days after the date of the enactment of this Act.

(3) Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) The Commission shall meet at the call of the Chairman.

(6) A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) The Commission shall select a Chairman and Vice Chairman from among its members.

(b) DUTIES.—(1) The Commission shall conduct a thorough study of matters relating to the military facility structure of the United States overseas.

(2) In conducting the study, the Commission shall—

(A) assess the number of forces required to be forward based outside the United States;

(B) examine the current state of the military facilities and training ranges of the United States overseas for all permanent stations and deployed locations, including the condition of land and improvements at such facilities and ranges and the availability of additional land, if required, for such facilities and ranges;

(C) identify the amounts received by the United States, whether in direct payments, in-kind contributions, or otherwise, from foreign countries by reason of military facilities of the United States overseas;

(D) assess whether or not the current military basing and training range structure of the United States overseas is adequate to meet the current and future mission of the Department of Defense, including contingency, mobilization, and future force requirements;

(E) assess the feasibility and advisability of the closure or realignment of military facilities of the United States overseas, or of the establishment of new military facilities of the United States overseas; and

(F) consider or assess any other issue relating to military facilities of the United States overseas that the Commission considers appropriate.

(3)(A) Not later than December 31, 2004, the Commission shall submit to the President and Congress a report which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

(B) In addition to the matters specified in subparagraph (A), the report shall also include a proposal by the Commission for an overseas basing strategy for the Department of Defense in order to meet the current and future mission of the Department.

(c) POWERS.—(1) The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this section. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) Upon request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support necessary for the Commission to carry out its duties under this section.

(4) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(5) The Commission may accept, use, and dispose of gifts or donations of services or property.

(d) PERSONNEL MATTERS.—(1) Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission under this section. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2)(A) Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission under this section.

(B) Members and staff of the Commission may receive transportation on military aircraft to and from the United States, and overseas, for purposes of the performance of the duties of the Commission to the extent that such transportation will not interfere with the requirements of military operations.

(3)(A) The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as

may be necessary to enable the Commission to perform its duties under this section. The employment of an executive director shall be subject to confirmation by the Commission.

(B) The Commission may employ a staff to assist the Commission in carrying out its duties. The total number of the staff of the Commission, including an executive director under subparagraph (A), may not exceed 12.

(C) The Chairman of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) Any employee of the Department of Defense, the Department of State, or the General Accounting Office may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) SECURITY.—(1) Members and staff of the Commission, and any experts and consultants to the Commission, shall possess security clearances appropriate for their duties with the Commission under this section.

(2) The Secretary of Defense shall assume responsibility for the handling and disposition of any information relating to the national security of the United States that is received, considered, or used by the Commission under this section.

(f) TERMINATION.—The Commission shall terminate 45 days after the date on which the Commission submits its report under subsection (b).

(g) FUNDING.—(1) Of the amount appropriated by this Act, $3,000,000 shall be available to the Commission to carry out this section.

(2) The amount made available by paragraph (1) shall remain available, without fiscal year limitation, until September 2005.

This Act may be cited as the ''Military Construction Appropriations Act, 2004''.

And the Senate agree to the same.

JOE KNOLLENBERG,
JAMES T. WALSH,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE,
DAVID VITTER,
JACK KINGSTON,
ANDER CRENSHAW,
BILL YOUNG,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
SANFORD D. BISHOP, Jr.,
NORMAN DICKS,
DAVID OBEY,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG,
MIKE DEWINE,
SAM BROWNBACK,
TED STEVENS,
DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY LANDRIEU,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2559) making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill (S. 1357). The conference agreement includes a revised bill.

ITEMS OF GENERAL INTEREST

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 108–173 and Senate Report 108–82 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate have directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

Army National Guard and Reserve Mobilization Facilities.—The conferees are concerned about the growing demand being placed upon mobilization facilities required to support Army National Guard and Reserve personnel. The conferees, therefore, direct the Chief of Staff of the Army to submit a report no later than April 15, 2004, which assesses the current status of Army National Guard and Reserve mobilization facilities and describes their adequacy to house, train, prepare, mobilize and demobilize soldiers. In particular the report should assess and make recommendations regarding mobilization centers' capacity to billet soldiers held for extended periods of time including for medical care and evaluation purposes. Likewise, the report should evaluate and make recommendations to improve the management of billeting resources that support mobilization.

Audit Trail Documents.—The conferees direct the Department to reinstate, beginning in March 2004, the semi-annual submission of audit trail documents as directed in House Report 99–275. These reports shall include line item detail on projects as budgeted in the Construction Annex and also include line item detail on projects funded under Minor Construction and Family Housing Improvements. The semi-annual reports shall include, but not be limited to, the following: (a) project amount (appropriation); (b) changes due to formal and below threshold reprogrammings; and (c) the current working estimate for each project. The audit trail documents shall reflect projects from fiscal year 2000 forward.

Barracks Privatization.—The conferees agree that the Department should implement without delay the recommendations in General Accounting Office (GAO) report ''Military Housing: Opportunities That Should Be Explored to Improve Housing and Reduce Costs for Unmarried Junior Service members, GAO–03–602, June 10, 2003.'' One of the findings of the GAO report is that the Department of Defense (DoD) and the services had not fully explored barracks privatization to determine whether the concept could provide a better economic value to the government than the use of military construction financing. As indicated in the FY 2003 Conference Report, the conferees continue to support the barracks privatization initiative and look forward to the Department of Navy report on lessons learned after implementation of three pilot projects (one in Norfolk, Virginia, and one each in San Diego and Camp Pendleton, California). The conferees continue to be concerned about the unknown consequences of commingling barracks privatization funds with family housing funds and the resulting integrity of the fiscal audit trail. Specifically, the conferees are concerned that the DoD and Congress must be able to clearly identify and track the financial advantages of privatizing unaccompanied barracks versus the traditional military construction approach. Merging the family housing and unaccompanied housing accounts cannot be endorsed by the conferees until further clarification of the project scope, debt structure, and impact on funding requirements can be presented.

Family Housing Operation and Maintenance: Financial Management.—The conferees agree to continue the restriction on the transfer of funds among subaccounts in the family housing operation and maintenance accounts. The limitation is ten percent to all primary accounts and subaccounts. Such transfers are to be reported to the appropriate Committees within thirty days of such action.

Family Housing Operation and Maintenance Reductions.—The conferees are concerned that the assumptions and methods underlying the budget request for family housing operation and maintenance accounts are not adequately explained by the service components. To better evaluate the efficacy of these estimates, and to more fully understand this account and its subaccounts, the conferees direct the GAO to conduct a study on the assumptions and methods utilized by each service component to develop their respective estimates, and to report to Congress no later than April 15, 2004.

Because of apparent miscalculations in estimating requirements, the conferees agree to reduce $10,000,000 each from the Army and Air Force operation and maintenance accounts. In addition, the conferees agree to reduce $17,700,000 from the Navy account, of which $7,700,000 is from the management account. Unlike the other service components, the Navy failed to adequately account for the reduction in housing units due to the public/private venture initiative.

The conferees are extremely concerned about transfers between the various family housing operation and maintenance subaccounts. Therefore, in addition to the above GAO study, the conferees direct GAO to review the transfer of funds between these accounts, including amounts over and under the established threshold and to report to Congress no later than April 15, 2004.

Housing Privatization: Rescission of Funds and Notification Requirements of Reductions in Funding.—The conferees agree to rescind $48,099,000 from Family Housing Construction accounts to reflect savings from projects where estimated equity contributions were unnecessary. Section 2853 of Title 10, United States Code, requires congressional notification of intent to cancel or reduce the scope of a previously approved military construction or family housing project by more than 25 percent. The conferees note this requirement applies to funds appropriated in the family housing improvement accounts for the purpose of privatizing military family housing. The Service Secretaries are, therefore, required to submit a 21-day prior notification of intent to cancel or reduce the amount previously appropriated for a specific housing privatization project by more than 25 percent. The notification shall include the amount of the reduction and the reasons therefor.

Clarification of Housing Privatization Reporting Requirements.—In accordance with current law, the Service Secretaries are required to submit a 30-day prior notification of each contract for the acquisition or construction of family housing units that the Secretary proposes to solicit under the housing privatization authorities and for each conveyance or lease proposed under Section 2878 of Title 10, United States Code.

Overseas Master Plans.—The conferees direct the Department to prepare comprehensive master plans for overseas military infrastructure and to submit the plans with the fiscal year 2006 budget submission instead of the fiscal year 2005 budget submission as proposed by the Senate. In addition, the conferees agree a report on the status of the comprehensive plans and their implementation is to be submitted with each yearly military construction budget submission through fiscal year 2009 instead of fiscal year 2008 as proposed by the Senate. Master plans are valuable planning documents. Therefore, the conferees may extend this requirement to installations in the continental United States.

Perchlorate.—The conferees direct the Department to submit a report identifying the sources of perchlorate on Base Realignment and Closure (BRAC) properties and the plans to remediate perchlorate contamination on these sites no later than April 30, 2004, instead of March 30, 2004 as proposed by the Senate.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS)

The conference agreement appropriates $1,448,239,000 for Military Construction, Army, instead of $1,533,660,000 as proposed by the House and $1,255,155,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $126,833,000 for study, planning, design, architect and engineer services, and host nation support instead of $122,710,000 as proposed by the House and $134,645,000 as proposed by the Senate. The conference agreement rescinds $183,615,000 from funds previously provided to this account as proposed by the House and Senate. The rescissions include the following amounts:

Public Law/location	Project title	House	Senate	Conference
Public Law 107–249 (FY 2003):				
Germany: Bamberg	Child Development Center	−$7,000,000	−$7,000,000	−$7,000,000
Germany: Bamberg	Barracks Complex—Warner	−10,200,000	−10,200,000	−10,200,000
Germany: Coleman Barracks	Upgrade Access Control Points	−1,350,000	−1,350,000	−1,350,000
Germany: Darmstadt	Modified Record Fire Range	−3,500,000	−3,500,000	−3,500,000
Germany: Mannheim	Barracks Complex—Coleman	−42,000,000	−42,000,000	−42,000,000
Germany: Schweinfurt	Central Vehicle Wash Facility	−2,000,000	−2,000,000	−2,000,000
Korea: Camp Bonifas	Physical Fitness Training Center	−4,350,000	−4,350,000	0
Korea: Camp Castle	Physical Fitness Training Center	−6,800,000	−6,800,000	−6,800,000
Korea: Camp Hovey	Barracks Complex	−25,000,000	−25,000,000	−25,000,000
Korea: K–16 Airfield	Barracks Complex	−40,000,000	−40,000,000	−40,000 000
Subtotal	...	−142,200,000	−142,200,000	−137,850,000
Public Law 107–64 (FY 2002):				
Korea: Camp Hovey	Barracks Complex—Bid Savings	−10,770,000	−10,770,000	−10,770,000
Korea: Camp Stanley	Barracks Complex—Bid Savings	−13,230,000	−13,230,000	−13,230,000
Subtotal	...	−24,000,000	−24,000,000	−24,000,000
Public Law 106–246 (FY 2001): Korea: Camp Page	Barracks Complex	−17,415,000	−17,415,000	−17,415,000
Subtotal	...	−17,415,000	−17,415,000	−17,415,000
Public Law 106–52 (FY 2000): Korea: Camp Bonifas	Physical Fitness Training Center	0	0	−4,350,000
Subtotal	...	0	0	−4,350,000
Total	...	−183,615,000	−183,615,000	−183,615,000

Alabama—Anniston Army Depot: Powertrain Maintenance Facility.—The conferees agree that within funds provided for planning and design in this account, $1,000,000 shall be made available to design this facility instead of $1,050,000 in minor construction funds to construct a general instruction building at Anniston Army Depot, Alabama as proposed by the House.

Korea—Camp Humphreys: Barracks.—The administration has informed Congress of its plans to move substantial numbers of United States forces in Korea to bases south of their present locations, with Camp Humphreys being the primary consolidation point for the shift of U.S. Army combat forces and for personnel currently stationed at Yongsan Garrison. To support this transformation, the May 1, 2003 budget amendment requested that $212,000,000 in FY 2004 and prior year construction projects intended for other bases in Korea be moved to Camp Humphreys; extensive additional construction at the base is planned for future fiscal years. However, according to U.S. Forces Korea officials, no master plan exists for construction at Camp Humphreys, and cost-sharing arrangements to fund the move of U.S. forces are still under negotiation between the governments of the United States and the Republic of Korea.

While the conferees support the Defense Department's overall plan for the relocation of U.S. forces in Korea and have provided funding in this appropriations bill for two projects at Camp Humphreys, they are concerned that planning for this significant undertaking is insufficiently developed at this time. Though planning may proceed, construction may not proceed on the two barracks at Camp Humphreys provided for in this Act until:

(1) A master facilities plan is developed for the entire Camp Humphreys installation which accommodates the anticipated relocation of U.S. forces to that facility, and

(2) Cost-sharing arrangements for the relocation of U.S. forces are agreed to by the governments of the United States and the Republic of Korea.

Upon completion, the master facilities plan should be presented to the Military Construction Subcommittees.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSIONS)

The conference agreement appropriates $1,238,458,000 for Military Construction, Navy, instead of $1,211,077,000 as proposed by the House and $1,195,659,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $71,001,000 for study, planning, design, architect and engineer services instead of $65,612,000 as proposed by the House and $77,283,000 as proposed by the Senate. The conference agreement rescinds $45,622,000 from funds previously provided to this account instead of $39,322,000 as proposed by the House and Senate. The rescissions include the following amounts:

Public Law/location	Project title	House	Senate	Conference
Public Law 107–249 (FY 2003):				
North Carolina: Cherry Point	T–56 Jet Engine Test Cell	−5,942,000	−5,942,000	−5,942,000
Greece: Larissa	Bachelor Enlisted Quarters	−6,592,000	−6,592,000	−6,592,000
Iceland: Keflavik NAS	Combined Dining Facility	−14,679,000	−14,679,000	−14,679,000
Subtotal		−27,213,000	−27,213,000	−27,213,000
Public Law 107–64 (FY 2002):				
California: El Centro NAF	Transient Quarters—Bid Savings	0	0	−2,100,000
Guam: Guam NSA	Bachelor Enlisted Qtrs—Bid Savings	0	0	−4,200,000
Greece: Larissa	Bachelor Enlisted Quarters	−12,109,000	−12,109,000	−12,109,000
Subtotal		−12,109,000	−12,109,000	−18,409,000
Total		−39,.322,000	−39,322,000	−45,622,000

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The conference agreement appropriates $1,067,751,000 for Military Construction, Air Force, instead of $896,136,000 as proposed by the House and $1,056,377,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $95,778,000 for study, planning, design, architect and engineer services instead of $80,543,000 as proposed by the House and $112,075,000 as proposed by the Senate. Though not included in the House or Senate bills, the conference agreement rescinds $23,000,000 from funds provided to this account in Public Law 107–249 to reflect a classified project that is no longer needed.

Alaska—Eielson Air Force Base: Replace Working Dog Kennel.—The conferees agree that within funds provided for unspecified minor construction in this account, $1,400,000 shall be made available to construct this facility instead of construction of a kennel at Elmendorf Air Force Base, Alaska as proposed by the Senate.

California—Vandenberg Air Force Base: Consolidated Fitness Center.—Although the conferees were unable to fund this project due to severe funding constraints, the conferees recognize the importance and necessity of this facility and strongly urge the Secretary of Defense to include the project in the President's fiscal year 2005 budget submission for the Air Force.

Wyoming—F.E. Warren Air Force Base: Stormwater Drainage System.—Although the conferees were unable to fund this project due to severe funding constraints, the conferees recognize the importance and necessity of this project and strongly urge the Secretary of Defense to include the project in the President's fiscal year 2005 budget submission for the Air Force.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

The conference agreement appropriates $773,471,000 for Military Construction, Defense-wide, instead of $813,613,000 as proposed by the House and $712,567,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $65,130,000 for study, planning, design, architect and engineer services instead of $63,884,000 as proposed by the House and $70,881,000 as proposed by the Senate. The conference agreement rescinds $72,309,000 from funds previously provided to this account instead of $32,680,000 as proposed by the House and Senate. The rescission includes the following amounts:

Public Law/location	Project title	House	Senate	Conference
Public Law 107–249 (FY 2003):				
Germany: Spangdahlem AB	Elementary School Classroom Addition	−997,000	−997,000	−997,000
Germany: Spangdahlem AB	Hospital Replacement	0	0	−39,629,000
Korea: Seoul	Middle School Replacement	−31,683,000	−31,683,000	−31,683,000
Total		−32,680,000	−32,680,000	−72,309,000

Chemical Demilitarization.—As proposed by the House, the conferees include funding for the construction of chemical demilitarization facilities in the ''Military Construction, Defense-wide'' account. The budget request proposed consolidating the military construction component of the Chemical Demilitarization program in the ''Chemical Agents Munitions Defense'' account funded in the Defense Appropriations bill. In the future, the Department is directed to request military construction requirements for this program under the ''Military Construction, Defense-wide'' account.

Energy Conservation Investment Program: Renewable Energy Assessment.—The conferees direct the Department to submit a final report regarding an assessment of the regional potential of renewable energy generation, transmission, and distribution by industry on or near Department of Defense installations in the United States no later than November 30, 2004, instead of July 31, 2004 as proposed by the Senate.

Energy Conservation Investment Program: Overseas Projects.—Due to uncertainties regarding the future of overseas facilities, the Department is directed to obligate no funds from the Energy Conservation Investment Program to overseas projects.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $311,592,000 for Military Construction, Army National Guard, instead of $208,033,000 as proposed by the House and $304,085,000 as proposed by the Senate.

California—Sacramento: Organizational Maintenance Shop.—The conferees agree that within funds provided for planning and design in this account, $306,000 shall be made available to design this facility instead of to design a readiness center as proposed by the Senate.

Colorado—Fort Carson: Centennial Training Site (Phases II and III).—Of the funds provided for planning and design in this account, the conferees direct that not less than $3,000,000 be made available to design this facility.

Georgia—Hunter Army Airfield: Readiness Center.—The conferees encourage the Army National Guard to include this project in the fiscal year 2005 budget request instead of an Army Aviation Support Facility at Hunter Army Airfield as proposed by the House.

Idaho—Gowen Field: TASS Barracks.—The conferees agree that within funds provided for planning and design in this account, $1,140,000 shall be made available to design this facility instead of for minor construction as proposed by the Senate.

Iowa—Fort Dodge: Readiness Center.—The conferees agree that within funds provided for unspecified minor construction, $1,500,000 shall be made available to construct this facility instead of constructing a readiness center at Camp Dodge, Iowa as proposed by the Senate.

Missouri—Fort Leonard Wood: Weapons of Mass Destruction (WMD) Responder Training Facility.—Funding was allocated in fiscal year 2003 to design this new training facility. Fort Leonard Wood is providing individual and certification training for Weapons of Mass Destruction Civil Support Teams and DOD Installation Emergency Responders. There are currently no dedicated facilities to provide this training. Training of Chemical, Biological, Radiological, and Nuclear Installation Support Teams, Rapid Response Teams, and Reconnaissance and Decontamination Teams for Civil Support has been directed. Construction of the facility is urgently needed to continue this critical homeland security training. The conferees, therefore, strongly urge the Army to advance this project in the fiscal year 2005 budget request.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $222,908,000 for Military Construction, Air National Guard, instead of $77,105,000 as proposed by the House and $221,013,000 as proposed by the Senate.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $88,451,000 for Military Construction, Army Reserve, instead of $84,569,000 as proposed by the House and $73,979,000 as proposed by the Senate.

MILITARY CONSTRUCTION, NAVAL RESERVE

The conference agreement appropriates $45,498,000 for Military Construction, Naval Reserve, instead of $38,992,000 as proposed by the House and $34,742,000 as proposed by the Senate.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $62,032,000 for Military Construction, Air Force Reserve, instead of $56,212,000 as proposed by the House and $57,426,000 as proposed by the Senate.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

(INCLUDING RESCISSION)

NATO Security Investment Program (NSIP).—The conferees agree to rescind $8,000,000 from prior appropriations due to the slow spend out rate of the program and the recurrence of carryover amounts.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

The conference agreement appropriates $383,591,000 for Family Housing Construction, Army, instead of $409,191,000 as proposed by the House and the Senate. The conference agreement rescinds $94,151,000 from funds previously provided to this account instead of $52,300,000 as proposed by the House and Senate. The rescissions include the following amounts:

Public law/location	Project title	House	Senate	Conference
Public Law 107–249 (FY 2003):				
Hawaii: Schofield Barracks	Privatize Family Housing	0	0	−21,000,000
Virginia: Fort Belvoir	Privatize Family Housing	0	0	−8,700,000
Germany: Darmstadt	Improve 48 units	−4,200,000	−4,200,000	−4,200,000
Germany: Mannheim	Improve 72 units	−10,400,000	−10,400,000	−10,400,000
Germany: Mannheim	Improve 60 units	−10,000,000	−10,000,000	−10,000,000
Germany: Heidelberg	Improve 75 units	0	0	−12,151,000
Germany: Schweinfurt	Improve 234 units	−7,600,000	−7,600,000	−7,600,000
Germany: Vilseck	Improve 36 units	−3,900,000	−3,900,000	−3,900,000
Germany: Wuerzburg	Improve 136 units	−11,200,000	−11,200,000	−11,200,000
Korea: Yongsan	Improve 8 units	−1,900,000	−1,900,000	−1,900,000

Public law/location	Project title	House	Senate	Conference
Korea: Yongsan	Replace 10 units	−3,100,000	−3,100,000	−3,100,000
Total		−52,300,000	−52,300,000	−94,151,000

Construction Improvements.—The conferees agree to reduce the amount provided for construction improvements in this account by $25,600,000 to reflect savings from two projects no longer required in Baumholder, Germany.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

The conference agreement appropriates $1,033,026,000 for Family Housing Operation and Maintenance, Army instead of $1,043,026,000 as proposed by the House and the Senate.

As proposed by the House, the conferees agree that operation and maintenance funds should be authorized for one year rather than for two years as proposed by the Senate.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSION)

The conference agreement rescinds $40,508,000 from funds previously provided to this account instead of $3,585,000 as proposed by the House and Senate. The rescission includes the following amounts:

Public law/location	Project title	House	Senate	Conference
Public Law 107–249 (FY 2003)				
California Monterey NPGS	Privatize Family Housing	0	0	−18,399,000
Hawaii Oahu	Privatize Family Housing—Bid Savings	−3,585,000	−3,585,000	−3,585,000
United Kingdom: Saint Mawgan	Replace 62 units	0	0	−18,524,000
Total		−3,585,000	−3,585,000	−40,508,000

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

The conference agreement appropriates $835,078,000 for Family Housing Operation and Maintenance, Navy and Marine Corps, instead of $852,778,000 as proposed by the House and the Senate.

As proposed by the House, the conferees agree that operation and maintenance funds should be authorized for one year rather than for two years as proposed by the Senate.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The conference agreement appropriates $657,065,000 for Family Housing Construction, Air Force, as proposed by the House, instead of $657,026,000 as proposed by the Senate. The conference agreement rescinds $19,347,000 from funds previously provided to this account instead of $29,039,000 as proposed by the House and Senate. The rescission includes the following amounts:

Public law/location	Project title	House	Senate	Conference
Public Law 107–249 (FY 2003): Germany Spangdahlem AB	Improve Family Housing	−19,347,000	−19,347,000	−19,347,000
Subtotal		−19,347,000	−19,347,000	−19,347,000
Public Law 105–237 (FY 1999): Florida: Patrick AFB	Privatize Family Housing	−9,692,000	−9,692,000	0
Subtotal		−9,692,000	−9,692,000	0
Total		−29,039,000	−29,039,000	−19,347,000

The House and Senate proposed rescinding $9,692,000 from this account for funds no longer required for a housing privatization project at Patrick Air Force Base, Florida. The Department, however, transferred these funds to the Family Housing Improvement Fund (FHIF) before their authorization expired. The conference agreement, therefore, rescinds this amount from the FHIF.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement appropriates $816,074,000 for Family Housing Operation and Maintenance, Air Force, instead of $826,074,000 as proposed by the House and $834,468,000 as proposed by the Senate.

As proposed by the House, the conferees agree that operation and maintenance funds should be authorized for one year rather than for two years as proposed by the Senate.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

As proposed by the House, the conferees agree that operation and maintenance funds should be authorized for one year rather than for two years as proposed by the Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

(INCLUDING RESCISSION)

As discussed in the Family Housing Construction, Air Force account, the conference agreement rescinds $9,692,000 from this account because it is no longer required for a housing privatization project at Patrick Air Force Base, Florida.

BASE REALIGNMENT AND CLOSURE ACCOUNT

New York—Seneca Army Depot.—The conferees expect the Army to comply fully with environmental remediation and building maintenance requirements as required under the BRAC process at Seneca Army Depot. The conferees direct the Army to provide a report to the Military Construction Subcommittees by March 15, 2004, detailing the current status of cleanup at Seneca Army Depot, and to include a schedule for conveying the property to the local economic development authority.

GENERAL PROVISIONS

The conference agreement includes general provisions (sections 101–122) that were not amended by either the House or Senate in their versions of the bill.

The conference agreement includes a provision, section 123, as proposed by the Senate, which requires the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing. The House bill contained no similar provision.

The conference agreement includes a provision, renumbered section 124, as proposed by the House and the Senate, which provides transfer authority from the Base Realignment and Closure (BRAC) account to the Homeowners Assistance Program.

The conference agreement includes a provision, renumbered section 125, as proposed by the House, regarding funding for operation and maintenance of General and Flag Officer Quarters (GFOQs) to no more than $35,000 per year without notification. The Senate bill contained a similar provision with additional language permitting the use of gift funds pursuant to 10 U.S.C. 2601 for the maintenance and repair of GFOQs.

The conference agreement includes a provision, renumbered section 126, as proposed by the House and the Senate, which limits funds from being transferred from this appropriation measure to any department, agency, or instrumentality of the United States Government without authority from an appropriation Act.

The conference agreement includes a provision, section 127, as proposed by the Senate, which prohibits funds appropriated for the NSIP from being obligated or expended for the purpose of missile defense studies. The House bill contained no similar provision. The conferees are concerned about the increased use of NSIP funds to finance studies rather than construction projects. The conferees, therefore, direct the Department to submit written notification to the Military Construction Appropriations Subcommittees 21 days prior to obligating NSIP funds for any study.

The conference agreement includes a provision, section 128, as proposed by the Senate, which establishes a commission to review the overseas military force structure and to provide a report of its findings to the President and Congress no later than December 31, 2004.

Those general provisions not included in the conference agreement are as follows:

The conference agreement deletes the House provision requiring the Secretary of Defense to certify and report to Congress that the United States and the Republic of Korea have entered into an agreement on the availability of land before obligating or expending funds made available in the bill for construction projects at Camp Humphreys, Korea. The Senate bill contained no similar provision.

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
REDSTONE ARSENAL		
VIBRATION DYNAMIC TEST FACILITY	5,500	5,500
AIR FORCE		
MAXWELL AFB		
INTEGRATED OPERATIONAL SUPPORT FACILITY	---	12,600
SQUADRON OFFICER COLLEGE DORMITORY (PHASE III)	13,400	13,400
DEFENSE-WIDE		
REDSTONE ARSENAL		
ADMIN/OPS COMPLEX, MISSILE DEF. AGENCY (PHASE III)	---	20,000
ARMY NATIONAL GUARD		
FORT MC CLELLAN		
FIRE STATION	1,873	1,873
FORT PAYNE		
READINESS CENTER ADDITION/ALTERATION	3,648	---
MOBILE		
ARMED FORCES RESERVE CENTER (PHASE II)	2,943	2,943
SPRINGVILLE		
READINESS CENTER ADDITION/ALTERATION	3,365	---
VINCENT		
READINESS CENTER ADDITION/ALTERATION	3,353	3,353
TOTAL, ALABAMA	34,082	59,669
ALASKA		
ARMY		
FORT RICHARDSON		
BARRACKS COMPLEX - D STREET (PHASE III)	33,000	33,000
VEHICLE MAINTENANCE SHOP	---	2,500
FORT WAINWRIGHT		
ALERT HOLDING AREA FACILITY	32,000	32,000
AMMUNITION SUPPLY POINT UPGRADE	10,600	10,600
BARRACKS COMPLEX - LUZON AVENUE	21,500	21,500
MILITARY OPERATIONS ON URBAN TERRAIN FACILITY	11,200	11,200
MULTI-PURPOSE TRAINING RANGE COMPLEX	47,000	47,000
PALLET PROCESSING FACILITY	16,500	16,500
AIR FORCE		
EIELSON AFB		
DORMITORY	13,914	13,914
JOINT SECURITY FORCES COMPLEX	---	15,800
REPAIR/EXPAND ENROUTE RAMP	19,060	19,060
ELMENDORF AFB		
MAINTENANCE FACILITY	2,000	2,000
DEFENSE-WIDE		
EIELSON AFB		
REPLACE HYDRANT FUEL SYSTEM	17,000	17,000
FORT WAINWRIGHT		
HOSPITAL REPLACEMENT (PHASE V)	71,600	71,600
ARMY NATIONAL GUARD		
JUNEAU		
ORGANIZATIONAL MAINTENANCE SHOP	---	3,100
TOTAL, ALASKA	295,374	316,774
ARIZONA		
NAVY		
YUMA MARINE CORPS AIR STATION		
AIRCRAFT MAINTENANCE HANGAR	14,250	14,250
STATION ORDNANCE AREA (PHASE II)	7,980	7,980
AIR FORCE		
DAVIS-MONTHAN AFB		
C-130 APRON/SHOULDERS	1,954	1,954
HH-60 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	6,004	6,004
MISSION READY SUPPLY PARTS WAREHOUSE	1,906	1,906

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
LUKE AFB		
LAND ACQUISITION MODIFICATION	---	14,300
AIR NATIONAL GUARD		
TUCSON INTERNATIONAL AIRPORT		
COMPOSITE SUPPORT COMPLEX	---	5,900
TOTAL, ARIZONA	32,094	52,294
ARKANSAS		
AIR FORCE		
LITTLE ROCK AFB		
C-130 OPERATIONS TRAINING FACILITY	2,478	2,478
C-130J ADD/ALTER HANGAR 280	1,144	1,144
ARMY NATIONAL GUARD		
WARREN		
READINESS CENTER	---	3,610
TOTAL, ARKANSAS	3,622	7,232
CALIFORNIA		
NAVY		
CAMP PENDLETON MARINE CORPS BASE		
BACHELOR ENLISTED QUARTERS - SAN MATEO	22,930	22,930
TERTIARY SEWAGE TREATMENT PLANT (PHASE II)	24,960	24,960
CHINA LAKE NAVAL AIR WARFARE CENTER		
AIRFIELD PAVEMENTS UPGRADE	12,890	---
PROPELLANTS AND EXPLOSIVES LABORATORY (PHASE III)	---	12,230
LEMOORE NAVAL AIR STATION		
INTEGRATED MAINTENANCE HANGAR	24,610	24,610
OPERATIONAL TRAINER FACILITY	9,900	9,900
MIRAMAR MARINE CORPS AIR STATION		
AIRCRAFT FIRE AND RESCUE STATION	4,740	4,740
GROUND COMBAT TRAINING RANGE	---	2,900
MONTEREY NAVAL POSTGRADUATE SCHOOL		
BACHELOR OFFICER QUARTERS	35,550	35,550
EDUCATIONAL FACILITY REPLACEMENT (PHASE II)	---	7,010
NORTH ISLAND NAVAL AIR STATION		
SQUADRON OPERATIONS FACILITY	35,590	35,590
TAXIWAY/AIR TRAFFIC CONTROL TOWER	13,650	13,650
SAN NICOLAS ISLAND NAVAL AIR WEAPONS STATION		
TRANSIENT QUARTERS	6,150	6,150
SAN CLEMENTE NAVAL AIR FACILITY		
OPERATIONAL ACCESS - SHORE BOMBARDMENT AREA	18,940	18,940
SAN DIEGO NAVAL STATION		
BACHELOR ENLISTED QUARTERS - HOMEPORT ASHORE	42,710	42,710
TWENTYNINE PALMS		
BACHELOR ENLISTED QUARTERS	26,100	26,100
ENLISTED DINING FACILITY	---	13,700
EXPLOSIVE ORDNANCE OPERATIONS CENTER	2,290	2,290
AIR FORCE		
BEALE AFB		
GLOBAL HAWK DORMITORY	13,342	13,342
GLOBAL HAWK UPGRADE DOCK	8,958	8,958
EDWARDS AFB		
BASE OPERATIONS FACILITY	---	7,300
JOINT STRIKE FIGHTER COMPLEX (PHASE I)	19,060	19,060
LOS ANGELES AFB		
AREA B MAIN GATE COMPLEX	---	5,000
VANDENBERG AFB		
CONSOLIDATED FITNESS CENTER	16,500	---
DEFENSE-WIDE		
CORONADO NAVAL AMPHIBIOUS BASE		
SMALL ARMS RANGE	---	2,800
ARMY NATIONAL GUARD		
BAKERSFIELD		
READINESS CENTER	5,495	5,495

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
LOS ALAMITOS		
REPLACE UTILITIES INFRASTRUCTURE (PHASE I)	---	21,000
NAVAL RESERVE		
NORTH ISLAND NAVAL AIR STATION		
C-40 AIRCRAFT MAINTENANCE HANGAR	15,973	15,973
TOTAL, CALIFORNIA	360,338	402,888
COLORADO		
ARMY		
FORT CARSON		
VEHICLE MARSHALLING AREA	---	2,150
AIR FORCE		
BUCKLEY AFB		
UPGRADE BASE INFRASTRUCTURE (PHASE III)	6,957	6,957
PETERSON AFB		
ADD/ALTER MISSION SUPPORT FACILITY	---	10,200
DEFENSE-WIDE		
PUEBLO DEPOT ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)	---	88,388
U.S. AIR FORCE ACADEMY		
HOSPITAL ADDITION/ALTERATION	21,500	21,500
AIR NATIONAL GUARD		
BUCKLEY AFB		
CIVIL ENGINEER COMPLEX	6,900	6,900
AIR FORCE RESERVE		
PETERSON AFB		
CONSOLIDATED AERIAL PORT/AIRLIFT CNTRL FLIGHT FAC.	---	7,700
TOTAL, COLORADO	35,357	143,795
CONNECTICUT		
NAVY		
NEW LONDON NAVAL SUBMARINE BASE		
TOMAHAWK MISSILE MAGAZINE	---	3,120
DEFENSE-WIDE		
NEW LONDON NAVAL SUBMARINE BASE		
DENTAL CLINIC REPLACEMENT	6,400	6,400
ARMY NATIONAL GUARD		
NEWTOWN MILITARY RESERVATION		
WORKING ANIMAL BUILDING	2,167	2,167
STONE RANCH MILITARY RESERVATION		
FIRE STATION	2,422	2,422
TOTAL, CONNECTICUT	10,989	14,109
DISTRICT OF COLUMBIA		
NAVY		
MARINE BARRACKS, 8TH AND I		
MOTOR TRANSPORT FACILITY ADDITION	1,550	1,550
AIR FORCE		
BOLLING AFB		
AIR FORCE CENTRAL ADJUDICATION FACILITY	9,300	---
DEFENSE-WIDE		
WASHINGTON NAVY YARD		
MEDICAL/DENTAL CLINIC CONVERSION/RENOVATION	15,714	15,714
WALTER REED ARMY MEDICAL CENTER		
HOSPITAL ENERGY PLANT ADDITION	9,000	9,000
TOTAL, DISTRICT OF COLUMBIA	35,564	26,264
FLORIDA		
NAVY		
BLOUNT ISLAND		
LAND ACQUISITION	115,711	115,711

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
JACKSONVILLE NAVAL AIR STATION		
AIRCRAFT PARKING APRON (PHASE I)	---	6,000
AIRFIELD PERIMETER SECURITY	3,190	3,190
PANAMA CITY COASTAL SYSTEMS STATION		
LITTORAL WARFARE RESEARCH COMPLEX	9,550	9,550
WHITING FIELD NAVAL AIR STATION		
CLEAR ZONE LAND ACQUISITION	4,830	4,830
AIR FORCE		
HURLBURT FIELD		
AFC2TIG SYSTEM/WARRIOR SCHOOL COMPLEX	19,400	19,400
SPECIAL TACTICS ADVANCED SKILLS TRAINING FACILITY	7,800	7,800
TYNDALL AFB		
1ST AIR FORCE AIR OPERATIONS CENTER (PHASE I)	---	9,500
F-22 PARKING APRON/RUNWAY EXTENSION	6,195	6,195
DEFENSE-WIDE		
EGLIN AFB		
REPLACE JET FUEL STORAGE COMPLEX	4,800	4,800
HURLBURT FIELD		
REPLACE FUEL PIER	3,500	3,500
AC-130 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	6,000	6,000
MACDILL AFB		
ADD/ALTER BUILDING 501A	25,500	25,500
ARMY NATIONAL GUARD		
CAMP BLANDING		
COMBINED SUPPORT MAINTENANCE SHOP (PHASE II)	---	16,470
TOTAL, FLORIDA	206,476	238,446
GEORGIA		
ARMY		
FORT BENNING		
FIRE STATION, TWO COMPANY	---	2,850
INFANTRY SQUAD BATTLE COURSE	---	1,650
MULTI-PURPOSE TRAINING RANGE COMPLEX	30,000	30,000
FORT GORDON		
TRAINING SUPPORT CENTER	---	4,350
FORT STEWART		
BARRACKS (PHASE I)	17,000	17,000
BARRACKS COMPLEX - PERIMETER ROAD	49,000	49,000
COMMAND AND CONTROL FACILITY	25,050	---
PHYSICAL FITNESS TRAINING CENTER	15,500	15,500
NAVY		
KINGS BAY NAVAL SUBMARINE BASE		
RIFLE RANGE	8,170	8,170
WATERFRONT SECURITY FORCE FACILITY ADDITION	3,340	3,340
AIR FORCE		
ROBINS AFB		
CONSOLIDATED AIRCRAFT MAINTENANCE FACILITY	---	7,900
CORROSION CONTROL PAINT FACILITY	25,731	25,731
J-STARS FLIGHT SIMULATOR FACILITY	2,954	2,954
DEFENSE-WIDE		
FORT BENNING		
PHYSICAL EVALUATION CENTER	2,100	---
ARMY RESERVE		
FORT GILLEM		
ORG MAINT SHOP/DIRECT SUPPORT/PARTS WHSE/STORAGE	7,620	7,620
AIR FORCE RESERVE		
DOBBINS ARB		
CONSTRUCT NORTH SIDE OVERPASS	---	4,200
TOTAL, GEORGIA	186,465	180,265

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
HAWAII		
ARMY		
HELEMANO MILITARY RESERVATION		
LAND EASEMENT	1,400	1,400
POHAKULOA TNG AREA SADDLE RD ACCESS (PHASE III)	---	17,000
SCHOFIELD BARRACKS		
BARRACKS COMPLEX - CAPRON ROAD (PHASE II)	49,000	49,000
BARRACKS COMPLEX - QUAD E	49,000	49,000
INFORMATION SYSTEMS FACILITY	18,000	18,000
LAND ACQUISITION	19,400	19,400
MISSION SUPPORT TRAINING FACILITY	33,000	33,000
QUALIFICATION TRAINING RANGE (1)	---	8,700
NAVY		
LUALUALEI NAVAL MAGAZINES		
ORDNANCE HOLDING AREAS	6,320	6,320
PEARL HARBOR		
PERIMETER SECURITY LIGHTING	7,010	7,010
WATERFRONT IMPROVEMENTS	32,180	32,180
AIR FORCE		
HICKAM AFB		
C-17 CONSOLIDATED MAINTENANCE COMPLEX	7,529	7,529
C-17 CORROSION CONTROL/ MAINTENANCE FACILITY	30,400	30,400
C-17 FLIGHT SIMULATOR FACILITY	5,623	5,623
C-17 KUNTZ GATE AND ROAD	3,050	3,050
C-17 SQUADRON OPERATIONS FACILITY	10,674	10,674
C-17 SUPPORT UTILITIES (PHASE I)	4,098	4,098
ELECTRICAL DISTRIBUTION SYSTEM	---	6,800
EXPAND STRATEGIC AIRLIFT RAMP	10,102	10,102
DEFENSE-WIDE		
HICKAM AFB		
REPLACE HYDRANT FUEL SYSTEM	14,100	14,100
TOTAL, HAWAII	300,886	333,386
IDAHO		
AIR FORCE		
MOUNTAIN HOME AFB		
726TH AIR CONTROL SQUADRON COMPLEX	---	9,800
FITNESS CENTER ADDITION	5,337	5,337
TOTAL, IDAHO	5,337	15,137
ILLINOIS		
NAVY		
GREAT LAKES NAVAL TRAINING CENTER		
BATTLE STATION TRAINING FACILITY (PHASE I)	13,200	13,200
RECRUIT BARRACKS	31,600	31,600
RECRUIT BARRACKS	34,130	34,130
AIR FORCE		
SCOTT AFB		
SHILOH GATE	1,900	1,900
ARMY NATIONAL GUARD		
GALESBURG		
READINESS CENTER	---	3,750
TOTAL, ILLINOIS	80,830	84,580
INDIANA		
NAVY		
CRANE NAVAL SURFACE WARFARE CENTER		
JOINT ORDNANCE ENGINEERING AND LOGISTICS FACILITY	---	11,400
DEFENSE-WIDE		
NEWPORT ARMY AMMUNITION PLANT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)	---	15,207

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
CAMP ATTERBURY		
READINESS CENTER ADDITION	2,849	2,849
ELKHART		
READINESS CENTER ADDITION	1,770	1,770
GARY		
LIMITED AVIATION SUPPORT FACILITY	---	15,581
READINESS CENTER ADDITION	1,417	1,417
SOUTH BEND		
READINESS CENTER ADDITION	1,496	1,496
TOTAL, INDIANA	7,532	49,720
IOWA		
AIR NATIONAL GUARD		
SIOUX GATEWAY AIRPORT		
KC-135 FIRE CRASH/RESCUE STATION	6,091	6,091
KANSAS		
ARMY		
FORT LEAVENWORTH		
LEWIS AND CLARK INSTRUCTIONAL FACILITY (PHASE I)	28,000	28,000
FORT RILEY		
BARRACKS COMPLEX - GRAVES STREET	40,000	40,000
COMBINED ARMS COLLECTIVE TRAINING FAC (PHASE II)	---	13,600
ARMY NATIONAL GUARD		
KANSAS CITY		
READINESS CENTER ADDITION/ALTERATION	2,982	2,982
AIR NATIONAL GUARD		
MCCONNELL AFB		
AIR INTELLIGENCE EXPLOITATION FACILITY	---	7,400
ARMY RESERVE		
FORT LEAVENWORTH		
RESERVE CENTER/OMS/UNHEATED STORAGE	---	7,962
TOTAL, KANSAS	70,982	99,944
KENTUCKY		
ARMY		
FORT CAMPBELL		
BARRACKS COMPLEX - RANGE ROAD (PHASE II)	49,000	49,000
FORT KNOX		
DINING FACILITY	---	10,000
MODIFIED RECORD FIRE RANGE	3,500	3,500
DEFENSE-WIDE		
BLUEGRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)	---	16,220
FORT CAMPBELL		
FLIGHT SIMULATOR FACILITY	7,800	7,800
ARMY NATIONAL GUARD		
GREENVILLE		
FIRE STATION	2,238	2,238
MOREHEAD		
READINESS CENTER	4,997	4,997
RICHMOND		
READINESS CENTER ADDITION	756	756
TOTAL, KENTUCKY	68,291	94,511
LOUISIANA		
ARMY		
FORT POLK		
AIRCRAFT MAINTENANCE HANGAR	34,000	34,000
ALERT HOLDING AREA FACILITY	8,400	8,400
ARMS STORAGE FACILITY	1,350	1,350
MISSION TRAINING SUPPORT FACILITY	27,000	27,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SHOOT HOUSE	1,250	1,250
ARMY NATIONAL GUARD		
PINEVILLE		
CONSOLIDATED MAINTENANCE FACILITY (PHASE I)	18,579	18,579
AIR NATIONAL GUARD		
NEW ORLEANS NAVAL AIR STATION/JOINT RESERVE BASE		
VEHICLE MAINTENANCE SUPPORT EQUIPMENT FACILITY	---	6,300
NAVAL RESERVE		
NEW ORLEANS NAVAL AIR STATION/JOINT RESERVE BASE		
JOINT RESERVE CENTER (PHASE IV)	---	4,780
TOTAL, LOUISIANA	90,579	101,659
MAINE		
ARMY NATIONAL GUARD		
BANGOR INTERNATIONAL AIRPORT		
AVIATION SUPPORT FACILITY (PHASE II)	---	14,900
MARYLAND		
ARMY		
FORT MEADE		
DINING FACILITY	9,600	9,600
NAVY		
INDIAN HEAD NAVAL SURFACE WARFARE CENTER		
WATER SYSTEM IMPROVEMENTS	14,850	14,850
PATUXENT RIVER NAVAL AIR WARFARE CENTER		
JOINT STRIKE FIGHTER TEST AND SUPPORT FACILITIES	24,370	24,370
RELOCATE RANGE THEODOLITE TRACKING STATION	---	3,900
DEFENSE-WIDE		
FORT MEADE		
CRITICAL UTILITY CONTROL (PHASE II-B)	1,842	1,842
ARMY RESERVE		
FORT MEADE		
RESERVE CENTER/OMS/WAREHOUSE (PHASE I)	19,710	19,710
AIR FORCE RESERVE		
ANDREWS AFB		
ALTER AIRCRAFT MAINTENANCE SHOPS	2,900	2,900
HYDRANT FUEL SYSTEM	7,375	7,375
UPGRADE AIRFIELD PAVEMENTS	835	835
TOTAL, MARYLAND	81,482	85,382
MASSACHUSETTS		
ARMY		
NATICK SOLDIER SYSTEMS CENTER		
THERMAL TEST FACILITY	---	5,500
ARMY NATIONAL GUARD		
CAMP EDWARDS		
FIRE STATION	---	2,418
AIR NATIONAL GUARD		
OTIS ANGB		
FIRE CRASH/RESCUE STATION	---	11,000
TOTAL, MASSACHUSETTS	---	18,918
MICHIGAN		
ARMY NATIONAL GUARD		
CALUMET		
READINESS CENTER	---	3,370
JACKSON		
READINESS CENTER	5,591	5,591
SHIAWASSEE COUNTY		
READINESS CENTER	---	3,508
AIR NATIONAL GUARD		
ALPENA COUNTY REGIONAL AIRPORT		
DINING FACILITY	---	8,500

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SELFRIDGE ANGB		
JOINT MEDICAL TRAINING FACILITY	---	9,600
TOTAL, MICHIGAN	5,591	30,569
MINNESOTA		
AIR NATIONAL GUARD		
DULUTH INTERNATIONAL AIRPORT		
AIRCRAFT MAINTENANCE FACILITY MODERNIZATION	---	9,000
AIR FORCE RESERVE		
MINNEAPOLIS-ST. PAUL INTERNATIONAL AIRPORT		
AEROMEDICAL EVACUATION FACILITY	---	3,650
TOTAL, MINNESOTA	---	12,650
MISSISSIPPI		
NAVY		
MERIDIAN NAVAL AIR STATION		
FIRE AND RESCUE STATION	4,570	4,570
AIR FORCE		
COLUMBUS AFB		
AIR TRAFFIC CONTROL TOWER	---	5,500
T-6 PARTS WAREHOUSE	---	2,200
KEESLER AFB		
CHILD DEVELOPMENT CENTER	---	2,900
ARMY NATIONAL GUARD		
CAMP SHELBY		
REGIONAL MILITARY EDUCATIONAL CENTER (PHASE I)	7,733	7,733
AIR NATIONAL GUARD		
CAMP SHELBY		
C-17 ASSAULT RUNWAY	7,409	7,409
NAVAL RESERVE		
PASCAGOULA		
LITTORAL SURVEILLANCE SYSTEM FACILITY	---	6,100
AIR FORCE RESERVE		
KEESLER AFB		
FUEL CELL MAINTENANCE HANGAR	6,650	6,650
TOTAL, MISSISSIPPI	26,362	43,062
MISSOURI		
AIR FORCE		
WHITEMAN AFB		
EDUCATION CENTER	---	11,600
ARMY NATIONAL GUARD		
DEXTER		
READINESS CENTER	4,947	4,947
AIR NATIONAL GUARD		
ROSECRANS MEMORIAL AIRPORT		
AIR TRAFFIC CONTROL TRAINING COMPLEX	---	8,000
TOTAL, MISSOURI	4,947	24,547
MONTANA		
ARMY NATIONAL GUARD		
BILLINGS		
ORGANIZATIONAL MAINTENANCE SHOP ADDITION	1,209	1,209
KALISPELL		
ARMED FORCES RESERVE CENTER	---	9,020
ORGANIZATIONAL MAINTENANCE SHOP ADDITION	706	706
TOTAL, MONTANA	1,915	10,935

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
NEBRASKA		
DEFENSE-WIDE		
OFFUTT AFB		
REPLACE HYDRANT FUEL SYSTEM	13,400	13,400
ARMY NATIONAL GUARD		
CAMP ASHLAND		
CONSTRUCT FRONTAGE LEVEE SEGMENT	---	3,000
COLUMBUS		
READINESS CENTER ADDITION/ALTERATION	618	618
NORFOLK		
FIRE STATION	1,068	1,068
OMAHA		
READINESS CENTER	5,804	5,804
YORK		
READINESS CENTER ALTERATION	758	758
TOTAL, NEBRASKA	21,648	24,648
NEVADA		
AIR FORCE		
NELLIS AFB		
VEHICLE MAINTENANCE COMPLEX	---	11,800
DEFENSE-WIDE		
NELLIS AFB		
HYDRANT FUEL SYSTEM	12,800	12,800
AIR NATIONAL GUARD		
RENO - TAHOE INTERNATIONAL AIRPORT		
REPLACE TELECOMMUNICATIONS AND SECURITY FORCES FAC	---	9,000
TOTAL, NEVADA	12,800	33,600
NEW HAMPSHIRE		
AIR NATIONAL GUARD		
PEASE INTERNATIONAL AIRPORT		
FIRE STATION	---	6,100
NEW JERSEY		
ARMY		
LAKEHURST NAVAL AIR WARFARE CENTER		
SPECIAL PURPOSE BATTALION OPERATIONS FACILITY	---	2,250
PICATINNY ARSENAL		
EXPLOSIVES R&D LOADING FACILITY	---	8,000
NAVY		
EARLE NAVAL WEAPONS STATION		
GENERAL PURPOSE BERTHING PIER REPLACEMENT	26,740	26,740
LAKEHURST NAVAL AIR WARFARE CENTER		
ELECTROMAGNETIC AIRCRAFT LAUNCHING SYSTEM FACILITY	20,681	20,681
AIR FORCE		
MCGUIRE AFB		
C-17 MAINTENANCE TRAINING DEVICE FACILITY	6,862	6,862
C-17 ROADS & UTILITIES	4,765	4,765
ARMY RESERVE		
FORT DIX		
ADD/ALTER TIMMERMAN CONFERENCE CENTER	---	3,700
URBAN ASSAULT COURSE	---	2,700
TOTAL, NEW JERSEY	59,048	75,698
NEW MEXICO		
AIR FORCE		
CANNON AFB		
AEROSPACE GROUND EQUIPMENT COMPLEX	---	7,700
INSTALL APPROACH LIGHTS, RUNWAY 13	---	1,300
TULAROSA RADAR TEST SITE		
UPGRADE RADAR TEST FACILITY	3,600	3,600

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
KIRTLAND AFB		
ARSENIC TREATMENT SYSTEMS	6,957	6,957
ELECTRICAL POWER MAIN SWITCHING STATION	---	4,150
ARMY NATIONAL GUARD		
ALBUQUERQUE		
READINESS CENTER ADDITION/ALTERATION	2,533	2,533
TOTAL, NEW MEXICO	13,090	26,240
NEW YORK		
ARMY		
FORT DRUM		
BARRACKS - 10200 AREA	22,500	22,500
BARRACKS COMPLEX - WHEELER SACK AAF (PHASE I)	49,000	49,000
MOUNTAIN RAMP EXPANSION	11,000	11,000
TACTICAL UNMANNED AERIAL VEHICLE FACILITY	---	5,200
ARMY NATIONAL GUARD		
ROCHESTER		
READINESS CENTER ADDITION/ALTERATION	4,332	4,332
UTICA		
ORGANIZATIONAL MAINTENANCE SHOP	3,261	3,261
AIR NATIONAL GUARD		
HANCOCK FIELD		
MUNITIONS STORAGE COMPLEX	---	6,500
AIR FORCE RESERVE		
NIAGRA FALLS ARS		
TOTAL, NEW YORK	90,093	101,793
NORTH CAROLINA		
ARMY		
FORT BRAGG		
BARRACKS COMPLEX - BASTOGNE DRIVE (PHASE I)	47,000	47,000
BARRACKS COMPLEX - BUTNER ROAD (PHASE IV)	38,000	38,000
BARRACKS-D AREA (PHASE IV)	17,000	17,000
SOLDIER SUPPORT CENTER (PHASE II)	---	11,400
NAVY		
CAMP LEJEUNE MARINE CORPS BASE		
CONSOLIDATED ARMORIES	10,270	10,270
HEADQUARTERS AND ACADEMIC INSTRUCTION FACILITY	6,300	6,300
OPERATIONS AND TRAINING FACILITIES	12,880	12,880
NEW RIVER MARINE CORPS AIR STATION		
WATER TREATMENT FACILITY	6,240	6,240
AIR FORCE		
POPE AFB		
C-130J 2-BAY HANGAR	15,629	15,629
C-130J UPGRADE HANGAR 6	2,716	2,716
C-130J/30 RAMP UPGRADE	1,239	1,239
C-130J/30 TECH TRAINING FACILITY	4,431	4,431
SEYMOUR JOHNSON AFB		
BOUNDARY FENCE	1,500	1,500
DORMITORIES	9,530	9,530
FIRE/CRASH RESCUE STATIONS	---	11,400
DEFENSE-WIDE		
CAMP LEJEUNE		
NEW MAINSIDE PRIMARY SCHOOL	15,259	15,259
FORT BRAGG		
BATTALION AND COMPANY HEADQUARTERS	4,200	4,200
COMPANY OPERATIONS FACILITY ADDITION	1,500	1,500
JOINT OPERATIONS COMPLEX	19,700	19,700
MAZE AND FACADE	2,400	2,400
TRAINING COMPLEX	8,500	8,500
ARMY NATIONAL GUARD		
ASHEVILLE		
READINESS CENTER	6,251	6,251

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
LENOIR		
READINESS CENTER	5,184	5,184
MORRISVILLE		
FIRE STATION	1,306	1,306
SALISBURY		
FIRE STATION	926	926
TOTAL, NORTH CAROLINA	237,961	260,761
NORTH DAKOTA		
AIR FORCE		
MINOT AFB		
ADD/ALTER MISSILE MAINTENANCE VEHICLE FACILITY	3,050	3,050
FITNESS CENTER	---	9,500
ARMY NATIONAL GUARD		
BISMARCK		
ARMY AVIATION SUPPORT FACILITY COMPLEX	---	7,228
READINESS CENTER ADDITION	1,873	1,873
TOTAL, NORTH DAKOTA	4,923	21,651
OHIO		
AIR FORCE		
WRIGHT-PATTERSON AFB		
CONSOLIDATED FIRE/CRASH RESCUE STATION	---	10,600
DORMITORY	10,500	10,500
ARMY NATIONAL GUARD		
CAMP SHERMAN, CHILLICOTHE		
READINESS CENTER	---	5,560
AIR NATIONAL GUARD		
SPRINGFIELD-BECKLEY MUNICIPAL AIRPORT		
REPLACE CONTROL TOWER	---	8,000
ARMY RESERVE		
CLEVELAND		
RESERVE CENTER/OMS/AMSA/STORAGE/LAND	21,595	21,595
TOTAL, OHIO	32,095	56,255
OKLAHOMA		
ARMY		
FORT SILL		
CONSOLIDATED MAINTENANCE COMPLEX (PHASE II)	13,000	13,000
MODIFIED RECORD FIRE RANGE	3,500	3,500
URBAN ASSAULT COURSE	---	2,000
AIR FORCE		
ALTUS AFB		
C-17 MODIFY SIMULATOR BAYS	1,144	1,144
TINKER AFB		
BUILDING 3001 REVITALIZATION (PHASE I)	19,060	19,060
VANCE AFB		
CONSOLIDATED LOGISTICS COMPLEX	---	15,000
TOTAL, OKLAHOMA	36,704	53,704
OREGON		
AIR FORCE RESERVE		
PORTLAND INTERNATIONAL AIRPORT		
ALTER FLIGHTLINE FACILITIES	2,900	2,900
FIRE/CRASH RESCUE STATION	4,300	4,300
HYDRANT REFUELING SYSTEM (PHASE II)	3,050	3,050
TOTAL, OREGON	10,250	10,250

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
PENNSYLVANIA		
DEFENSE-WIDE		
HARRISBURG INTERNATIONAL AIRPORT		
C130J EQUIPMENT MAINTENANCE FACILITY	3,000	3,000
NEW CUMBERLAND DEFENSE DISTRIBUTION DEPOT		
REPLACE GENERAL PURPOSE WAREHOUSES	27,000	27,000
ARMY NATIONAL GUARD		
FORT INDIANTOWN GAP		
MULTI-PURPOSE TRAINING RANGE	---	15,338
TOTAL, PENNSYLVANIA	30,000	45,338
RHODE ISLAND		
NAVY		
NEWPORT NAVAL STATION		
BACHELOR ENLISTED QUARTERS REPLACEMENT	16,140	16,140
GATE I SECURITY IMPROVEMENTS	---	2,550
UNDERWATER WEAPON SYSTEMS LABORATORY	10,890	10,890
AIR NATIONAL GUARD		
QUONSET STATE AIRPORT		
REPLACE COMPOSITE AIRCRAFT MAINTENANCE COMPLEX	18,500	18,500
TOTAL, RHODE ISLAND	45,530	48,080
SOUTH CAROLINA		
NAVY		
CHARLESTON NAVAL WEAPONS STATION		
AT/FP SOUTH ANNEX GATE 4	---	2,350
AIR FORCE		
CHARLESTON AFB		
DORMITORY	8,863	8,863
SHAW AFB		
DEPLOYMENT PROCESSING CENTER	---	8,500
TOTAL, SOUTH CAROLINA	8,863	19,713
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AFB		
B-1B WEAPONS SYSTEM TRAINING FACILITY	---	9,300
TENNESSEE		
AIR NATIONAL GUARD		
MEMPHIS INTERNATIONAL AIRPORT		
C-5 MAINTENANCE SHOPS CONVERSION	---	5,000
NASHVILLE INTERNATIONAL AIRPORT		
COMPOSITE AIRCRAFT MAINTENANCE COMPLEX (PHASE II)	---	11,000
MCGHEE-TYSON AIRPORT		
FIRE STATION/SECURITY FORCES FACILITY	---	6,000
ARMY RESERVE		
NASHVILLE		
RESERVE CENTER/OMS/UNHEATED STORAGE	8,955	8,955
TOTAL, TENNESSEE	8,955	30,955
TEXAS		
ARMY		
FORT BLISS		
TACTICAL EQUIPMENT SHOP	---	5,400
FORT HOOD		
BARRACKS COMPLEX - 67TH ST & BATTALION AVE	47,000	47,000
URBAN ASSAULT COURSE	2,800	2,800
NAVY		
CORPUS CHRISTI NAVAL AIR STATION		
CONTROL TOWER	---	5,400

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
INGLESIDE NAVAL STATION		
HEADQUARTERS, MINE WARFARE COMMAND	---	7,070
AIR FORCE		
GOODFELLOW AFB		
FIRE TRAINING CLASSROOM FACILITY	1,863	1,863
STUDENT DORMITORY	18,107	18,107
LACKLAND AFB		
STUDENT DORMITORY	20,966	20,966
STUDENT DORMITORY	35,260	35,260
LAUGHLIN AFB		
AIRCRAFT WEATHER SHELTER	---	5,200
STUDENT OFFICER QUARTERS (PHASE I)	---	7,200
RANDOLPH AFB		
FITNESS CENTER	---	13,600
SHEPPARD AFB		
AIRFIELD OPERATIONS COMPLEX	---	9,000
STUDENT DORMITORY	28,590	28,590
DEFENSE-WIDE		
FORT HOOD		
CONSOLIDATED TROOP AND FAMILY CARE MEDICAL CLINIC	---	9,400
KINGSVILLE NAVAL AIR STATION		
ABOVEGROUND STORAGE TANK FUEL FARM	---	9,200
LAUGHLIN AFB		
REPLACE TRUCK FUEL LOADING FACILITY	4,688	4,688
AIR NATIONAL GUARD		
KELLY FIELD ANNEX		
UPGRADE GENERAL PURPOSE SHOPS	---	4,000
NAVAL RESERVE		
FORT WORTH NAVAL AIR STATION/JOINT RESERVE BASE		
COMBINED PASSENGER TERMINAL	---	3,520
JOINT RESERVE POLICE STATION	---	2,660
TOTAL, TEXAS	159,274	240,924
UTAH		
AIR FORCE		
HILL AFB		
AEF DEPLOYMENT CENTER	---	5,900
MUNITIONS MAINTENANCE FACILITY	1,000	1,000
REPLACE MUNITIONS STORAGE IGLOOS	13,000	13,000
SMALL DIAMETER BOMB STORAGE IGLOOS	1,811	1,811
TOTAL, UTAH	15,811	21,711
VERMONT		
ARMY NATIONAL GUARD		
SOUTH BURLINGTON		
ARMY AVIATION SUPPORT FACILITY	23,827	23,827
VIRGINIA		
ARMY		
FORT BELVOIR		
NGIC LAND ACQUISITION	---	7,000
FORT LEE		
FIRE AND EMERGENCY SERVICES CENTER (PHASE II)	---	3,850
FORT MYER		
VEHICLE MAINTENANCE FACILITY	9,000	9,000
NAVY		
ARLINGTON - HENDERSON HALL		
PHYSICAL FITNESS CENTER ADDITION	1,970	1,970
DAHLGREN NAVAL SURFACE WARFARE CENTER		
OPERATIONS CENTER ADDITION	20,520	20,520
WEAPONS DYNAMIC RDT&E CENTER	---	3,500
LITTLE CREEK NAVAL AMPHIBIOUS BASE		
GATE 1 IMPROVEMENTS	3,810	3,810

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
NORFOLK		
AIRCRAFT MAINTENANCE HANGAR	36,460	36,460
BACHELOR ENLISTED QUARTERS - HOMEPORT ASHORE (PHASE II)	46,730	46,730
CRANE/WEIGHT HANDLING EQUIPMENT SHOP	17,770	17,770
PIER 11 REPLACEMENT (PHASE I)	27,610	27,610
OCEANA NAVAL AIR STATION		
CHILD DEVELOPMENT CENTER	---	10,000
QUANTICO MARINE CORPS BASE		
NETWORK OPERATIONS CENTER	---	14,420
WEAPONS TRAINING BATTALION LOAD AND TEST FACILITY	3,700	3,700
AIR FORCE		
LANGLEY AFB		
F-22 CLEAR WATER RINSE PAD	2,383	2,383
F-22 SQUADRON OPERATIONS/AMU/HANGAR	20,013	20,013
F-22 VERTICAL WING TANK STORAGE	2,573	2,573
DEFENSE-WIDE		
ARLINGTON		
PENTAGON ATHLETIC CENTER RESTORATION PROJECT	38,086	38,086
DAM NECK FLEET COMBAT TRAINING CENTER		
MISSION SUPPORT FACILITY	5,600	5,600
SMALL ARMS RANGE	9,681	9,681
FORT BELVOIR		
DEFENSE THREAT REDUCTION CENTER (PHASE II)	25,700	25,700
LANGLEY AFB		
REPLACE HYDRANT FUEL SYSTEM	13,000	13,000
AIR NATIONAL GUARD		
CAMP PENDLETON		
TROOP TRAINING QUARTERS (RED HORSE)	---	2,500
NAVAL RESERVE		
QUANTICO		
RESERVE CENTER	9,497	9,497
TOTAL, VIRGINIA	294,103	335,373
WASHINGTON		
ARMY		
FORT LEWIS		
BARRACKS COMPLEX - 17TH & B STREET (PHASE III)	48,000	48,000
DEPLOYMENT STAGING FACILITY	2,650	2,650
SHOOT HOUSE	1,250	1,250
NAVY		
BANGOR NAVAL SUBMARINE BASE		
SERVICE PIER UPGRADE AND BUILDING ADDITION	33,820	33,820
WATERFRONT SECURITY FORCE FACILITY	6,530	6,530
INDIAN ISLAND NAVAL MAGAZINES		
ORDNANCE TRANSFER FACILITY	2,240	2,240
PUGET SOUND NAVAL SHIPYARD		
SHIP REPAIR PIER 3 IMPROVEMENTS	---	6,020
WHIDBEY ISLAND NAVAL AIR STATION		
STRUCTURAL AIRCRAFT/FIRE STATION ADDITION	---	4,650
AIR FORCE		
MCCHORD AFB		
UPGRADE MISSION SUPPORT CENTER (PHASE II)	19,000	19,000
DEFENSE-WIDE		
MCCHORD AFB		
BULK FUEL STORAGE TANKS	8,100	8,100
AIR NATIONAL GUARD		
CAMP MURRAY		
RED HORSE AND MEDICAL TRAINING COMPLEX	---	7,500
TOTAL, WASHINGTON	121,590	139,760

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
WEST VIRGINIA		
ARMY NATIONAL GUARD		
ELEANOR		
ROAD SECURITY FORCE PROTECTION MODIFICATION	---	4,000
AIR NATIONAL GUARD		
MARTINSBURG		
AIR TRAFFIC CONTROL TOWER	---	5,800
C-5 PARKING APRON, JET FUEL STORAGE, HYDRANT SYS	---	15,000
TOTAL, WEST VIRGINIA	---	24,800
WISCONSIN		
ARMY RESERVE		
FORT MCCOY		
BATTLE SIMULATION CENTER	---	4,340
BAHRAIN		
NAVY		
BAHRAIN NAVAL SUPPORT ACTIVITY		
OPERATIONS CONTROL CENTER	18,030	18,030
GERMANY		
ARMY		
GRAFENWOEHR		
BRIGADE COMPLEX - BARRACKS & MAINTENANCE/SUPPORT	30,000	30,000
BRIGADE COMPLEX - TROOP SUPPORT FACILITIES	46,000	46,000
HEIDELBERG		
BARRACKS - HEIDELBERG HOSPITAL	17,000	---
HOHENFELS		
PHYSICAL FITNESS TRAINING CENTER	13,200	---
VILSECK		
BARRACKS COMPLEX (PHASE I)	12,100	12,100
AIR FORCE		
RAMSTEIN AB		
CIVIL ENGINEERING MIDFIELD COMPLEX	6,250	---
CONSOLIDATE 1ST COMBAT COMMUNICATIONS SQUADRON (PHASE II)	19,713	19,713
FITNESS CENTER ANNEX	15,903	15,903
SPANGDAHLEM AB		
FIRE STATION ANNEX & TRAINING FACILITY	3,865	3,865
PASSENGER TERMINAL	1,546	1,546
DEFENSE-WIDE		
GRAFENWOEHR		
DISPENSARY/DENTAL CLINIC ADDITION/ALTERATION	12,585	---
ELEMENTARY AND MIDDLE SCHOOL	36,247	---
HEIDELBERG		
ELEMENTARY SCHOOL	3,086	---
STUTTGART		
FORWARD STATION COMPLEX	11,400	---
VILSECK		
ELEMENTARY SCHOOL RENOVATION/ADDITION	1,773	---
TOTAL, GERMANY	230,668	129,127
GUAM		
NAVY		
GUAM		
VICTOR WHARF FENDER SYSTEM	---	1,700
DEFENSE-WIDE		
ANDERSEN AFB		
MEDICAL/DENTAL CLINIC REPLACEMENT	24,900	24,900
TOTAL, GUAM	24,900	26,600

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ITALY		
ARMY		
AVIANO AB		
JOINT DEPLOYMENT FACILITY (PHASE I)	15,500	15,500
JOINT DEPLOYMENT FACILITY (PHASE II)	13,000	13,000
LIVORNO		
VEHICLE MAINTENANCE FACILITY	22,000	22,000
NAVY		
LA MADALENA NAVAL SUPPORT FACILITY		
CONSOLIDATE SANTO STEFANO FACILITIES	39,020	39,020
SIGONELLA NAVAL AIR STATION		
BASE OPERATIONS SUPPORT FACILITIES (PHASE I)	34,070	34,070
BASE OPERATIONS SUPPORT FACILITIES (PHASE II)	14,679	---
AIR FORCE		
AVIANO AB		
REMOVE AIRFIELD OBSTRUCTION - SOUTH RAMP	7,730	7,730
MUNITIONS ADMINISTRATION FACILITY	5,301	5,301
ZULU ARM/DEARM PAD	994	994
DEFENSE-WIDE		
SIGONELLA NAVAL AIR STATION		
ELEMENTARY AND HIGH SCHOOL ADDITIONS/RENOVATIONS	13,969	13,969
VICENZA		
ELEMENTARY AND HIGH SCHOOL ADDITIONS/RENOVATIONS	16,374	16,374
TOTAL, ITALY	182,637	167,958
KOREA		
ARMY		
CAMP HUMPHREYS		
BARRACKS COMPLEX	35,000	---
BARRACKS COMPLEX	41,000	---
BARRACKS COMPLEX	29,000	---
BARRACKS COMPLEX	---	25,000
BARRACKS COMPLEX	---	40,000
AIR FORCE		
KUNSAN AB		
UPGRADE HARDENED AIRCRAFT SHELTERS	7,059	7,059
OSAN AB		
DORMITORY	16,638	16,638
TOTAL, KOREA	128,697	88,697
KWAJALEIN		
ARMY		
KWAJALEIN ATOLL		
VEHICLE PAINT & PREP FACILITY	9,400	9,400
PORTUGAL		
AIR FORCE		
LAJES FIELD		
ADD/ALTER FITNESS CENTER	4,086	4,086
TURKEY		
AIR FORCE		
INCIRLIK AB		
CONSOLIDATED COMMUNICATIONS FACILITY	3,262	---
UNITED KINGDOM		
NAVY		
SAINT MAWGAN JOINT MARITIME FACILITY		
BACHELOR ENLISTED QUARTERS	7,070	---
AIR FORCE		
RAF MILDENHALL		
CHILD DEVELOPMENT CENTER ANNEX	3,646	3,646
POST OFFICE	3,592	3,592
VEHICLE MAINTENANCE COMPLEX	3,320	3,320

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
RAF LAKENHEATH		
ADD/ALT CRASH FIRE STATION	2,667	2,667
COMMUNICATIONS FACILITY	8,436	8,436
DORMITORY	13,606	13,606
FAMILY SUPPORT CENTER	5,878	5,878
MOBILITY CARGO PROCESSING CENTER	11,900	11,900
TOTAL, UNITED KINGDOM	60,115	53,045
WAKE ISLAND		
AIR FORCE		
WAKE ISLAND		
REPAIR AIRFIELD PAVEMENT (PHASE III)	14,000	14,000
UPGRADE ISLAND-WIDE INFRASTRUCTURE (PHASE I)	10,000	10,000
TOTAL, WAKE ISLAND	24,000	24,000
NATO		
NATO SECURITY INVESTMENT PROGRAM	169,300	169,300
RESCISSION (P.L. 107-249)	---	-8,000
WORLDWIDE CLASSIFIED		
ARMY		
CLASSIFIED LOCATION		
CLASSIFIED PROJECT	178,700	---
AIR FORCE		
CLASSIFIED LOCATION		
CLASSIFIED PROJECT	3,250	3,250
PREDATOR B-SQUADRON OPS/AMU & HANGAR	25,731	25,731
TOTAL, WORLDWIDE CLASSIFIED	207,681	28,981
WORLDWIDE UNSPECIFIED		
ARMY		
UNSPECIFIED WORLDWIDE LOCATIONS		
HOST NATION SUPPORT	22,000	22,000
PLANNING AND DESIGN	100,710	104,833
UNSPECIFIED MINOR CONSTRUCTION	20,000	32,606
RESCISSION (P.L. 107-249)	-66,050	-137,850
RESCISSION (P.L. 107-64)	---	-24,000
RESCISSION (P.L. 106-246)	---	-17,415
RESCISSION (P.L. 106-52)	---	-4,350
REDUCTION (PRIOR YEAR SAVINGS)	---	-10,000
NAVY		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	65,612	71,001
UNSPECIFIED MINOR CONSTRUCTION	12,334	14,585
OUTLYING LANDING FIELD FACILITIES (PHASE I)	27,610	27,610
RESCISSION (P.L. 107-249)	-14,679	-27,213
RESCISSION (P.L. 107-64)	---	-18,409
AIR FORCE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	79,116	95,778
UNSPECIFIED MINOR CONSTRUCTION	12,000	16,180
RESCISSION (P.L. 107-249)	---	-23,000
DEFENSE-WIDE		
UNSPECIFIED WORLDWIDE LOCATIONS		
CONTINGENCY CONSTRUCTION	8,960	8,960
ENERGY CONSERVATION INVESTMENT PROGRAM	69,500	50,000
RESCISSION (P.L. 107-249)	-997	-72,309

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
PLANNING AND DESIGN		
SPECIAL OPERATIONS COMMAND	14,768	14,768
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	6,500	6,500
TRICARE MANAGEMENT ACTIVITY	18,616	18,616
UNDISTRIBUTED	20,997	25,246
SUBTOTAL, PLANNING AND DESIGN	60,881	65,130
UNSPECIFIED MINOR CONSTRUCTION		
SPECIAL OPERATIONS COMMAND	2,723	2,723
MISSILE DEFENSE AGENCY	2,600	2,000
DEFENSE FINANCE AND ACCOUNTING SERVICE	1,500	1,500
UNDISTRIBUTED	3,000	3,000
JOINT CHIEFS OF STAFF	6,330	6,330
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	16,153	15,553
ARMY NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	26,570	38,376
UNSPECIFIED MINOR CONSTRUCTION	1,451	8,099
AIR NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	16,030	23,293
UNSPECIFIED MINOR CONSTRUCTION	5,500	8,615
ARMY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	7,712	8,983
UNSPECIFIED MINOR CONSTRUCTION	2,886	2,886
NAVAL RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	2,562	2,968
AIR FORCE RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	11,142	12,112
UNSPECIFIED MINOR CONSTRUCTION	5,160	6,360
TOTAL, WORLDWIDE UNSPECIFIED	492,163	301,382
FAMILY HOUSING, ARMY		
ALASKA		
FORT WAINWRIGHT (100 UNITS)	44,000	44,000
FORT WAINWRIGHT (40 UNITS)	20,000	20,000
ARIZONA		
FORT HUACHUCA (160 UNITS)	27,000	27,000
FORT HUACHUCA (60 UNITS)	14,000	14,000
KANSAS		
FORT RILEY (32 UNITS)	8,300	8,300
FORT RILEY (30 UNITS)	8,400	8,400
KENTUCKY		
FORT KNOX (178 UNITS)	41,000	41,000
NEW MEXICO		
WHITE SANDS MISSILE RANGE (58 UNITS)	14,600	14,600
OKLAHOMA		
FORT SILL (50 UNITS)	10,000	10,000
FORT SILL (70 UNITS)	15,373	15,373
VIRGINIA		
FORT LEE (90 UNITS)	18,000	18,000
CONSTRUCTION IMPROVEMENTS	156,030	130,430
PLANNING AND DESIGN	32,488	32,488
RESCISSION (P.L. 107-249)	-52,300	-94,151
SUBTOTAL, CONSTRUCTION	356,891	289,440

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	167,332	167,332
SERVICES ACCOUNT	46,735	46,735
MANAGEMENT ACCOUNT	86,326	86,326
MISCELLANEOUS ACCOUNT	1,311	1,311
FURNISHINGS ACCOUNT	44,658	44,658
LEASING	234,471	234,471
MAINTENANCE OF REAL PROPERTY	432,605	432,605
MORTGAGE INSURANCE PREMIUM	1	1
HOUSING PRIVATIZATION SUPPORT COSTS	29,587	29,587
GENERAL REDUCTION	---	-10,000
SUBTOTAL, OPERATION AND MAINTENANCE	1,043,026	1,033,026
TOTAL, FAMILY HOUSING, ARMY	1,399,917	1,322,466
FAMILY HOUSING, NAVY AND MARINE CORPS		
CALIFORNIA		
LEMOORE (187 UNITS)	41,585	41,585
FLORIDA		
PENSACOLA (25 UNITS)	3,197	3,197
NORTH CAROLINA		
CHERRY POINT (339 UNITS)	42,803	42,803
CAMP LEJEUNE (161 UNITS)	21,537	21,537
CAMP LEJEUNE (358 UNITS)	46,244	46,244
CONSTRUCTION IMPROVEMENTS	20,446	20,446
PLANNING AND DESIGN	8,381	8,381
RESCISSION (P.L. 107-249)	---	-40,508
SUBTOTAL, CONSTRUCTION	184,193	143,685
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	164,556	164,556
FURNISHINGS ACCOUNT	25,462	25,462
MANAGEMENT ACCOUNT	78,325	70,625
MISCELLANEOUS ACCOUNT	807	807
SERVICES ACCOUNT	62,730	62,730
LEASING	132,433	132,433
MAINTENANCE OF REAL PROPERTY	377,792	377,792
MORTGAGE INSURANCE PREMIUM	64	64
HOUSING PRIVATIZATION SUPPORT COSTS	10,609	10,609
GENERAL REDUCTION	---	-10,000
SUBTOTAL, OPERATION AND MAINTENANCE	852,778	835,078
TOTAL, FAMILY HOUSING, NAVY AND MARINE CORPS	1,036,971	978,763
FAMILY HOUSING, AIR FORCE		
ARIZONA		
DAVIS-MONTHAN AFB (93 UNITS)	19,357	19,357
CALIFORNIA		
TRAVIS AFB (56 UNITS)	12,723	12,723
DELAWARE		
DOVER AFB (112 UNITS)	19,601	19,601
FLORIDA		
EGLIN AFB (279 UNITS)	32,166	32,166
IDAHO		
MOUNTAIN HOME AFB (186 UNITS)	37,126	37,126
MARYLAND		
ANDREWS AFB (50 UNITS)	20,233	20,233

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
MISSOURI		
WHITEMAN AFB (100 UNITS)	18,221	18,221
MONTANA		
MALMSTROM AFB (94 UNITS)	19,368	19,368
NORTH CAROLINA		
SEYMOUR JOHNSON AFB (138 UNITS)	18,336	18,336
NORTH DAKOTA		
GRAND FORKS AFB (144 UNITS)	29,550	29,550
MINOT AFB (200 UNITS)	41,117	41,117
SOUTH DAKOTA		
ELLSWORTH AFB (75 UNITS)	16,240	16,240
TEXAS		
DYESS AFB (116 UNITS)	19,973	19,973
RANDOLPH AFB (96 UNITS)	13,754	13,754
KOREA		
OSAN AB (111 UNITS)	44,765	44,765
PORTUGAL		
LAJES FIELD (42 UNITS)	13,428	13,428
UNITED KINGDOM		
RAF LAKENHEATH (89 UNITS)	23,640	23,640
CONSTRUCTION IMPROVEMENTS	223,979	223,979
PLANNING AND DESIGN	33,488	33,488
RESCISSION (P.L. 107-249)	-19,347	-19,347
SUBTOTAL, CONSTRUCTION	637,718	637,718
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	132,651	132,651
MANAGEMENT ACCOUNT	70,083	70,083
SERVICES ACCOUNT	26,070	26,070
FURNISHINGS ACCOUNT	43,006	43,006
MISCELLANEOUS ACCOUNT	2,527	2,527
LEASING	119,908	111,514
MAINTENANCE OF REAL PROPERTY	395,650	395,650
MORTGAGE INSURANCE PREMIUM	37	37
HOUSING PRIVATIZATION SUPPORT COSTS	44,536	44,536
GENERAL REDUCTION	---	-10,000
SUBTOTAL, OPERATION AND MAINTENANCE	834,468	816,074
TOTAL, FAMILY HOUSING, AIR FORCE	1,472,186	1,453,792
FAMILY HOUSING, DEFENSE-WIDE		
CONSTRUCTION IMPROVEMENTS (NSA)	50	50
PLANNING AND DESIGN (DLA)	300	300
SUBTOTAL, CONSTRUCTION	350	350
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT (NSA)	413	413
FURNISHINGS ACCOUNT (NSA)	112	112
MANAGEMENT ACCOUNT (NSA)	13	13
MISCELLANEOUS ACCOUNT (NSA)	51	51
SERVICES ACCOUNT (NSA)	405	405
LEASING (NSA)	11,987	11,987
MAINTENANCE OF REAL PROPERTY (NSA)	2,528	2,528
FURNISHINGS ACCOUNT (DIA)	3,844	3,844
LEASING (DIA)	27,225	27,225
UTILITIES ACCOUNT (DLA)	412	412
FURNISHINGS ACCOUNT (DLA)	32	32

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SERVICES ACCOUNT (DLA)	72	72
MANAGEMENT ACCOUNT (DLA)	289	289
MAINTENANCE OF REAL PROPERTY (DLA)	2,057	2,057
SUBTOTAL, OPERATION AND MAINTENANCE	49,440	49,440
TOTAL, FAMILY HOUSING, DEFENSE-WIDE	49,790	49,790
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND		
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND	300	300
RESCISSION	---	-9,692
TOTAL, DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND	300	-9,392
BASE REALIGNMENT AND CLOSURE ACCOUNT		
BASE REALIGNMENT AND CLOSURE ACCOUNT	370,427	370,427
GENERAL PROVISIONS		
GENERAL PROVISION (SEC. 118)	55,000	55,000
GRAND TOTAL	9,117,281	9,316,000

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the committee of conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$10,698,800
Budget estimates of new (obligational) authority, fiscal year 2004	9,117,281
House bill, fiscal year 2004	9,196,000
Senate bill, fiscal year 2004	9,196,000
Conference agreement, fiscal year 2004	9,316,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	−1,382,800
Budget estimates of new (obligational) authority, fiscal year 2004	+198,719
House bill, fiscal year 2004	+120,000
Senate bill, fiscal year 2004	+120,000

JOE KNOLLENBERG,
JAMES T. WALSH,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE,
DAVID VITTER,
JACK KINGSTON,
ANDER CRENSHAW,
BILL YOUNG,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
SANFORD D. BISHOP, Jr.,
NORMAN DICKS,
DAVID OBEY,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG,
MIKE DEWINE,
SAM BROWNBACK,
TED STEVENS,
DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY LANDRIEU,
ROBERT C. BYRD,
Managers on the Part of the Senate.

TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2003

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2620) to authorize appropriations for fiscal years 2004 and 2005 for the Trafficking Victims Protection Act of 2000, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2620

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 ''Trafficking Victims Protection Reauthorization Act of 2003''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Trafficking in persons continues to victimize countless men, women, and children in the United States and abroad.

(2) Since the enactment of the Trafficking Victims Protection Act of 2000 (division A of Public Law 106–386), the United States Government has made significant progress in investigating and prosecuting acts of trafficking and in responding to the needs of victims of trafficking in the United States and abroad.

(3) On the other hand, victims of trafficking have faced unintended obstacles in the process of securing needed assistance, including admission to the United States under section 101(a)(15)(T)(i) of the Immigration and Nationality Act.

(4) Additional research is needed to fully understand the phenomenon of trafficking in persons and to determine the most effective strategies for combating trafficking in persons.

(5) Corruption among foreign law enforcement authorities continues to undermine the efforts by governments to investigate, prosecute, and convict traffickers.

(6) International Law Enforcement Academies should be more fully utilized in the effort to train law enforcement authorities, prosecutors, and members of the judiciary to address trafficking in persons-related crimes.

SEC. 3. ENHANCING PREVENTION OF TRAFFICKING IN PERSONS.

(a) BORDER INTERDICTION, PUBLIC INFORMATION PROGRAMS, AND COMBATING INTERNATIONAL SEX TOURISM.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended—

(1) by redesignating subsection (c) as subsection (f);

(2) by inserting after subsection (b) the following new subsections:

''(c) BORDER INTERDICTION.—The President shall establish and carry out programs of border interdiction outside the United States. Such programs shall include providing grants to foreign nongovernmental organizations that provide for transit shelters operating at key border crossings and that help train survivors of trafficking in persons to educate and train border guards and officials, and other local law enforcement officials, to identify traffickers and victims of severe forms of trafficking, and the appropriate manner in which to treat such victims. Such programs shall also include, to the extent appropriate, monitoring by such survivors of trafficking in persons of the implementation of border interdiction programs, including helping in the identification of such victims to stop the cross-border transit of victims. The President shall ensure that any program established under this subsection provides the opportunity for any trafficking victim who is freed to return to his or her previous residence if the victim so chooses.

''(d) INTERNATIONAL MEDIA.—The President shall establish and carry out programs that support the production of television and radio programs, including documentaries, to inform vulnerable populations overseas of the dangers of trafficking, and to increase awareness of the public in countries of destination regarding the slave-like practices and other human rights abuses involved in trafficking, including fostering linkages between individuals working in the media in different countries to determine the best methods for informing such populations through such media.

''(e) COMBATING INTERNATIONAL SEX TOURISM.—

''(1) DEVELOPMENT AND DISSEMINATION OF MATERIALS.—The President, pursuant to such regulations as may be prescribed, shall ensure that materials are developed and disseminated to alert travelers that sex tourism (as described in subsections (b) through (f) of section 2423 of title 18, United States Code) is illegal, will be prosecuted, and presents dangers to those involved. Such materials shall be disseminated to individuals traveling to foreign destinations where the President determines that sex tourism is significant.

''(2) MONITORING OF COMPLIANCE.—The President shall monitor compliance with the requirements of paragraph (1).

''(3) FEASIBILITY REPORT.—Not later than 180 days after the date of the enactment of the Trafficking Victims Protection Reauthorization Act of 2003, the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Affairs of the Senate a report that describes the feasibility of such United States Government materials being disseminated through public-private partnerships to individuals traveling to foreign destinations.''; and

(3) in subsection (f) (as redesignated), by striking ''initiatives described in subsections (a) and (b)'' and inserting ''initiatives and programs described in subsections (a) through (e)''.

(b) TERMINATION OF CERTAIN GRANTS, CONTRACTS AND COOPERATIVE AGREEMENTS.—Section 106 of such Act (as amended by subsection (a)) is further amended by adding at the end the following new subsection:

''(g) TERMINATION OF CERTAIN GRANTS, CONTRACTS AND COOPERATIVE AGREEMENTS.—

''(1) TERMINATION.—The President shall ensure that any grant, contract, or cooperative agreement provided or entered into by a Federal department or agency under which funds described in paragraph (2) are to be provided to a private entity, in whole or in part, shall include a condition that authorizes the department or agency to terminate the grant, contract, or cooperative agreement, without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement.

''(2) ASSISTANCE DESCRIBED.—Funds referred to in paragraph (1) are funds made available to carry out any program, project, or activity abroad funded under major functional budget category 150 (relating to international affairs).''.

SEC. 4. ENHANCING PROTECTION FOR TRAFFICKING VICTIMS.

(a) AMENDMENTS TO TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—

(1) COOPERATION BETWEEN FOREIGN GOVERNMENTS AND NONGOVERNMENTAL ORGANIZATIONS.—Section 107(a)(1)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(1)(B)) is amended by adding at the end before the period the following: '', and by facilitating contact between relevant foreign government agencies and such nongovernmental organizations to facilitate cooperation between the foreign governments and such organizations''.

(2) ASSISTANCE FOR FAMILY MEMBERS OF VICTIMS OF TRAFFICKING IN UNITED STATES.—Section 107(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)) is amended—

(A) in subparagraph (A), by inserting '', or an alien classified as a nonimmigrant under section 101(a)(15)(T)(ii),'' after ''in persons''; and

(B) in subparagraph (B)—

(i) by inserting ''and aliens classified as a nonimmigrant under section 101(a)(15)(T)(ii),'' after ''United States,''; and

(ii) by adding at the end the following new sentence: ''In the case of nonentitlement programs funded by the Secretary of Health

and Human Services, such benefits and services may include services to assist potential victims of trafficking in achieving certification and to assist minor dependent children of victims of severe forms of trafficking in persons or potential victims of trafficking.''.

(3) CERTIFICATION OF VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS.—Section 107(b)(1)(E)) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)(E)) is amended by adding at the end the following new clause:

''(iv) ASSISTANCE TO INVESTIGATIONS.—In making the certification described in this subparagraph with respect to the assistance to investigation or prosecution described in clause (i)(I), the Secretary of Health and Human Services shall consider statements from State and local law enforcement officials that the person referred to in subparagraph (C)(ii)(II) has been willing to assist in every reasonable way with respect to the investigation and prosecution of State and local crimes such as kidnapping, rape, slavery, or other forced labor offenses, where severe forms of trafficking appear to have been involved.''.

(4) PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—Chapter 77 of part I of title 18, United States Code, is amended by adding at the end the following new section:

''§ 1595. Civil remedy

''(a) An individual who is a victim of a violation of section 1589, 1590, or 1591 of this chapter may bring a civil action against the perpetrator in an appropriate district court of the United States and may recover damages and reasonable attorneys fees.

''(b)(1) Any civil action filed under this section shall be stayed during the pendency of any criminal action arising out of the same occurrence in which the claimant is the victim.

''(2) In this subsection, a 'criminal action' includes investigation and prosecution and is pending until final adjudication in the trial court.''.

(B) CONFORMING AMENDMENT.—The table of contents of chapter 77 of part I of title 18, United States Code, is amended by adding at the end the following new item:

''1595. Civil remedy.''.

(b) AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—

(1) NONIMMIGRANT ALIEN CLASSES.—Section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) is amended—

(A) in clause (i)(III)(bb), by striking ''15 years of age,'' and inserting ''18 years of age,''; and

(B) in clause (ii)(I), by inserting ''unmarried siblings under 18 years of age on the date on which such alien applied for status under such clause,'' before ''and parents''.

(2) ADMISSION OF NONIMMIGRANTS.—Section 214(n) of the Immigration and Nationality Act (8 U.S.C. 1184(n)) is amended—

(A) in paragraph (3), by inserting ''siblings,'' before ''or parents''; and

(B) by adding at the end the following:

''(4) An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(T)(i), and who was under 21 years of age on the date on which such parent applied for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(T)(ii), if the alien attains 21 years of age after such parent's application was filed but while it was pending.

''(5) An alien described in clause (i) of section 101(a)(15)(T) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.

''(6) In making a determination under section 101(a)(15)(T)(i)(III)(aa) with respect to an alien, statements from State and local law enforcement officials that the alien has complied with any reasonable request for assistance in the investigation or prosecution of crimes such as kidnapping, rape, slavery, or other forced labor offenses, where severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000) appear to have been involved, shall be considered.''.

(3) ADJUSTMENT OF STATUS.—Section 245(l) of the Immigration and Nationality Act (8 U.S.C. 1255(l)) (as added by section 107(f) of Public Law 106–386) is amended—

(A) in paragraph (1)—

(i) by striking ''admitted under that section'' and inserting ''admitted under section 101(a)(15)(T)(ii)''; and

(ii) by inserting ''sibling,'' after ''parent,''; and

(B) in paragraph (3)(B), by inserting ''siblings,'' after ''daughters,''.

(4) EXEMPTION FROM PUBLIC CHARGE GROUND FOR INADMISSIBILITY.—Section 212(d)(13) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(13)), as added by section 107(e)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(e)(3)), is amended—

(A) in subparagraph (A), by striking the period at the end and adding the following:

'', except that the ground for inadmissibility described in subsection (a)(4) shall not apply with respect to such a nonimmigrant.''; and

(B) in subparagraph (B)—

(i) by amending clause (i) to read as follows:

''(i) subsection (a)(1); and''; and

(ii) in clause (ii)—

(I) by striking ''such subsection'' and inserting ''subsection (a)''; and

(II) by inserting ''(4),'' after ''(3),''.

(5) AGGRAVATED FELONY DEFINED.—Section 101(a)(43)(K)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(K)(iii)) is amended to read as follows:

''(iii) is described in any of sections 1581–1585 or 1588–1591 of title 18, United States Code (relating to peonage, slavery, involuntary servitude, and trafficking in persons);''.

SEC. 5. ENHANCING PROSECUTIONS OF TRAFFICKERS.

(a) SEX TRAFFICKING OF CHILDREN OR BY FORCE, FRAUD, OR COERCION.—Section 1591 of title 18, United States Code, is amended—

(1) in the heading, by inserting a comma after ''**FRAUD**'';

(2) in subsection (a)(1), by striking ''in or affecting interstate commerce'' and inserting ''in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States''; and

(3) in subsection (b), by striking ''the person transported'' each place it appears and inserting ''the person recruited, enticed, harbored, transported, provided, or obtained''.

(b) DEFINITION OF RACKETEERING ACTIVITY.—Section 1961(1)(A) of title 18, United States Code is amended by striking ''sections 1581-1588 (relating to peonage and slavery)'' and inserting ''sections 1581-1591 (relating to peonage, slavery, and trafficking in persons).''.

(c) CONFORMING AMENDMENTS.—(1) The heading for chapter 77 of part I of title 18, United States Code, is amended to read as follows:

''CHAPTER 77—PEONAGE, SLAVERY, AND TRAFFICKING IN PERSONS''.

(2) The table of contents for part I of title 18, United States Code, is amended in the item relating to chapter 77 to read as follows:

''77. Peonage, slavery, and trafficking in persons''.

SEC. 6. ENHANCING UNITED STATES EFFORTS TO COMBAT TRAFFICKING.

(a) REPORT.—

(1) IN GENERAL.—Section 105(d) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)) is amended by adding at the end the following new paragraph:

''(7) Not later than May 1, 2004, and annually thereafter, the Attorney General shall submit to the Committee on Ways and Means, the Committee on International Relations, and the Committee on the Judiciary of the House of Representatives and the Committee on Finance, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate, a report on Federal agencies that are implementing any provision of this division, or any amendment made by this division, which shall include, at a minimum, information on—

''(A) the number of persons who received benefits or other services under section 107(b) in connection with programs or activities funded or administered by the Secretary of Health and Human Services, the Secretary of Labor, the Board of Directors of the Legal Services Corporation, and other appropriate Federal agencies during the preceding fiscal year;

''(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year;

''(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under section 101(a)(15)(T)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(i)) during the preceding fiscal year;

''(D) the number of persons who have been charged or convicted under one or more of sections 1581, 1583, 1584, 1589, 1590, 1591, 1592, or 1594 of title 18, United States Code, during the preceding fiscal year and the sentences imposed against each such person;

''(E) the amount, recipient, and purpose of each grant issued by any Federal agency to carry out the purposes of sections 106 and 107 of this Act, or section 134 of the Foreign Assistance Act of 1961, during the preceding fiscal year;

''(F) the nature of training conducted pursuant to section 107(c)(4) during the preceding fiscal year; and

''(G) the activities undertaken by the Senior Policy Operating Group to carry out its responsibilities under section 105(f) of this division.''.

(2) CONFORMING AMENDMENT.—Section 107(b)(1) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7105(b)(1)) is amended by striking subparagraph (D).

(b) SUPPORT FOR THE TASK FORCE.—

(1) AMENDMENT.—The second sentence of section 105(e) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(e)) is amended by inserting at the end before the period the following: '', who shall be appointed by the President, by and with the advice and consent of the Senate, with the rank of Ambassador-at-Large''.

(2) APPLICABILITY.—The individual who holds the position of Director of the Office to Monitor and Combat Trafficking of the Department of State may continue to hold such position notwithstanding the amendment made by paragraph (1).

(c) SENIOR POLICY OPERATING GROUP.—

(1) AMENDMENT.—Section 105 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103) is amended by adding at the end the following new subsection:

''(f) SENIOR POLICY OPERATING GROUP.—

''(1) ESTABLISHMENT.—There shall be established within the executive branch a Senior Policy Operating Group.

''(2) MEMBERSHIP; RELATED MATTERS.—

''(A) IN GENERAL.—The Operating Group shall consist of the senior officials designated as representatives of the appointed members of the Task Force (pursuant to Executive Order 13257 of February 13, 2002).

''(B) CHAIRPERSON.—The Operating Group shall be chaired by the Director of the Office to Monitor and Combat Trafficking of the Department of State.

''(C) MEETINGS.—The Operating Group shall meet on a regular basis at the call of the Chairperson.

''(3) DUTIES.—The Operating Group shall coordinate activities of Federal departments and agencies regarding policies (including grants and grant policies) involving the international trafficking in persons and the implementation of this division.

''(4) AVAILABILITY OF INFORMATION.—Each Federal department or agency represented on the Operating Group shall fully share all information with such Group regarding the department or agency's plans, before and after final agency decisions are made, on all matters relating to grants, grant policies, and other significant actions regarding the international trafficking in persons and the implementation of this division.

''(5) REGULATIONS.—Not later than 90 days after the date of the enactment of the Trafficking Victims Protection Reauthorization Act of 2003, the President shall promulgate regulations to implement this section, including regulations to carry out paragraph (4).''.

(2) CONFORMING AMENDMENT.—Section 406 of the Department of State and Related Agency Appropriations Act, 2003 (as contained in division B of Public Law 108–7) is hereby repealed.

(d) MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.—Section 108(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''that take place wholly or partly within the territory of the country'' and inserting '', and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country''; and

(B) by adding at the end the following new sentences: ''After reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.'';

(2) in paragraph (7)—

(A) by striking ''and prosecutes'' and inserting '', prosecutes, convicts, and sentences''; and

(B) by adding at the end the following new sentence: ''After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.'';

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

''(8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.

''(9) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.

''(10) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.''.

(e) SPECIAL WATCH LIST.—Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) SPECIAL WATCH LIST.—

''(A) SUBMISSION OF LIST.—Not later than the date on which the determinations described in subsections (c) and (d) are submitted to the appropriate congressional committees in accordance with such subsections, the Secretary of State shall submit to the appropriate congressional committees a list of countries that the Secretary determines requires special scrutiny during the following year. The list shall be composed of the following countries:

''(i) Countries that have been listed pursuant to paragraph (1)(A) in the current annual report and were listed pursuant to paragraph (1)(B) in the previous annual report.

''(ii) Countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report and were listed pursuant to paragraph (1)(C) in the previous annual report.

''(iii) Countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report, where—

''(I) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;

''(II) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or

''(III) the determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

''(B) INTERIM ASSESSMENT.—Not later than February 1st of each year, the Secretary of State shall provide to the appropriate congressional committees an assessment of the progress that each country on the special watch list described in subparagraph (A) has made since the last annual report.

''(C) RELATION OF SPECIAL WATCH LIST TO ANNUAL TRAFFICKING IN PERSONS REPORT.—A determination that a country shall not be placed on the special watch list described in subparagraph (A) shall not affect in any way the determination to be made in the following year as to whether a country is complying with the minimum standards for the elimination of trafficking or whether a country is making significant efforts to bring itself into compliance with such standards.''.

(f) ENHANCING UNITED STATES ASSISTANCE.—Section 134(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152d(b)) is amended by adding at the end the following new sentence: ''Assistance may be provided under this section notwithstanding section 660 of this Act.''.

(g) RESEARCH RELATING TO TRAFFICKING IN PERSONS.—

(1) IN GENERAL.—The Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 112 the following new section:

''SEC. 112A. RESEARCH ON DOMESTIC AND INTERNATIONAL TRAFFICKING IN PERSONS.

''The President, acting through the Council of Economic Advisors, the National Research Council of the National Academies, the Secretary of Labor, the Secretary of Health and Human Services, the Attorney General, the Secretary of State, the Administrator of the United States Agency for International Development, and the Director of Central Intelligence, shall carry out research, including by providing grants to nongovernmental organizations, as well as relevant United States Government agencies and international organizations, which furthers the purposes of this division and provides data to address the problems identified in the findings of this division. Such research initiatives shall, to the maximum extent practicable, include, but not be limited to, the following:

''(1) The economic causes and consequences of trafficking in persons.

''(2) The effectiveness of programs and initiatives funded or administered by Federal agencies to prevent trafficking in persons and to protect and assist victims of trafficking.

''(3) The interrelationship between trafficking in persons and global health risks.''.

(2) CONFORMING AMENDMENT.—The table of contents of the Victims of Trafficking and Violence Protection Act of 2000 is amended by inserting after the item relating to section 112 the following new item:

''Sec. 112A. Research on domestic and international trafficking in persons.''.

(h) SANCTIONS AND WAIVERS.—Section 110(d) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)) is amended—

(1) in paragraph (4), by inserting after ''nonhumanitarian, nontrade-related foreign assistance'' the following: ''or funding for participation in educational and cultural exchange programs''; and

(2) in paragraph (5)(A)(i), by inserting after ''foreign assistance'' the following: ''or funding for participation in educational and cultural exchange programs''.

(i) SUBSEQUENT WAIVER AUTHORITY.—Section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) is amended by adding at the end the following new subsection:

''(f) After the President has made a determination described in subsection (d)(1) with respect to the government of a country, the President may at any time make a determination described in paragraphs (4) and (5) of subsection (d) to waive, in whole or in part, the measures imposed against the country by the previous determination under subsection (d)(1).''.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS; RELATED MATTERS.

Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (a)—

(A) by striking ''105'' and inserting ''105(e), 105(f)''; and

(B) by striking ''and $3,000,000 for each of the fiscal years 2002 and 2003'' and inserting '', $3,000,000 for each of the fiscal years 2002 and 2003, and $5,000,000 for each of the fiscal years 2004 and 2005'';

(2) in subsection (b), by adding at the end before the period the following: ''and $15,000,000 for each of the fiscal years 2004 and 2005'';

(3) in subsection (c)—

(A) in paragraph (1) to read as follows:

''(1) BILATERAL ASSISTANCE TO COMBAT TRAFFICKING.—

''(A) PREVENTION.—To carry out the purposes of section 106, there are authorized to be appropriated to the Secretary of State $10,000,000 for each of the fiscal years 2004 and 2005.

''(B) PROTECTION.—To carry out the purposes of section 107(a), there are authorized to be appropriated to the Secretary of State $15,000,000 for fiscal year 2003 and $10,000,000 for each of the fiscal years 2004 and 2005.

''(C) PROSECUTION AND MEETING MINIMUM STANDARDS.—To carry out the purposes of section 134 of the Foreign Assistance Act of 1961, there are authorized to be appropriated $10,000,000 for each of the fiscal years 2004 and 2005 to assist in promoting prosecution of traffickers and otherwise to assist countries in meeting the minimum standards described in section 108 of this Act, including $250,000 for each such fiscal year to carry out training activities for law enforcement officers, prosecutors, and members of the judiciary with respect to trafficking in persons at the International Law Enforcement Academies.''; and

(B) in paragraph (2), by striking ''for each of the fiscal years 2001, 2002, and 2003'' and inserting ''for each of the fiscal years 2001 through 2005'';

(4) in subsection (d)—

(A) by adding at the end before the period the following: ''and $15,000,000 for each of the fiscal years 2004 and 2005''; and

(B) by adding at the end the following new sentence: ''To carry out the purposes of section 134 of the Foreign Assistance Act of 1961 (as added by section 109), there are authorized to be appropriated to the President, acting through the Attorney General and the Secretary of State, $250,000 for each of fiscal years 2004 and 2005 to carry out training activities for law enforcement officers, prosecutors, and members of the judiciary with respect to trafficking in persons at the International Law Enforcement Academies.'';

(5) in subsection (e)—

(A) in paragraphs (1) and (2), by striking ''for fiscal year 2003'' each place it appears and inserting ''for each of the fiscal years 2003 through 2005''; and

(B) by adding at the end the following new paragraph:

''(3) RESEARCH.—To carry out the purposes of section 112A, there are authorized to be appropriated to the President $300,000 for fiscal year 2004 and $300,000 for fiscal year 2005.'';

(6) in subsection (f), by adding at the end before the period the following: ''and $10,000,000 for each of the fiscal years 2004 and 2005''; and

(7) by adding at the end the following new subsection:

''(g) LIMITATION ON USE OF FUNDS.—

''(1) RESTRICTION ON PROGRAMS.—No funds made available to carry out this division, or any amendment made by this division, may be used to promote, support, or advocate the legalization or practice of prostitution. Nothing in the preceding sentence shall be construed to preclude assistance designed to promote the purposes of this Act by ameliorating the suffering of, or health risks to, victims while they are being trafficked or after they are out of the situation that resulted from such victims being trafficked.

''(2) RESTRICTION ON ORGANIZATIONS.—No funds made available to carry out this division, or any amendment made by this division, may be used to implement any program that targets victims of severe forms of trafficking in persons described in section 103(8)(A) of this Act through any organization that has not stated in either a grant application, a grant agreement, or both, that it does not promote, support, or advocate the legalization or practice of prostitution. The preceding sentence shall not apply to organizations that provide services to individuals solely after they are no longer engaged in activities that resulted from such victims being trafficked.''.

SEC. 8. TECHNICAL CORRECTIONS.

(a) IMMIGRATION AND NATIONALITY ACT.—

(1) CLASSES OF NONIMMIGRANT ALIENS.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(A) by moving the margins of subparagraphs (T) and (U) 2 ems to the left;

(B) in subparagraph (T), by striking ''214(n),'' and inserting ''214(o),'';

(C) in subparagraph (U), by striking ''214(o),'' and inserting ''214(p),''; and

(D) in subparagraph (V), by striking ''214(o),'' and inserting ''214(q),''.

(2) CLASSES OF ALIENS INELIGIBLE FOR VISAS AND ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended by redesignating the paragraph (13) added by section 1513(e) of the Battered Immigrant Women Protection Act of 2000 (title V of division B of Public Law 106–386; 114 Stat. 1536) as paragraph (14).

(3) ADMISSION OF NONIMMIGRANTS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by redesignating subsections (m) (as added by section 105 of Public Law 106–313), (n) (as added by section 107(e) of Public Law 106–386), (o) (as added by section 1513(c) of Public Law 106–386), (o) (as added by section 1102(b) of the Legal Immigration Family Equity Act), and (p) (as added by section 1503(b) of the Legal Immigration Family Equity Act) as subsections (n), (o), (p), (q), and (r), respectively.

(4) ADJUSTMENT OF STATUS OF NONIMMIGRANTS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(A) in the subsection (l) added by section 107(f) of Public Law 106–386, by redesignating the second paragraph (2), and paragraphs (3) and (4), as paragraphs (3), (4), and (5), respectively; and

(B) by redesignating the subsection (l) added by section 1513(f) of Public Law 106–386 as subsection (m).

(b) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—(1) Section 103(7)(A)(i) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(7)(A)(i)) is amended by inserting after ''part II of that Act'' the following: ''in support of programs of nongovernmental organizations''.

(2) Section 107(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(g)) is amended by striking ''214(n)(1)'' and inserting ''214(o)(2)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2620.

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

There was no objection.

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

Mr. Speaker, the Trafficking Victims Protection Act of 2000, Public Law 106–386 has made an enormous positive difference in our efforts to end modern-day slavery, a nefarious enterprise that, according to the United Nations, nets the exploiters something in the order of $7 billion to $10 billion each year.

This modern-day slavery, this terrible practice that is in our midst, enslaves more than 800,000 to 900,000 people according to the United States Department of State, of which about 20,000 are brought to this country every year to be exploited in the sex trade and in other aspects of this modern-day slavery. That number, I would point out to my colleagues, does not even include those who are trafficked intracountry. For instance, in places like India where there are millions of women who are forced into sexual slavery, they are not even counted in this number. It is for the victim, a difference without a distinction like the difference between a refugee and the internally displaced person—IDP. They suffer the same misery, but they have not crossed a geographic border. But nevertheless, the exploitation continues.

The 3-year-old landmark law with its numerous mutually-reinforcing provisions to prevent trafficking, to protect victims, and to prosecute to the max those who traffic, has been a model statute worldwide. Indeed, many of its provisions have been adopted into law, in whole or in part, by governments around the world.

Mr. Speaker, the Trafficking Victims Protection Act of 2000 does not pull any punches. By naming the names of countries out of compliance with what we call ''minimum standards'', and by imposing smart sanctions that are prescribed in the Act, the withholding of nonhumanitarian foreign aid, for example, we have signaled to the world that ending this egregious practice is among the highest priorities of the United States. By prosecuting traffickers and imposing serious jail time, and I would note parenthetically that in my own State of New Jersey, a group of traffickers were convicted under the Act and got just over 17 years for their crimes. So the law is being implemented around the country. There is something in the order of 79 current Federal prosecutions that have been

initiated. We are telling these exploiters that we are coming after you and you are going to have to pay for your crimes.

By protecting the victims, Mr. Speaker, and not sending them back to their home country where they are often exploited again in a cycle of exploitation, we say to the victims, we will try to make you safe and secure. I would point out that nearly 400 survivors of trafficking are already getting help here in the United States and rebuilding their shattered lives.

For its part, Mr. Speaker, the Bush administration has aggressively sought to implement both the spirit and the letter of the law. Our former Congressional colleague, John Miller, is doing an exemplary job as director of what we call the Trafficking in Persons Office. He is living this 24–7 and has a fire in the belly to try to stop the traffickers and provide a save haven for the women. I commend our former colleague for his outstanding work.

President Bush himself is deeply committed to ending slavery and recently told the U.N. General Assembly that trafficking was a ''special evil in the abuse and exploitation of the most innocent and the most vulnerable.'' He called on the United Nations and its member states to do more; and I am proud of the fact that President Bush has led in both spirit, word and in deed.

Last year President Bush issued what is known as NSPD–22 which established a zero-tolerance policy regarding the U.S. Government employees and contractor personnel representing U.S. abroad who engage in trafficking in persons. In other words, if you do business with the United States, if you are one of our contractors, do not be involved in any way, shape or form, do not be complicit in trafficking. If you do, you are in big trouble and its going to cost you the contract.

The DOD Inspector General, Joseph Schmitz, has released phase one of a global assessment of human trafficking as it relates to the Department of Defense and its activity. We have found that in many of our deployments, that many of our soldiers, sailors, Marines and airmen were actually visiting places where women have been trafficked from Russia and the Philippines. And this is particularly the case in South Korea.

Thankfully, as a result of this Inspector General's report and the action plan that followed, we are achieving the zero-tolerance policy as it relates to our deployments, and hopefully NATO will follow suit soon.

Notwithstanding these initial successes, Mr. Speaker, it is clear that even more has to be done to destroy this mob-infested criminal enterprise known as human trafficking.

The bill before the House today, the Smith-Lantos bill, enhances our efforts. I thank the gentleman from California (Mr. LANTOS) for his leadership on this. We are working in a partnership that is really making a difference. This legislation that is before us today tries to update, expand, and improve our law. There have been lessons learned since the first law was enacted 3 years ago. They are incorporated into this legislation as we try to do a better job in mitigating the suffering of the victims while simultaneously going after those who traffic and the countries that harbor traffickers who are part of the problems themselves.

Mr. Speaker, I would ask my colleagues to support this legislation. It has a number of mutually-reenforcing provisions, just like the original bill. But it updates current law and expands it as well. For example, we would now require that U.S. contracts relating to international affairs contain clauses authorizing termination by the United States if a contractor engages in human trafficking or procures commercial sexual services while the contract is in force.

We have found, Mr. Speaker, through hearings that have been held, that companies like DynCorps, where we have provided money for their overseas work in the area of policing, particularly in the Balkans, that some of their members, some of those that we are underwriting the cost of, are engaged in trafficking. This is unacceptable. Unfortunately, the only things that happened to those individual employees was they were sent home. The contract continued unabated. This legislation will say, Department of State, DOD or any of the others can rip up that contract if a contractor's personnel are involved in trafficking.

We also promote innovative trafficking prevention initiatives, such as border interdiction programs. And we urge working with private/public partnership on trying to educate and alert travelers as to what is going on with our sex tourism laws so that they know they will be prosecuted. An informational campaign will follow from that.

We provide protections for trafficking victims by allowing State or local law enforcement authorities to assist in identifying the victims of trafficking who have cooperated in the investigation or prosecution of trafficking crimes.

We allow trafficking victims to sue their traffickers in U.S. courts. We eliminate the requirement that the victim of trafficking between the ages of 15 and 18 must cooperate with the investigation and the prosecution of his or her trafficker in order to be eligible for a T Visa. That was an oversight in the first law. It is fixed in this legislation.

We allow benefits and services available to victims of trafficking to be available to their family members and that they may be legally entitled to join them here in the United States. So we do not have the separation and we do not have the situation where they can be exploited back home because their daughter or their sister or their wife, who had been trafficked, goes into a situation of protection here. They are no longer vulnerable back home. They can come and join them as immigrants.

We also provide prosecution of trafficking-related crimes through a number of provisions, including making human trafficking crimes predicate offenses for RICO charges. We encourage the use of international law enforcement academies to train foreign law enforcement authorities, prosecutors and members of the judiciary regarding human trafficking. We permit Federal anti-trafficking statutes to be used to prosecute acts of trafficking involving foreign commerce or occurring in a special maritime or territorial jurisdiction of the United States.

Equally important in this bill we would elevate, John Miller's position, the Director of the Trafficking in Persons Office, an ambassador-at-large, raising his status and the ability to make changes both in the building, as well as outside of it, in this very important fight.

There is much more. Naturally, we authorize the money it will take to do the job and effectively implement the new law. By and large, this bill is a significant upgrading. This is a bipartisan bill. Again, I want to thank the gentleman from California (Mr. LANTOS) for his leadership on this.

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

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

Mr. Speaker, I rise in strong support of this resolution. Mr. Speaker, first I would like to congratulate my good friend, the gentleman from New Jersey (Mr. SMITH), vice chairman of the Committee on International Relations, for his continuing dedication to the critical issue of fighting trafficking in persons. The gentleman from New Jersey (Mr. SMITH) has brought his passionate and principled commitment to this most important matter, and I want to congratulate him.

I am proud to be an original cosponsor of this important reauthorization bill, and I want to thank the chairman, the gentleman from Illinois (Mr. HYDE), for bringing the matter to the floor today. I also want to express publicly my appreciation to the chief democratic council, Mr. David Abromowitz for his invaluable work in connection with this legislation.

Mr. Speaker, in the 106th Congress, the gentleman from New Jersey (Mr. SMITH) and our former colleague, my predecessor as the ranking member of the Committee on International Relations, Mr. Gejdenson of Connecticut, expended enormous energy to pass the Trafficking Victims Protection Act of 2000. At that time, the shocking truth was that thousands of men and women were being forced to labor in fields across the United States without pay, to work endless hours in sweatshops, and to serve in sexual slavery in cities across this country.

□ 1515

U.S. prosecution of traffickers faltered because attorneys in our Department of Justice did not have the right

tools to pursue new forms of trafficking, which often relied on threats, not chains, and on document fraud, not bills of sale.

Overseas, millions of people were being used as chattel, and the brothels of Bombay and Bangkok were overflowing with prostitutes, many of them pitifully young girls who were forced to provide sex.

Governments were barely aware of what was happening to their own people. They usually blamed the victims instead of helping them.

Today, Mr. Speaker, the picture is visibly brighter. Empowered by the Trafficking Victims Protection Act of 2000, the Attorney General is prosecuting cases from all over the United States. Victims are coming forward because of the Federal benefits we are offering to them as we treat them like the refugees that they are.

Naming countries that are not making significant efforts to combat trafficking and threatening them with sanctions are forcing measurable changes in the way that governments around the globe are facing this modern-day form of slavery. This vicious practice is under assault from all directions.

But, Mr. Speaker, trafficking in human beings remains a significant problem. In Brazil, for instance, an estimated 40,000 men, women, and children are forced to toil in large estates to clear land, mine for precious minerals, and produce charcoal and rubber. The abhorrent conditions in which they work amount to slavery in the 21st century in our own hemisphere.

Although the recently installed administration of President Lula has done much to free many of these trapped laborers, resource constraints, political unwillingness to seek legislative changes and a powerful group of large estate owners impede additional efforts.

Mr. Speaker, we clearly need to do more. In the 2½ years since the enactment of the trafficking legislation, we have learned much more about the phenomenon of trafficking and how to combat it. The legislation before us today, the Trafficking Victims Reauthorization Act of 2003, implements these new lessons. For example, our bill authorizes new strategies for prevention, including using trafficking victims to identify traffickers at the borders and deterring sex tourism, which is part of the fuel of sex slavery around the globe.

It increases protection by making measured expansions of the visa category for trafficking victims. It improves cooperation with respect to State and local trafficking prosecutions, which are increasingly in the front line of law enforcement in this area. It enhances prosecution of traffickers by ensuring that trafficking is treated like the organized crime that it is. It coordinates more effectively Federal efforts by ensuring a comprehensive report on our efforts and by establishing an interagency group to ensure compliance.

I believe the administration in this regard should consider using the expertise developed in the interagency group to review all U.S. assistance programs that affect trafficking victims, including public health programs such as HIV/AIDS that target trafficking victims.

Mr. Speaker, before concluding, I want to commend the President for expressing his commitment to combat trafficking human beings in his speech before the General Assembly of the United Nations this past September. I welcome the President joining our fight against human rights abuses, both in the area of sex trafficking and forced labor.

Indeed, our bill demonstrates a continuing congressional commitment to fighting this outrage by authorizing additional funds for U.S. agencies to combat this human rights crisis around the globe.

Finally, Mr. Speaker, the original legislation, we must all remember, was one of the singular achievements of our late colleague from Minnesota, Senator Paul Wellstone. Adopting this legislation is a fitting tribute to his memory.

I urge all of my colleagues to support H.R. 2620.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WOLF), my good friend and colleague, who has been a champion on behalf of human rights in general but particularly on this issue of trafficking. His bill, the Commerce, Justice and State appropriations bill, contains many of the provisions that need to be implemented. And not only has he faithfully implemented those; he has provided additional funding and resources for that. So I want to thank him for his leadership.

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

Mr. WOLF. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, I rise in strong support of H.R. 2620, the Trafficking Victims Protection Reauthorization Act of 2003. I want to particularly commend the gentleman from New Jersey (Mr. SMITH) for his leadership in Congress and around the world on combatting trafficking but also on all of these issues. Whenever we see the House is ready to take up an issue like trafficking or to help the exploited, whether it be women or children, the gentleman from New Jersey (Mr. SMITH) will always be here; the gentleman from California (Mr. LANTOS) will always be there; the gentleman from Illinois' (Mr. HYDE) name will always be on the bill. So I just want to particularly thank the gentleman from New Jersey (Mr. SMITH) today and the gentleman from California (Mr. LANTOS) for their efforts with regard to this issue.

I also want to thank the gentleman from Illinois (Mr. HYDE) for his work in moving this legislation. All of them, the gentleman from New Jersey (Mr. SMITH), the gentleman from California (Mr. LANTOS), and the gentleman from Illinois (Mr. HYDE), have shown great leadership and vision and commitment in human rights on all of these issues.

I also want to particularly commend the Office of Trafficking at the State Department. It has done a good job under the leadership of our former colleague, John Miller. John Miller was a great Member of Congress. He represented the Seattle area and used to vote against giving MFN to the barbarians in China because they were persecuting Catholics, Protestants, Muslims, Tibetans, the Dalai Lama's people there. Yet John Miller used to get up and always oppose granting MFN and Seattle was ground zero with regard to Boeing.

John has done an outstanding job. The State Department produces an annual report that is improved each year on the status of trafficking in every country, and John has played a key, key role.

I heard the gentleman from California (Mr. LANTOS) mention it as I was walking in. I want to commend the President of the United States, President George Bush. I was pleasantly surprised, not surprised but pleased, to see the statement that the President made when he addressed the U.N., and he said there is a special evil in the abuse and exploitation of the most innocent and vulnerable. He went on to say we must show new energy in fighting back an old evil, and that is what the bill that the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) are handling today; and he said nearly two centuries after the abolition of the transatlantic slave trade, more than a century after slavery was initially ended in its last stronghold, to trade in human beings for any purpose must not be allowed to thrive in our time. The President was right, and I want to commend and we should commend the President for providing the leadership and putting John Miller where he is and working with the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) to take care of this problem.

Also, I would urge at the end we remember in our own city, there are several hundred thousand young women who are sexually trafficked here in the United States. As we tell countries abroad, put pressure on them, we have to make sure we do everything. So modeling what the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) did, we are going to try to have a national conference next year dealing with the issue in our own country so that we can eliminate this, not just reduce it, but eliminate it.

So in closing, I urge all Members to support this and want to again thank the gentleman from New Jersey (Mr. SMITH), the gentleman from California (Mr. LANTOS), and the gentleman from Illinois (Mr. HYDE) because those three each and every time have been down here defending the weak, the vulnerable in our society.

Mr. LANTOS. Mr. Speaker, first I want to thank my good friend from Virginia for his most gracious words.

Mr. Speaker, I am delighted to yield as much time as she might consume to my distinguished colleague and dear friend, the gentlewoman from California (Ambassador WATSON).

Ms. WATSON. Mr. Speaker, I thank my colleague, the gentleman from California (Mr. LANTOS), for his thorough commitment to the right causes, and I thank the gentleman from New Jersey (Mr. SMITH) for being on the point.

According to the latest U.S. Government estimates, some 800,000 to 900,000 people worldwide are trafficked across borders each year for forced labor or sexual exploitation. Although men are also victimized, the overwhelming majority of those trafficked are women and children. In addition, trafficking in people for prostitution, domestic servitude, and forced labor is an increasing area of international criminal activity.

The reasons for the increase in trafficking are many. In general, the criminal business feeds on poverty, despair, war, crisis, and ignorance. Trafficking is considered one of the largest sources of profits for organized crime, generating 7 to $10 billion annually, according to United Nations estimates.

The largest number of victims are annually trafficked from Asia and the Pacific region, according to the U.S. Department of State. The growth of sexual tourism in this region is one of the main contributing factors.

Mr. Speaker, as my colleagues know, Congress passed the Victims of Trafficking and Violence Protection Act of 2000, which strengthened many provisions of law dealing with trafficking in persons for sexual and other exploitation. The Trafficking Victims Protection Reauthorization Act of 2003 is critical to maintaining the progress already achieved.

H.R. 2620 authorizes new strategies for prevention, including using trafficking victims to identify traffickers at the borders and to deter sex tourism. It increases protection by making measured expansions of the visa category for trafficking victims. It also improves cooperation with respect to State and local trafficking prosecutions, which are increasingly the front line of law enforcement in this area. This legislation will also enhance the prosecution of traffickers by ensuring that trafficking is treated like the organized crime that it is.

Mr. Speaker, we should also be very concerned about human trafficking and human rights that are violated right here in this country. H.R. 2620 coordinates Federal efforts by ensuring a comprehensive report on United States antitrafficking actions and by establishing an interagency group to ensure compliance.

I urge my colleagues to support this most-needed legislation, and I thank those who are sponsoring this piece of legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I just have a few closing comments. We have no further speakers, so I reserve the balance of our time.

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

Before closing, I would first like to recognize my friend and colleague from New York (Ms. SLAUGHTER) for her leadership on this issue for many years and for her commitment to this most important cause.

I would like to yield for a colloquy with the distinguished vice chairman of our committee and the principal sponsor of this legislation.

□ 1530

Mr. Speaker, as the gentleman from New Jersey (Mr. SMITH) knows, as in other bills, there are provisions in this legislation that represent a compromise and do not go as far as either side would like. In this case, Mr. Speaker, there is a provision that prohibits providing funds to any organization that promotes, supports, or advocates the legalization of the practice of prostitution. Some have raised concerns regarding this provision since the committee has reported this bill, and I think that this provision needs some clarification.

When this provision was drafted, it was my understanding that an organization can satisfy this requirement if it states in a grant application or in a grant agreement or both that it does not promote, support, or advocate such action since it has no policy regarding this issue. Just to be clear on this point, I yield to the gentleman from New Jersey (Mr. SMITH) to confirm that this is his understanding of the statute.

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

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

Mr. SMITH of New Jersey. Mr. Speaker, I agree with the interpretation of the gentleman from California (Mr. LANTOS). It was also my understanding that an organization can satisfy the prohibition that the gentleman has referred to if it states in a grant application, a grant agreement, or both that it does not promote, support, or advocate such actions since it has no policy regarding this issue.

Mr. LANTOS. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH). On that basis, I would say this is a good bipartisan bill, and I strongly urge all of my colleagues to support it.

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

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

Mr. Speaker, again, I thank the gentleman from California (Mr. LANTOS), and say a very special thanks to the gentleman from Illinois (Chairman HYDE), who has been a stalwart in promoting this legislation. When the gentleman from Illinois was chairman of the Committee on the Judiciary, 3 years ago, we ran into a serious barrier to provisions which referred to the Committee on the Judiciary. Mr. HYDE and Charles Kennedy, our former colleague, were indispensable in making sure that the legislation was not bottlenecked in that committee, and sure enough, a compromise was worked out, and the bill was released out of the Committee on the Judiciary.

I also thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his leadership on this issue as well. And majority leader TOM DELAY for supporting the bill and getting it to the floor. I also thank Renee Austell and Walker Roberts for their work from the Committee on International Relations, Dorothy Taft who is our chief of staff for the Commission on Security Cooperation in Europe, Maureen Walsh, who is also from the commission, who has worked on this, George Phillips, Dina Funderburk who works in the office of the gentleman from Texas (Mr. DELAY), David Abramowitz, a good friend on the Democratic side who has worked so well with us, and I specially want to thank Joseph Rees, who is now our U.S. Ambassador to East Timor. He worked night and day on the original trafficking law and other pieces of legislation when he was staff director of the Subcommittee on International Operations and Human Rights. Joseph used to be the general counsel for the INS. He knew those issues intimately and was indispensable in getting the original trafficking legislation passed. It took almost 2 years to craft that legislation. It ran into a myriad of obstacles. It was referred to four full committees, 11 subcommittees. A number of barriers had to be overcome, and Joseph did a great job, and I thank him for that.

I also remind my colleagues, and I did not go through all of the provisions, but there is so much in this bill. Just recently, the President determined which countries were Tier III, egregious violators which were not making serious and sustained efforts to get off the list, thereby subjecting themselves to a number of sanctions that will be imposed. There are a number of countries that are Tier II. In other words, they have a very serious problem with human trafficking, but they have taken efforts to get off the list. They have passed laws, issued decrees, prosecuted traffickers, and protected victims, but we are concerned, that there could be some erosion or backsliding so they will be watched.

I believe under John Miller's leadership and, of course, with the strong oversight capabilities of the Congress, we will keep pressure on those countries. We create in this bill a new

watch list to try to prevent that kind of slippage from occurring. Yes, the sword of Damocles has been removed, for the time being, from these countries, and there were some 15 that were on Tier III that were at risk of losing significant benefits from the United States Government, many of which got off that through a flurry of activity. But I want them to know, and I say this in bipartisan way, we will be watching. If there is any backsliding, if they do not continue the work to mitigate, and hopefully end, this horrific practice of human slavery, they will lose those benefits. We will take our case everywhere, including the World Bank, international multilateral lending institutions, and they will lose their support if they do not end this complicity in human trafficking. So the watch list is a very important inclusion in this statute or soon-to-be statute. I just want to bring Members' attention to it.

Mr. Speaker, this is a good bill, a bipartisan bill, and I hope Members will support it.

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2620, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

E–911 IMPLEMENTATION ACT OF 2003

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2898) to improve homeland security, public safety and citizen activated emergency response capabilities through the use of enhanced 911 wireless services, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2898

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 ''E–911 Implementation Act of 2003'' .

SEC. 2. COORDINATION OF E–911 IMPLEMENTATION.

Part C of title I of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

''SEC. 158. COORDINATION OF E–911 IMPLEMENTATION.

''(a) E–911 IMPLEMENTATION COORDINATION OFFICE.—

''(1) ESTABLISHMENT.—The Assistant Secretary and the Administrator of the National Highway Traffic Safety Administration shall—

''(A) establish a joint program to facilitate coordination and communication between Federal, State, and local emergency communications systems, emergency personnel, public safety organizations, telecommunications carriers, and telecommunications equipment manufacturers and vendors involved in the implementation of E–911 services; and

''(B) create an E-911 Implementation Coordination Office to implement the provisions of this section.

''(2) MANAGEMENT PLAN.—The Assistant Secretary and the Administrator shall jointly develop a management plan for the program established under this section. Such plan shall include the organizational structure and funding profiles for the 5-year duration of the program. The Assistant Secretary and the Administrator shall, within 90 days after the date of enactment of this Act, submit the management plan to the Committees on Energy and Commerce and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate.

''(3) PURPOSE OF OFFICE.—The Office shall—

''(A) take actions, in concert with coordinators designated in accordance with subsection (b)(3)(A)(ii), to improve such coordination and communication;

''(B) develop, collect, and disseminate information concerning practices, procedures, and technology used in the implementation of E–911 services;

''(C) advise and assist eligible entities in the preparation of implementation plans required under subsection (b)(3)(A)(iii);

''(D) receive, review, and recommend the approval or disapproval of applications for grants under subsection (b); and

''(E) oversee the use of funds provided by such grants in fulfilling such implementation plans.

''(4) REPORTS.—The Assistant Secretary and the Administrator shall provide a joint annual report to Congress by the first day of October of each year on the activities of the Office to improve coordination and communication with respect to the implementation of E–911 services.

''(b) PHASE II E–911 IMPLEMENTATION GRANTS.—

''(1) MATCHING GRANTS.—The Assistant Secretary and the Administrator, after consultation with the Secretary of Homeland Security and the Chairman of the Federal Communications Commission, and acting through the Office, shall provide grants to eligible entities for the implementation of phase II E–911 services through planning, infrastructure improvements, telecommunications equipment purchases, and personnel training.

''(2) MATCHING REQUIREMENT.—The Federal share of the cost of a project eligible for a grant under this section shall not exceed 50 percent. The non-Federal share of the cost shall be provided from non-Federal sources.

''(3) COORDINATION REQUIRED.—In providing grants under paragraph (1), the Assistant Secretary and the Administrator shall require an eligible entity to certify in its application that—

''(A) in the case of an eligible entity that is a State government, the entity—

''(i) has coordinated its application with the public safety answering points (as such term is defined in section 222(h)(4) of the Communications Act of 1934) located within the jurisdiction of such entity;

''(ii) has designated a single officer or governmental body of the entity to serve as the coordinator of implementation of E–911 services, except that such designation need not vest such coordinator with direct legal authority to implement E–911 services or manage emergency communications operations;

''(iii) has established a plan for the coordination and implementation of E–911 services; and

''(iv) has integrated telecommunications services involved in the implementation and delivery of phase II E–911 services; or

''(B) in the case of an eligible entity that is not a State, the entity has complied with clauses (i), (iii), and (iv) of subparagraph (A), and the State in which it is located has complied with clause (ii) of such subparagraph.

''(4) CRITERIA.—The Assistant Secretary and the Administrator shall jointly issue regulations within 180 days of the enactment of the E–911 Implementation Act of 2003, after a public comment period of not less than 60 days, prescribing the criteria for selection for grants under this section, and shall update such regulations as necessary.

''(c) DIVERSION OF E–911 CHARGES.—

''(1) DESIGNATED E–911 CHARGES.—For the purposes of this subsection, the term 'designated E–911 charges' means any taxes, fees, or other charges imposed by a State or other taxing jurisdiction that—

''(A) appear on telecommunications services customers' bills; and

''(B) are designated or presented as dedicated to deliver or improve E–911 services.

''(2) CERTIFICATION.—Each applicant for a matching grant under this section shall certify to the Assistant Secretary and the Administrator at the time of application, and each applicant that receives such a grant shall certify to the Assistant Secretary and the Administrator annually thereafter during any period of time during which the funds from the grant are available to the applicant, that no portion of any designated E–911 charges imposed by a State or other taxing jurisdiction within which the applicant is located are being obligated or expended for any purpose other than the purposes for which such charges are designated or presented.

''(3) CONDITION OF GRANT.—Each applicant for a grant under this section shall agree, as a condition of receipt of the grant, that if the State or other taxing jurisdiction within which the applicant is located, during any period of time during which the funds from the grant are available to the applicant, obligates or expends designated E–911 charges for any purpose other than the purposes for which such charges are designated or presented, all of the funds from such grant shall be returned to the Office.

''(4) PENALTY FOR PROVIDING FALSE INFORMATION.—Any applicant that provides a certification under paragraph (1) knowing that the information provided in the certification was false shall—

''(A) not be eligible to receive the grant under subsection (b);

''(B) return any grant awarded under subsection (b) during the time that the certification was not valid; and

''(C) not be eligible to receive any subsequent grants under subsection (b).

''(d) AUTHORIZATION; TERMINATION.—

''(1) AUTHORIZATION.—There are authorized to be appropriated to the Department of Transportation, for the purposes of grants under the joint program operated under this section with the Department of Commerce, not more than $100,000,000 for each of the fiscal years 2004 through 2008.

''(2) TERMINATION.—The provisions of this section shall cease to be effective on October 1, 2008.

''(e) DEFINITIONS.—As used in this section:

''(1) OFFICE.—The term 'Office' means the E–911 Implementation Coordination Office.

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the National Highway Traffic Safety Administration.

''(3) ELIGIBLE ENTITY.—

''(A) IN GENERAL.—The term 'eligible entity' means a State or local government or a tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))).

''(B) INSTRUMENTALITIES.—Such term includes public authorities, boards, commissions, and similar bodies created by one or more eligible entities described in subparagraph (A) to provide E–911 services.

''(C) EXCEPTION.—Such term does not include any entity that has failed to submit the most recently required certification under subsection (c) within 30 days after the date on which such certification is due.

''(4) E–911 SERVICES.—The term 'E–911 services' means both phase I and phase II enhanced 911 services, as described in section 20.18 of the Commission's regulations (47 CFR 20.18), as in effect on the date of enactment of this section, or as subsequently revised by the Federal Communications Commission.

''(5) PHASE II E–911 SERVICES.—The term 'phase II E–911 services' means only phase II enhanced 911 services, as described in such section 20.18 (47 CFR 20.18), as in effect on such date, or as subsequently revised by the Federal Communications Commission.''.

SEC. 3. REPORT ON THE DEPLOYMENT OF E–911 PHASE II SERVICES BY TIER III SERVICE PROVIDERS.

Within 90 days after the date of enactment of this Act, the Federal Communications Commission shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing—

(1) the number of tier III commercial mobile service providers that are offering phase II E–911 services;

(2) the number of requests for waivers from compliance with the Commission's phase II E–911 service requirements received by the Commission from such tier III providers;

(3) the number of waivers granted or denied by the Commission to such tier III providers;

(4) how long each waiver request remained pending before it was granted or denied;

(5) how many waiver requests are pending at the time of the filing of the report;

(6) when the pending requests will be granted or denied;

(7) actions the Commission has taken to reduce the amount of time a waiver request remains pending; and

(8) the technologies that are the most effective in the deployment of phase II E–911 services by such tier III providers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from California (Ms. ESHOO) each will control 20 minutes.

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

GENERAL LEAVE

Mr. UPTON. 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. 2898.

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

There was no objection.

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

Mr. Speaker, today we consider H.R. 2898, the E–911 Implementation Act of 2003, bipartisan legislation introduced by two members of the Committee on Energy and Commerce Subcommittee on Telecommunications and the Internet, the gentleman from Illinois (Mr. SHIMKUS) and the gentlewoman from California (Ms. ESHOO). As chairman of the Subcommittee on Telecommunications and the Internet, I am a proud original sponsor of this legislation as well.

Mr. Speaker, what many of our constituents may not realize is that when they make a 911 call from their cell phones, many emergency dispatch centers, otherwise known as public service answering points or PSAPs, cannot automatically locate where that call is coming from, unlike when such calls are made from landlines. All too often, we have heard horrific stories of how first responders could not get to a cell phone 911 caller quickly enough, or maybe not even at all, because they could not automatically locate where that caller was, and the circumstances were such that the caller was not able to tell the first responder where they were calling from. In such emergencies, time is of the essence. Seconds in such emergency responses can literally mean the difference between life and death.

For a number of years, our Nation's wireless carriers and PSAPs have been in the midst of deploying Phase II E–911, which would, in fact, provide PSAPs with the automatic location information of cell phone callers who dial 9–1–1. While our Nation's wireless carriers have been deploying the technology and the infrastructure to achieve Phase II E–911, our Nations PSAPs have been confronted by enormous challenges in getting their piece of the puzzle in place.

Our Subcommittee on Telecommunications and the Internet held a number of hearings on how we could overcome these challenges, and we arrived at a number of conclusions which form the basis of this legislation, H.R. 2898.

First and foremost, we need to help our Nation's PSAPs cope with the financial demands of becoming Phase II ready. This bill answers the call by providing a significant grant program in the amount of $100 million a year for 5 years, with a 50 percent non-Federal match requirement to States and municipalities to help them procure their Phase II equipment as well as their training.

Second, we need to ensure coordination and information sharing at all levels of government and with the other stakeholders as they continue to sort through the maze of challenges that lay ahead. This bill answers that call, too, by not only incentivizing States to have statewide E–911 coordinators, but also establishing a new Federal E–911 Coordination Office that will be a joint program office between NHTSA and the NTIA.

Third, we heard that some States have raided their E–911 surcharge monies collected from wireless customers for things completely unrelated to E–911. This is nothing more than picking the pockets of consumers and stealing the funds which should be going toward deployment of this life-saving technology. This bill answers that call by creating disincentives to States who raid those E–911 funds. More to the point, no entity will be eligible for grant monies under this bill if they reside in a State that is raiding those E–911 surcharge accounts.

This bill has been favorably and unanimously reported out of our subcommittee and the full committee as well. Also, I would note it has been endorsed by two major public safety communications associations: The National Emergency Numbering Association and the Association of Public Safety Communications Officers, not to mention the Cellular Telecommunication and Internet Association.

I commend the gentleman from Illinois (Mr. SHIMKUS), who will be speaking later, as well as the gentlewoman from California (Ms. ESHOO) who will control the time for the other side for their bipartisan leadership on this important issue.

I also thank the gentleman from Louisiana (Chairman TAUZIN); the ranking member on the full committee, the gentleman from Michigan (Mr. DINGELL); and the gentleman from Massachusetts (Mr. MARKEY), the subcommittee ranking member, for their cooperation and teamwork. Finally, I want to thank the staff who have committed so much time and effort to the legislation, including Howard Waltzman and Will Nordwind from the majority committee and subcommittee staffs; Pete Filon and Colin Crowell from the minority committee and subcommittee staffs; and Courtney Anderson and Eric Olson for the sponsors' staff.

Mr. Speaker, getting Phase II E–911 deployed will save lives, so passage of this bill is of the utmost importance. I would urge Members to support this important piece of legislation.

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

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

Mr. Speaker, I rise today in strong support of this E–911 Implementation Act of 2003, legislation introduced with the gentleman from Illinois (Mr. SHIMKUS), who is also the cochair of the E–911 caucus, and a long-time partner in ensuring that our public safety community has the very best tools to locate every caller who dials 9–1–1.

The tragic events of September 11 and the continuing threat of terrorism within our country have increased the need for a reliable 911 system. Citizens across the country are being encouraged to call 9–1–1 whenever they notice suspicious activity. Our 911 system is really the backbone of hometown security.

E–911 or Enhanced 911 provides caller information, location information to public safety officials the second a call

is made. Many people do not realize that when an emergency call is made to 911, the speed with which the ambulance or the police car is dispatched depends on whether you are calling from your home phone or your cellular phone. Our bill ensures there is no difference in response between landline and cellular phones because every second counts when there is a life-threatening emergency.

Why should this be a priority for the Federal Government and the Congress, because over 150,000 wireless 911 calls are made every day representing over half of the 911 calls in our country. Each one of these calls is the single most important one that an individual will make because cell phones can and do save lives.

I have worked on this issue since 1996, when I introduced legislation to ensure that public safety entities would have the same ability to locate a wireless call as they do a wireline call.

□ 1545

The bill we bring before the House today passed both the Subcommittee on Telecommunications and the Internet and then the full Committee on Energy and Commerce by unanimous votes. That is not an easy thing to do with most legislation, so I am really proud of the effort that has been launched.

There are two key shortcomings hindering wireless 911 implementation today: funding and coordination. Our bill addresses both of these shortcomings by creating a joint E–911 implementation and coordination office at the Departments of Commerce and Transportation to better coordinate Federal, State, and local emergency communication services. If they are not coordinated, in short, it is not going to work. By authorizing $500 million in grants over 5 years to enhance our emergency communication systems all across our country in all of our communities; and by preventing any State that has diverted their 911 fees for other purposes from qualifying for these Federal dollars. So we are motivating the States to join with us and to be able to make use of the dollars that we are setting up and not divert the money for other uses anymore.

Unfortunately, some States, including my own State of California, have raided the funds they have collected for 911 services, and they have used the funds for other purposes. This bill will end that practice, and we will be able to use the dollars that are collected to upgrade our E–911 facilities. This bill provides a Federal authorization to upgrade and to improve that emergency communication network across our country.

As my colleagues know, every bill authorizing Federal funds must be coupled with corresponding appropriation. I will work with my colleagues on both sides of the aisle to make sure that this very important authorization is fully funded. If it is not, it is not going to work.

No bill makes it to the floor of the House without the support and the guidance of our chairmen and our ranking members. I want to especially thank and salute Chairman TAUZIN and Chairman UPTON, without them, clearly we would not be here today, as well as Ranking Members DINGELL and MARKEY for making this bill a priority. I also want to thank the staff members who helped shape this legislation, especially Howard Waltzman who has done yeoman's work. I really salute you, Howard. And to Will Norwind with the Committee on Energy and Commerce staff; Peter Filon with the gentleman from Michigan (Mr. DINGELL); Colin Crowell with the gentleman from Massachusetts (Mr. MARKEY); Courtney Anderson with the gentleman from Illinois (Mr. SHIMKUS); and our wise telecommunication legislative counsel, Steve Cope. No one has done more, in my view, than Eric Olson of my staff. I am proud of his work, and I am very grateful to him for it.

I would also like to thank Steve Seitz, Richard Taylor, John Melcher, and the brave men and women of the National Emergency Numbering Association who continually strive to improve and enhance our Nation's emergency communications system. I am especially proud of Chip Yarborough, a member of NENA, who has worked tirelessly to ensure the 911 system in my congressional district works seamlessly to help those who need it. Bob Gurss with the Association of Public Safety Communications Officials, David Ayward of ComCare, Jonas Neihardt with Qualcomm, Mike Amarosa of True Position and the Cellular Telephone Industry Association all deserve our thanks for making E–911 a priority. Their critical assistance has really ensured that this bill improved at every step of the process. It has been a long journey, and I want to salute them, too.

Last but not least, I want to thank the gentleman from Illinois (Mr. SHIMKUS), my wonderful colleague and partner in this. He has been a believer. He has been a leader. He has used his humor as well as all his legislative tools to move this along. I cannot thank him enough. He has been a wonderful partner. It has been fun doing this with the gentleman.

I urge all of my colleagues to support this legislation because it is good for our country and it is going to move us ahead and be able to coordinate at every level for every emergency whether it is at the local level or at the national level. I am proud to have been a part of this.

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

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the full committee.

Mr. TAUZIN. Mr. Speaker, let me first indicate that, of course, I am rising in strong support of H.R. 2898, the E–911 Implementation Act of 2003. House bill 2898 has already passed the House Committee on Energy and Commerce; and it did so unanimously, as one might expect.

Mr. Speaker, it is important we commend the authors, first of all. I want to congratulate the gentleman from Illinois (Mr. SHIMKUS) and the gentlewoman from California (Ms. ESHOO) for this incredibly important legislation. I obviously want to thank the gentleman from Michigan (Mr. UPTON), the chairman of the subcommittee, who has done such a great job, along with the gentleman from Massachusetts (Mr. MARKEY), the ranking member, in moving this bill forward. Of course, we always need to extend our great thanks for the cooperative spirit we always get from the ranking member of our committee, the gentleman from Michigan (Mr. DINGELL), who has on so many occasions provided the bipartisan spirit by which we move important pieces of legislation like this.

Mr. Speaker, most of the bills we debate in this body are about money, about how to spend it and who to spend it on and what are our priorities, how to raise it and how to distribute it in this great country. This bill is about lives. It is about saving lives. It is about improving the infrastructure by which this country addresses the worst of situations Americans find themselves in, lost on a highway, in the middle of an accident with nobody there to help them; a young woman on a bike path or a jogging path who gets assaulted, who tries to get help in the 911 system but no one can locate her.

It is about whether or not an ambulance arrives in time to save a life or in some cases to save a limb or to save someone from a debilitating injury that could have been prevented if only the first responders could have gotten there in time. It is also about in this time of national concern with terrorism and this war we constantly battle now, a question of whether our infrastructure is going to be good enough for us to quickly respond when things happen that we hope will not happen again in this country.

It is about saving lives, like the Firestone investigation that our committee conducted several years ago that produced the first major rewrite of highway safety laws in 30 years that was adopted in this House unanimously and in the Senate unanimously. A remarkable process. Like that bill, this bill when it becomes law, when it is fully implemented, will save American lives, will create the possibility of smart cars, will take the search out of search and rescue, and will give us a chance to quickly locate people who need to be located quickly because relief, help, medical attention, other services must reach them quickly to save a life or prevent, as I said, a debilitating injury. E–911 is all about that.

The grants in this bill will go to those communities that more aggressively push out the PSAPs, the point of

answers in the local systems that are going to be important to this system to work. It is going to help wireless systems and the wired systems cooperate so that we can in fact have an infrastructure that communicates well with one another. Those points of presence that are going to make a difference as to whether or not you have E–911 present in your community are going to be spreading out across this country and be more available to more and more communities as a result of the grants in this program. This bill makes it clear to communities that the moneys we have given them for E–911 deployment that have been siphoned off and used for other purposes is not going to be tolerated. This is lifesaving money, and no one should be raiding those funds for any other purpose. This bill makes it clear we will not tolerate that anymore.

The sooner these systems are in place, trust me, someone you love will thank you, because someone you know, someone you love in the district you are so honored and privileged to represent back home, someone will have some life saved. Someone will come out of a horrible accident with help in time to prevent a disabling condition that could have been prevented if the ambulance or the medics arrived in time. Someone will thank you that today this House, and hopefully the other body quickly, will pass a law that implements this system sooner rather than later in time to make a difference. That is how important this legislation is today.

So while we stay here in the waning days of November trying to wrap up our money business, all our appropriation measures and a few other critical, important things, today will be an extremely important day in the history of this Congress, because today we are going to save some lives.

Mr. Speaker, I rise today in strong support of H.R. 2898, the E–911 Implementation Act of 2003. H.R. 2898 passed the House Energy and Commerce Committee unanimously on October 1st.

I commend the bill's sponsor, Representatives SHIMKUS and ESHOO, for introducing this important legislation. And I commend Subcommittee Chairman UPTON and Ranking Member MARKEY for moving it expeditiously through their subcommittee. Finally, I want to thank my good friend JOHN DINGELL for his cooperation with moving H.R. 2898 through our committee.

H.R. 2898 will help states and localities that are making a strong effort to implement Phase II E–911 services. The nation's largest wireless carriers have done a good job implementing or putting themselves on a clear path to implementing Phase II E–911 technology in their networks and handsets.

But the readiness of carriers to provide safety answer points (PSAPs) with location information will be meaningless if PSAPs do not have the ability to use such information. And too many PSAPs are woefully behind in deploying E–911 services. Only 18 percent of PSAPs and 11.8 percent of counties nationwide have implemented Phase II E–911 technology.

Mr. Speaker, nationwide implementation of Phase II technology has enormous public safety and homeland security benefits for the United States. We can save countless lives if emergency personnel can locate people with life-threatening injuries. And law enforcement will be able to prevent or detect more terrorist activities.

Mr. Speaker, I would like to dispel a few myths about this bill. This bill does not reward counties and PSAPs that are sitting on their hands rather than deploying Phase II services.

No state, county, or PSAP, can simply come to the federal government and ask it to pay for Phase II deployment. H.R. 2898 has a minimum 50 percent matching requirement. You have to be actively engaged in Phase II deployment in order to qualify for money under this program.

Some have argued that Congress does not need to authorize new spending for this initiative and that funding for it should be derived from existing homeland security and law-enforcement funds. Well, robbing Peter to pay Paul is not how we are going to solve our nation's homeland security and law-enforcement problems. Congress should be funding homeland security and E–911 initiatives; Congress should not choose between the two.

Some have argued that H.R. 2898 does not provide enough specific eligibility criteria to ensure that the agencies implementing the legislation will not provide grants to wealthy counties. But Congress does not need to unnecessarily tie the hands of NTIA and NHTSA. I expect NTIA and NHTSA to work very closely with Congress when it crafts the eligibility requirements. Grants should be, and will be, distributed based on means and will reward entities that are devoting significant resources of their own on Phase II E–911 deployment.

And this bill ensures that grants cannot be distributed to counties in states that are raiding E–911 funds for other purposes. This critical element of the bill provides a huge incentive to states and localities to devote their resources to E–911 deployment.

Mr. Speaker, I again commend my colleagues for their hard work on H.R. 2898, and I strongly urge my colleagues to vote in favor of this legislation.

Mr. UPTON. Mr. Speaker, I submit three letters for printing in the CONGRESSIONAL RECORD: one from the CTIA, another from APCO, and the remaining one from the National Emergency Number Association in support of the legislation.

CELLULAR TELECOMMUNICATIONS & INTERNET ASSOCIATION,
WASHINGTON, DC, OCTOBER 27, 2003.

Hon. BILLY TAUZIN,
Chairman,
Hon. JOHN DINGELL,
Ranking Member,
Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN TAUZIN AND CONGRESSMAN DINGELL: On behalf of the Cellular Telecommunications & Internet Association (CTIA), I would like to express our support for H.R. 2898, the E9–1–1 Implementation Act of 2003. CTIA represents more than 400 member companies, including both wireless carriers and manufacturers of wireless telecommunications equipment.

Once in place, E9–1–1 location technology will speed delivery of emergency services to people in need. Unfortunately, too often, states and localities have diverted E9–1–1 funds collected by carries from wireless consumers to fund unrelated activities. This legislation will protect E9–1–1 funds while simultaneously strengthening statewide coordination and cooperation among local phone companies, wireless carriers, and public safety. The wireless industry has made important strides in developing and implementing E9–1–1 location technology. H.R. 2898 will help ensure that states and localities develop the necessary ''best practices'' to efficiently and effectively deploy location technology.

The wireless industry remains committed to implementing this vital technology and applauds your leadership on this important issue.

Sincerely,

STEVEN K. BERRY.

NATIONAL EMERGENCY NUMBER ASSOCIATION,
Washington, DC, October 27, 2003.

Hon. JOHN SHIMKUS,
Hon. ANNA ESHOO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES SHIMKUS AND ESHOO: Those of us in the public safety community have long championed the belief that a robust nationwide Enhanced 9–1–1 (E9–1–1) system for wireless telephone calls is one of the most important components of a nationwide plan to promote national security and public safety. The accomplishment of this goal requires close coordination among public safety officials, the communications industry, and relevant government officials.

On behalf of the National Emergency Number Association (NENA), and our 7,000 members, we applaud your leadership, initiative and co-sponsorship of H.R. 2898, the ''E9–1–1 Implementation Act of 2003.'' We further support your leadership, by endorsing H.R. 2898 and the need for national legislation to provide additional funding for state and local government implementation of E9–1–1 across the nation.

In supporting H.R. 2898, we seek priority of our nation's 9–1–1 system. And as a national priority, we must stop the improper siphoning of public funds that have been set aside to upgrade the 9–1–1 system. Equally we must provide additional assistance from the federal government to complete the implementation of E9–1–1. Enabling our 9–1–1 system to locate a caller in an emergency is fundamental to our nation's homeland security, defense and response capabilities in the 21st Century.

While there is much to applaud in the many ongoing efforts to implement E9–1–1, the goal of E9–1–1 ''anywhere and everywhere'' remains elusive. For this reason, we strongly encourage and support a greater role from the federal government to provide resources, leadership and expectations to ensure a fully functional E9–1–1 system today; and well into the future.

Again, we thank you for your leadership and urge the Congress to take steps to improve our nation's 9–1–1 system.

RICHARD TAYLOR,
President.

APCO INTERNATIONAL,
Daytona Beach, FL, October 27, 2003.

Hon. W.J. TAUZIN,
Chairman, Energy and Commerce Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN TAUZIN: I am writing to reiterate our strong support for H.R. 2898, the ''E9–1–1 Implementation Act of 2003.'' The bill will provide a critical source of funding to help state and local governments to implement technology to locate 9–1–1 emergency calls from wireless telephones.

FCC regulations currently require wireless telephone companies to implement technology to locate 9–1–1 calls. Without that capability, emergency first responders may be unable to find emergencies in time to save lives and property, especially where those reporting the emergency are unable to identify accurately their exact location.

State and local government emergency communications centers, known as ''Public Safety Answering Points'' or ''PSAPs'' must upgrade their operations to receive and process location information from wireless phones. Unfortunately, many jurisdictions lack the resources to make those upgrades, and other funding sources are often insufficient. H.R. 2898 would establish a modest, but critical source of additional funding for this life-saving technology.

APCO is the nation's oldest and largest public safety communications organization. Most of APCO's over 16,000 members are involved in the management and operation of communications systems for state and local government police, fire, EMS and other public safety agencies. APCO hopes that Congress will move quickly to adopt this important legislation.

Sincerely,

VINCENT STILE,
President.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. SHIMKUS), the author of the bill.

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

Mr. SHIMKUS. Mr. Speaker, it is an honor and a privilege to be here today. I have some prepared remarks, but I think a lot of it has already been said. I have a plaque in my office that was given during my first term. It is a quote from Ronald Reagan that says: ''You can get a lot done when you don't care who gets the credit.'' I think that is part of the success of this piece of legislation.

I want to also take the time to thank the gentlewoman from California (Ms. ESHOO) for her leadership and her friendship in this. A lot of times we move on legislation that we think is important. There are always people who see it early. She saw this need early. When we were talking about getting 911 to be the national number, she was already talking about, let's get location identification; let's worry about these other issues and push that. My personal thanks for shepherding this through.

I was at the FCC last week with my crack staffer and our friends in the other body were there, at least one of them, and I could gloat a little bit that I had heard from leadership that this bill was going to be brought up next week. Of course, in the People's house here, we always have that battle with our friends in the other body. So I also want to thank the leadership for allowing us to bring this up expeditiously because it is a piece of legislation that was crafted in the way we wish all pieces of legislation were. We know it cannot be based upon our fights over ideology and the like, but the system does work when we can look towards common goals. Our passage through the subcommittee, led by Chairman UPTON and then through the full committee led by Chairman TAUZIN, and, of course, the ranking members, MARKEY and DINGELL, made it a very easy case to say to the leadership, ''this bill should be on the floor.

What does that mean? With our passage today, we now set a marker to our friends across the rotunda to say, let's move. Because this is just one part of the long dance that we have. We have to pass it here. They have to pass it. Hopefully, now we can get them to accept our language to move it more rapidly and then we can get something to the President's desk, because the sooner we get it into legislation, the sooner we get authorization language in the battle, then when the appropriations cycle begins, right now really. Even though we have not finished this year, we already should be looking at next year's appropriations cycle. We have got to get our placeholder there. We have got to get the marker in. As soon as this becomes true and just in the legislative language, we are going to have a lot of success.

We have talked with all the emergency responders. Everybody wants to do the right thing. Everybody is at different levels of technology and coordination. Basically this piece of legislation brings them together. Then it provides some grants. Everybody gets keyed up about Federal funding, but this is really small potatoes as far as dollars based upon the millions of dollars that are being put in from, in essence, the coalition, the Public Service Answer Points, the PSAPs, to the cellular industry itself, to the local exchanges. There is a lot of money being put out there.

I fortunately have a State that has been pretty good as far as putting their money into the programs. But that is not to say that they will always be that way. So when we also put this in the legislation saying this money has to go for that, otherwise you cannot apply for grants, we are going to address a major need that Chairman TAUZIN mentioned.

I have a list of 911 tragedies here. I am not going to read them, but they are from all over the country: Rochester, New York; Miami, Florida; Santa Fe, New Mexico; Fort Lauderdale, Florida; Littleton, Colorado; Day County, South Dakota; Atlanta, Georgia; Orlando, Florida; Lansing, Michigan; San Jose, California; Fort Wayne, Indiana; rural Michigan; and the State of New Jersey. No one is exempt from someone not being able to receive the care or the response because of not being identified. The 911 calls, 50 percent of them are cellular calls these days.

We are doing good public policy. I am very proud to be a part of the coalition of legislators that have found success so far. I am going to encourage all of my colleagues to help us do that in the passage today. Then we will have to get back to work and work on our friends in the other Chamber.

□ 1600

I think we will have receptive ears, and then, hopefully, we can go talk to the President and get this thing put into law.

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

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

Just in closing, I want to again thank the lead authors. They have both been real players on our subcommittee all year long. I have appreciated their active participation on so many issues. We have worked on a bipartisan basis on virtually everything, and as we look at the end of this legislative calendar year, this is certainly a major success, and I can remember our first hearings when we began this journey to get this legislation done, virtually every single Member, Republican and Democrat, personally had made a E–911 call from their cell phone. We had all had different experiences as we thought about the calls we made in our district. All of us know our district like a blanket. We could tell exactly where we were. But when we are in somebody else's district, whether it be here in Washington, D.C. or I remember the gentleman from Nebraska (Mr. TERRY), who is also very active on this, when he talked about going from Nebraska to Colorado, he had no clue where he was on that highway, wherever it was, and we all felt very frustrated as we saw these accidents literally appear before us. So this is legislation that perhaps some in the industry were not supportive of at the beginning. We pushed them along. They are now fully on board. We have sent a message to the States: They are collecting money from us in our bills to make sure that this legislation is coming through. Spend it the right way, and if they do not, then they do not participate in this program.

I think, too, the session that we had at the FCC, where the gentleman from Illinois and other Members on both sides of the aisle were there, we embarrassed some of the States that are using the money for other purposes. Let us get this money spent for the reason it is being collected, for the right cause so that we will save the lives that all of us want to save. I urge my colleagues to support this legislation.

Mr. GREEN of Texas. Mr. Speaker, I rise in strong support of H.R. 2898. This legislation is desperately needed to ensure the rollout of E–911 across the country.

I want to thank my colleagues ANNA ESHOO and JOHN SHIMKUS on the House Energy and Commerce Committee for their work on this issue and moving this to the floor as quickly as possible.

Improving public safety is a constant struggle, as I have learned working on improving 911 services for the Houston area and the entire state of Texas as a state legislator.

Enhanced 911, which will allow folks in trouble to be located by rescue crews and police just by dialing three simple numbers, is a necessary next step.

It is critical because many times when a wireless caller calls 911, they either cannot talk or they do not know where they are.

The technology exists to help people in danger—I saw successful demonstration at the FCC just last week. And this legislation addresses the technical issues for industry, local government, and regional concerns, so no further delay is justified.

While lives are being saved in my area of Harris County where we are Phase Two complete for E–911, lives are still being needlessly lost in other areas where compliance is lagging.

Unfortunately, many other jurisdictions, including many in large rural areas of Texas do not have the resources necessary to upgrade their 911 systems.

We are not all safe when we travel on the roads until E–911 is up and running nationwide.

Public safety should be a top priority. States moving E–911 funds to other purposes deceives wireless consumers who saw that E–911 funding on their cell phone bills.

Coming from Texas, I know what it means to children and families hit by huge budget cuts, but E–911 is necessary—it is a proven life-saver. This legislation brings funding, accountability, and sensitivity to rural areas to the process and deserves strong support.

Mr. DINGELL. Mr. Speaker, consumers who dial 911 from their wireless phones expect emergency responders to be able to locate them, just as if they had dialed 911 from a wireless phone. All too often today, however, emergency responders have no such ability.

The House is poised to take an important step to address this problem. To this end, I am pleased to support H.R. 2898, the ''E-911 Implementation Act of 2003,'' as amended. This bill will take three important steps to help ensure that first responders can rapidly locate persons dialing 911 from a wireless phone. First, it will set up a federal office to help coordinate E-911 build-out. Second, it will provide federal matching grants to assist cash-strapped states and local communities in deploying E-911 technologies. Third, it will provide strong incentives to ensure that states no longer raid their E-911 funds for non-E-911 purposes.

I commend Chairmen TAUZIN and UPTON for working closely with Representatives ESHOO and SHIMKUS, the authors of the underlying bill and co-chairpersons of the Congressional E-911 Caucus. I am pleased to support this important bill and look forward to working with the appropriators to ensure that this grant program is fully funded.

Ms. SLAUGHTER. Mr. Speaker, I rise in strong support of H.R. 2898, the E–911 Implementation Act of 2003.

As a member of the Congressional E–911 Caucus, I want to thank my colleagues ANNA ESCHOO and JOHN SHIMKUS for their leadership and tireless advocacy on this critical public safety issue.

I would also like to recognize the efforts of a leader on this issue that many of you may not know—New York State Assemblyman David Koon.

Long before there was a Congressional E–911 Caucus, David was championing wireless enhanced 911. My constituents in Rochester have long appreciated David's tireless advocacy to get local government the resources they need to deploy E–911.

Today, 911 calls made on cell phones account for nearly a third of all emergency calls. By 2004, cell phones are expected to be the main source of 911 emergency calls. Most Americans with cells phones will tell you that they bought them for emergencies. They fully expect that if they have a health emergency or are in an accident—they can dial 9–1–1 and help will be on the way.

Back in 1999, Congress tried to make sure that happened by passing the Wireless Communications and Public Safety Act. However, today, most wireless phones still do not provide emergency dispatchers with automated caller location or identification information.

There's strong consumer demand for E–911, the technology needed to identify and locate wireless callers has long been available, and so Congress had to ask ''why the holdup?''

The chief barrier to universal E–911 deployment is money. Many localities will tell you they have had to put off implementing E–911 because it is too costly.

This was not supposed to happen.

Under the 1999 Act, States were given the power to collect surcharges on all cell phones, blackberries and other wireless devices to fund E–911 service. Unfortunately, the E–911 fund has become an easy target for looting by states that are struggling to cover shortfalls in law enforcement and emergency service budgets.

In New York State alone, over $200 million has been collected in surcharges since 1991.

This money is supposed to be earmarked for setting up a state-wide Wireless Enhanced 911 system, but instead the money has gone to the state police, who have spent the funds on departmental dry cleaning bills, ballpoint pens, travel, are leases, grounds maintenance for precincts and winter boots, according to the New York State comptroller's office.

I strongly believe that the millions of New York residents who pay the ''E–911 surcharge'' on their monthly cell phone bills are owed E–911 service when they need it. That's why I am an original cosponsor of H.R. 2898.

Under this measure, $500 million in grants would be available to the states over five years to establish and upgrade E–911 facilities. I also am encouraged that H.R. 2898 would penalize states that redirect E–911 funds collected from consumer's cell phone bills. That's the only way to make them honest.

Mr. Speaker, I strongly urge my colleagues to join me in passing this important legislation.

Its essential that we act on this legislation. It will save lives. Bright, beautiful, hopeful lives of Americans are at stake.

Ten years ago, Jennifer Koon, an 18-year old, was abducted from a mall parking lot in Rochester. She called 911. Her call could not be traced and Jennifer was killed.

In 1993, the technology was not readily available. Today that is not the case. Mr. Speaker passage of H.R. 2898 is essential to providing parents, like Assemblyman David Koon, with the assurance that their children will get the help they need when they dial 911—regardless of whether they dial it on a cell phone or on their home phone.

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2898, as amended.

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

A motion to reconsider was laid on the table.

ANIMAL DRUG USER FEE ACT OF 2003

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 313) to amend the Federal Food, Drug, and Cosmetic Act to establish a program of fees relating to animal drugs, as amended.

The Clerk read as follows:

S. 313

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 ''Animal Drug User Fee Act of 2003''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Prompt approval of safe and effective new animal drugs is critical to the improvement of animal health and the public health.

(2) Animal health and the public health will be served by making additional funds available for the purpose of augmenting the resources of the Food and Drug Administration that are devoted to the process for review of new animal drug applications.

(3) The fees authorized by this Act will be dedicated toward expediting the animal drug development process and the review of new and supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified, for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 3. FEES RELATING TO ANIMAL DRUGS.

Subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended by adding at the end the following part:

''PART 4—FEES RELATING TO ANIMAL DRUGS

''SEC. 739. DEFINITIONS.

''For purposes of this subchapter:

''(1) The term 'animal drug application' means an application for approval of any new animal drug submitted under section 512(b)(1). Such term does not include either a new animal drug application submitted under section 512(b)(2) or a supplemental animal drug application.

''(2) The term 'supplemental animal drug application' means—

''(A) a request to the Secretary to approve a change in an animal drug application which has been approved; or

''(B) a request to the Secretary to approve a change to an application approved under section 512(c)(2) for which data with respect to safety or effectiveness are required.

''(3) The term 'animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is

uniquely identified by the labeler code and product code portions of the national drug code, and for which an animal drug application or a supplemental animal drug application has been approved.

''(4) The term 'animal drug establishment' means a foreign or domestic place of business which is at one general physical location consisting of one or more buildings all of which are within 5 miles of each other, at which one or more animal drug products are manufactured in final dosage form.

''(5) The term 'investigational animal drug submission' means—

''(A) the filing of a claim for an investigational exemption under section 512(j) for a new animal drug intended to be the subject of an animal drug application or a supplemental animal drug application, or

''(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of an animal drug application or supplemental animal drug application in the event of their filing.

''(6) The term 'animal drug sponsor' means either an applicant named in an animal drug application, except for an approved application for which all subject products have been removed from listing under section 510, or a person who has submitted an investigational animal drug submission that has not been terminated or otherwise rendered inactive by the Secretary.

''(7) The term 'final dosage form' means, with respect to an animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes animal drug products intended for mixing in animal feeds.

''(8) The term 'process for the review of animal drug applications' means the following activities of the Secretary with respect to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions:

''(A) The activities necessary for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

''(B) The issuance of action letters which approve animal drug applications or supplemental animal drug applications or which set forth in detail the specific deficiencies in animal drug applications, supplemental animal drug applications, or investigational animal drug submissions and, where appropriate, the actions necessary to place such applications, supplements or submissions in condition for approval.

''(C) The inspection of animal drug establishments and other facilities undertaken as part of the Secretary's review of pending animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

''(D) Monitoring of research conducted in connection with the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

''(E) The development of regulations and policy related to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

''(F) Development of standards for products subject to review.

''(G) Meetings between the agency and the animal drug sponsor.

''(H) Review of advertising and labeling prior to approval of an animal drug application or supplemental animal drug application, but not such activities after an animal drug has been approved.

''(9) The term 'costs of resources allocated for the process for the review of animal drug applications' means the expenses incurred in connection with the process for the review of animal drug applications for—

''(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific animal drug applications, supplemental animal drug applications, or investigational animal drug submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities,

''(B) management of information, and the acquisition, maintenance, and repair of computer resources,

''(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies, and

''(D) collecting fees under section 740 and accounting for resources allocated for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

''(10) The term 'adjustment factor' applicable to a fiscal year refers to the formula set forth in section 735(8) with the base or comparator year being 2003.

''(11) The term 'affiliate' refers to the definition set forth in section 735(9).

''SEC. 740. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.

''(a) TYPES OF FEES.—Beginning in fiscal year 2004, the Secretary shall assess and collect fees in accordance with this section as follows:

''(1) ANIMAL DRUG APPLICATION AND SUPPLEMENT FEE.—

''(A) IN GENERAL.—Each person that submits, on or after September 1, 2003, an animal drug application or a supplemental animal drug application shall be subject to a fee as follows:

''(i) A fee established in subsection (b) for an animal drug application; and

''(ii) A fee established in subsection (b) for a supplemental animal drug application for which safety or effectiveness data are required, in an amount that is equal to 50 percent of the amount of the fee under clause (i).

''(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the animal drug application or supplemental animal drug application.

''(C) EXCEPTION FOR PREVIOUSLY FILED APPLICATION OR SUPPLEMENT.—If an animal drug application or a supplemental animal drug application was submitted by a person that paid the fee for such application or supplement, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an animal drug application or a supplemental animal drug application for the same product by the same person (or the person's licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

''(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any animal drug application or supplemental animal drug application which is refused for filing.

''(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an animal drug application or a supplemental animal drug application is withdrawn after the application or supplement was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application or supplement after the application or supplement was filed. The Secretary shall have the sole discretion to refund the fee under this paragraph. A determination by the Secretary concerning a refund under this paragraph shall not be reviewable.

''(2) ANIMAL DRUG PRODUCT FEE.—Each person—

''(A) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510, and

''(B) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application;

shall pay for each such animal drug product the annual fee established in subsection (b). Such fee shall be payable for the fiscal year in which the animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be payable on or before January 31 of each year. Such fee shall be paid only once for each animal drug product for a fiscal year in which the fee is payable.

''(3) ANIMAL DRUG ESTABLISHMENT FEE.—Each person—

''(A) who owns or operates, directly or through an affiliate, an animal drug establishment, and

''(B) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510, and

''(C) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application,

shall be assessed an annual fee established in subsection (b) for each animal drug establishment listed in its approved animal drug application as an establishment that manufactures the animal drug product named in the application. The annual establishment fee shall be assessed in each fiscal year in which the animal drug product named in the application is assessed a fee under paragraph (2) unless the animal drug establishment listed in the application does not engage in the manufacture of the animal drug product during the fiscal year. The fee shall be paid on or before January 31 of each year. The establishment shall be assessed only one fee per fiscal year under this section, provided, however, that where a single establishment manufactures both animal drug products and prescription drug products, as defined in section 735(3), such establishment shall be assessed both the animal drug establishment fee and the prescription drug establishment fee, as set forth in section 736(a)(2), within a single fiscal year.

''(4) ANIMAL DRUG SPONSOR FEE.—Each person—

''(A) who meets the definition of an animal drug sponsor within a fiscal year; and

''(B) who, after September 1, 2003, had pending before the Secretary an animal drug application, a supplemental animal drug application, or an investigational animal drug submission,

shall be assessed an annual fee established under subsection (b). The fee shall be paid on or before January 31 of each year. Each animal drug sponsor shall pay only one such fee each fiscal year.

''(b) FEE AMOUNTS.—Except as provided in subsection (a)(1) and subsections (c), (d), (f), and (g), the fees required under subsection (a) shall be established to generate fee revenue amounts as follows:

''(1) TOTAL FEE REVENUES FOR APPLICATION AND SUPPLEMENT FEES.—The total fee revenues to be collected in animal drug application fees under subsection (a)(1)(A)(i) and supplemental animal drug application fees under subsection (a)(1)(A)(ii) shall be $1,250,000 in fiscal year 2004, $2,000,000 in fiscal year 2005, and $2,500,000 in fiscal years 2006, 2007, and 2008.

''(2) TOTAL FEE REVENUES FOR PRODUCT FEES.—The total fee revenues to be collected in product fees under subsection (a)(2) shall be $1,250,000 in fiscal year 2004, $2,000,000 in fiscal year 2005, and $2,500,000 in fiscal years 2006, 2007, and 2008.

''(3) TOTAL FEE REVENUES FOR ESTABLISHMENT FEES.—The total fee revenues to be collected in establishment fees under subsection (a)(3) shall be $1,250,000 in fiscal year 2004, $2,000,000 in fiscal year 2005, and $2,500,000 in fiscal years 2006, 2007, and 2008.

''(4) TOTAL FEE REVENUES FOR SPONSOR FEES.—The total fee revenues to be collected in sponsor fees under subsection (a)(4) shall be $1,250,000 in fiscal year 2004, $2,000,000 in fiscal year 2005, and $2,500,000 in fiscal years 2006, 2007, and 2008.

''(c) ADJUSTMENTS.—

''(1) INFLATION ADJUSTMENT.—The revenues established in subsection (b) shall be adjusted by the Secretary by notice, published in the Federal Register, for a fiscal year to reflect the greater of—

''(A) the total percentage change that occurred in the Consumer Price Index for all urban consumers (all items; United States city average) for the 12-month period ending June 30 preceding the fiscal year for which fees are being established; or

''(B) the total percentage change for the previous fiscal year in basic pay under the General Schedule in accordance with section 5332 of title 5, United States Code, as adjusted by any locality-based comparability payment pursuant to section 5304 of such title for Federal employees stationed in the District of Columbia.

The adjustment made each fiscal year by this subsection will be added on a compounded basis to the sum of all adjustments made each fiscal year after fiscal year 2004 under this subsection.

''(2) WORKLOAD ADJUSTMENT.—After the fee revenues are adjusted for inflation in accordance with paragraph (1), the fee revenues shall be further adjusted each fiscal year after fiscal year 2004 to reflect changes in review workload. With respect to such adjustment:

''(A) This adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of animal drug applications, supplemental animal drug applications for which data with respect to safety or effectiveness are required, manufacturing supplemental animal drug applications, investigational animal drug study submissions, and investigational animal drug protocol submissions submitted to the Secretary. The Secretary shall publish in the Federal Register the fees resulting from this adjustment and the supporting methodologies.

''(B) Under no circumstances shall this workload adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b), as adjusted for inflation under paragraph (1).

''(3) FINAL YEAR ADJUSTMENT.—For fiscal year 2008, the Secretary may further increase the fees to provide for up to 3 months of operating reserves of carryover user fees for the process for the review of animal drug applications for the first 3 months of fiscal year 2009. If the Food and Drug Administration has carryover balances for the process for the review of animal drug applications in excess of 3 months of such operating reserves, then this adjustment will not be made. If this adjustment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2008.

''(4) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2003, for that fiscal year, animal drug application fees, supplemental animal drug application fees, animal drug sponsor fees, animal drug establishment fees, and animal drug product fees based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.

''(5) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of animal drug applications.

''(d) FEE WAIVER OR REDUCTION.—

''(1) IN GENERAL.—The Secretary shall grant a waiver from or a reduction of 1 or more fees assessed under subsection (a) where the Secretary finds that—

''(A) the assessment of the fee would present a significant barrier to innovation because of limited resources available to such person or other circumstances,

''(B) the fees to be paid by such person will exceed the anticipated present and future costs incurred by the Secretary in conducting the process for the review of animal drug applications for such person,

''(C) the animal drug application or supplemental animal drug application is intended solely to provide for use of the animal drug in—

''(i) a Type B medicated feed (as defined in section 558.3(b)(3) of title 21, Code of Federal Regulations (or any successor regulation)) intended for use in the manufacture of Type C free-choice medicated feeds, or

''(ii) a Type C free-choice medicated feed (as defined in section 558.3(b)(4) of title 21, Code of Federal Regulations (or any successor regulation)),

''(D) the animal drug application or supplemental animal drug application is intended solely to provide for a minor use or minor species indication, or

''(E) the sponsor involved is a small business submitting its first animal drug application to the Secretary for review.

''(2) USE OF STANDARD COSTS.—In making the finding in paragraph (1)(B), the Secretary may use standard costs.

''(3) RULES FOR SMALL BUSINESSES.—

''(A) DEFINITION.—In paragraph (1)(E), the term 'small business' means an entity that has fewer than 500 employees, including employees of affiliates.

''(B) WAIVER OF APPLICATION FEE.—The Secretary shall waive under paragraph (1)(E) the application fee for the first animal drug application that a small business or its affiliate submits to the Secretary for review. After a small business or its affiliate is granted such a waiver, the small business or its affiliate shall pay application fees for all subsequent animal drug applications and supplemental animal drug applications for which safety or effectiveness data are required in the same manner as an entity that does not qualify as a small business.

''(C) CERTIFICATION.—The Secretary shall require any person who applies for a waiver under paragraph (1)(E) to certify their qualification for the waiver. The Secretary shall periodically publish in the Federal Register a list of persons making such certifications.

''(e) EFFECT OF FAILURE TO PAY FEES.—An animal drug application or supplemental animal drug application submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational animal drug submission under section 739(5)(B) that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any animal drug application, supplemental animal drug application or investigational animal drug submission from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.

''(f) ASSESSMENT OF FEES.—

''(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2003 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

''(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for animal drug applications, supplemental animal drug applications, investigational animal drug submissions, animal drug sponsors, animal drug establishments and animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

''(g) CREDITING AND AVAILABILITY OF FEES.—

''(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of animal drug applications.

''(2) COLLECTIONS AND APPROPRIATION ACTS.—

''(A) IN GENERAL.—The fees authorized by this section—

''(i) shall be retained in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year, and

''(ii) shall only be collected and available to defray increases in the costs of the resources allocated for the process for the review of animal drug applications (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2003 multiplied by the adjustment factor.

''(B) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated

for the process for the review of animal drug applications—

''(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

''(ii)(I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

''(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fees under this section—

''(A) $5,000,000 for fiscal year 2004;

''(B) $8,000,000 for fiscal year 2005;

''(C) $10,000,000 for fiscal year 2006;

''(D) $10,000,000 for fiscal year 2007; and

''(E) $10,000,000 for fiscal year 2008;

as adjusted to reflect adjustments in the total fee revenues made under this section and changes in the total amounts collected by animal drug application fees, supplemental animal drug application fees, animal drug sponsor fees, animal drug establishment fees, and animal drug product fees.

''(4) OFFSET.—Any amount of fees collected for a fiscal year under this section that exceeds the amount of fees specified in appropriations Acts for such fiscal year shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for a subsequent fiscal year.

''(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

''(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.—To qualify for consideration for a waiver or reduction under subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due.

''(j) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of animal drug applications, be reduced to offset the number of officers, employees, and advisory committees so engaged.

''(k) ABBREVIATED NEW ANIMAL DRUG APPLICATIONS.—The Secretary shall—

''(1) to the extent practicable, segregate the review of abbreviated new animal drug applications from the process for the review of animal drug applications, and

''(2) adopt other administrative procedures to ensure that review times of abbreviated new animal drug applications do not increase from their current level due to activities under the user fee program.''.

SEC. 4. ACCOUNTABILITY AND REPORTS.

(a) PUBLIC ACCOUNTABILITY.—

(1) CONSULTATION.—In developing recommendations to Congress for the goals and plans for meeting the goals for the process for the review of animal drug applications for the fiscal years after fiscal year 2008, and for the reauthorization of sections 739 and 740 of the Federal Food, Drug, and Cosmetic Act (as added by section 3), the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall consult with the Committee on Energy and Commerce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, appropriate scientific and academic experts, veterinary professionals, representatives of consumer advocacy groups, and the regulated industry.

(2) RECOMMENDATIONS.—The Secretary shall—

(A) publish in the Federal Register recommendations under paragraph (1), after negotiations with the regulated industry;

(B) present the recommendations to the Committees referred to in that paragraph;

(C) hold a meeting at which the public may comment on the recommendations; and

(D) provide for a period of 30 days for the public to provide written comments on the recommendations.

(b) PERFORMANCE REPORTS.—Beginning with fiscal year 2004, not later than 60 days after the end of each fiscal year during which fees are collected under part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 2(3) of this Act toward expediting the animal drug development process and the review of the new and supplemental animal drug applications and investigational animal drug submissions during such fiscal year, the future plans of the Food and Drug Administration for meeting the goals, the review times for abbreviated new animal drug applications, and the administrative procedures adopted by the Food and Drug Administration to ensure that review times for abbreviated new animal drug applications are not increased from their current level due to activities under the user fee program.

(c) FISCAL REPORT.—Beginning with fiscal year 2004, not later than 120 days after the end of each fiscal year during which fees are collected under the part described in subsection (b), the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

SEC. 5. SUNSET.

The amendments made by section 3 shall not be in effect after October 1, 2008, and section 4 shall not be in effect after 120 days after such date.

The SPEAKER pro tempore (Mr. BOOZMAN). Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from California (Ms. ESHOO) each will control 20 minutes.

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

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material on the Senate bill.

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

There was no objection.

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

Mr. Speaker, as the lead sponsor of the House-passed version of the Animal Drug User Fee Act of 2003, it is my pleasure today to manage S. 313, the Senate version of the same legislation on the floor.

What we are doing today is taking up the Senate-passed version of the Animal Drug User Fee Act and inserting the updated House language from H.R. 1260, which was approved by this body by voice last month. We are doing so because we determined that it was the best way to expedite the final passage of this much-needed legislation giving the FDA the authority to begin collecting the user fees this fiscal year needed to substantially beef up the new animal drug development and review process.

I would like to take the opportunity again to acknowledge and thank the gentlewoman from Colorado (Ms. DEGETTE), my original cosponsor; the gentleman from Louisiana (Mr. TAUZIN), our committee chairman; the gentleman from Michigan (Mr. DINGELL), ranking member; the gentleman from Florida (Mr. BILIRAKIS), Health Subcommittee chairman; and the gentleman from Ohio (Mr. BROWN), ranking member; and the Members on both sides of the aisle who have cosponsored the bill. I am grateful too for the hard work of our committee staff, Brent Delmonte, Pat Ronan, John Ford, and for the assistance that we have received from the FDA and the Animal Health Alliance. And also Jane Williams, my health care expert, deserves special merit as well.

Closely modeled after the very successful Prescription Drug User Fee Act of 1992 for human drugs, the Animal Drug User Fee Act is designed to give the Food and Drug Administration's Center for Veterinary Medicine the right resources and incentives needed to significantly improve the animal drug review process. The bill is supported by a broad coalition of veterinary and producer groups, including the American Veterinary Medical Association and the American Farm Bureau.

The legislation is sorely needed. Despite a statutory review time of 180 days, the average new animal drug application review currently takes about 1½ years and sometimes may drag on for even several years. This slowdown in review time is jeopardizing the supply of the new, safe, and effective animal drugs needed to keep our pets, flocks, and herds healthy and to provide American consumers with a safe and wholesome food supply.

Under this proposal, the additional revenues generated from fees paid by the pioneer animal drug industry would be dedicated for use in expediting the testing and review of new animal drugs in accordance with the performance goals that have been mutually agreed upon by the FDA and the animal drug industry.

As FDA Commissioner Mark McClellan has noted, a faster, more predictable review process is expected to spur more spending on research and development by the industry, promoting animal health by increasing the availability and diversity of new, safe, and effective products.

Mr. Speaker, I encourage my colleagues to vote for this much-needed bipartisan bill.

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

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

I am pleased that we are bringing the Animal Drug User Fee Act to the floor today. This is a bipartisan bill that enjoys strong support from a number of veterinary and farm organizations, as well as from a significant number of Members of Congress.

The Food and Drug Administration is a seriously underfunded agency. This has always been a source of concern to me given the critical mission that the FDA has of protecting our food supply, our drug supply, and protecting consumers. Over the last few years, Congress has taken a number of steps to rectify the funding shortfall. Last year we renewed the Prescription Drug User Fee Act for the second time. We also passed new legislation, the Medical Device User Fee and Modernization Act, which created a user fee program for medical devices that will help speed new technology to the patients who need them.

The Animal Drug User Fee Act is the next in this slate of bills that are aimed at boosting FDA's resources. This bill will provide the FDA's Center for Veterinary Medicine with an additional $48 million over the next 5 years. The money will be directed and solely directed to hiring new staff and acquiring the additional resources needed to approve the applications for animal drugs in a speedier manner while still maintaining FDA's gold standard of safety and efficacy.

This bill will touch everyone's life in multiple ways, even though they may not think so, whether it is through lifesaving medications for pets or better, less toxic medications for farm animals. It is in everyone's best interest to have an FDA that is equipped to review these new drug applications in a safe and in a timely manner.

I want to thank the gentlewoman from Colorado (Ms. DEGETTE), who cannot be here. She is the one who really should be standing here rather than myself, and the gentleman from New York (Mr. TOWNS) for all of their hard work they put in on this bill with the gentleman from Michigan (Mr. UPTON), its sponsor. It is to their credit that it will be law. I also want to thank the gentleman from Michigan (Mr. DINGELL), our distinguished ranking member, and certainly his staff, John Ford, whom over and over and over again does superb work and tireless work in this specific case to help bring this bill through the committee and to the floor of the House. So to the gentleman from Michigan (Mr. UPTON), our chairman, I salute him. This is a great day for him on the floor because both the E–911 Implementation Act of 2003 and certainly this bill, the Animal Drug User Fee Act of 2003, are very important ones that push the edges of the envelope out and really help to protect consumers and the people of our country. So I salute him.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

I want to thank the gentlewoman from California (Ms. ESHOO), a very able replacement for the gentlewoman from Colorado (Ms. DEGETTE), who I too regret she is not here. This has been a bipartisan effort from get-go.

Mr. TAUZIN. Mr. Speaker, I am proud to rise in favor of S. 313, the Animal Drug User Fee Act ("ADUFA"), sponsored in the House by my good friend from Michigan, Mr. UPTON.

This legislation, modeled after the successful Prescription Drug User Fee Act (PDUFA), is designed to decrease the review time of new animal drugs at the Center for Veterinary Medicine (CVM) of the Food and Drug Administration (FDA). This legislation is essential to the health of pets and livestock, as well as food safety. CVM is currently experiencing sizable delays in its review of drug applications. These delays are problematic for CVM, drug sponsors, pet owners, veterinarians, and livestock producers.

Simply put, the CVM needs an infusion of funds to address review shortcomings. The slowdown of the approval process threatens to reduce the tools available to livestock and poultry producers to produce vibrant stock and to combat animal disease. The slowdown of the approval process also threatens the health and well being of family pets and zoo animals. Further, delays at CVM have a chilling effect on the animal health industry's investment in important research and development, threatening the pipeline of new products.

In conclusion, this is a very modest program, but one that is desperately needed. The pace of animal drug reviews has slowed in recent years and the FDA needs the proper resources to hire more reviewers. Please join me in supporting S. 313, The Animal Drug User Fee Act of 2003.

Mr. GREEN of Texas. Mr. Speaker, I rise today in support of S. 313, the Animal Drug User Fee Act. This legislation is modeled after the successful Prescription Drug User Fee Act, which ensures that consumers have timely access to lifesaving drugs. ADUFA would establish the same expedited process to ensure that pets and livestock also have access to groundbreaking pharmaceuticals.

Despite a current requirement that limits the review time of a new animal drug application to 180 days, the review process takes an average of 1.5 years to complete, with some applications taking several years. Eighty-eight percent of original new animal drug applications are overdue, the longest day being 717 days.

Mr. Speaker, we wouldn't stand for that kind of delay for people, and I don't think that Man's Best Friend, or the livestock that feeds all Americans, should have to either. I support this legislation, and am happy to see it on our agenda.

However, I would point out that this House has not yet acted on legislation which would authorize the FDA to require pharmaceuticals manufacturers to test their products on children. For too long, doctors have been guessing about how best to treat our children. Kids are being used as guinea pigs because pharmaceutical companies haven't done the testing necessary to ensure that their products are safe and effective for kids. Many of us have been fighting for several years to "codify the rule," and I am anxious to work on legislation that would do that. As important as animals are, nothing is more important than the health and safety of our children.

It is high time for us to put the interests of our children first. I urge the leadership of the House of Representatives to take up legislation which would ensure that the FDA has the authority it needs to require prescription drug manufacturers to test their products for children.

Mr. UPTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 313, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING OUTSTANDING CONTRIBUTIONS OF CHRISTIAN COLLEGES AND UNIVERSITIES

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 300) recognizing the outstanding contributions of the faculty, staff, students, and alumni of Christian colleges and universities, as amended.

The Clerk read as follows:

H. RES. 300

Whereas the United States has benefited greatly from over 1,000 Christian colleges, beginning with the Nation's first Christian college in 1636;

Whereas 900 such campuses continue to identify themselves as religious institutions, adding to the rich diversity of higher education in the Nation;

Whereas more than 125 Christian colleges, as members or affiliates of the Council for Christian Colleges & Universities provide faith-infused scholarship and service that produces students strongly dedicated to their faith, values, and morals;

Whereas the Council's member institutions are located in 30 States, represent more than 30 religious traditions, and with 15,000 faculty members serve more than 200,000 students;

Whereas nearly all (99 percent) of students at Council institutions participate in some form of service and learning through extracurricular activities and 80 percent participate in experiential learning;

Whereas alumni from Council institutions reported that their college education helped them develop moral principles and a sense of

purpose in life, place a high priority on community service, helping the disadvantaged and strongly agreed that their college life prepared them to achieve success;

Whereas the Nation benefits from Council institution students and graduates whose faith, values, and morals provide an environment that encourages honesty, trust, respect, and responsibility in the many fields they enter including science, business, education, government, medicine, the arts, and in volunteer community service; and

Whereas the Council for Christian Colleges & Universities recognizes the month of October as Christian Higher Education Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of Christian Higher Education Month, an event sponsored by the Council for Christian Colleges & Universities and established to recognize the vital contributions of the Nation's Christian colleges and universities; and

(2) congratulates Christian colleges and universities, their students, faculty and staff across the Nation for their ongoing contributions to education, and for the key role they play in promoting and ensuring a brighter, stronger future for the Nation.

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

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

GENERAL LEAVE

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 300.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 300, which honors the outstanding contributions of the faculty, staff, students, and alumni of Christian colleges and universities. I am pleased that 28 of my colleagues on both sides of the aisle have joined as cosponsors of this resolution which also recognizes October as Christian Higher Education Month, in honor of the 367-year history of Christian higher education in our Nation.

□ 1615

Unfortunately, due to the full legislative schedule and the debate surrounding the supplemental appropriations bill, we were unable to schedule this resolution during the month of October, when many faith-based institutions celebrated their religious heritage.

The United States has a rich tradition of Christian higher education. Many of our Nation's oldest and most highly esteemed colleges and universities have their roots in Christian religious traditions, including Harvard, Yale, Princeton, Brown, Rutgers and Dartmouth.

Today, the array of opportunities in higher education are at an all-time high. According to the U.S. Department of Education, there are 6,250 different institutions eligible for Federal assistance under the Higher Education Act. Of these, 4,200 are degree-granting institutions of higher education in the United States. Approximately 1,600 of these are private, nonprofit campuses; and about 900 of these identify themselves as having some religious heritage or affiliation. This adds to the rich diversity of higher education in the United States.

Among these hundreds of campuses are Members who are affiliates of the Council for Christian Colleges and Universities, CCCU, an association founded in 1976 to support Christian higher education and to help its institutions transform lives by integrating faith, scholarship, and service. These 127 campuses are located in 32 States, enroll over 200,000 students, and have more than 15,000 faculty on staff. Council member institutions also represent more than 30 different denominational traditions.

It was this association that took the initiative to focus on a specific month to honor all institutions of higher education whose faith tradition is an important element in their history and ongoing mission.

According to the National Center for Education Statistics, during the last decade, there was an overall increase in enrollment across the country among public and private institutions of higher education. Interestingly, while enrollment at public colleges and universities increased at a rate of 4 percent and at private institutions they increased by 17 percent, at CCCU member institutions, student enrollment grew by 47 percent during the 1990s.

Enrollment at these faith-based institutions of higher education is not just growing; it is thriving. Council institutions generally have a smaller student body than their private and public counterparts, which produces several benefits for the students who choose to attend these institutions, including smaller student-faculty ratios, which gives students the opportunity for more personal interaction with their professors, a greater participation in extracurricular activities, and a greater sense of community with their fellow classmates.

Nearly all students at council institutions participate in some form of service and learning through extracurricular activities during their college tenure. A study of council alumni reported that their college education helped them develop moral principles and a sense of purpose. They place a high priority on community service, helping the disadvantaged and promoting civic engagement.

The Nation benefits from the rich diversity of all the different colleges and universities which make up higher education in our Nation. I am an ardent supporter of our system of higher education because it allows individuals to make choices based upon their own unique needs, personal goals, and interests. I strongly believe that ours is one of the best education models that exists due to its embracement of diversity, its rigorous standards and the manner in which it empowers students to make the choices that complement their individuality.

This resolution that we are considering today specifically recognizes those campuses whose faith traditions add to the mosaic of opportunities in post-secondary education. I am pleased that we are able to recognize them in this way and urge my colleagues to support this expression of appreciation.

Again, we are recognizing many of our Nation's oldest and most highly esteemed colleges and universities that have their roots in Christian education, including Harvard, Yale, Princeton, Brown, Rutgers, Dartmouth, and Hope College.

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

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

Mr. Speaker, I rise in support of H. Res. 300. This resolution recognizes the outstanding contributions of the faculty, staff, students, and alumni of Christian colleges and universities. All of our institutions of higher education, their faculty, staff, students and alumni play an important role in making our Nation stronger and more productive.

Higher education is a critical element in the lives of Americans. Obtaining a college degree translates into higher incomes, stronger families, and greater contributions to society.

Fortunately, the truly great aspect of the American higher education system is its diversity, including its rich religious heritage. We have a higher educational system, coupled with Pell grants and student loans, that can provide access to a quality education.

Whether you attend a 4-year public or private university, a 2-year community college or proprietary institution of higher education, we have outstanding educational opportunities. This recipe for success certainly includes Christian colleges. They are deeply rooted in the history and growth of this country. Their work and the work of their alumni is rightly being recognized today. It is this variety, this diversity, that truly makes higher education a national treasure in this country.

Mr. Speaker, in closing, I urge all Members to support this resolution.

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

Mr. HOEKSTRA. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Speaker, I rise today to add my strong support for the passage of H. Res. 300. I commend the gentleman from Michigan (Mr. HOEKSTRA) for bringing this important legislation to the floor, and I thank him.

As a cosponsor of H. Res. 300, I share my colleague's commitment to recognizing the great contributions to education and society as a whole that our

country's Christian colleges and universities provide. While the United States has benefited greatly as a result of over 1,000 Christian colleges since our Nation's first Christian college was founded in 1636, I would like to recognize one such university specifically, Colorado Christian University, located in Lakewood, Colorado, or CCU.

CCU is the only member of the Council for Christian Colleges and Universities in the Rocky Mountain region. A private, nondenominational institution, CCU provides a distinctive education that integrates Biblical teachings with academic scholarship. CCU offers more than 20 undergraduate and graduate programs designed to equip students to become knowledgeable leaders in their field. Outside the classroom, CCU students participate in mission trips to over 15 countries and serve the local Denver community through a variety of student-led ministries.

Approximately 1,000 students are enrolled in traditional undergraduate programs. Another 1,000 students are enrolled in graduate and adult programs throughout Colorado. On a daily basis, many of these students are providing invaluable leadership and service throughout the State.

Mr. Speaker, I want to say how glad I am that the House of Representatives has seen fit to recognize the vital contributions of our Nation's Christian colleges and universities, and especially the contributions of my constituents at CCU. I join all my colleagues today in congratulating all these institutions of higher learning, their students, their faculty and staff across the Nation for their ongoing contributions to education and for the key role they play in promoting and ensuring a brighter and stronger future for this Nation.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the outstanding contributions of the faculty, staff and students and alumni of Christian colleges and universities.

I am fortunate to have Greenville College, a Christian college, in my district, which I would like to recognize at this time. Greenville College is a 4-year, coeducational Christian liberal arts college located in Greenville, Illinois, founded in 1892 and affiliated with the Free Methodist Church. Its mission is to transform students for lives of character and service through a Christ-centered education in the liberal arts and sciences.

The school currently has record high enrollment. It has partnered with community colleges in my district to provide quality degrees to students around the State. In particular, this public-private partnership has given adult students the opportunity to obtain degrees in underserved careers such as teaching. The school has a national reputation for its Christian music degrees and has a very vibrant and exciting campus with motivated staff, faculty, and students.

I am a staunch supporter of the religious freedoms we have in this country. One of those freedoms is the ability of our young adults to freely practice their religious beliefs at a Christian college. I am pleased that more than 1.5 million students attend religious-affiliated colleges around the country. They provide a rich diversity to our local towns and communities, and exemplify the set of values that I and many of my colleagues hold so deeply.

Mr. HOEKSTRA. Mr. Speaker, I yield 4 minutes to my colleague, the gentleman from the great State of Michigan (Mr. EHLERS).

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

Mr. Speaker, I thank the gentleman from Michigan (Mr. HOEKSTRA) for introducing this important resolution, and I would particularly like to commend three affiliates of the Council for Christian Colleges and Universities that are located within my district: Calvin College, Cornerstone University, and Reformed Bible College. Combined, these schools enroll approximately 6,600 undergraduates.

As a former professor at Calvin College, I fully realize the value of Christian higher education. Intentionally Christ-centered colleges and universities encourage students to consider their studies in light of God's word and creation. This perspective enables students to develop moral principles and a sense of purpose in life. It also encourages the students to place a high priority on community service and on helping the disadvantaged.

Christian colleges and universities not only prepare students for a life of service but also provide a well-rounded, academically excellent education. Let me once again refer to Calvin College as an example, because I am most familiar with that institution.

Calvin College offers nearly 100 academic options, and its largest programs are education, engineering, and economics and business. Because Calvin is a liberal arts college, its graduates are exceptionally well prepared for a variety of vocations, regardless of their major.

Furthermore, Calvin instills in its students a desire to serve others. Beginning at Streetfest, during first-year students' orientation, Calvin's Service and Learning Center encourages all students to serve people who are in need within the Grand Rapids community. In addition, most Calvin students have the opportunity to engage in service learning as part of their course work. This service orientation also extends to faculty. When faculty members are considered for promotion or tenure, their service to the community is one of the factors considered.

The overarching goal of Calvin's service-oriented, academically excellent education, is to enable students to better understand how they can serve God in their chosen vocations and in their lives.

I have used Calvin as an example simply because, as an alumnus and professor of 16 years at Calvin, I am very familiar with the college. But Calvin is just one of many Christian colleges and universities that make efforts to effectively equip students with a well-rounded education and the desire to serve others.

Again, I support the goals of Christian Higher Education Month, and I commend the more than 125 members and affiliates of the Council for Christian Colleges and Universities for their vital contributions to our Nation.

As the Committee on Education and the Workforce proceeds with reauthorization of the Higher Education Act, I am hopeful that the committee will be mindful of the valuable, faith-based education these colleges and universities provide.

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

Mr. Speaker, I would like to thank my colleague from Michigan for recognizing Calvin College. I would also like to express appreciation to Calvin College, because tomorrow they are going to let Hope College beat them in soccer, and Hope College will take the MIAA championship one more time.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Speaker, I am here to work on another bill, but I could not let the opportunity pass to speak a little bit of my alma mater. I attended Brigham Young University, as have all of our six children and hopefully soon some of our grandchildren; and I also have in my district at home the Master's College, which is a Baptist college that works with young people in the Santa Clarita Valley and attracts students from all around the country.

□ 1630

Both of these schools, as many others that have been named and many that are not being named today by name, are doing a tremendous job in the country educating our young people about life and preparing them for life, but also are teaching Christian values and virtues along with the book learning that they are getting.

I started school in 1956 and actually graduated in 1985, and had the opportunity of chairing a subcommittee here that we titled Subcommittee on Education and Lifelong Learning. I guess the reason they gave me that one was because it took me 30 years to graduate. But I had the opportunity of graduating from Brigham Young University in 1985 with my oldest daughter. We both received our bachelor's and her husband received his master's on that day.

I had a great experience in school. I think it has had a lot of impact on my

life, and I really appreciate the opportunity of serving in the Congress and working on the Committee on Education and the Workforce. I am thankful that the gentlemen from Michigan (Mr. HOEKSTRA) and (Mr. KILDEE) are presenting this bill here today.

Mr. HOEKSTRA. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, again, I want to commend the gentleman from Michigan (Chairman HOEKSTRA) for his leadership in recognizing the incredible role that Christian colleges and universities and institutions of higher learning have provided for this country. Being from the Eighth District of North Carolina, we certainly have wonderful examples, not only in the Eighth District, but throughout North Carolina: Camel College, Methodist College, Montreat College. As a matter of fact, if one checks the history of our institutions, one would probably find a very short list that did not have some connection to our Christian heritage and the Judeo-Christian values that we all hold dear.

I particularly want to take this opportunity to thank all of those men and women who over the years, going all the way back to our Founding Fathers, have instilled the values in our young people that are so important for this Nation to maintain the greatness that it enjoys today.

Christian institutions are not about imposing anyone's values on someone else; they are about proposing the values that have stood the test of time and which provide for us today those lessons learned that we can use to maintain the freedom and the democracy that is ours only in America.

Again, I thank the gentleman from Michigan (Mr. HOEKSTRA) for his leadership, and the gentleman from California (Mr. MCKEON). I think it is an important legislation, and I strongly urge all Members to support it.

Mr. KILDEE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

I thank the gentleman from Michigan (Mr. KILDEE) for participating with us in moving this resolution forward, and for his support. I thank my colleagues for coming to the floor and speaking about the institutions that they have in their districts or their personal experiences and demonstrating the value of Christian colleges and how they present a rich mix of higher-education opportunities in the United States and how important of a component that they are.

With that, I urge my colleagues to support this resolution.

Mr. STENHOLM. Mr. Speaker, I rise in strong support of House Resolution 300, a bill that recognizes the outstanding contributions of the faculty, staff, students, and alumni of Christian colleges and universities.

America has benefited greatly from the more than 900 Christian colleges, beginning with the nation's first such college in 1636.

Christian colleges add to the rich diversity of higher education, offering students and faculty a place to learn and grow in a Christ-centered atmosphere.

There are four Christian universities in the 17th Congressional District of Texas: McMurry University, Abilene Christian University, Hardin-Simmins University and Howard Payne University. These Christian universities are actively rewarding scholarship and meaningful service. They help develop in their students respect and love for intellectual pursuits and faith in a loving and beneficent creator God.

They graduate students with a broad and biblical worldview, an appreciation for human diversity and dedication to a life of service.

I am truly honored to commend the high moral standards, Christian character and intellectual strength of the faculty, staff, students, and alumni of McMurry University, Abilene Christian University, Hardin-Simmins University and Howard Payne University.

These individuals teach us how to achieve success while engaging Christian principles.

I also want to acknowledge the invaluable contributions these Christian institutions bring to the Abilene and Brownwood communities.

The students and staff place a high priority on community service, and these West Texas communities benefit from their dedication and servant leadership.

Please join me in recognizing the unique contributions of the faculty, staff, students, and alumni of Christian colleges and universities, and other faith-based institutions, throughout this Great Nation.

I am pleased to support House Resolution 300, and I urge my colleagues to lend their support.

Mr. BOEHNER. Mr. Speaker, I rise in support of H. Res. 300, recognizing the contributions of the faculty, staff, students, and alumni of Christian colleges and universities.

The month of October is recognized by the Council for Christian Colleges and Universities as ''Christian Higher Education Month.'' The United States has benefited tremendously from the over 1000 Christian colleges and universities that have been founded since the Nation's first Christian college was founded in 1636. My home state of Ohio has a number of Christian institutions, including my alma mater Xavier University.

In a national survey by the Council for Christian College and Universities of Council member schools' alumni, 95 percent reported that their Christian college education helped them develop moral principles that guide their actions and 90 percent said their Christian college helped them develop a sense of purpose in life. I have found that my foundation in Catholic education, including higher education, has helped me to strengthen my sense of purpose in life and prepared me to achieve my goals and ambitions.

I urge my colleagues to vote ''yes'' on this important resolution. The postsecondary education experience is enriched when students have the opportunity to determine their educational environment. H.R. 300 supports the goals and ideas of Christian Higher Education Month by recognizing and honoring the important work of all our Christian colleges and universities.

Mr. MCKEON. Mr. Speaker, I rise in support of House Resolution 300, introduced by the gentleman from Michigan, PETE HOEKSTRA. This resolution recognizes the university campuses affiliated with the Council for Christian Colleges and Universities, and other faith-based campuses and supports the goals and ideals of Christian Higher Education Month.

As Chairman of the 21st Century Competition Subcommittee, which has jurisdiction over the Higher Education Act, I believe that institutions of higher education that are Christ-centered play an important role in providing a quality post-secondary education to our Nation's students. These institutions are vital to the well-being of our country and offer their students an education which focuses on service and a dedication to God and their community.

In particular, I would like to recognize a college from my district, The Master's College, which has provided a quality post-secondary education to residents of California. The Master's College was established in 1927 with the mission to empower students for a life of enduring commitment to Christ, biblical fidelity, moral integrity, intellectual growth and lasting contribution to the kingdom of God. Located in Santa Clarita, this institution, under the direction of President John MacArthur, has been rated as one of America's best colleges by US News and World Report. In the last five out of six years alone, the Master's College has been ranked in the first tier of the Best Comprehensive Colleges—Bachelor's where it competes with over 324 colleges from all across the country. I am proud of the record that the Master's College has earned over the years and would like to recognize their dedication and service to our country.

I would also like to recognize my alma mater, Brigham Young University, which has been responsible for educating a majority of family. Established in 1875, BYU provides an outstanding education in an atmosphere consistent with the ideals and principle of its sponsor, the Church of Jesus Christ of Latter-day Saints. BYU's mission is to assist individuals in their quest for perfection and eternal life. To this end, BYU seeks to develop students of faith, intellect and character who have the skills and the desire to continue learning and to serve others throughout their lives.

Mr. Speaker, I believe that these two institutions are two excellent examples of the type of academic institutions that H. Res. 300 recognizes and I join my colleagues in support of the resolution.

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

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Michigan (Mr. HOEKSTRA) that the House suspend the rules and agree to the resolution, H. Res. 300, as amended.

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

A motion to reconsider was laid on the table.

VACATING ORDERING OF YEAS AND NAYS ON H. CON. RES. 262, EXPRESSING SENSE OF CONGRESS IN SUPPORT OF NATIONAL ANTHEM ''SING-AMERICA'' PROJECT

Mr. MCKEON. Mr. Speaker, I ask unanimous consent to vacate the ordering of the yeas and nays on the motion to suspend the rules and adopt H. Con. Res. 262 to the end that the Chair put the question on the motion de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 262.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS ON CRISIS IN RECRUITING AND RETAINING DIRECT SUPPORT PROFESSIONALS

Mr. MCKEON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 94) expressing the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other development disabilities is at serious risk because of the crisis in recruiting and retaining direct support professionals, which impedes the availability of a stable, quality direct support workforce, as amended.

The Clerk read as follows:

H. CON. RES. 94

Whereas there are more than 8,000,000 Americans who have mental retardation or other developmental disabilities, including mental retardation, autism, cerebral palsy, Down syndrome, epilepsy, and other related conditions;

Whereas individuals with mental retardation or other developmental disabilities have substantial limitations on their functional capacities, including limitations in two or more of the areas of self-care, receptive and expressive language, learning, mobility, self-direction, independent living, and economic self-sufficiency, as well as the continuous need for individually planned and coordinated services;

Whereas for the past two decades individuals with mental retardation or other developmental disabilities and their families have increasingly expressed their desire to live and work in their communities, joining the mainstream of American life;

Whereas the Supreme Court, in its Olmstead decision, affirmed the right of individuals with mental retardation or other developmental disabilities to receive community-based services as an alternative to institutional care;

Whereas the demand for community supports and services is rapidly growing, as States comply with the Olmstead decision and continue to move more individuals from institutions into the community;

Whereas the demand will also continue to grow as family caregivers age, individuals with mental retardation or other developmental disabilities live longer, waiting lists grow, and services expand;

Whereas outside of families, private providers that employ direct support professionals deliver the majority of supports and services for individuals with mental retardation or other developmental disabilities in the community;

Whereas direct support professionals provide a wide range of supportive services to individuals with mental retardation or other developmental disabilities on a day-to-day basis, including habilitation, health needs, personal care and hygiene, employment, transportation, recreation, and housekeeping and other home management-related supports and services so that these individuals can live and work in their communities;

Whereas direct support professionals generally assist individuals with mental retardation or other developmental disabilities to lead a self-directed family, community, and social life;

Whereas private providers and the individuals for whom they provide supports and services are in jeopardy as a result of the growing crisis in recruiting and retaining a direct support workforce;

Whereas providers of supports and services to individuals with mental retardation or other developmental disabilities typically draw from a labor market that competes with other entry-level jobs that provide less physically and emotionally demanding work, and higher pay and other benefits, and therefore these direct support jobs are not currently competitive in today's labor market;

Whereas annual turnover rates of direct support workers range from 40 to 75 percent;

Whereas high rates of employee vacancies and turnover threaten the ability of providers to achieve their core mission, which is the provision of safe and high-quality supports to individuals with mental retardation or other developmental disabilities;

Whereas direct support staff turnover is emotionally difficult for the individuals being served;

Whereas many parents are becoming increasingly afraid that there will be no one available to take care of their sons and daughters with mental retardation or other developmental disabilities who are living in the community; and

Whereas this workforce shortage is the most significant barrier to implementing the Olmstead decision and undermines the expansion of community integration as called for by President Bush's New Freedom Initiative, placing the community support infrastructure at risk: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Direct Support Professional Recognition Resolution''.

SEC. 2. SENSE OF CONGRESS REGARDING SERVICES OF DIRECT SUPPORT PROFESSIONALS TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

It is the sense of the Congress that the Federal Government and the States should make it a priority to promote a stable, quality direct support workforce for individuals with mental retardation or other developmental disabilities that advances our Nation's commitment to community integration for such individuals and to personal security for them and their families.

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

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

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 94.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of House Concurrent Resolution 94, which expresses the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other developmental disabilities is at serious risk because of the crisis of recruiting and retaining direct support professionals.

I want to congratulate and thank my friend, the gentleman from Texas (Mr. SESSIONS), for introducing this resolution to highlight a very serious problem facing this country and the disability community.

As the resolution states, it is vitally important that our Nation increase its attention on recruiting and retaining these support personnel who work directly with individuals with disabilities and help them to become a contributing member of society.

From developing the skills of existing personnel to preparing new leaders and researchers to replace those who are leaving or retiring from the field, we must expand our capacity to recruit new and retain existing personnel.

Last month, the Department of Health and Human Services announced five new demonstration grants aimed at helping recruit, train, and retain direct service workers to aid those who need help with eating, bathing, dressing, and other activities of daily living. These grants will also test offering health insurance benefits to workers to determine if that helps keep workers on the job.

These grants were offered through the President's New Freedom Initiative which promotes the goal of removing barriers to community living for people with disabilities. Under this initiative, 10 Federal agencies have collaborated to remove barriers to community living for people with disabilities. Secretary Thompson and others who have championed the New Freedom Initiative should be commended for their hard work to improving the lives of individuals with special needs.

But we all know that much more needs to be done. As a Nation, we have a commitment to improve the opportunities available for all of our citizens, especially individuals with disabilities.

Over the past 30 years, we have made important strides in enhancing the lives of individuals with disabilities. The Workforce Investment Act, the Vocational Rehabilitation Act, and the Assistive Technology Act are a short list of the important laws that the

Congress has passed since 1998 to better the lives of our fellow citizens with disabilities.

We know that those individuals with mental retardation or other developmental disabilities face significant challenges and obstacles in participating in their community and in the workforce. But every day, every week, and every year we continue to make more progress.

I am particularly pleased with the improvements we have made to support individuals with disabilities through the Workforce Reinvestment and Adult Education Act of 2003 which passed the House in May. In this legislation, State workforce investment boards and local workforce investment areas must develop strategies to address the employment needs of individuals with disabilities consistent with the goal of community integration. In addition, by increasing the coordination among employment and training programs in the one-stop centers created under the Workforce Investment Act, this reauthorization legislation seeks to ensure appropriate services are available to all job seekers, including those with disabilities. Through this legislation, we will give individuals with disabilities the opportunity to participate more fully in the workforce by enhancing their ability to receive training, and we have increased the emphasis on serving individuals with disabilities.

Next year, I hope to work with my colleagues to improve the Assistive Technology Act so that we can provide greater access to technology that improves the quality of life for individuals with disabilities. We will work to ensure that the program is focused on the needs of individuals to secure technology for them so that they can participate in their community and at work.

I am pleased to support this important resolution to improve the opportunity for individuals with mental retardation and developmental disabilities to participate more fully in society, and I ask my colleagues to support this resolution.

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

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

Mr. Speaker, I rise in support of H. Con. Res. 94. This resolution expresses our concern that there should be an adequate supply of direct care providers to provide services to individuals with disabilities in community-based settings.

Individuals with disabilities, including those with mental retardation or other developmental disabilities, have long sought to work and live in their communities. This allows them to join with the rest of society in being productive and contributing citizens.

Access to services in the community, rather than institutional-based services, is critical to many individuals with disabilities. The U.S. Supreme Court, as part of the Olmstead decision, affirmed the right of individuals with mental retardation or other developmental disabilities to receive community-based services as an alternative to institutional care. Unfortunately, there is a shortage of direct care providers.

Low pay and other factors are leading to a high turnover and a struggle by service providers to maintain a full complement of support staff and quality supports. High turnover rates can result in major negative implications, including heightened stress levels, injury, and the inability to live in the community.

With the advancements we have seen to date as a result of the Olmstead decision, many individuals with mental retardation and related developmental disabilities live in community-based residences. Nevertheless, many more are listed on waiting lists for community-based services.

I believe this resolution is the first step in Congress recognizing the significance of the problem in this area.

Our colleagues, the gentleman from Texas (Mr. SESSIONS) and the gentlewoman from California (Mrs. CAPPS) should be recognized for bringing this issue to our attention.

Mr. Speaker, in closing, I urge all Members to support this resolution.

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

Mr. MCKEON. Mr. Speaker, I yield such time as he may consume to my good friend, the gentleman from Texas (Mr. SESSIONS), the author of this bill and one who speaks about this subject from the heart.

Mr. SESSIONS. Mr. Speaker, I also would like to thank the gentleman from California, who has had personal relationships in his life where he dealt with people who might well be impacted very directly by this bill, and his kindness and his insight is not only appreciated, but also respected.

Mr. Speaker, I am pleased that the majority leader, the gentleman from Texas (Mr. DELAY), has given us time to recognize H. Con. Res. 94, the Direct Support Professional Recognition Resolution which highlights a growing national crisis affecting community integration for individuals with mental retardation and other developmental disabilities.

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Mr. Speaker, I will include for the RECORD one piece of supportive data.

Mr. Speaker, in one of his first acts as President of the United States on February 1, 2001, our great President, George W. Bush, announced his groundbreaking New Freedom Initiative, a nationwide effort to remove barriers to community living for people with disabilities.

This New Freedom Initiative represents an important step in working to ensure that all Americans have the opportunity to learn and develop skills, engage in productive work, and choose to work and live in a participatory and a productive community life.

The goals of this initiative include increasing access to newly developed assistive technologies, expanding educational opportunities, promoting home ownership, integrating Americans with disabilities into the workforce, expanding transportation options, and promoting full access to community living.

If the President's New Freedom Initiative is to be successful over the long term, it is critical for there to be an adequate qualified, skilled workforce in place to help people with mental retardation and other developmental disabilities to help them live a self-directed life within their community. Indeed, in September of 2002, in a speech to private providers of community supporters and supports of services, the United States Labor Secretary, Elaine Chao, observed the following: ''The paraprofessional long-term care workforce is the cornerstone of America's long-term care system. Direct support workers are critical to the success of the New Freedom Initiative.''

In recognition of this reality, H. Con. Res. 94 calls on the Federal Government and States to make it a priority to promote a stable quality direct support workforce for individuals with mental retardation and other developmental disabilities that advances this Nation's commitment to community integration for such individuals and to personal security for them and their families. Direct support professionals are critical to fulfilling the national promises of community living made to people with mental retardation as articulated in the President's administration policy as outlined in the New Freedom Initiative.

These valuable front line workers provide a wide range of supportive services on a day-to-day basis to people with disabilities, including habitation, health needs, personal care, hygiene, employment, transportation, recreation, housekeeping, and other home management-related assistance. Without them, these people with mental retardation would not be able to live their lives in communities where they could enjoy the mainstream of the American life.

Unfortunately, today there is a national crisis in securing an adequate supply of qualified direct support professionals. Severe staffing shortages and turnover rates in the direct support workforce is now threatening the quality and continuity of community-based supports and services for these people who they serve, all this at a time when demand for community support and services is growing rapidly as States move more and more individuals from institutions into a community-based setting and aging parents find it necessary to seek outside support for the care of the children whom they love.

Tough work, increased demand for services, and aging population, all of this is threatening the quality and continuation of community support for

services for people with mental retardation and leaving parents extremely fearful that there will be no one there for their children.

It is my hope that each of our colleagues will join me in expressing sincere appreciation for the very important work performed by our Nation's direct support workers, and let us vow to put our heads together to develop a national strategy to address the recruitment and retention of this crisis that is affecting community support for people with developmental disabilities.

Mr. Speaker, I hope that each of my colleagues will join in not only the vote that they make here today, but by going back home and giving a pat on the back to those health care professionals and others who are engaged in the services for each of these people who are important to each and every one of us.

TONYA SIMMONS' REMARKS TO THE AMERICAN ASSOCIATION OF THE MENTALLY RETARDED (AAMR) REGION 9 SERVICE AWARD FOR CONTRIBUTIONS FOR IMPROVING SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES LIVING IN A COMMUNITY SETTING

I am very grateful and thankful for this award. It is an honor. I was new to the human services field 2 years after graduating from the Baltimore County Community College and the AmeriCorps Program. I began working at Spectrum Support without the knowledge of what it was and without the required training: but it was okay because of the training I received and the knowledge that would come from hands-on experience. I was ready and excited about a new challenge. I was successful because I was committed, passionate, strong, and caring. I have a heart. I have feelings, I am concerned, but most of all, this job made me realize that I am a leader. My only brother died this year and what I found from the individuals that I support was that they were now supporting me. Many people do not believe or understand that when you love people they will love back. I received phone calls, they had the staff bring them to visit and they were at the services. I will always remember an individual saying to me, ''If you need anything, Tonya, I'll be here for you. It's going to be all right.'' At that moment I realized that my job was appreciated, that I was appreciated, respected and loved. This is all because this is what they receive from me.

I am working in an underpaid position, working 140 hours bi-weekly between jobs that support adults with disabilities, attending Coppin State College all to support my family. It's okay. I enjoy what I do and look forward to going to work each and every day. Why? Disabilities do not mean inability and I believe in what we do where I work. The individuals that I support and the program are not just my friends but family as well. It's because of them that recently I have learned so much more about myself. I am afraid of public speaking but because of being able to work in the wage campaign, I am overcoming that fear. Thank you for giving me an opportunity to advocate for Direct Support Staff in the Campaign for Increased Wages. At Spectrum Support I am in training everyday where I am encouraged and allowed to grow. I am learning from the best because we are the best. We believe that people can achieve their life goals. We recognize, respect and celebrate each person's contribution to his or her community and believe that each person has unexplored talents that when discovered lead to amazing outcomes. Co-workers we are growing, changing all while moving forward. We will continue to do our best.

Mr. LANGEVIN. Mr. Speaker, I rise today in support of H. Con. Res. 94, which expresses the sense of the Congress that community inclusion and enhanced lives for the 8 million Americans who have mental retardation or other developmental disabilities is at serious risk due to a professional shortage of direct support professionals.

I was proud to join Mr. SESSIONS and Ms. CAPPS in introducing the Direct Support Professional Recognition Resolution earlier this year, because I know the impact that the work of direct support professionals has on the families of people with developmental disabilities. America has come a long way from the days when warehousing of people with mental retardation and other disabilities was painfully routine. Today, seasoned professionals and families alike are deeply grateful for the advances of self-determination that many Americans with developmental disabilities enjoy through living and working within their communities.

Unfortunately, this progress is jeopardized by a real and immediate workforce shortage. As the demand for community supports and services has grown, so has the demand for Direct Support Professionals, people who devote their lives and careers to providing the day-to-day supports necessary for individuals with mental retardation or developmental disabilities to live and work in their communities. This support is crucial for people with disabilities to enjoy the daily freedoms and rights the rest of us take for granted. The current workforce shortage, reflected in high turnover and vacancies, will only worsen with an increased demand for long-term supports as family caregivers age, individuals with mental retardation or other developmental disabilities live longer, waiting lists grow, and services expand.

Mr. Speaker, we must make it a national priority to ensure a quality, stable direct support workforce that advances this Nation's commitment to community integration and personal security for people with mental retardation and other developmental disabilities, and their families. The recruitment and retention of quality, trained direct support workers is essential to providing quality supports and services to people with disabilities. I hear far too often from parents in Rhode Island who fear there will be no one available to take care of their sons and daughters with mental retardation or other developmental disabilities as they grow older—and I know their situations represent so many more across the country. While this resolution takes a small step in recognizing a professional shortage in the field, it is my sincere hope that it represents a commitment on the part of every Member of the House of Representatives to take bigger steps toward realizing the goal of community inclusion. We must do all we can to support the quiet heroes that choose this noble line of work.

Mrs. CAPPS. Mr. Speaker, I rise in support of H. Con. Res. 94, the Direct Support Professional Recognition Resolution. I was pleased to join Representative SESSIONS and Representative LANGEVIN in introducing this resolution. They have been tireless in their efforts to pass it and deserve credit for their leadership on this issue.

Right now more than 8 million Americans have mental retardation or other developmental disabilities. Though they need some degree of assistance, they deserve to live the fullest, most complete lives possible. And they can, with the help of America's direct support professionals.

But it is harder and harder for community-based homes and other institutions to find and keep men and women who want to do this kind of work. There are not enough new people taking up this calling and too many are leaving the field. Though this line of work can be very rewarding, it is also very challenging. Those in the field now are overworked and often underappreciated by our society. Those who commit themselves to it should be recognized and honored for their dedication.

But we need to do more to ensure that our support network for the developmentally disabled does not collapse in the face of this problem. That is what this resolution is about.

Demand for these services, and for direct support professionals will also continue to grow in the coming years. But right now our Nation's long-term care system relies on a variety of public and private funding sources that may not be reliable in the long run.

Medicaid supports many of these programs, but the amount of their support varies from State to State. And now some critics of Medicaid are trying to make sweeping reforms that may jeopardize the support this system has now.

Congress needs to take a serious look at this problem and begin developing solutions. We cannot afford to have a shortage of direct support personnel. I urge my colleagues to give these men and women the support they deserve. I urge my colleagues to dedicate themselves to helping avoid a shortage. And I urge my colleagues to support this resolution.

Mr. BOEHNER. Mr. Speaker, over the past few decades, our Nation has made tremendous progress in improving the opportunities of individuals with disabilities I am proud to say that Congress has significantly improved the ability of individuals with disabilities to become more involved in their communities.

We have passed historic legislation securing the rights of individuals with disabilities, including the Individuals with Disabilities Education Act and the Americans with Disabilities Act. We have clearly demonstrated our support for individuals with disabilities, and continue to be committed to improving opportunities for all individuals with disabilities.

However, we know that there are millions of individuals with disabilities that face significant challenges in their daily lives. Those individuals with mental retardation and developmental disabilities who want to maximize their ability to live independently, find meaningful employment, and join the mainstream of American life continue to need our support and commitment.

As a Congress, as a Nation, we must strive to help these individuals explore new and challenging opportunities. We must encourage people to pursue careers working with individuals with disabilities. We must provide opportunities to individuals with disabilities to make meaningful decisions about the jobs they pursue, the places they live, and the education they receive.

We have made important reforms to key pieces of legislation this past year. In the Improving Results for Children with Disabilities Act, we have provided greater coordination of services for students as they transition away

from school to postsecondary education, the workforce, or community living. We have made it easier for States to provide quality services, and enhanced the ability of individuals with disabilities, and their families, to choose what services they receive.

In the Workforce Reinvestment and Adult Education Act, we have given individuals with disabilities the opportunity to participate more meaningfully in the workforce by enhancing their ability to receive training, and we have increased the emphasis on serving individuals with disabilities.

I strongly support this important resolution, and I encourage my colleagues to support it as well. Mr. KILDEE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCKEON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 94, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. MCKEON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING THE LATE RICK LUPE, BUREAU OF INDIAN AFFAIRS FORT APACHE AGENCY

Mr. RENZI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 237) honoring the late Rick Lupe, lead forestry technician for the Bureau of Indian Affairs Fort Apache Agency, for his dedication and service to the United States and for his essential service in fighting wildfires and protecting the environment and communities of Arizona.

The Clerk read as follows:

H. CON. RES. 237

Whereas Rick Lupe served as lead forestry technician for the Bureau of Indian Affairs Fort Apache Agency and was a long-time firefighter whose legendary intellect and skills made him a hero in 2002 when he saved the town of Show Low, Arizona, from the Rodeo-Chediski fire;

Whereas Rick Lupe and his crew of firefighters dug the fire line at Hop Canyon and created a back burn that stopped the fire from crossing U.S. 60;

Whereas Rick Lupe died on Thursday, June 19, 2003, as a result of severe burns sustained in a prescribed fire conducted in May;

Whereas throughout his career, Rick Lupe was a strong advocate of the prescribed burn program and supported and knew the value of fuels treatment programs;

Whereas Rick Lupe was extremely dedicated to his work and performed his job at the highest level;

Whereas friends and colleague describe Rick Lupe as ''. . . a shining example of a firefighter . . . super safety-conscious, and his family is his love and pride''; and

Whereas Rick Lupe is survived by his wife of 21 years, Evelyn, and their three sons, Sean, 19, who is studying forestry at Northern Arizona University, Daniel, 16, who is in high school, and Brent, 9, who is in grade school: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes and honors the late Rick Lupe for his dedication and service to the United States, for his long and essential service in fighting wildfires and caring for the environment, and for ultimately sacrificing his life for the people of Arizona.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

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

Mr. Speaker, earlier this year I introduced legislation that honored the lifetime of work and service of a firefighter in Arizona's first congressional district. My legislation, H. Con. Res. 237, will allow the House of Representatives to honor Mr. Rick Lupe for his contributions to the people and the lands of the surrounding communities of rural Arizona.

Mr. Lupe was a forestry technician who worked for the Bureau of Indian Affairs for many years. His work with the BIA's Fort Apache Agency was both impressive and memorable for all those who came in contact with him. Moreover, he was able to touch the lives of many more who never had the chance to meet or thank this individual for his efforts.

Those living in my district know Mr. Lupe from his work in saving communities like Show Low, Pinetop-Lakeside, McNary, as well as Hondah Homesites from the destruction of the Rodeo-Chediski fire. Under Mr. Lupe's great leadership, firefighters created a back-burn that stopped the fire line at Hop Canyon so that the fire did not cross a major interstate, protecting numerous homes and valuable lives.

Our country tragically lost Rick Lupe on Thursday June 19, 2003, after he survived for 5 weeks in a burn unit from wounds sustained in a prescribed fire in May of this year. Mr. Lupe is remembered as a man who was a shining example of a firefighter. He took pride in his work and even more pride in his family. Mr. Lupe left behind a wonderful wife of 21 years, Evelyn, and three sons, Sean, Daniel, and Brent.

This resolution states that we in Congress should recognize and honor Rick Lupe for his immense contributions on behalf of thousands living in Arizona. Given the fires that recently raged across Southern California and the over 11,000 firefighters that battle the blazes, we should never forget how many men and women are putting their lives on the line in the same manner that Mr. Lupe did for decades.

I urge my colleagues to support this resolution honoring Rick Lupe. I look forward to the support of Members of both sides of the aisle with regard to H. Con. Res. 237 and its consideration today.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to honor Rick Lupe, White Mountain Apache, expert firefighter, loving husband, devoted father and true hero. Lately, we hear the word ''hero'' tossed around often, too often; but I am here to tell you that Mr. Lupe deserves this term being used alongside his name forever.

In his capacity as lead forestry technician and firefighter for the Bureau of Indian Affairs, he saved lives and even towns from death and destruction. Sadly, he paid the ultimate price, but not before leaving a legacy we should all admire.

Richard Glenn Lupe worked his way up the BIA forestry organization through hard work, dependability, and by earning the respect of his coworkers and bosses alike. In June of 2000, two wildfires which began on the Fort Apache Indian Reservation in Arizona merged into one massive fire which destroyed more than 450 homes and burned over 460,000 acres of forestlands.

This fire was the largest wildfire ever in the history of the Southwest. However, even more homes and property would have been lost had it not been for the tenacity and courage of Rick Lupe and his firefighting team. Rick's team set a dozer line strategically placed to foil the coming flames, and it worked. His actions saved the towns of Show Low, Pinetop-Lakeside, Hondah Homesites, and McNary from certain destruction.

To Evelyn, Rick's wife and life companion of 21 years, and to their sons Sean, Daniel, and Brent, I extend my heartfelt sympathies. I hope that in some small way the knowledge that we honor the life and work of your husband and father here today will comfort you in the months and years to come.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 237.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ARAPAHO AND ROOSEVELT NATIONAL FORESTS LAND EXCHANGE ACT OF 2003

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2766) to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, as amended.

The Clerk read as follows:

H.R. 2766

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 ''Arapaho and Roosevelt National Forests Land Exchange Act of 2003''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Certain National Forest System lands near Empire, Colorado, are needed by the city of Golden, Colorado, to facilitate the construction of a water pipeline to transport domestic water supplies into storage for the city and its residents.

(2) Such National Forest System lands, comprising approximately 9.84 acres in total, are of limited utility for public administration or recreation and other use by virtue of their largely steep terrain, irregular boundary, and lack of easy public access.

(3) The city of Golden owns, or has an option to purchase, several parcels of non-Federal land comprising a total of approximately 141 acres near Evergreen and Argentine Pass, Colorado, which it is willing to convey to the United States for addition to the Arapaho and Roosevelt National Forests.

(4) The non-Federal lands owned or optioned by the city of Golden, if conveyed to the United States, will eliminate inholdings in the National Forest System, result in administrative cost savings to the United States by reducing costs of forest boundary administration, and provide the United States with environmental and public recreational use benefits (including enhanced Federal land ownership along the Continental Divide National Scenic Trail) that greatly exceed the benefits of the Federal land the United States will convey in exchange.

(5) It is in the public interest to authorize, direct, expedite, and facilitate completion of a land exchange involving these Federal and non-Federal lands to assist the city of Golden in providing additional water to its residents and to acquire valuable non-Federal lands for permanent public use and enjoyment.

SEC. 3. LAND EXCHANGE, ARAPAHO AND ROOSEVELT NATIONAL FORESTS, COLORADO.

(a) CONVEYANCE BY THE CITY OF GOLDEN.—

(1) LANDS DESCRIBED.—The land exchange directed by this section shall proceed if, within 30 days after the date of the enactment of this Act, the city of Golden, Colorado (in the section referred to as the ''City''), offers to convey title acceptable to the United States to the following non-Federal lands:

(A) Certain lands located near the community of Evergreen in Park County, Colorado, comprising approximately 80 acres, as generally depicted on a map entitled ''Non-Federal Lands—Cub Creek Parcel'', dated June, 2003.

(B) Certain lands located near Argentine Pass in Clear Creek and Summit Counties, Colorado, comprising approximately 55.909 acres in 14 patented mining claims, as generally depicted on a map entitled ''Argentine Pass/Continental Divide Trail Lands'', dated September 2003.

(2) CONDITIONS OF CONVEYANCE.—The conveyance of lands under paragraph (1) to the United States shall be subject to the absolute right of the City to permanently enter upon, utilize, and occupy so much of the surface and subsurface of the lands as may be reasonably necessary to access, maintain, repair, modify, make improvements in, or otherwise utilize the Vidler Tunnel to the same extent that the City would have had such right if the lands had not been conveyed to the United States and remained in City ownership. The exercise of such right shall not require the City to secure any permit or other advance approval from the United States. Upon acquisition by the United States, such lands are hereby permanently withdrawn from all forms of entry and appropriation under the public land laws, including the mining and mineral leasing laws, and the Geothermal Steam Act of l970 (30 U.S.C. 1001 et seq.).

(b) CONVEYANCE BY UNITED STATES.—Upon receipt of acceptable title to the non-Federal lands identified in subsection (a), the Secretary of Agriculture shall simultaneously convey to the City all right, title and interest of the United States in and to certain Federal lands, comprising approximately 9.84 acres, as generally depicted on a map entitled ''Empire Federal Lands—Parcel 12'', dated June 2003.

(c) EQUAL VALUE EXCHANGE.—

(1) APPRAISAL.—The values of the Federal lands identified in subsection (b) and the non-Federal lands identified in subsection (a)(1)(A) shall be determined by the Secretary through appraisals performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions (December 20, 2000) and the Uniform Standards of Professional Appraisal Practice. Except as provided in paragraph (3), the conveyance of the non-Federal lands identified in subsection (a)(1)(B) shall be considered a donation for all purposes of law.

(2) SURPLUS OF NON-FEDERAL VALUE.—If the final appraised value, as approved by the Secretary, of the non-Federal lands identified in subsection (a)(1)(A) exceeds the final appraised value, as approved by the Secretary, of the Federal land identified in subsection (b), the values may be equalized—

(A) by reducing the acreage of the non-Federal lands identified in subsection (a) to be conveyed, as determined appropriate and acceptable by the Secretary and the City;

(B) the making of a cash equalization payment to the City, including a cash equalization payment in excess of the amount authorized by section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or

(C) a combination of acreage reduction and cash equalization.

(3) SURPLUS OF FEDERAL VALUE.—If the final appraised value, as approved by the Secretary, of the Federal land identified in subsection (b) exceeds the final appraised value, as approved by the Secretary, of the non-Federal lands identified in subsection (a)(1)(A), the Secretary shall prepare a statement of value for the non-Federal lands identified in subsection (a)(1)(B) and utilize such value to the extent necessary to equalize the values of the non-Federal lands identified in subsection (a)(1)(A) and the Federal land identified in subsection (b). If the Secretary declines to accept the non-Federal lands identified in subsection (a)(1)(B) for any reason, the City shall make a cash equalization payment to the Secretary as necessary to equalize the values of the non-Federal lands identified in subsection (a)(1)(A) and the Federal land identified in subsection (b).

(d) EXCHANGE COSTS.—To expedite the land exchange under this section and save administrative costs to the United States, the City shall be required to pay for—

(1) any necessary land surveys; and

(2) the costs of the appraisals, which shall be performed in accordance with Forest Service policy on approval of the appraiser and the issuance of appraisal instructions.

(e) TIMING AND INTERIM AUTHORIZATION.—It is the intent of Congress that the land exchange directed by this Act should be completed no later than 120 days after the date of the enactment of this Act. Pending completion of the land exchange, the City is authorized, effective on the date of the enactment of this Act, to construct a water pipeline on or near the existing course of the Lindstrom ditch through the Federal land identified in subsection (b) without further action or authorization by the Secretary, except that, prior to initiating any such construction, the City shall execute and convey to the Secretary a legal document that permanently holds the United States harmless for any and all liability arising from the construction of such water pipeline and indemnifies the United States against all costs arising from the United States' ownership of the Federal land, and any actions, operations or other acts of the City or its licensees, employees, or agents in constructing such water pipeline or engaging in other acts on the Federal land prior to its transfer to the City. Such encumbrance on the Federal land prior to conveyance shall not be considered for purposes of the appraisal.

(f) ALTERNATIVE SALE AUTHORITY.—If the land exchange is not completed for any reason, the Secretary is hereby authorized and directed to sell the Federal land identified in subsection (b) to the City at its final appraised value, as approved by the Secretary. Any money received by the United States in such sale shall be considered money received and deposited pursuant to Public Law 90–171 (16 U.S.C. 484(a); commonly known as the ''Sisk Act'', and may be used, without further appropriation, for the acquisition of lands for addition to the National Forest System in the State of Colorado.

(g) INCORPORATION, MANAGEMENT, AND STATUS OF ACQUIRED LANDS.—Land acquired by the United States under the land exchange shall become part of the Arapaho and Roosevelt National Forests, and the exterior boundary of such forest is hereby modified, without further action by the Secretary, as necessary to incorporate the non-Federal lands identified in subsection (a) and an additional 40 acres as depicted on a map entitled ''Arapaho and Roosevelt National Forest Boundary Adjustment—Cub Creek'', dated June 2003. Upon their acquisition, lands or interests in land acquired under the authority of this Act shall be administered in accordance with the laws, rules and regulations generally applicable to the National Forest System. For purposes of Section 7 of the of the Land and Water Conservation Fund Act of l965 (16 U.S.C. 460l–9), the boundaries of the Arapaho and Roosevelt National Forests, as adjusted by this subsection shall be deemed to be the boundaries of such forest as of January 1, 1965.

(h) TECHNICAL CORRECTIONS.—The Secretary, with the agreement of the City, may make technical corrections or correct clerical errors in the maps referred to in this section or adjust the boundaries of the Federal lands to leave the United States with a manageable post-exchange or sale boundary. In the event of any discrepancy between a map, acreage estimate, or legal description, the map shall prevail unless the Secretary and the City agree otherwise.

(i) REVOCATION OF ORDERS AND WITHDRAWAL.—Any public orders withdrawing any of the Federal lands identified in subsection (b) from appropriation or disposal under the public land laws are hereby revoked to the extent necessary to permit disposal of the Federal lands.

Upon the enactment of this Act, if not already withdrawn or segregated from the entry and appropriation under the public land laws, including the mining and mineral leasing laws and the Geothermal Steam Act of l970 (30 U.S.C. 1001 et seq.), the Federal lands are hereby withdrawn until the date of their conveyance to the City.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2766, introduced by the gentleman from Colorado (Mr. BEAUPREZ), would direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado.

□ 1700

This exchange would facilitated the construction of a pipeline leading in a reservoir near Empire, Colorado, to the city of Golden, Colorado. In exchange, the Forest Service will benefit by acquiring nearly 80 acres of inholdings near Evergreen, Colorado, as well as receiving a donation of 61 acres of private land along the Continental Divide National Scenic Trail.

Mr. Speaker, I urge adoption of this bill.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, H.R. 2766 would authorize the Secretary of Agriculture to consummate a land exchange in Colorado. The values of the lands would be appraised in accordance with the Federal appraisal standards.

The city of Golden, Colorado would benefit from the transaction. This bill is not controversial. I congratulate the sponsor of this legislation and the gentleman from Colorado (Mr. UDALL) for their hard bipartisan work on this legislation.

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

Mr. RENZI. Mr. Speaker, I yield 5 minutes to the gentleman from the Rocky Mountain State of Colorado (Mr. BEAUPREZ).

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

Mr. Speaker, I rise in support of H.R. 2677, which I introduced on July 17 of this year in order to help my constituents in Golden, Colorado with their efforts to increase their water supply system. I would also like to extend my thanks to the gentleman from Colorado (Mr. UDALL), who joins me in the Chamber, and the gentleman from Colorado (Mr. TANCREDO) for cosponsoring this important legislation with me.

Mr. Speaker, as many Members of this House are aware, the State of Colorado has recently suffered through what many scientists believe is the worst drought cycle to hit our State in the past 300 to 500 years. As a result, many communities' usage ran up against or exceeded their ability to store water. While the drought has abated in northern and central Colorado, it is still severe in parts of central and eastern Colorado, and both State and local government entities are urgently searching for ways to prepare for future drought and emergency situations.

To that end, the city of Golden, which I represent, is currently completing a new water storage facility, called the Guanella Reservoir near Empire, Colorado. When the construction is finished later this year, Guanella Reservoir will increase Golden's water storage capability by about 400 percent, which should be adequate to guard against any water shortage problems for the near future.

While the new Guanella Reservoir and the headgate to withdraw water from the nearby West Fork of Clear Creek are located entirely on private land, a small portion of the water pipeline needed to connect the reservoir with the water withdrawal site must cross a narrow finger of National Forest land. In addition, the city needs to begin filling this reservoir this coming winter, so they need authorization to construct the water pipeline across the National Forest land this fall.

To achieve the above mentioned goals, H.R. 2766 does two things. First, it authorizes and directs a small land exchange between the Forest Service and the city of Golden to give the city the Forest Service land it needs to complete the pipeline construction. If the land exchange cannot be completed for any reason, the Forest Service is directed to sell the land to the city.

Second, H.R. 2766 authorizes the city to complete the water pipeline across the National Forest land as soon as this bill is enacted into law. That provision is critical to the city's plans, as the pipeline is already completed up to the National Forest boundary, and the remaining small stretch of the pipeline must be completed as soon as possible in order for the city to begin filling the reservoir this coming winter. Unfortunately, there is not adequate time for the city to obtain an administrative permit from the Forest Service to meet the schedule, and thus, this Congressional action is required.

Mr. Speaker, in preparing this legislation, I have worked closely with my colleagues, the gentleman from Colorado (Mr. UDALL) and the gentleman from Colorado (Mr. TANCREDO), as this land exchange directly involves lands in their congressional districts. In particular, while the proposed exchange will assist the city of Golden, it will also bring two valuable particles of land into Forest Service ownership.

The first parcel is located in the Cub Creek drainage near Evergreen, Colorado. It is sought for acquisition by the Forest Service to eliminate a private land inholding in an area that is becoming increasingly popular for public recreation.

The second parcel is a 55-acre parcel which straddles the Continental Divide near Argentine Pass and is traversed by the route of the Continental Divide National Scenic Trail. It will be donated to the Forest Service by the city as part of the exchange transaction.

I want to commend the city of Golden for making the donation of the Argentine Pass lands to the Forest Service. Donating the land to the Forest Service will mean that scarce trail acquisition dollars can be used on other parts of the Trail. So that is a real win-win for all concerned.

In closing, Mr. Speaker, allow me to note that H.R. 2766 has been endorsed by all three counties where the exchange lands are located, that is Clear Creek, Park and Summit Counties, the nonprofit Continental Divide Trail Association, the city of Black Hawk Public Works Department, the Georgetown Loop Railroad, and the U.S. Forest service. This bill is truly a bipartisan consensus proposal in every respect. I hope it will be passed by our body today and by our colleagues in the Senate shortly and signed into law by the President at the earliest possible date.

Mr. UDALL of New Mexico. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. UDALL), a hardworking member of the House Committee on Resources.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I rise in strong support of this bill. And as I begin to make some comments about it, I want to thank the gentleman from New Mexico (Mr. UDALL) for yielding me time.

Mr. Speaker, as my colleague and friend, the gentleman from Colorado (Mr. BEAUPREZ) explained, this bill would expedite an exchange of lands between the city of Golden and the Federal Government. I join the gentleman from Colorado (Mr. BEAUPREZ) in introducing the legislation. I want to extend my thanks for his initiative and for his great cooperation and hard work on this important piece of legislation, particularly the people of Golden and of this particular area.

I also want to join the gentleman in extending my appreciation to the subcommittee chairman, the gentleman from Colorado (Mr. MCINNIS), and the

ranking member, the gentleman from Washington (Mr. INSLEE), as well as our chairman, the gentleman from California (Mr. POMBO) and the ranking member, the gentleman from West Virginia (Mr. RAHALL) for making it possible for us to move the bill quickly to the floor of the House.

Finally, I would like to acknowledge our colleague, the gentleman from Colorado (Mr. TANCREDO) whose district abuts our district and without whose help we could not have moved this legislation.

The gentleman from Colorado (Mr. BEAUPREZ) exhaustively and with great detail explained what this measure does. And I wanted to just emphasize that not only does the legislation meet the needs and interest of the city of Golden, but it also benefits the public interest as well. The gentleman explained that this land that would be exchanged helps the Continental Divide Trail so that it can move ahead with the important work that it is doing on a noncash basis. This transfer does not involve resources so they can put them towards completing the trail and maintaining the trail.

It also gives the city of Golden certainty that it can proceed with this project, and if for some reason the exchange cannot be completed, the city will buy the lands. It has made a good faith commitment toward doing this.

In conclusion this is a win-win-win across the board. It will help us respond to what has been an unprecedented drought in our State. It is an example of how, if we work together in Colorado and in this Congress, we can meet the increasing needs for water in the west.

This is a bill that on its surface may appear to be modest, but it is very important for the city of Golden, for our Colorado residents, and for all the Americans who will take advantage of the Continental Divide Trail. I would urge its support and its adoption. It is bipartisan and noncontroversial. I would like to thank, again, the gentleman from Colorado (Mr. BEAUPREZ) for his hard work.

Mr. UDALL of New Mexico. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 2766, as amended.

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

A motion to reconsider was laid on the table.

BLACK CANYON OF THE GUNNISON BOUNDARY REVISION ACT OF 2003

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 677) to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, and for other purposes.

The Clerk read as follows:

S. 677

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 ''Black Canyon of the Gunnison Boundary Revision Act of 2003''.

SEC. 2. BLACK CANYON OF THE GUNNISON NATIONAL PARK BOUNDARY REVISION.

(a) BOUNDARY REVISION.—Section 4(a) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–2(a)) is amended—

(1) by striking ''There'' and inserting ''(1) There''; and

(2) by adding at the end the following:

''(2) The boundary of the Park is revised to include the addition of approximately 2,530 acres, as generally depicted on the map entitled 'Black Canyon of the Gunnison National Park and Gunnison Gorge NCA Boundary Modifications' and dated April 2, 2003.''.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—On the date of enactment of this Act, the Secretary shall transfer the land under the jurisdiction of the Bureau of Land Management identified as ''Tract C'' on the map described in subsection (a)(2) to the administrative jurisdiction of the National Park Service for inclusion in the Black Canyon of the Gunnison National Park.

(c) CONFORMING AMENDMENT.—Section 5(a)(1) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–3(a)(1)) is amended by striking ''Map'' and inserting ''Map or the map described in section 4(a)(2)''.

SEC. 3. GUNNISON GORGE NATIONAL CONSERVATION AREA BOUNDARY REVISION.

Section 7(a) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–5(a)) is amended—

(1) by striking ''There'' and inserting ''(1) There''; and

(2) by adding at the end the following:

''(2) The boundary of the Conservation Area is revised to include the addition of approximately 7,100 acres, as generally depicted on the map entitled 'Black Canyon of the Gunnison National Park and Gunnison Gorge NCA Boundary Modifications', and dated April 2, 2003.''.

SEC. 4. GRAZING PRIVILEGES.

(a) TRANSFER OF PRIVILEGES.—Section 4(e)(1) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Area Act of 1999 (16 U.S.C. 410fff–2(e)(1)) is amended by adding at the end the following:

''(D) If land within the Park on which the grazing of livestock is authorized under permits or leases under subparagraph (A) is exchanged for private land under section 5(a), the Secretary shall transfer any grazing privileges to the land acquired in the exchange.''.

(b) PRIVILEGES OF CERTAIN PARTNERSHIPS.—Section 4(e)(3) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Area Act of 1999 (16 U.S.C. 410fff–2(e)(3)) is amended—

(1) by striking ''and'' at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (D);

(3) by inserting after subparagraph (A) the following:

''(B) with respect to the permit or lease issued to LeValley Ranch Ltd., for the lifetime of the last surviving limited partner as of October 21, 1999;

''(C) with respect to the permit or lease issued to Sanburg Herefords, L.L.P., for the lifetime of the last surviving general partner as of October 21, 1999; and''; and

(4) in subparagraph (D) (as redesignated by paragraph (2))—

(A) by striking ''partnership, corporation, or'' each place it appears and inserting ''corporation or''; and

(B) by striking ''subparagraph (A)'' and inserting ''subparagraph (A), (B), or (C)''.

SEC. 5. ACCESS TO WATER DELIVERY FACILITIES.

The Commissioner of Reclamation shall retain administrative jurisdiction over the Crystal Dam Access Road and land, facilities, and roads of the Bureau of Reclamation in the East Portal area,including the Gunnison Tunnel, and the Crystal Dam area, as depicted on the map entitled ''Black Canyon of the Gunnison National Park and Gunnison Gorge NCA Boundary Modifications'', and dated April 2, 2003, for the maintenance, repair, construction, replacement, and operation of any facilities relating to the delivery of water and power under the jurisdiction of the Bureau of Reclamation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. 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 S. 677.

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

There was no objection.

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

Mr. Speaker, S. 677 introduced by Senator BEN NIGHTHORSE CAMPBELL of Colorado would authorize the Secretary of the Interior to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area through various exchanges and purchases with willing sellers.

In addition, S. 677 would authorize the Secretary to transfer lands under the jurisdiction of the Bureau of Land Management and ensure that any grazing rights involved in the land transfer would be continued. Finally, Section 5 on the bill clarifies that the Commissioner of the Bureau of Reclamation shall have access to and retain jurisdiction over certain roads and areas in the park in addition to roads and facilities in the East portal and Crystal Dam areas.

Mr. Speaker, S. 677 is supported by the administration and the majority and minority of the committee. I urge adoption of the bill.

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

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 677 authorizes several additions to the Black Canyon of the Gunnison National Park and the Gunnison Gorge National Conservation Area through a combination of exchanges and acquisitions of both land and conservation easements.

If enacted, the legislation would add more than 2,700 acres of land to the boundary of the National Park and more than 7,000 acres to the boundary of the National Conservation Area while making other technical changes to the management of these areas.

The changes being made in this legislation are supported by the administration, and I am unaware of any controversy regarding this measure.

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

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I want to thank the gentleman for yielding me time. I want to thank the gentleman from Arizona (Mr. RENZI) for his work on behalf of this legislation today.

As a Coloradan but also as an American, I rise to tell the body what a beautiful and unique place the Black Canyon is. This bill which has already passed the Senate, would revise the boundary of the Black Canyon of the Gunnison National Park and the Gunnison Gorge National Conservation Area in Colorado. It was introduced by our senior Senator, Senator BEN NIGHTHORSE CAMPBELL. A similar bill was introduced by our colleague here in the House and the chairman of our Subcommittee on Forest and Forest Health of the Committee on Resources, the gentleman from Colorado (Mr. MCINNIS).

They took the initial lead back in 1999 and 2000 in securing the enactment of the legislation that established the National Conservation Area and redesignated the Black Canyon of the Gunnison National Monument as a national park. They deserve our special thanks today for their leadership and then also for making it possible for this bill to be on the House floor today.

The bill today authorizes additions to both the park and the National Conservation Area, the NCA. And according to the Interior Department, these transactions should meet the present and future land requirements for the park.

The present land owners are willing sellers and the legislation is also supported by the Montrose County Commissioners, the Montrose Chamber of Commerce, and the local and national land trusts involved in the project. So you can see it has widespread support.

The bill also provides for the expansion of the conservation area which is managed by the Bureau of Land Management, by the addition of about approximately 5,759 acres that were acquired by the Federal Government in February of 2000 from a willing seller through a land exchange. This acquisition was not completed in time to include the lands within the original conservation area boundaries, so we have come back to the Congress now to make that the law.

The parcel includes approximately five miles of the Gunnison River and provides important resource values and recreational opportunities.

□ 1715

Finally, there are an additional 1,439 acres of adjacent BLM-managed public lands that are in the public estate, but would now be transferred over to the conservation area.

So, in conclusion, Mr. Speaker, this is a bipartisan, noncontroversial bill. It will add important lands to both the park and the conservation area, help the economy in that area, and also make sure that Americans of all stripes and backgrounds can enjoy an even greater section of this beautiful part of Colorado. So I would urge its adoption by the full House today.

Mr. MCINNIS. Mr. Speaker, In 1999, I introduced legislation that established this Park and National Conservation Area, so my love of this place and belief in its continued protection is obvious. As you know, Mr. Speaker, I am a strong believer in local consensus and the preservation of western values. The Park and NCA were established on those ideals, and I am pleased that the bill I bring before you today continues on that path.

The legislation was originally scheduled for a hearing in the Resources Committee last June, after Senator CAMPBELL successfully saw it through the Senate. It took a few additional months, however, because I wanted to ensure that the water rights involved with these land transactions would remain protected for the people of Colorado. After working with the landowners and The Conservation Fund, I am now comfortable with the commitment that the landowners have made and am eager to see this bill move forward.

As you know, Mr. Speaker, water rights in the West are vital to our livelihood and even the murmur of losing control of them is enough to start a stampede. That is why language has been included in this bill to guarantee that the Bureau of Reclamation retains jurisdiction and access to water delivery facilities. For nearly 100 years, the Uncompahgre Valley Water User's Association has done a great job providing water to the valley; I want to make sure they can continue to do so. My 1999 bill establishing the Park did not intend to affect the Bureau's jurisdiction in any way, and neither does this boundary modification.

The Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area is a national treasure to be enjoyed by all. The park's combination of geological wonders and diverse wildlife make it one of the most unique natural areas in North America. I am proud to represent the area and believe that this legislation will greatly benefit those who live in the area and all who visit the Park.

I want to thank Senator CAMPBELL and the Resources Committee for their work on this bill. I close by urging all members to support this legislation, so it can move promptly to the President's desk and be signed into law.

Mr. UDALL of New Mexico. Mr. Speaker, having no further speakers, I yield back all remaining time.

Mr. RENZI. Mr. Speaker, I yield back all my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 677.

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

A motion to reconsider was laid on the table.

AUTHORIZING EXCHANGE OF LANDS BETWEEN AN ALASKA NATIVE VILLAGE CORPORATION AND DEPARTMENT OF THE INTERIOR

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 924) to authorize the exchange of lands between an Alaska Native Village Corporation and the Department of the Interior, and for other purposes.

The Clerk read as follows:

S. 924

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

SECTION 1. DEFINITIONS.

For the purposes of this Act, the term:

(1) ''ANCSA'' means the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(2) ''ANILCA'' means the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.);

(3) ''Calista'' means the Calista Corporation, an Alaska Native Regional Corporation established pursuant to ANCSA;

(4) ''Identified Lands'' means approximately 10,943 acres of lands (including surface and subsurface estates) designated as ''Proposed Village Site'' on a map entitled ''Proposed Newtok Exchange,'' dated September, 2002, and available for inspection in the Anchorage office of the United States Fish and Wildlife Service;

(5) ''limited warranty deed'' means a warranty deed which is, with respect to its warranties, limited to that portion of the chain of title from the moment of conveyance from the United States to Newtok to and including the moment at which such title is validly reconveyed to the United States;

(6) ''Newtok'' means the Newtok Native Corporation, an Alaska Native Village Corporation established pursuant to ANCSA;

(7) ''Newtok lands'' means approximately 12,101 acres of surface estate comprising conveyed lands and selected lands identified as Aknerkochik on the map referred to in paragraph (4) and that surface estate selected by Newtok on Baird Inlet Island as shown on the map; and

(8) ''Secretary'' means the Secretary of the Interior.

SEC. 2. LANDS TO BE EXCHANGED.

(a) LANDS EXCHANGED TO THE UNITED STATES.—If, within 180 days after the date of

enactment of this Act, Newtok expresses to the Secretary in writing its intent to enter into a land exchange with the United States, the Secretary shall accept from Newtok a valid, unencumbered conveyance, by limited warranty deed, of the Newtok lands previously conveyed to Newtok. The Secretary shall also accept from Newtok a relinquishment of irrevocable prioritized selections for approximately 4,956 acres for those validly selected lands not yet conveyed to Newtok.

(b) LANDS EXCHANGED TO NEWTOK.—In exchange for the Newtok lands conveyed and selections relinquished under subsection (a), the Secretary shall, subject to valid existing rights and notwithstanding section 14(f) of ANCSA, convey to Newtok the surface and subsurface estates of the Identified Lands. The conveyance shall be by interim conveyance. Subsequent to the interim conveyance, the Secretary shall survey identified Lands at no cost to Newtok and issue a patent to the Identified Lands subject to the provisions of ANCSA and this Act.

SEC. 3. CONVEYANCE.

(a) TIMING.—The Secretary shall issue interim conveyances pursuant to subsection 2(b) at the earliest possible time after acceptance of the Newtok conveyance and relinquishment of selections under subsection 2(a).

(b) RELATIONSHIP TO ANCSA.—Lands conveyed to Newtok under this Act shall be treated as having been conveyed under the provisions of ANCSA, except that the provisions of 14(c) and 22g of ANCSA shall not apply to these lands. Consistent with section 103(c) of ANILCA, these lands shall not be included as a portion of the Yukon Delta National Wildlife Refuge and shall not be subject to regulations applicable solely to public lands within this Conservation System Unit.

(c) EFFECT ON ENTITLEMENT.—Except as otherwise provided, nothing in this Act shall be construed to change the total acreage of land to which Newtok is entitled under ANCSA.

(d) EFFECT ON NEWTOK LANDS.—The Newtok Lands shall be included in the Yukon Delta National Wildlife Refuge as of the date of acceptance of the conveyance of those lands from Newtok, except that residents of the Village of Newtok, Alaska, shall retain access rights to subsistence resources on those Newtok lands as guaranteed under section 811 of ANILCA (16 U.S.C. 3121), and to subsistence uses, such as traditional subsistence fishing, hunting and gathering, consistent with section 803 of ANILCA (16 U.S.C. 3113).

(e) ADJUSTMENT TO CALISTA CORPORATION ANCSA ENTITLEMENT FOR RELINQUISHED NEWTOK SELECTIONS.—To the extent that Calista subsurface rights are affected by this Act, Calista shall be entitled to an equivalent acreage of in lieu subsurface entitlement for the Newtok selections relinquished in the exchange as set forth in subsection 2(a) of this Act. This equivalent entitlement shall come from subsurface lands already selected by Calista, but which have not been conveyed. If Calista does not have sufficient subsurface selections to accommodate this additional entitlement, Calista Corporation is hereby authorized to make an additional in lieu selection for the deficient acreage from lands within the region but outside any conservation system unit.

(f) ADJUSTMENT TO EXCHANGE.—If requested by Newtok, the Secretary may consider and make adjustments to the exchange to meet the purposes of this Act, subject to all the same terms and conditions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, S. 924 is sponsored by Senator LISA MURKOWSKI of the State of Alaska. This legislation provides for a land exchange between the Newtok Native Corporation and the United States.

Newtok is a village in western Alaska located on a river that is rapidly eroding. Within several years, experts believe the river will eventually wash away key areas of the village. Newtok is inhabited by the Yupik Eskimo people who still live a natural subsistence lifestyle and they exist below the poverty line.

In order to avoid the problems the eroding river is going to cause, local leaders have chosen to relocate Newtok to another site. This is by no means an easy process, and there are many steps to get this done. The first step is in the hands of the Congress.

Because the 19 million-acre Yukon National Wildlife Refuge surrounds the existing village and the site identified for the relocation, a land exchange is necessary. After much work and negotiations between the villagers, the corporation, the Fish and Wildlife Service, and the environmental community an agreement was worked out.

The land exchange described in S. 924 is the product of that compromise. It will enable Newtok to relocate once it has secured the funds necessary to do so, and the United States will acquire lands of high value for waterfowl habitat. More importantly, this legislation helps people who wish to continue living in the environment their ancestors have inhabited for thousands of years.

All sides involved should be commended for fashioning a good agreement that is noncontroversial. I urge passage of the bill.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I am pleased to rise in support of S. 924. This legislation would ratify a land exchange negotiated between the U.S. Fish and Wildlife Service and the Newtok Native Corporation.

The negotiation and resulting land exchange agreement was motivated by the current state of the Newtok village site. The village is rapidly eroding and is threatened by flooding. The 300 residents of the Yupik Eskimo village of Newtok live a largely subsistence lifestyle, which is heavily dependent upon fish and wildlife resources of the Yukon delta area of western Alaska.

Under S. 924, the Fish and Wildlife Service would convey about 11,000 acres to the Newtok Native Corporation, which would allow the village to relocate to safer ground. It is my understanding that the Newtok Native Corporation intends to donate the lands received under the exchange to the community.

In return, the Fish and Wildlife Service will receive over 12,000 acres of corporation lands which will be managed in the future as part of the Yukon Delta National Wildlife Refuge. In addition to the clear public interest in allowing the village to move to a safer location, the Fish and Wildlife Service will acquire high-priority lands for the refuge and, overall, considers this to be a fair exchange.

Mr. Speaker, on behalf of my colleagues on this side of the aisle, we thank the Alaska delegation for this worthy legislation.

Mr. Speaker, having no additional speakers, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no other speakers, and I also yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 924.

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

A motion to reconsider was laid on the table.

GALISTEO BASIN ARCHAEOLOGICAL SITES PROTECTION ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 506) to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes, as amended.

The Clerk read as follows:

H.R. 506

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 ''Galisteo Basin Archaeological Sites Protection Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the Galisteo Basin and surrounding area of New Mexico is the location of many well preserved prehistoric and historic archaeological resources of Native American and Spanish colonial cultures;

(2) these resources include the largest ruins of Pueblo Indian settlements in the United States, spectacular examples of Native American rock art, and ruins of Spanish colonial settlements; and

(3) these resources are being threatened by natural causes, urban development, vandalism, and uncontrolled excavations.

(b) PURPOSE.—The purpose of this Act is to provide for the preservation, protection, and interpretation of the nationally significant archaeological resources in the Galisteo Basin in New Mexico.

SEC. 3. GALISTEO BASIN ARCHAEOLOGICAL PROTECTION SITES.

(a) IN GENERAL.—Except as provided in subsection (d), the following archaeological sites located in the Galisteo Basin in the State of New Mexico, totaling approximately 4,591 acres, are hereby designated as Galisteo Basin Archaeological Protection Sites:

Name	***Acres***
Arroyo Hondo Pueblo	*21*
Burnt Corn Pueblo	*110*
Chamisa Locita Pueblo	*16*
Comanche Gap Petroglyphs	*764*
Espinoso Ridge Site	*160*
La Cienega Pueblo & Petroglyphs	*126*
La Cienega Pithouse Village	*179*
La Cieneguilla Petroglyphs/Camino Real Site.	*531*
La Cieneguilla Pueblo	*11*
Lamy Pueblo	*30*
Lamy Junction Site	*80*
Las Huertas	*44*
Pa'ako Pueblo	*29*
Petroglyph Hill	*130*
Pueblo Blanco	*878*
Pueblo Colorado	*120*
Pueblo Galisteo/Las Madres	*133*
Pueblo Largo	*60*
Pueblo She	*120*
Rote Chert Quarry	*5*
San Cristobal Pueblo	*520*
San Lazaro Pueblo	*360*
San Marcos Pueblo	*152*
Upper Arroyo Hondo Pueblo	*12*
Total Acreage	*4,591*

(b) AVAILABILITY OF MAPS.—The archaeological protection sites listed in subsection (a) are generally depicted on a series of 19 maps entitled ''Galisteo Basin Archaeological Protection Sites'' and dated July, 2002. The Secretary of the Interior (hereinafter referred to as the ''Secretary'') shall keep the maps on file and available for public inspection in appropriate offices in New Mexico of the Bureau of Land Management and the National Park Service.

(c) BOUNDARY ADJUSTMENTS.—The Secretary may make minor boundary adjustments to the archaeological protection sites by publishing notice thereof in the Federal Register.

(d) WITHDRAWAL OF PRIVATE PROPERTY.—Upon the written request of an owner of private property included within the boundary of an archaeological site protected under this Act, the Secretary shall immediately remove that private property from within that boundary.

SEC. 4. ADDITIONAL SITES.

(a) IN GENERAL.—The Secretary shall—

(1) continue to search for additional Native American and Spanish colonial sites in the Galisteo Basin area of New Mexico; and

(2) submit to Congress, within three years after the date funds become available and thereafter as needed, recommendations for additions to, deletions from, and modifications of the boundaries of the list of archaeological protection sites in section 3 of this Act.

(b) ADDITIONS ONLY BY STATUTE.—Additions to or deletions from the list in section 3 shall be made only by an Act of Congress.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—

(1) The Secretary shall administer archaeological protection sites located on Federal land in accordance with the provisions of this Act, the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), and other applicable laws in a manner that will protect, preserve, and maintain the archaeological resources and provide for research thereon.

(2) The Secretary shall have no authority to administer archaeological protection sites which are on non-Federal lands except to the extent provided for in a cooperative agreement entered into between the Secretary and the landowner.

(3) Nothing in this Act shall be construed to extend the authorities of the Archaeological Resources Protection Act of 1979 or the Native American Graves Protection and Repatriation Act to private lands which are designated as an archaeological protection site.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—Within three complete fiscal years after the date funds are made available, the Secretary shall prepare and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives, a general management plan for the identification, research, protection, and public interpretation of—

(A) the archaeological protection sites located on Federal land; and

(B) for sites on State or private lands for which the Secretary has entered into cooperative agreements pursuant to section 6 of this Act.

(2) CONSULTATION.—The general management plan shall be developed by the Secretary in consultation with the Governor of New Mexico, the New Mexico State Land Commissioner, affected Native American pueblos, and other interested parties.

SEC. 6. COOPERATIVE AGREEMENTS.

The Secretary is authorized to enter into cooperative agreements with owners of non-Federal lands with regard to an archaeological protection site, or portion thereof, located on their property. The purpose of such an agreement shall be to enable the Secretary to assist with the protection, preservation, maintenance, and administration of the archaeological resources and associated lands. Where appropriate, a cooperative agreement may also provide for public interpretation of the site.

SEC. 7. ACQUISITIONS.

(a) IN GENERAL.—The Secretary is authorized to acquire lands and interests therein within the boundaries of the archaeological protection sites, including access thereto, by donation, by purchase with donated or appropriated funds, or by exchange.

(b) CONSENT OF OWNER REQUIRED.—The Secretary may only acquire lands or interests therein with the consent of the owner thereof.

(c) STATE LANDS.—The Secretary may acquire lands or interests therein owned by the State of New Mexico or a political subdivision thereof only by donation or exchange, except that State trust lands may only be acquired by exchange.

SEC. 8. WITHDRAWAL.

Subject to valid existing rights, all Federal lands within the archaeological protection sites are hereby withdrawn—

(1) from all forms of entry, appropriation, or disposal under the public land laws and all amendments thereto;

(2) from location, entry, and patent under the mining law and all amendments thereto; and

(3) from disposition under all laws relating to mineral and geothermal leasing, and all amendments thereto.

SEC. 9. SAVINGS PROVISIONS.

Nothing in this Act shall be construed—

(1) to authorize the regulation of privately owned lands within an area designated as an archaeological protection site;

(2) to modify, enlarge, or diminish any authority of Federal, State, or local governments to regulate any use of privately owned lands;

(3) to modify, enlarge, or diminish any authority of Federal, State, tribal, or local governments to manage or regulate any use of land as provided for by law or regulation; or

(4) to restrict or limit a tribe from protecting cultural or religious sites on tribal lands.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I want to commend the gentleman from New Mexico (Mr. UDALL) for introducing H.R. 506, as amended, by the committee, which would establish 24 archaeological-protected sites in the Galisteo Basin in New Mexico to provide for the preservation, protection, and interpretation of nationally significant resources located in the basin. These sites contain the ruins of Indian pueblos dating back almost 900 years and are the largest pueblo ruin ever discovered.

In addition, the agreement that was agreed to by the committee assures landowners within the Galisteo Basin that their private property rights will not be compromised under this bill.

Mr. Speaker, H.R. 506, as amended, is supported by the majority and the minority of the committee, and I urge passage of the bill.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I am pleased that the House has the opportunity today to consider this important legislation. H.R. 506 is a companion bill to S. 210 introduced by Senator JEFF BINGAMAN. S. 210 passed in March of this year and a similar version passed in the Senate in the 107th Congress.

Although I also introduced a similar version of this bill in the 106th and 107th Congresses, it has never been discharged by the House Committee on Resources or been taken up by the full House.

The Galisteo Basin, located in northern New Mexico, possesses a rich cultural heritage and is considered one of the Nation's most beautiful natural settings. The area is comprised of 24 archaeological sites containing artifacts and ruins of 17th century Spanish missions and impressive examples of Native American rock art and pueblo architecture.

H.R. 506 authorizes the Secretary of the Interior to enter into cooperative

agreements with willing private and State landowners who are interested in protecting, preserving, and maintaining these important archaeological sites. It also authorizes the Secretary to purchase such lands from willing sellers.

Each cooperative agreement or land acquisition would be strictly voluntary and would be negotiated by each landowner to contain only the terms and conditions that are agreed to by both parties.

H.R. 506 has been carefully crafted to protect private landowners. Numerous safeguards prevent the Secretary from forcing cooperative agreements on the private property owner or forcing a landowner to sell the rights to the land to the Federal Government. Under H.R. 506, any action affecting the disposition of a private landowner's rights is purely in the discretion of that private party.

H.R. 506 strikes an exacting balance between protecting and preserving these delicate archaeological sites in the Galisteo Basin and protecting the rights of the State and private landowners with property interests in these sites.

Considering this, I urge my colleagues from both sides of the aisle to support the preservation of the natural beauty and cultural significance of the Galisteo Basin.

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

Mr. RENZI. Mr. Speaker, I have no other speakers at this time, and I continue to reserve the balance of my time.

Mr. UDALL of New Mexico. Mr. Speaker, I yield as much time as he may consume to the gentleman from Colorado (Mr. UDALL), a fellow member of the House Committee on Resources.

Mr. UDALL of Colorado. Mr. Speaker, I want to also thank the gentleman for yielding me the time, and I will be brief; but I did want to thank the gentleman from Arizona (Mr. RENZI) for his work on behalf of this important piece of legislation and commend my cousin, the gentleman from New Mexico (Mr. UDALL), for bringing this bill forward.

Those of us who live in the greater Southwest know that these archaeological sites are not only great attractions but they add to our quality of life and our sense of history in the greater Southwest. We also understand that these sites have much to teach us about what the people who lived in the Southwest experienced 1,000 and more years in the past, and I think they successfully lived on the land; but they also, in the long run, did not survive, it appears, or they moved to other parts of North America, and the lessons that are hidden in these ruins and these archaeological sites I think can help us be better stewards and live on the land lightly in the Southwest.

I want to thank the gentleman from Arizona (Mr. RENZI), as well, because we understand this is a great example of a public-private cooperative effort where landowners' rights are acknowledged and respected but also the interests of the public, and the public good are acknowledged in this important legislation.

So I rise in support and urge the House to adopt this significant piece of legislation for all of us who live in the Southwest.

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself as much time as I may consume.

Let me congratulate the gentleman from Arizona (Mr. RENZI) and the other Members of the House Committee on Resources and the staff for their hard work on this bill.

Mr. Speaker, having no additional speakers, I yield back all remaining time.

Mr. RENZI. Mr. Speaker, I also yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 506, as amended.

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

A motion to reconsider was laid on the table.

CLARIFICATION OF TAX TREATMENT OF BONDS AND OTHER OBLIGATIONS ISSUED BY GOVERNMENT OF AMERICAN SAMOA

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 982) to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.

The Clerk read as follows:

H.R. 982

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

SECTION 1. CLARIFICATION OF TAX TREATMENT OF BONDS AND OTHER OBLIGATIONS ISSUED BY GOVERNMENT OF AMERICAN SAMOA.

(a) EXEMPTION OF ALL BONDS FROM INCOME TAXATION BY STATE AND LOCAL GOVERNMENTS.—Subsection (b) of section 202 of Public Law 98–454 (48 U.S.C. 1670) is amended to read as follows:

''(b) EXEMPTION OF ALL BONDS FROM INCOME TAXATION BY STATE AND LOCAL GOVERNMENTS.—

''(1) IN GENERAL.—The interest on any bond or other obligation issued by or on behalf of the Government of American Samoa shall be exempt from taxation by the Government of American Samoa and the governments of any of the several States, the District of Columbia, any territory or possession of the United States, and any subdivision thereof.

''(2) EXEMPTION APPLICABLE ONLY TO INCOME TAXES.—The exemption provided by paragraph (1) shall not apply to gift, estate, inheritance, legacy, succession, or other wealth transfer taxes.''.

SEC. 2. EFFECTIVE DATE.

This Act shall apply to obligations issued after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 982, a bill to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa. This bill, introduced by the gentleman from American Samoa (Mr. FALEOMAVAEGA), will permit the interest earned on bonds issued by the American Samoa Government to be exempt from both State and local taxation. Passage of H.R. 982 will provide parity in the tax treatment of their bonds with other territories in the United States.

It is my hope that this legislation would help to provide more funding to the American Samoa Government as well as putting this territory on the same playing field with others when investors look to the islands for economic development.

At this time, the House Committee on the Judiciary has also passed this legislation with strong bipartisan support by their Members. In the 107th Congress, we also passed this bill under suspension of the rules near the end of that Congress.

I thank the gentleman from West Virginia (Mr. RAHALL) for his work with us to move this bill more quickly during this session, and I want to thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his cooperation in bringing this bill to the floor today. I ask Members to adopt H.R. 982.

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

□ 1730

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, H.R. 982, sponsored by our distinguished colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA), is intended to remove a barrier to economic development in the U.S. Territory of American Samoa.

In essence, H.R. 982 provides American Samoa parity with other U.S. Territories whose bonds are not taxed by the State or local governments. I congratulate the gentleman from American Samoa for his work on this legislation, and I urge my colleagues to support this measure.

Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise to express my sense of appreciation to the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) who are both managing several pieces of legislation this afternoon. I thank them for their assistance and leadership in doing so.

Mr. Speaker, I would also like to thank the gentleman from California (Chairman POMBO) and the gentleman from West Virginia (Mr. RAHALL), the ranking member, for the Committee on Resources; and the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS), the ranking member from the Committee on the Judiciary, for their continued support regarding the needs of the territory of American Samoa and for their efforts to bring H.R. 982 to the floor this afternoon.

H.R. 982 would amend the U.S. Code to allow interest earned from American Samoa bonds to be exempt from both State and local taxation.

Mr. Speaker, under current Federal law, Congress has expressly provided for the exemption of State and local taxes for bonds issued for or by the territories of Guam, the Virgin Islands and the Commonwealths of Puerto Rico and the Northern Mariana Islands. While American Samoa can issue bonds similar to the other territories, the interest earned from American Samoa bonds is subject to taxation by several States, Washington, D.C. and other territories. This proposed legislation would simply provide equity and parity to the territory of American Samoa.

It has been a slight oversight over the years, that is the reason I am having to propose this legislation. H.R. 982 would also make American Samoa bonds more attractive to investors and will save the local government between $20,000 to $50,000 in interest alone on municipal bonds it may issue. This legislation will lower the interest costs of the prospective sales and will also enable the government to address deficiencies in its current infrastructure.

Mr. Speaker, this legislation is identical to H.R. 1448, which I introduced in the 107th Congress, which was adopted by both the Committee on the Judiciary and the Committee on Resources, and finally agreed to by voice vote on September 24, 2002. Unfortunately, the other body was unable to consider this legislation before the 107th Congress adjourned.

However, the Committee on Resources and the Committee on the Judiciary have unanimously passed H.R. 982, and I urge my colleagues to support this legislation. In doing so, I want to thank committee staff, Tony Babauta, and my office staff, Judy Leilani and Lisa Williams, for their efforts in making the proper preparations and assisting tremendously in bringing this legislation to the floor for consideration.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to congratulate the gentleman from American Samoa (Mr. FALEOMAVAEGA) on all his hard work in the Committee on Resources, his tenacity, and his persistence. I know he has worked hard and long on this very important issue to American Samoa. I just want to recognize that here today.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 982.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 35 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1829, FEDERAL PRISON INDUSTRIES COMPETITION IN CONTRACTING ACT OF 2003

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 108–348) on the resolution (H. Res. 428) providing for consideration of the bill (H.R. 1829) to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2559, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2004

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 108–349) on the resolution (H. Res. 429) waiving points of order against the conference report to accompany the bill (H.R. 2559) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 76, MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2004

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 108–350) on the resolution (H. Res. 430), providing for consideration of the joint resolution (H.J. Res. 76) making further continuing appropriations for the fiscal year 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 176, by the yeas and nays; and

House Concurrent Resolution 94, by the yeas and nays. Both electronic votes will be conducted as 15-minute votes.

H.R. 2620 will be voted on tomorrow.

RECOGNIZING AND SUPPORTING FINANCIAL PLANNING WEEK

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 176.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER)

that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 176, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 53, as follows:

[Roll No. 602]

YEAS—381

Abercrombie
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (AL)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Foley
Forbes
Ford
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Janklow
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—53

Ackerman
Andrews
Bonner
Bono
Brady (PA)
Calvert
Carson (IN)
Conyers
Culberson
Davis (CA)
Davis, Tom
Doyle
Duncan
English
Fattah
Filner
Flake
Fletcher
Fossella
Gephardt
Harman
Hoeffel
Hunter
Israel
Issa
Jackson-Lee (TX)
Jenkins
Kucinich
LaTourette
Lipinski
Lowey
McNulty
Meek (FL)
Mollohan
Murtha
Nethercutt
Northup
Norwood
Oxley
Pallone
Pickering
Pomeroy
Reynolds
Rogers (KY)
Sanchez, Loretta
Serrano
Shays
Stark
Sullivan
Tancredo
Tanner
Taylor (NC)
Tierney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1853

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, I missed roll-call vote No. 602, because I was touring the wildfire damage in my district with the President of the United States. Had I been present, I would have voted "yea."

DIRECT SUPPORT PROFESSIONAL RECOGNITION RESOLUTION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 94, as amended.

The Clerk read the title of the concurrent resolution.

The Speaker pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 94, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 382, nays 0, not voting 52, as follows:

[Roll No. 603]

YEAS—382

Abercrombie
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Issa
Istook
Jackson (IL)
Janklow
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)

Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—52

Ackerman
Andrews
Bonner
Bono
Brady (PA)
Calvert
Carson (IN)
Culberson
Davis, Tom
Doyle
Duncan
English
Evans
Fattah
Flake
Fletcher
Fossella
Gephardt
Gerlach
Harman
Herger
Hoeffel
Israel
Jackson-Lee (TX)
Jenkins
Kucinich
LaTourette
Lipinski
Lowey
McNulty
Meek (FL)
Mollohan
Murtha
Nethercutt
Northup
Norwood
Oxley
Pallone
Paul
Pickering
Pomeroy
Reynolds
Rogers (KY)
Sanchez, Loretta
Serrano
Shays
Stark
Sullivan
Tancredo
Tanner
Taylor (NC)
Tierney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are reminded that 2 minutes remain in this vote.

□ 1910

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. STUPAK. Madam Speaker, last week I could not be present for votes on October 28, 29, or 30 due to the death of my mother. As a result, I missed a number of rollcall votes. Had I been present, I would have voted as follows:

On Octoer 28, I would have voted "yes" on rollcall 569, "no" on rollcall 570, and "yes" on rollcalls 571, 572, and 573.

On October 29, I would have voted "no" on rollcalls 574 and 575, and "yes" on rollcalls 576, 577, 578, and 579.

On October 30, I would have voted "no" on rollcalls 580 and 581, "yes" on rollcalls 582 and 583, "no" on rollcall 584, 585, 586, 587, 588, 589, and 590, "yes" on rollcall 591, "no" on rollcall 592, "yes" on rollcall 593 and 594 and "no" on rollcall 595. I would have voted "yes" on rollcall 596, "no" on rollcall 597, "yes" on rollcall 598, 599 and 600, and "no" on rollcall 601.

PERSONAL EXPLANATION

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, due to a death in the family, I was unavoidably absent and missed rollcall votes on October 30, 2003.

Had I been present, I would have voted ''aye'' on rollcall vote Nos. 580–585; ''no'' on rollcall votes 586 and 587; ''aye'' on rollcall votes 588–591. Furthermore, I would have voted ''no'' on rollcall vote No. 592 because the FAA Reauthorization Act, H.R. 2115, still privatizes our air traffic control system, does not mandate terrorist training for flight attendants, and jeopardizes our air space when greater security is needed.

Had I been present I would have voted ''aye'' on rollcall votes 593 and 594; ''no'' on rollcall vote 595; ''aye'' on rollcall vote 596; ''no'' on rollcall vote 597; and ''aye'' on rollcall vote Nos. 598–600. I would have voted ''no'' on rollcall vote No. 601 because although I support our troops, the Iraq Supplemental Appropriations bill diverts billions of dollars to reconstructing Iraq, while working families in America are struggling to pay their bills.

Finally, I would have voted ''no'' on the voice vote to H. Res. 424.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Ms. DELAURO Madam Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 2660, Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2004.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2660, be instructed to insist on the Senate level for part B of the Individuals with Disabilities Education Act.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. BECERRA. Madam Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the Child Tax Credit bill.

The form of the motion is as follows:

Madam Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster; and

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

□ 1915

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mrs. CAPPS. Madam Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare Prescription Drug and Modernization Act.

The form of this motion is as follows:

Mrs. CAPPS of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two House on the Senate amendment to the bill, H.R. 1, be instructed as follows:

Number one, to reject the provisions of subtitle C of title II of the House bill.

Number two, to reject the provisions of section 231 of the Senate amendment.

Number three, within the scope of the conference, to increase payments for physician services by an amount equal to the amount of savings attributable to the rejection of the aforementioned provisions.

Number four, to insist upon section 601 of the House bill.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BIGGERT). 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.

KEEPING OUR PROMISES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Madam Speaker, I rise today to remind my colleagues that next Tuesday we will honor our veterans and the sacrifices that they made for our great country.

On Veterans' Day, we will each be back in our districts attending memorial events and letting our constituents know of our admiration for our veterans and our support for American troops currently in battle in Iraq and Afghanistan.

What we will not be telling our constituents, however, is that Congress has a history of breaking its promises to these men and women who have fought bravely to defend the values and ideals that this country was founded upon.

When the men and women of our Armed Forces signed up for military duty, the local military recruiting officer told them that, for their service, they would get health care at VA hospitals. What they did not tell them was that they may have to wait up to 6 months for an appointment.

We civilians find it tough enough to get a doctor's appointment through our HMOs. Yet 60,000 veterans have had to wait 6 months or more to get in at a VA hospital. Even worse, 14,000 of America's veterans who are entitled to expedited claims have waited more than 15 months to be seen. To me, there is nothing expedited about a 15-month wait.

This is not the deal we struck with our veterans. They deserve better. We promised members of the military that we will take care of them if they sustained a service-connected disability. We also promised them retirement if they served their country for 20 years. Yet for those veterans who are both retired and disabled, we deduct their disability pay, dollar for dollar, from their retirement pay. What it amounts to is a disability tax on our veterans' pensions.

Can my colleagues imagine a private sector corporation treating its employees this way? Can my colleagues imagine a retiree pension being reduced by the amount of workman's compensation an employee receives? We all know that would never fly in the private sector, but this is how the U.S. Government treats its veterans who have risked their lives and safety defending our country.

Currently, 560,000 disabled military retirees across the Nation are affected by this disability tax; 65,200 of them are from Texas and 264 reside in the district I represent. These military retirees in my own district lose an average of $5,310 each in much-needed veterans benefits each year. They fought bravely for our country and earned every penny of these benefits, and we should not be wasting time on half-a-loaf compromises or deals that make veterans wait years for these benefits.

No, our action on concurrent receipt should be driven by the commitment that we made to our veterans who have, without a doubt, upheld their end of the bargain. The sad fact is, this country is not treating our future veterans, the men and women currently serving in Iraq and Afghanistan, any better.

I have no doubt they all appreciate the opportunity to come home for 2 weeks for much deserved rest and relaxation, but I find it unconscionable that we give them a free ride back to a port of entry in the U.S. and then leave them there to pay their own way home. Do we really think an enlisted Army private has the financial resources to pay for a short-notice flight from BWI, Baltimore Airport, to his home or her home? I can guarantee my colleagues we did not ask our men and women in uniform to pay their own way for any leg of their trip to Iraq. We should not be forcing them to pay for any of their trip back home.

This past weekend, the harsh realties of war hit us in Houston particularly hard as we learned that one of our own was aboard the Chinook helicopter bringing 16 of our servicemembers home. Sergeant Keelan Moss graduated only 5 years ago from Eisenhower High School in the Aldine Independent School District. A young man of only 23 years old, he made the ultimate sacrifice for his country and will be forever remembered as an American hero. The loss of his life is a grim reminder of the constant dangers faced by our men and women in uniform.

And while we may often think of our military as a symbol of American strength and pride, we must also remember that it is comprised of individual Americans who are consistently putting their lives on the line, day in and day out, to defend our great Nation.

For their selfless patriotism, we owe it to our military members, both past and present, to keep the promises we made to them. As we send them in harm's way to defend us, that is the least we can do.

TRIBUTE TO RONALD REAGAN

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. Madam Speaker, it was my pleasure to serve in the Congress of the United States for 6 years when Ronald Reagan was the President of the United States. When Ronald Reagan became President, the economy was heading in the wrong direction. Early in his administration, we went into a recession which was caused by his predecessor, and he pushed through the Congress very large tax cuts which led to the economic recovery that started the last part of his administration and went on for well over a decade, 14, 15 years.

Ronald Reagan was a very affable man, is a very affable man, was a very kind and generous man, a very understanding man, one who had a big heart and who really cared about America.

Many people in his administration took issue with him when he decided to take on the Soviet Union. When he was about to make his speech talking about the Soviet Union being an evil empire, many people in the State Department cringed and said, my God, Mr. President, you cannot say that. Nevertheless, he did, because the Soviet Union held so many millions of people under bondage, and the captive nations of Eastern Europe applauded what he said.

When he stood before the Berlin Wall and said, ''Mr. Gorbachev, tear down this wall,'' I remember listening to that and thinking that is a great thing to say, Mr. President; but it will not happen in my lifetime. Yet I was in Namibia when they had the special elections over there, and I went into a German beer garden, and everybody was celebrating. They were raising their steins and dancing, and I said what in the world is going on, and they said do you not know, the Berlin Wall is coming down. The hair on my head and the back of my neck started to rise because I knew that Ronald Reagan got that job done. He raised the stakes against the Soviet Union, with the Soviet Union.

They had 50,000 T–55 tanks that started rusting away because he built up the American defenses so high that they could not keep pace, and their economy could not deal with the problem. So their whole economy started to collapse; and as a result, the Soviet Union collapsed. So Ronald Reagan, when he was President, brought this economy back from the ashes of disaster to where it went on for years and years and years in the right direction. He destroyed, I believe personally, the Soviet Union, along with Lech Walesa and the Pope, by putting pressure on the Soviet Union and Mr. Gorbachev and his predecessors until they just fell apart.

So I was very, very disappointed when I saw that CBS was going to do a miniseries denigrating this great President, this great man, especially at a time when he cannot defend himself. He is suffering from Alzheimers; and his beautiful wife, Nancy Reagan, whom I had a chance to get to know a little bit when she was in the White House, has to live with these horrible things that are being said about her husband, and she cannot do anything about it.

Well, we in the Congress that served with President Ronald Reagan know better. He was a great President. He was a great man. He was a humanitarian. He was a visionary, and he was a man who when he said something he meant it and everybody knew he meant it, and for them to try to destroy his memory is something I do not think we should tolerate.

I would like to just say that Peggy Noonan, who worked in the White House with Ronald Reagan, was one of his speech writers. She wrote a book that was called ''When Character Was King,'' and I wish all of the people who criticized Ronald Reagan and participated in this CBS miniseries will read that book because, if they read that book, they are going to see what the man was really like. He was a great man. He is a great man, and his legacy and his memory should not be tarnished by a bunch of trash being put out by CBS.

I understand they have pulled that miniseries, and it is not going to be on the network now; but they said that they are going to sell it, I guess, or use it in one of their other areas like ''Showtime,'' and it will be shown as, I guess, a made-for-television movie. I want all my friends to know that I watch ''Showtime,'' and I pay for ''Showtime,'' but I want to say to my friends, if they put that trash on ''Showtime,'' and they have a right to do it under the first amendment, but if they put that trash on ''Showtime,'' I will tell all of my friends and people across this Nation they ought to drop it because that is not the kind of thing you do to a great man like Ronald Reagan who served his country so well and did so much, not only for America but for the whole world.

LETTERS FROM CONSTITUENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Madam Speaker, I have always believed in free speech in this institution, and I have always thought that we should have free speech throughout the country. I have for the last 4 months come to the House floor and read letters from constituents who often do not have a voice in this body, especially when the conservative leaders of this body so often shut down debate. They shut down debate on the $87 billion for Iraq. They shut down debate on discussing whether the President told the truth about Iraq. They shut down debate on the Halliburton scandals and ineptness of the Bush administration in Iraq.

Those same people apparently want to shut down the debate in our country by browbeating CBS and threatening CBS to say we cannot run a documentary on a former President. I do not fully understand that; but Madam Speaker, I would like to share these letters about the concerns my constituents have, similar to what John Quincy Adams had done when the conservative leadership 160 years ago shut down debate in this House on slavery.

□ 1930

Madam Speaker, Amanda Harland from Brecksville, Ohio, writes: Congress has allowed too many cuts in America's education, housing, arts funding, jobs training, and other programs that are vital for working families in America. She says: Because of the tax cuts that President Bush and this Congress have given to the wealthiest Americans, every millionaire gets a $93,000 tax cut. Half of my constituents got exactly zero tax cut.

She writes: An $87 billion bill is nothing more than an excuse for the opportunity of infinite military occupation and corporate connections. Amanda from Brecksville is obviously referring to the Halliburton scandal, the fact that Halliburton has gotten well over a billion dollars in unbid contracts, Halliburton is a major contributor to the President of the United States, Vice President CHENEY is still receiving $13,000 a month from the Halliburton corporation while taxpayers are funneling money to that corporation to the tune of hundreds of millions of dollars a month.

Wesley from Strongsville writes: This administration's go-it-alone policy will not accomplish a long-term secure Iraq, and will only result in a bankrupt American economy and government. If there are sacrifices to be paid, they should be paid now and not by my children when they must pay off the growing deficits from too much spending and not enough revenue.

Madam Speaker, I get letters talking about shared sacrifice. The only people that are sacrificing in this war are the soldiers and the sailors, the young men and women in Iraq, and their families, and people who have lost jobs under the Bush economy, while the administration is not sacrificing at all because they have politically gained from giving these huge tax cuts to their friends who have turned around and given major campaign contributions to the Bush administration.

Wesley writes: I urge you to work to change the administration's unilateral policy on Iraq and to seek a more equitable manner of funding the transition to include more contributions from other countries, from future Iraq oil revenues, and from tax cut rollbacks for the most privileged people of our society.

Jeannie of Akron writes that $87 billion could be spent here for families, for senior citizens, and for college loans that people cannot repay. She says, by the way, we read the people in Washington got a raise. How nice. My husband has not had one in 3 years.

What Jeannie is also talking about is that almost 200 Republican Members of Congress voted for a raise for themselves, yet voted against a raise for our troops. A $3,000 raise for themselves, and against a $1,500 raise for our men and women in harm's way.

Richard of Valley City writes: They have created a real mess in Iraq and Afghanistan, now they want to take money from the taxpayers to help the people in Iraq and Afghanistan, who will never pay us back. There are so many things we need money for in our country. What about Medicare, Social Security, the space program, and cities and schools who are running a deficit.

Madam Speaker, there is a theme in these letters that people are sickened by the ineptness of the Bush administration in Iraq, they are sickened by the corruption of Halliburton and Vice President CHENEY and all that is happening in Iraq. They are saddened by the fact that while the administration is so focused on helping Halliburton and Bechtel get richer, they have lost their focus on supplying and providing for the troops. The fact that one-fourth of our troops still do not have enough antibiotics, they do not have safe drinking water, all of the things that the President and Vice President have forgotten to supply and protect our troops, while at the same time they are giving hundreds of millions of unbid dollars in contracts to these largest corporations who are major contributors to the President.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Members are reminded they should refrain from improper references to the Vice President.

CONGRESS NEEDS TO PUT TEETH IN PRESCRIPTION DRUG LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Madam Speaker, outside the House Chamber, in fact it is the only statue in Statuary Hall which faces the House Chamber, there is a statue of Will Rogers. Will Rogers was an amazing person. One of my favorite quotes from Will Rogers was: All I know is what I read in the newspapers. Sometimes I feel like Will Rogers because all I know is what I read in the newspapers.

Let me read some things that were in a recent column in the Congressional Quarterly, the November 1 www.cq.com edition, talking about the prescription drug bill and what may happen to Medicare. ''Some observers speculate that Medicare conferees will include language in their final report that will express support for importation, but will also make certain it never happens.'' Here is a quote from one of the lobbyists, ''You can tell them, the lawmakers, that this will only kick in after FDA has appropriated $100 million for border safety or FDA has to have counterfeit, tamperproof packaging devices in place,'' said one health

care lobbyist who asked not to be named, ''Whatever that trigger is, just say it will never be met.''

In other words, pretend like we are going to do something and make sure it never happens. Talking about other things we read in the newspapers, here is a quote from Mark McClellan, the head of FDA, who says, ''These Members are out of touch with the realities of keeping our drug supply safe, and the clear and present dangers to America's supply of drugs that their bill would create.''

Madam Speaker, let me ask Mr. McClellan a rhetorical question: How many Canadians are dying, how many Europeans are dying, and then tell me who is out of touch.

The problem is that if we do not put some real teeth into whatever we do, the drug companies will figure out how to get around it. They say later in the article that even if lawmakers turn to Canada to soothe concerns about safety, the drugs Americans want to buy may not be available. Several drug companies, and they include Eli Lily and Co. and Wyeth, have decided to curtail sales to Canada anticipating that Congress could enact importation legislation.

Madam Speaker, that is called antitrust and that is why 22 Members of this House sent a letter last week to Attorney General Ashcroft, and I would like to read the letter. It says, ''Six major pharmaceutical manufacturers have moved to restrict supply of prescription drugs to Canadian pharmacies and wholesalers. It is obvious that these actions are an attempt to prevent American consumers from accessing affordable prescription drugs. This action is putting lives at risk in the United States and Canada.

''Americans should not have to wait for States' attorneys general to enforce antitrust laws. Therefore, we request a thorough investigation by your office. If any pharmaceutical companies are found in violation of antitrust laws, the Department of Justice must take all available steps to correct this injustice.

''We must not allow pharmaceutical companies to abuse American consumers, and place lives at risk, by illegally manipulating supply.''

Madam Speaker, this was signed by 22 mostly senior Members, including some of the highest ranking members of the Committee on the Judiciary. The American public now knows the dirty little secret, and that is American consumers pay the world's highest prices even though they are world's best customers for prescription drugs. If this Congress produces a bill that is filled with obfuscation, manipulation and pretending that we deal with the issue of affordability, well, as we say out in rural America, that dog will not hunt.

HONORING OUR VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Madam Speaker, I rise today to pay tribute and honor the courageous men and women that have served our country. It has been over 2 years since our great Nation was attacked on September 11, 2001. That day, and every day since, we are reminded that our freedoms are protected by the men and women in the United States Armed Forces. These individuals have given their sweat, blood and sometimes their lives to protect our freedoms.

Today, American servicemen and women from the mountains of Tora Bora to the deserts of Iraq are, once again, in harm's way protecting and defending our freedoms all over the globe. I am standing before Members today with a deeply felt sense of gratitude and pride that these men and women in uniform are defending our Nation. In 2002, there were 25.6 million living veterans, and over the course of this country's history, more than 12 million servicemen have sacrificed their lives to defend our freedoms.

I want to take a moment to highlight the Latinos and other minorities that have contributed to the peace we have enjoyed for so many years in our country. According to the latest U.S. Census figures, there are 1.3 million living Latino veterans, with more than half residing in California, Texas and Puerto Rico. Many have fought and defended the United States during World War I, World War II, the Korean War, the first Gulf War, and now in Iraq. There are 41 Latinos that have received the highest Congressional Medal of Honor award, 11 were awarded for their bravery during World War II, a war in which as many as 500,000 Latino soldiers fought bravely for the U.S.

We honor our Nation's veterans, we must honor our brave men and women who are currently serving in Iraq, and as of today, 382 members of our U.S. troops have lost their lives.

In particular, two of my constituents have lost their lives. One is Lance Corporal Francisco Martinez Flores, and I display his photo, and Private First Class Jose Casanova, Jr., and I want to tell my colleagues about these fine young men. Lance Corporal Francisco Martinez Flores was not just a brave and self-sacrificing Marine, but he was a loving son, a brother, a friend, and someone who lived in my district who was outgoing and was the eldest of his four siblings who immigrated to this country at a young age. He was not even a U.S. citizen. He was one of the first soldiers killed in Iraq. He was granted citizenship posthumously. That is great that we can do that, but we have so many other soldiers like him who are serving our country who are not being granted the opportunity to become citizens. They are not asking for U.S. citizenship when they sign up, they are asking to be there to support us and defend our country.

I am asking Members of Congress to help appeal to the Senate and to this administration to grant the opportunity for over 37,000 U.S. soldiers just like this young man here who died and gave his life, and many others that are currently there in the line of battle protecting us, asking you to support them to have citizenship within a 2-year process. Instead of 3, 2 years, to grant them the opportunity if they have siblings or a wife or spouse, to also have an opportunity to become fully-fledged participants in our society. We do not ask our own kids to go to war, but we ask folks who represent us in our districts. We should do something for them as well, especially as Veterans Day nears, that we pay are tribute and honor to these young men and women, who all they want to do is look for a better life in our country, who look for a future, to become law enforcement officers, custodians, teachers, and government officials, but their lives are cut short defending us in the line of duty, something that they took as an oath of office to serve and defend our country. Let us remind ourselves of those many soldiers serving us now. I urge the Senate and other Members of Congress to support legislation to give citizenship to legal permanent residents.

WASHINGTON WASTE WATCHERS

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from Texas (Mr. HENSARLING) is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I rise again this week as part of Washington Waste Watchers, a Republican effort dedicated to bringing the disinfectant of sunshine into the shadowy corners of the wasteful Washington bureaucracy. We are here to show the American people how Federal agencies need to be held accountable, for they routinely lose huge portions of taxpayer-funded budgets to waste, fraud and abuse.

This week, let us talk about the Department of Education. Today America's schools face a number of challenges. The Democrats have said time and time again that the answer is simply more Federal money, more Federal spending. Unfortunately, that is simply not true. Congress has already dramatically increased Federal spending for education. According to the Office of Management and Budget, from 1994 to 2002, funding for the Department of Education grew by a greater percentage than any other cabinet-level agency, number one. Yet test scores have either stagnated or actually declined. The problem is not how much money the government spends, the problem is how government spends the money. Unfortunately, much of the money that we spend on education is not going to the children. Enormous sums of the American people's hard-earned tax dollars intended to help teach our children are lost in waste, fraud and abuse.

□ 1945

Mr. Speaker, let me just give you a few examples. Over a 3-year period, just one executive director of a Head Start program received over $814,000 in salary and bonuses. One of those years he received over $343,000, more than the Secretary of Education, more than a four-star general, more than the Vice President of the United States. This same Head Start program leased this government employee a Mercedes-Benz SUV for $600 a month, in part with Federal funds. And Democrats want to raise our taxes to pay for more of this?

This compensation is being paid with Federal funds that are intended to help 3- to 5-year-old school children. While this administrator's salary could pay for the education of 50 Head Start kids, the program he administered was over $1 million in debt. And Democrats want to raise our taxes to pay for more of this?

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

Mr. HENSARLING. I yield to the gentleman from Arkansas.

Mr. BERRY. I would just remind the gentleman from Texas that all these facts he is throwing out happened to have taken place at a time when the President of the United States and the entire United States Congress was controlled by Republicans.

Mr. HENSARLING. Reclaiming my time, actually during 1999, I believe President Clinton, a Democrat, was President of the United States. That brings up a greater problem. Frankly, there is a Federal bureaucracy that is out of control, and Republicans are trying to do something about it.

To continue, in 1999, the Department of Education made a number of improper payments, during the Clinton administration, I might add, including about $125 million in duplicate payments to 45 different grantees, $664,000 in duplicate payments to 51 different schools, and a $6 million double payment to a single school. What accountability. And Democrats want to raise our taxes to pay for more of this?

In fact, Mr. Speaker, over a 3-year period, from 1999 to 2001, during the Clinton administration, the Department of Education wasted almost one-half billion dollars, enough to pay for 194,000 extra Pell grants, increase the charter school program by 80 percent, or double the amount given to States to keep schools free and clear of drugs. $450 million wasted. And Democrats want to raise our taxes to pay for more of this?

Mr. Speaker, these are just a few examples of the types of waste the American people are paying for. When you look at the reports, it is easy to see that many other Federal programs routinely waste 10, 20, even 30 percent of their taxpayer-funded budgets, and have for years. In the real world when people lose this much money, they are either fired or they go to jail. But in Washington, it is simply an excuse to ask for even more money next year.

If we care about our children, we will begin to measure success by focusing on the outputs of education, test scores and the realization of students' potential, and quit measuring success by merely focusing on the inputs, money thrown at the problem. There are a thousand ways that we can save money in Washington without cutting needed services and without raising taxes on hardworking families as the Democrats propose. Because when it comes to Federal spending, it is not how much money the government spends, it is how the government spends the money.

MEDICARE REFORM

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, people from around the world come to America for their medical care. Yet Americans are forced to go and travel around the world to get their medications. Right now the Medicare conferees are trying to devise a drug benefit for seniors and for Medicare. Just yesterday, the Newark Star-Ledger reported a $400 billion benefit would barely make a dent in the $2 trillion that seniors are expected to pay for prescription drugs over the next decade. Last week, Boston University came out with a study showing that, as constructed, the pharmaceutical companies would make $139 billion in additional profit under this prescription drug bill.

I know some very smart people wonder why the public gets cynical. Why would you be cynical about the fact that you would barely get a dent in the drug benefit for senior citizens, yet the pharmaceutical companies would walk out with $140 billion more money? I do not think the public is cynical at all. I think they are quite sophisticated. They do not think we are doing our work around here, and they have a good reason to think we are not doing our work around here. They are suffering under staggering increases in drug costs that are going up for seniors on average about 30 to 40 percent a year for the most important drugs that they need for their blood pressure, their heart, rheumatism, arthritis; yet we have a benefit that would accrue a greater benefit to the pharmaceutical companies than to the seniors.

Some are now talking about capping, cutting the cost of Medicare growth, but refuse to take on the subject of making medications more affordable. Anybody who has been around there knows that the number one issue affecting our seniors is the affordability of prescription drugs. We are talking about cutting Medicare, we are talking about increasing the profits of pharmaceutical companies, we are talking about barely making a dent in the cost to seniors; yet we will not address the issue on the table that seniors are asking us to address, which is the issue of affordability where they one month to the next month see their drug prices go up 18, $19 for the same medication, and nothing different has happened.

Pharmaceutical companies do a good thing. They come up with lifesaving drugs. I took some of those medications when I was in the hospital for 8 weeks. They do good work. They get rewarded handsomely. They get a tax credit on the front end for research and development. They have control over the patent laws affecting the pharmaceutical products. They have the taxpayers' funding, the National Institutes of Health, $10 billion a year on drugs and medications. I think the taxpayers have been unbelievably generous to a good industry, and I want them to develop new medications; but I want it at competitive prices. If we are about to expand Medicare to the tune of $400 billion, we owe the taxpayers the decency and the common courtesy to get them the best prices we can. Not the most expensive prices, the best prices.

We have a proposal, 88 Republicans, 153 Democrats joined in a bipartisan fashion. Governors of both parties, mayors of both parties are looking at it, which is to open up the market, bring competition to the pricing of medications and bring that choice and availability to consumers. People today, 2 million Americans are going over the border, grandparents and grandfathers, to get the medications they need that are lifesaving medications. The system we have here where Americans now subsidize all the research and development of these lifesaving medications, we have the distinct honor to do what? To pay the most expensive prices in the world. As my great aunt used to say, Such a deal.

We ask our elderly to pay premium prices when the poor starving French and Germans and Italians and Canadians and Dutch and British are paying 30 to 40 to 50 percent cheaper for cancer drugs, blood thinning drugs, heart drugs, rheumatism, arthritis, diabetic drugs. We funded the research to give them these lifesaving medications, and their government stood up for them and got them decent prices.

What are we asking for? We are asking that our American consumers get the same competitive prices so you do not see the disparity when it comes to a pharmaceutical product for blood pressure. Americans are paying 50 percent more than the people in France or in Germany. And it is based on the free market. I have never seen so many protectionists on the Republican side in my life who refuse to accept the notion of the free market and the principle of the free market.

In Illinois, my Governor did a study showing that of the $340 million we spend in the State of Illinois for pharmaceutical products for employees and retirees, the State of Illinois could save the consumers and the taxpayers $91 million. The New York Times noted of the study, not only could you save

$91 million, they noted that the Canadian system is far safer than the system we have here to guarantee the safety of the products sold. The issue is safety. When somebody tells you that it is about safety, it is not about money, folks, when they tell you it ain't about money, it is usually about money. That is the case. That is what we are dealing with. We are dealing with a product about money.

The other day Eli Lilly, now that we have demystified the notion about safety, Eli Lilly's CEO said that the whole issue related to here is about having the research and development dollars. The taxpayers have been funding the research and development for the last 20 years. They have been quite generous.

I would ask my colleagues and those who are meeting now in the conference to give the taxpayers and our grandparents a break, give them the medications they can afford rather than going into hock to try to do it and become drug runners and coyotes going over the border to get the medications they need to save their lives.

GAME PLAN FOR WINNING THE WAR ON TERROR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, in 1983, the United States embassy in Beirut was bombed. Sixty-three were killed; 120 were wounded. In 1983, the U.S. Marine barracks were bombed in Beirut. Three hundred troops, nearly all United States troops, were killed. In 1988, Pan Am 103 was bombed; 259 were killed. In 1993, the World Trade Center was bombed. Six killed, 1,000 injured. In 1996, the Khobar Towers was bombed. Nineteen U.S. soldiers killed, 240 injured. In 1998, the U.S. embassy in Kenya was bombed; 361 were killed, 5,000 injured. And in 2000, the USS Cole was bombed in Yemen. Seventeen sailors were killed and 39 were injured.

In those seven attacks, more than 1,000 people were killed. This was double our losses in Afghanistan and Iraq at the present time which total roughly 435. Yet during those seven attacks and after those seven attacks, there was very little response from the United States. As a result of those attacks, we withdrew from Lebanon in 1983 and from Somalia in 1993. I believe that this conveyed a very clear message to those who believe in terrorism. The message was this, that when attacked consistently over time, the United States will back down, will lose its will, and, of course, these attacks then led up to 9/11.

Following the loss of more than 3,000 Americans on September 11, 2001, we finally took a stand. The overwhelming majority of us in this body gave the President the authority to move aggressively against terrorism. We knew that this was hazardous. Sometimes we get the impression that we did not really know what we were doing. Yet I for one, and I think many people here, assumed that there might be some biological and chemical attacks against our troops, that taking Iraq was going to cost at least thousands if not tens of thousands of lives. Yet the results were remarkable. We gained control of Afghanistan and Iraq in a few months, and we lost less than 500 troops. I would say that a military accomplishment of this kind is pretty much unprecedented in military annals.

We also knew that securing the peace is always difficult. After World War I, after World War II, Kosovo, it was not easy at all; and it took a long time, and there was loss of life. Yet statements emanating from the Congress that we should pull out, that we should bring the troops home, that this war was created to boost the President's numbers, reading letters from those who have suffered loss or are discouraged, stating there is no plan for reconstruction, all encourage terrorists to believe that if they persist that we will fold, that we will lack the will and the resolve to win the war.

To not see this through is to dishonor the memory of every soldier lost and to render meaningless their families' suffering. To not see this through will leave Iraq open to Saddam's return and a betrayal of Iraqis who have helped. I am sure this is one thing that they all fear. It happened after the Gulf War. Many Iraqis who extended themselves to help the United States and allied forces suffered retribution. I think in the back of their minds is the idea that maybe this will happen again. The only satisfactory solution is to win. To lose will invite ever-increasing terrorism, and I think most people in this Chamber understand that.

To achieve victory in the swiftest possible manner with the least loss of life, this country and this Congress needs to stand united. We did so for a period of time after 9/11. This was the most encouraging period of my short tenure here in Congress. Because what I saw was that party loyalties and personal ambitions were put aside. I think the overwhelming motivation for everyone in this body was to simply serve their country the best that we could. Unity of purpose and a collective will to win will prevail. Division and second-guessing and finger-pointing and politicization will only serve to prolong the struggle and cause further loss of life and suffering.

From my perspective, failure is not an option. I hope the Congress can pull together. The threat is as real today as it was on 9/11.

HONORING NOVATO FIREFIGHTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise this evening to honor the memory of firefighter Steve Rucker, a resident of Novato, California, and to wish the speedy recovery of three other Novato firefighters: Captain Doug McDonald, Shawn Kreps, and Barrett Smith.

These four men were among the dozens of firefighters from my district who sped to Southern California to fight the recent fires that burned hundreds of thousands of acres. Yesterday I stood alongside Officer Rucker's colleagues, firefighters and police officers, and watched the mile-long procession that carried his casket down Highway 101 from the airport in Santa Rosa to his beloved city of Novato. My heart was filled with emotion as I watched the great sadness this community felt, the sadness and grief that comes with the death of a family member. But lingering in this grief, there was also pride, pride in recalling the life and heroism of one of their own.

□ 2000

These four firefighters served the Novato fire protection district. Novato is a prosperous place, a family town that touches San Francisco and reaches into the golden coastal hills. But the warm sun of Indian summer never lulls Novato firefighters. They know that the days before the rains come are the most dangerous time of the year throughout all of California. They also know that firefighters throughout the State are members of one large community, and when help is needed anywhere, they respond. So it was that without any contractual obligation, but out of compassion and comradeship that Shawn Kreps drove Novato fire engine 6162 all night a week ago Monday to join the fire lines at the Cedar fire more than 400 miles away. And so it was that Steve Rucker, Doug McDonald, Shawn Kreps, and Barrett Smith found themselves Wednesday on a back road 5 miles from the rural village of Julian, fighting to protect a scattering of homes.

Fire can be a fierce and swift enemy, and when flames suddenly threatened to engulf the men, all they could do was run for their lives. Steve Rucker did not make it. Apparently the intense heat of the fire seared his lungs, and when Captain McDonald went out to look for his friend, he too was critically burned.

Fortunately, Kreps and Smith suffered minor injuries, and I expect they will have many fires to fight in the future. Captain McDonald, however, remains hospitalized with serious burns, the wounds of a hero. My prayers go out to him and to his family.

It was too soon for 38-year-old Steve Rucker to leave this earth. He left behind a loving wife, Cathy; a 7-year-old daughter, Kirsten, a 3-year-old son, Wesley, and a home he had just built. His friends in the department knew Steve as ''the Ruckster,'' a cheerful, enthusiastic man ready to joke and laugh, a man they could count on to be a calm and competent firefighter and paramedic, a man who loved his job. He

was, according to his friend and colleague Tom Gaulke, ''a firefighter's firefighter.'' And yesterday when I stood with Steve's firefighting companions, they told me that Steve was the go-to person when they needed somebody in times like this. They needed his counsel yesterday and his support during their sorrow, but he was gone, and that is why they have such sorrow.

Twelve thousand firefighters battled the armies of flames that once threatened to burn from Southern California's mountains to the Pacific ocean. Steve Rucker was the only firefighter to die in this historical battle. In this he receives a measure of immortality. He stands for all of the brave men and women who unselfishly risk their lives to save others, whether facing a wall of flames on a rural back road or the billowing smoke of the World Trade Center.

Mr. Speaker, Steve Rucker was an irreplaceable man, but his family must go on with life without him. I wish them consolation in knowing that this man, son, husband, and father, died giving the gift of himself.

WASHINGTON WASTE WATCHERS

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, as a member of the Washington Waste Watchers and of this body, I feel it is my duty to bring to the public's attention instances of fraud, waste, and abuse. Such actions of fraud, waste, and abuse not only steal from the taxpayers, but also from the beneficiaries very much in need of the benefits. A perfect example of fraud, waste, and abuse is actually occurring right now in my district. In July, after 10 years of service, the Department of Labor decided not to award the contract for senior employment to the group called Experience Works. It is a not-for-profit organization that has been working extremely well with seniors. The Department instead decided to award the contract to the American Association of Retired Persons or AARP. One might think this might be okay.

The transition that I have seen for my seniors going from Experience Works to AARP has been deplorable. At least ten of my constituents call my offices every day with complaints of verbal abuse. Imagine that. AARP abusing seniors. Some have left meetings with AARP in tears. I can only imagine how any Member in here would feel if they received calls from senior constituents claiming that AARP is abusing them. What happened is AARP has instituted new policies that seniors in my area are simply not used to. They have decided that they are going to shuffle these senior employees, who, by the way, are earning $5.15 an hour, from job to job every 6 months, without exception, and many times without any warning. Today they are working for agency X; Monday they may be working for agency Y. It seems to me as if we did not learn from the shuffle game that we played with foster children. Nobody is nourished and nobody grows when we have a shuffling process where there is no continuity.

And, by the way, it is not just the seniors that I am hearing from. Many host agencies in the district are having problems as well. One of the agencies recently said that they have ''had it with AARP.'' A gerontologist contacted me who has been working with seniors, and he said that he actually witnessed this verbal abuse of seniors by an AARP staff member. AARP is ''looking into it.'' I am sorry, but that is not enough. There is not any reason why anyone should tolerate any employee who verbally abuses seniors.

I have also been working with the Department of Labor. AARP is not doing this out of the kindness of their heart. They receive $75 million for operation of the SCSEP employment program in 27 States and in Puerto Rico. By the way, that is up from the $52 million they received last year.

In the 10 years that I served as a Florida Senator and worked with Experience Works seniors, I never had one single complaint from my constituents, nor did I ever hear of any complaints from the time that I was elected. If AARP cannot spend taxpayer dollars that they receive helping seniors and working with the host agencies, I can think of a number of groups that certainly can accomplish this goal.

In addition to this case I cited in my district, I was also dismayed to learn that there was another Medicaid scandal happening in South Florida. Between 1999 and 2000, Medicaid actually paid roughly $2 million to dead beneficiaries. Most of these funds were distributed despite the fact that the department's database had the dates of the deaths already logged in. Simple fact, we have some fraudulent providers out there who are trying to bilk the system.

Another example of the waste, obviously, is the $600,000 that we are spending this year to have a blimp fly at sporting events to promote Medicare. I do not know of one senior out there who is not very familiar with Medicare.

When we look at all these expenditures, I know of lots of veterans back home who could suggest a lot better way to spend that taxpayer money.

Waste, fraud, and abuse throughout the Federal agencies is, obviously, decades old, and Republicans led by the gentleman from Iowa (Mr. NUSSLE), chairman of the Committee on the Budget, and President Bush are working to eliminate the culture of waste that exists at the Federal Government. As a Republican, I will work to reduce wasteful spending in the government and to protect everyone's tax dollars.

IN SUPPORT OF A HEALTH-MONITORING PROGRAM FOR FIREFIGHTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BACA) is recognized for 5 minutes.

Mr. BACA. Mr. Speaker, I would first like to thank all the firefighters and public servants who worked so hard this past week to help combat the devastating wildfires that occurred all over southern California and the Inland Empire. On behalf of myself and the people of the 43rd California Congressional District, I say ''thank you.''

In southern California and the Inland Empire, we have witnessed devastation like we have never seen before. Homes were destroyed, properties were damaged, lives were lost. More than 740,000 acres were burned. Nearly 3,600 homes were lost and 20 people lost their lives. At one point, nearly 16,000 firefighters were battling the blazes at the peak of devastation.

When the highway patrol and I toured the fires in my district 1½ weeks ago, we went into the ruins where residents had been evacuated. We saw the devastation of the homes and felt an overwhelming heat and breathed in the thick smoke of the fire. It was hard for us to be there simply for a few hours, but our firefighters did this for weeks, round the clock, with very little rest. They battled the blazes, inhaled the fumes, while the entire time reaching out to the communities. When I was there with the firefighters, we would come out of the fires and people would instantly stop us. They would beg us to check if their homes were still standing. And do my colleagues know what the highway patrol and I did? We charged back to where the flames were to see if the homes were still there. Often, as many know, we simply found an address on a curb and no home.

But who was still there, fighting the fires and trying to save the homes? The firefighters. We owe a great deal of gratitude to the brave men and women who fought these devastating fires, our American heroes.

That is why I believe that we should make sure that they have access to health care that they need so they can go home to their families safe and healthy. We do not know what the long-term effects of exposure to the smoke and fumes will be to the firefighters who fought the blazes in California. But with early evaluation, monitoring, and analyzing, we can offer them better treatment, the treatment they deserve for putting their lives on the line.

That is why I have introduced a bill that will require the Department of Health and Human Services to work with local health experts to conduct long-term health monitoring on firefighters who have responded to the California wildfires. This bill will create a health-monitoring program for

the firefighters who respond to catastrophic Federal emergencies like we recently experienced in California.

I want the firefighters to have constant monitoring about their health. I want them to be able to have access to health care that they deserve. That is what my bill will do.

At least 15 studies have shown statistical links between brain cancer and firefighting. According to the Center to Protect Workers' Rights, firefighters often jeopardize their health when they respond to disaster. Often these disasters are so severe that their equipment cannot even protect them. The health consequences for these firefighters can be as great as cancer or heart disease.

In nearly all of these instances where firefighters have responded to Federal disaster, they have often been provided with very little or no health monitoring. This is wrong, and we must change it to make sure that there is monitoring.

Firefighters risk their lives protecting our property, our families, our way of life. They deserve better. We must have more resources devoted to monitoring firefighters after they respond to Federal emergencies when there is prolonged exposure to dangerous smoke, fumes, and chemicals.

A program like this was developed after the collapse of the World Trade Center. It has been very successful in identifying the health problems of those first responders.

□ 2015

Many of these firefighters at the World Trade Center suffered serious coughing illness after dealing with the wreckage of the towers. Thanks to monitoring programs, we can evaluate the health of these fire responders and get them the care that they need.

I want early detection for the men and women who responded to fires in California. I want them to be able to go back to their families safe and healthy. We must make sure that our firefighters are safe and healthy after they respond to a Federal disaster. We must make sure that we decrease such possible risk.

We owe a great gratitude to these brave men and women who fought the recent fires in California and the Inland Empire. Providing them adequate health care is the least we can do to say thanks to these American heroes.

ROOTING OUT WASTE, FRAUD AND ABUSE IN GOVERNMENT

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, my Washington Waste Watcher colleagues and I, Republican members of the freshman class, have come to the floor tonight to devise new and innovative ways for trimming the fat out of government. I believe we owe it to the American taxpayer to hold Washington bureaucrats accountable for wasteful spending and to discover new ways for reducing fraud in government at all levels. A great American from Ellijay, Georgia, Mr. Joe McCutchen, reminds me of this at least once a month.

Mr. Speaker, after spending 28 years as an OB–GYN doctor, it should be no surprise that part of my legislative agenda is to reorganize and revamp this Medicare program, which is currently responsible for billions of dollars of waste, fraud and abuse. The General Accounting Office has estimated that one of every 10 dollars is wasted because our current Medicare system is open to poor management and fraud. Dishonest individuals find new and more creative ways to cheat our Medicare system every day, burdening Americans with higher taxes, higher premiums, and higher copays.

For example, according to the Bureau of National Affairs in an April 25, 2003, article of ''Health Care Daily,'' a Florida woman was sentenced for her role in a scheme that allegedly billed Medicare and Medicaid more than $25 million worth of false claims for, get this, wheelchairs, alternating pressure mattresses, and other durable medical equipment; $25 million of taxpayer money that is lost and unrefundable, money that could have been used to improve our schools or aid our soldiers in Iraq or provide health care for the uninsured.

Another example comes from the Health and Human Services Inspector General report to Congress, April 2000. It was reported that Medicare paid an estimated $20.6 million for services that started after the posted death dates of certain recipients. My good friend and colleague, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), just a few minutes earlier mentioned the same thing. Of this amount, $8 million was paid, despite the fact the Department had already noted their deaths in the main database.

These are just examples of the mismanagement of time and resources that are costing Americans billions of dollars every year. In these times of war and emphasis on homeland security, we cannot afford to spend another dollar on wasteful programs, and we must save money by eradicating fraud against and within the Federal Government.

Mr. Speaker, it is time to restore responsibility and accountability to government programs by rooting out this waste, fraud and abuse in our government. I urge my colleagues to help pass needed Medicare reform.

REPUBLICAN EFFORT TO PRIVATIZE GOVERNMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, I rise to discuss something I believe goes virtually unsaid in this institution every day, not merely the ramifications of what Congress does on a daily basis, but rather the underlying intentions of those in the majority. And that is how this majority, in concert with the administration, is acting to remake how our Nation governs and thinks of itself. Indeed, it is remaking the very role of government itself.

I think it is particularly appropriate that we discuss this matter at a time when Congress is heading toward its annual appropriations endgame, when many of the most important budgetary decisions affecting millions of citizens are being made behind closed doors by a handful in this Republican majority. So this week I am going to be talking about Republican efforts to privatize functions that are currently the responsibility of government and specifically how that relates to our failure to meet public commitments.

Let me be clear: the goal is not more government. Far from it. In most cases, we want our business enterprises and the market to flourish. But there are some very important areas where we want community values, not the market, to prevail or to set limits on behavior. There is a reason we have public schools, environmental regulation, and retirement programs, because there are things we want to ensure for all individuals, whatever their station in life or wherever they live in the country.

For nearly 75 years, our approach to government has reflected the idea that our society can act with a shared sense of purpose and responsibility to address tasks before our country. But it is no secret that this leadership has some very different ideas about the role of the Federal Government and helping us meet those challenges. Accordingly, the budget Republicans put forward earlier this year was designed simply and efficiently to destroy the capacity and obligation of the government to provide key social support. Their plans are to debase the quality of public services so much that citizens will give up and turn, out of necessity, to the private market.

The examples are many, and they are far-reaching. The twin pillars of our retirement security safety net, Social Security and Medicare, environmental protection, transportation safety, education, all public commitments historically the responsibility of the Federal Government, all undermined by this administration and majority.

Republicans pass legislation to create new tests and higher standards for public schools, then support a budget that cuts the funding to enforce those standards by $8 billion, in effect guaranteeing failure and providing a justification for the shift to vouchers and private education.

Their Medicare plans offer prescription drug coverage for seniors, but moves seniors into the private insurance market and into HMOs for their Medicare coverage. The budget cuts

coverage for Medicare at the same time the administration reduces hospital reimbursements, denies beneficiaries information on coverage and limits rights of appeal on denial of coverage. All are part of a concerted effort to turn Medicare into essentially a Third World health program for seniors. They want to privatize Medicare.

The story with Medicaid, child care, Head Start, and job training is little different. They propose to turn these programs into block grants for States, offering less and less funding. They say they are offering Governors flexibility; but considering the fiscal crises our States are experiencing, this becomes flexibility only in deciding how to cut services, the flexibility to decide which recipients to jettison.

As a Member of the Committee on the Budget, I was privy earlier this year to witness Republicans on the committee taking the breathtaking step of instructing other congressional committees to cut Federal mandatory programs by $98 billion, in effect an instruction to reduce benefits and to limit eligibility. If it had been successful, it would have forced the government to cut funding, but not to end the commitment that we have in each of these areas.

So although America has committed itself to helping disabled veterans, to providing loans for college education, to offering school lunches to children and providing school assistance, housing and health care to families, the government would have been forced to breach those commitments and those contracts.

Now as we near the appropriations end game, we are seeing the impact of these budgetary sleights of hand. For example, last week we saw the imminent privatization of 69 air traffic control towers. This despite the fact we have the most productive and safest air traffic control system in the world.

Or ''worker efficiency studies'' at Department of the Interior designed to justify the shift of public jobs to private corporations, the results of which studies have been dubious, to say the least. We have spent $16 million in outsourcing studies at the Bureau of Land Management that have generated $600,000 in savings; $18.6 million in outsourcing studies at the Forest Service that found that 47 out of 1,000 jobs studied should be handed over to private contractors. The only waste of public funds found in these studies was their own price tags.

And these are but two examples of Republicans seeking to establish that citizens cannot depend on public commitments—even ones that embody America's shared values about service to country, opportunity and help for those most in need.

The time has come to call them out on this bait-and-switch maneuver—to fight this initiative and promote the capacity of our country to act together on our shared values. And so I look forward to further special orders in the coming days and weeks on this subject, and invite colleagues on both sides of the aisle to join me in this discussion. I think it will be a very enlightening one, indeed.

Mr. Speaker, I will continue over the next several days and several weeks to talk about how this administration and this majority is not about cutting one program after another, but, in fact, starving the Federal Government of the resources it needs in order to meet its public commitments.

CUTTING BENEFITS FOR VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, soon we will be observing Veterans' Day in our Nation; and there will be parades, pictures will be taken, and flowery speeches will be made. But I want to just point out to my colleagues here in the House and to those who may be watching what the record is in terms of veterans and veterans funding and veterans health care.

In 2002, the Veterans Administration decided that they were going to raise the cost of a prescription drug that a veteran would have to pay from $2 to $7 a prescription. At the time I thought that was outrageous, because many of the veterans that I represent take 10 or more prescriptions a month; and I felt like that was an unnecessary burden, financial burden, to place upon our veterans.

But there is a pattern of actions that have been taken by this administration that I think I would call shameful as far as the treatment of veterans is concerned, because following this increase in the cost of a prescription drug, the VA issued a gag order. They literally changed VA policy. They sent out a memo that went out to all the health care providers across our country, the doctors and nurses and social workers who work in our VA clinics, and they forbade them to continue to proactively inform veterans of what benefits they were legally entitled to receive. The memo was very specific. It told these health care providers that they could no longer participate in a community health fair, they could no longer send out newsletters informing veterans of the benefits that they were entitled to, they could no longer make public service announcements.

Now, think of that. Here is this agency of the Federal Government, under this President, an agency that is supposed to be looking out for the welfare of veterans, literally forbidding the health care providers in our VA facilities from informing veterans in a proactive manner of the benefits they were entitled to receive under the law.

Well, not long after they issued this gag order, the VA made a decision that they were going to exclude an entire group of veterans from VA health care. They called this new category of veterans Priority 8. You can be a Priority 8 veteran and be a combat-decorated veteran; but if you have an illness that is not service-connected and if your income is deemed to be too much, and in this case it can be as little as $24,000 a year, you are told by the VA, you are out of here. We do not want you coming to us for medical care. You are excluded. You are a Priority 8 veteran. Pretty pathetic. All of this is happening, by the way, under the Presidency of George W. Bush.

Then in January the President sent his budget to the Congress, and in his budget he asked that the cost of a prescription drug be increased from $7 to $15 a prescription. Think of that. At a time when we were getting ready to send our young men and women into war, the President wants to increase the copayment for a prescription from $7 to $15. His budget also asked that a new first-time enrollment fee be imposed upon veterans, Priority 7 and 8 veterans, an enrollment fee of $250.

You can see the pattern. It is a pattern of neglect and, I believe, abuse of veterans.

Then we could talk about the disabled veterans tax. The country is becoming aware that if a veteran has served 20 years, he or she is entitled to a retirement benefit; and if they are injured as a result of their military service, they are entitled to disability benefits, but they cannot receive both.

□ 2030

But they cannot receive both. Now, if they were in any other part of the Federal Government, they would get both. But if you are a veteran, for every dollar in disability benefit you get, you lose a dollar in pension. In other words, veterans are being required to fund their own disability compensation. We tried to correct that in the House and Senate, but the President put out a veto threat that if this was in the bill, if this correction was in the bill, he would veto it.

Then there is a matter of VA funding for this year. It is $1.8 billion short of what this House promised. We need $1.8 billion additional dollars in VA funding simply to maintain the current level of VA health care services, but the Republican leadership and the President say no. So the Senate, just last week, passed an amendment to increase VA funding, not by the full $1.8 billion, but by $1.3 billion, and they wanted to take it out of that $87 billion that is being provided for Iraq. The same day, the White House put out a statement saying they oppose this.

I think the veterans of this country are coming to understand that they are being treated in a shabby and a shameless manner.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BERRY) is recognized for 5 minutes.

(Mr. BERRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. EDWARDS) is recognized for 5 minutes.

(Mr. EDWARDS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Texas (Mr. EDWARDS).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

BUSH ADMINISTRATION SHOULD REEVALUATE SPENDING PRIORITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, tonight, several Members on the Republican side of the aisle gave 5-minute Special Orders on government waste, while today's New York Times talks about the war in Iraq and the difficulty that the Bush administration is facing in managing that war and in restoring Iraq's economy. Now, I do not think most Americans thought when we went into Iraq that we were supposed to restore the economy, but there has been a great deal of mission creep, obviously, and with no stability there and, with no security, investment does not happen. Of course, it is not a free-enterprise economy, and a lot of their former businesses and State-owned companies are in trouble.

This particular article talks about a shoe company that would fashion leather and finish shoes. Thousands of people there are without work as a result of the war and the bad conditions. So the Bush administration is taking cash and paying over 2,000 workers in just that company; imagine how many companies there are in Iraq, just to kind of ''buy the peace'' so that there is not more unrest.

Meanwhile, here in Congress, about a week ago, we tried to get a bill passed that would give $1,500 to each of our soldiers' families who are in combat in Iraq and Afghanistan. Guess what? The very same Republican party that is handing out $100 bills in Iraq forced the defeat of that measure offered by the gentleman from Michigan (Mr. STUPAK) here in the House. Very interesting priorities, in my opinion, and absolutely wrong.

Now, last Friday, President Bush came to Ohio, our State, and I thought he might be coming to stop the loss of jobs, because that particular day there had been an announcement of another 525 jobs, this time Federal jobs, that had to do with the Department of Defense that were being taken out of Cleveland, Ohio. The President did not say anything about those jobs when he came. He probably did not want to because his own Department of Defense made a big mistake. They took these Federal jobs that had been with the Defense Finance Accounting Service at the Department of Defense through the Cleveland office, and they decided they were going to move them to Texas. They said, we are going to contract these jobs out. Now, did they provide the workers in Cleveland with the same kind of money they are providing to the workers in Iraq? No.

What they did was they moved the jobs to Dallas, Texas because they contracted out the jobs to a company, and I want to get the name of the private company correctly here; oh, Dallas-based Affiliated Computer Services. The President said he was going to save money by contracting out these Federal jobs. But do my colleagues know what? They made a big mistake, because the government workers actually saved the taxpayers $20 million. The subcontractors that the President hired in Texas and, gee, is that a coincidence, is going to cost the taxpayers of our country 20 million more dollars, not less dollars. It is funny that it was in Texas. While the President was in Ohio, while our jobs were leaving for Texas and costing the taxpayers of our country $20 million more, the President took down a cool $1.2 billion in Columbus, Ohio for his campaign. He bagged a cool million in Ohio, a little bit over $1 million. Then he went to Texas and took $1.4 million down there in a big fund-raiser. Very interesting.

Now, he was in California, I think it was yesterday, and he stood in front of people's homes that have had their properties burned to the ground. Unlike Iraq, he did not hand out any money; he just sympathized, empathized with the people and said they would get FEMA loans. Give them loans in California. And then he proceeded, while these people have just lost everything and they are getting loans from FEMA, to talk about Iraq and the $87 billion that he is going to spend in Iraq.

What I really want to know from President Bush is, how are we going to know, as the American people, when we have won in Iraq?

Now, back in May, I think the President got on a ship and it said, ''mission accomplished.'' So the American people thought things were winding down. Well, they were just beginning. We have now lost more troops in Iraq than before the President stood in front of the sign that said ''mission accomplished,'' and I want to know how will we know when we have won? When we have trained 200,000 Iraqi police to keep the security in the country? At what level will we have to have their force in order to know that we have to leave? Will we have won when we finally find Saddam Hussein? Will we have won when Iraq holds their own elections next year? Will we have won when we assure ourselves that there are no weapons of mass destruction? The President already said when Hurricane Isabel hit the East Coast here and captured all the headlines, there was a story that was buried in the paper where he said: Well, there were not any weapons of mass destruction. But that is why we went in.

So I would like to ask the President, please, tell us what the exit strategy is. How will we know when we win in Iraq, and how much is it going to cost us?

$87 BILLION BETTER SPENT IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, the Senate on a voice vote yesterday, kind of pathetic, voted to borrow $87 billion from the American people for the conflict in Iraq. A substantial portion of that is to go to rebuild, or build, not rebuild, build the infrastructure of Iraq. As the gentlewoman from Ohio said, some of it is going to pay Iraqis for make-work or no-show jobs when we cannot get unemployment benefits for Americans here. If we took that money and we divided it up, there are 435 of us here in the House of Representatives, and we divided it up among our congressional districts, that would be $220 million per congressional district.

Now, my district has just about the highest rate of unemployment in the United States. My State has the highest rate of unemployment, my district and the gentleman from Oregon's (Mr. WALDEN) are unfortunately right up there in the State. Mr. Speaker, $22 million could mean a lot for us. It could put a lot of people to work.

Albany, Oregon, under Federal mandate, is going to borrow money to build a new water system. Of course, we are going to give $50 million to Iraq to build a new water system for one city. Sweet Home, Oregon, same thing. Federal mandate. They can borrow some money, but we are going to give money to Iraq to build them new water systems.

My port of Port Orifice sewage system, fell into the ocean after a big storm. Problem. The Federal Government says this depressed little coastal community, they will lend them some money to help them do that project; lend them some money. But, in Iraq, we are going to give them new sewer systems. The American people are borrowing money to build these projects

in Iraq with no prospect of being repaid under the leadership of President Bush.

We could also, with the same $220 million, guarantee my coastal ports, which were zeroed out in the President's budget for continued dredging maintenance, we could dredge those ports for 5 years. We still have not spent $220 million yet. We are working on it. This is just one district. Just imagine what this would mean across the United States of America if every Member of Congress got to take that $220 million home instead of sending it over to this deep pit in Iraq.

We could give 1,000 students full tuition, room and board at the University of Oregon or Oregon State in my district; 10,000 community college scholarships. Instead of them having to borrow money from the Federal Government, we could have given them scholarships. This is just one congressional district. We could give thousands, more than 10,000 students full tuition, a free ride for the year. We could put thousands to work on infrastructure projects meeting Federal mandates. That is just one congressional district. Imagine if that were repeated across the United States of America. If only the President would borrow money to invest here, or even spend money like the unemployment trust fund.

Now, since this $87 billion that was borrowed or authorized yesterday by the Senate, the President will probably sign the bill soon, following the $79 billion that we borrowed last April which is not yet spent, we have to wonder, what is the plan? The plan was to vote on borrowing another $87 billion before they spent the $79 billion. And so what are we going to do to bring stability? Well, now they say what they are going to do is train Iraqis. Now, on September 5, Donald Rumsfeld said there were 55,000 Iraqis all told, including security guards, et cetera, trained. Since then the estimates of the Iraqi forces have grown at the rate that would mean they have trained 1,000 people a day. Wow. Must be some program. Unfortunately, they have not yet begun the $1.2 billion program to train Iraqis in Jordan to become police and security. Yes, that is right. We are going to pay $1.2 billion. The French and the Germans offered to do it for free, and they are good at training people do to that, but God forbid that we should save the American taxpayers $1.2 billion and take something from the French and Germans that they are good at. So the Jordanians and, of course, we know they are really good at this, are going to be training the Iraqis to become police. But somehow, magically the numbers keep going on up. It is like zip, zip, zip.

Then last week Deputy Defense Secretary Paul Wolfowitz speaking in Georgetown raised that figure to 90,000. Three days later Rumsfeld said 100,000.

Now, how is this happening? Do we think this is really happening? Do we think we can believe these folks? Now remember, these are the same people who told us, this is a country that can afford to rebuild itself and pay for its own reconstruction, and soon. That is what we were told. That is what the American people were told. They would be waving little flags, welcoming us as victors. Our kids do not have the flak jackets they need because Rummy said there would only be 30,000 Americans there by now, and we have more than 30,000 flak jackets. They have planned miserably.

I would recommend to my colleagues and everybody, Blueprint for a Mess from the New York Times on Sunday, November 2, New York Times magazine, the best compilation of the total abysmal failure to plan and, in fact, to reject planning for the postwar Iraq by this administration.

ECONOMY SUFFERS UNDER BUSH ADMINISTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from South Carolina (Mr. SPRATT) is recognized for 60 minutes as the designee of the minority leader.

Mr. SPRATT. Mr. Speaker, last week, the Commerce Department released the growth rate for the third quarter. It was good news, welcome news, the kind of news we can all cheer. According to the Commerce Department, the economy grew at a rate of 7.2 percent in the third quarter this year.

Now, we all doubt, the President and all the rest of us, that this pace can be sustained, but we all hope that it signals the start of a strong recovery because, Mr. Speaker, it has been a long time coming.

Most Americans will be surprised to hear it, but this economy officially moved out of recession 2 years ago, November 2001.

□ 2045

And yet for 3 solid years, ever since even the recovery from the recession, the official recovery, the economy has continued to creep along, to scrape bottom.

All together, we have had a net job loss in the private sector since 2001 of 3.2 million jobs; 3.2 million jobs have been lost; 2.6 to 2.7 million of those jobs have been lost in manufacturing, some of the best jobs we have got. And I am afraid some of those jobs are not coming back, even if the economy recovers.

So before anybody hangs out a ''mission accomplished'' banner over this economy, I think it is important we recognize tonight and henceforth that there is a lot left to be done.

Here in a nutshell is what this administration has been able to accomplish, or not accomplish, on its watch with respect to the budget and the economy since January of 2001, things that still cry out for correction, notwithstanding the growth rate that we are experiencing right now.

This chart shows that the private sector has shed 3.2 million jobs. That is the worst job record since the Hoover administration, the Great Depression. Long-term unemployment, that is, people who are unemployed for 6 months or more, has tripled. That is when it really begins to get tough. The growth in the economy over the last 3 years, it has grown, it has not been all recession, but the growth has been 2.1 percent on average for 3 straight years. There is only one administration in history who has a worse record than that, that is George Walker Herbert Bush in the 1990s, early 1990s.

Real business investment, that is investment in productive assets, business assets that generate jobs and generate profits, has fallen 6.6 percent a year, the worst rate for real business investment since the Second World War.

And our other deficit, the so-called balance-the-payments deficit, the trade gap, has also increased by $100 billion over the last 3 years.

Let me just show you in further detail more about what has happened to the economy. Growth during this administration, 2.1 percent for the last 3 years. As I said, to find an administration with a worse record since the beginning of the Truman administration, the end of the Second World War, you only go back to the Bush administration. Every other administration has experienced better growth than that.

The unemployment rate has increased from 6 million people to 8 million people. You can see from this chart what has happened to unemployment. It has gone from 4 percent to as high as 6.5 percent and now rests at around 6.1 percent, persistent unemployment, even though we pulled out of the recession.

Let me make that point more clearly. As I said earlier, the economy pulled out of recession in November of 2001. Now, in all of the postwar recessions since the end of the Second World War, if you measure them in jobs lost and jobs recovered, from peak to peak the length of the business cycle downturn has been about 26, 27 months. And here you see that average recession plotted on this chart. You also see across the bottom the red line which indicates the path of this recession. Typically, in every other recession of nine that have occurred since the end of the Second World War at about the 13th, 14th month, you begin to see the job recovery. We begin to regain the jobs that we have lost in the first 13 months. And by the 25th or 26th month we are back to where we were a couple of years before, the jobs have been restored.

But look what has happened here. In the 13th, 14th, 15th month of this recession, this red line keeps going down. It does not turn up. And this is where we are right now today in November of 2003, barely holding our own, hardly improving at all over the dismal loss of 3.2 million jobs over the last 3 years. That is what is happening to jobs in

our economy. That is why this is a jobless recovery. That is not just a turn of phrase, that is not just some rhetorical creation. This is a jobless and a joyless recovery. That is why the people in this country have not felt the recovery even now officially when we did recover in November of 2001.

Now, one of the concerns that we all have when you look at this 7.2 percent growth rate is that it represents one quarter. You have to ask yourself what does the future hold? We hope that this means that the economy as a whole is beginning to pick up. But we have, I think, reason to be worried about the long-run future, not the next several months, not the next quarter, not the next year, but 3 years from now, 10 years from now, 15 years from now when we look at what it has cost to turn this economy around and in terms of tax cuts.

The Bush administration is sure to credit what has happened to the tax cuts that it has implemented, three different series of tax cuts over the last 3 years, totalling about $3 trillion in all in revenue reduction. And they say that this has been the key factor in turning the economy around. Of course, it has played a significant part, I am sure. But we argued all along that this same level of stimulus could be achieved with a lot less damage to the long-term budget, that you could have short-term stimulus with the right tax cuts and still have long-term balance. And that is where the Bush administration comes up short.

Because you will see that in running the budget, running this economy, in trying to deal with the recession, in putting through ahead of everything else preemptively its series of three tax cuts we have seen here this red line here the most precipitous decline, the most drastic reversal in the fiscal fortunes of the United States since at least the Second World War, maybe since Woodrow Wilson. It has just been a tremendous decrease.

Here in a nutshell is what has happened. In the year 2000, fiscal year 2000, the Government of the United States booked a surplus of $236 billion. That was 4 years ago. Hard to believe, but we had a surplus 4 years ago of $236 billion. Three years ago the Bush administration came to office with an advantage that few administrations in history, none in this country, have enjoyed and that is a budget surplus, big-time surplus. And they had some major decisions to make, but they went first and foremost with their tax cuts.

Their economists looked out over the next 10 years, and they foresaw surpluses totalling $5.6 trillion between 2002 and 2011. In 3 years they have changed that picture from a cumulative surplus of $5.6 trillion to a cumulative deficit of nearly $4 trillion, 3.5 to $4 trillion if you simply assume that what we know to be on the Bush agenda is implemented and carried out over that period of time with respect to prescription drugs, with respect to the war in Iraq, with respect to other tax cuts which it is still calling for.

And when you factor that all in, we see not a surplus of $5.6 trillion but a deficit of 3.5 to $4 trillion. And that is the question we would like to address tonight.

We are pleased, we are excited, we are hopeful to see the 7.8 percent growth rate that the economy racked up in the last quarter. But we have to stand back and ask ourselves at what cost have we come, what long-term damage have we done to the budget in getting here.

Let me show you one little piece of math that everybody can understand. If you take the tax cuts that have been implemented to date and look just at the cumulative cost in terms of revenues lost to date, which is about $860 billion, and you divide that by the jobs that the Treasury Department, the Commerce Department claims have been created during this period of time so that we would have had, they say, 5.2 million jobs lost but for the tax cuts, instead of 3.2 million jobs lost we would have 5 million but for the fact that these tax cuts have actually generated a total of 2 million jobs, divide the cost of the tax cuts through this year by the jobs created, it comes to $3,420,000 per job in terms of revenues lost to the Treasury. That is the situation we want to talk to you about tonight.

Where are we going? The budgets that have been produced here, the deficits that have been generated over the last 3 years have been generated with an attitude almost of indifference to the bottom line as if the deficits being run were not consequential, as if they will be wiped out, which we know they will not. All the forecasts of the deficits we will talk about tonight assume that the economy will be growing at 3 percent and we are still accumulating deficits of 3 to $4 trillion despite that rate of growth. But they, nevertheless, have been incurred without any kind of sense of urgency or consequential effects.

It seems to be that those who are overseeing this budget believe that these numbers are not consequential. We believe, those of us here in this Chamber, those on this side of the aisle, and many in this House, we believe those numbers are consequential and they will affect our future and that once we get this economy up and running and on its feet again, it is going to hit hurdle after hurdle as it has to deal with the fact that these huge deficits are there, record deficits, 3, 4, $500 billion a year.

They will have several different effects on our economy. One is the government itself will have to pay more interest every year, bigger and bigger sums in interest, so eventually we will have to raise taxes to pay just interest. That creates cynicism in the American public because they are paying taxes to their government and seeing nothing in return for it, just interest payments.

And, secondly, when the government goes into the open markets to finance its 4 or $500 billion deficits every year, it crowds out private borrowers and runs up the costs of capital.

What are the consequences in the long run of the policies we have been pursuing for the last 3 years? That is the question we pose tonight.

Mr. Speaker, I yield 3 minutes to the gentleman from Maine (Mr. ALLEN) to respond to the issues we have just raised.

Mr. ALLEN. Mr. Speaker, I thank the gentleman from South Carolina (Mr. SPRATT) for leading this Special Order tonight to call attention to the misrepresentations and the consequences that follow on this country as a result of the disastrous economic policies pursued by this administration.

One good quarter of economic growth is something to celebrate because we have had so many bad quarters, but it is not an answer to what has gone before. The truth is that the administration of George W. Bush has done more damage to this country in a shorter period of time than any administration in my lifetime, largely because it has pursued economic policies that are reckless and irrational.

Let me call up one chart here that I think will be helpful. The line at the bottom of this chart shows the total surplus or deficit without Social Security or Medicare over the last several administrations. What you can see is how the deficit, the non-Social Security deficit exploded during the Reagan and Bush years. And then as President Clinton came to office and instilled a greater sense of fiscal discipline, we drove that deficit down every year until finally we had a surplus.

But no sooner had President Bush taken office than he immediately enacted very large tax cuts and drove us back into deficit again. That kind of record, that kind of policy has a consequence for jobs, because this President has racked up the worst private sector job growth record since World War II. Only in the second administration of Dwight D. Eisenhower has there ever been negative job growth during a Presidential term. But today, 1 year from completion of President Bush's term, we are down 3.2 million jobs in this country. And that is the worst record for any President since the Great Depression.

What we need in this country is to get back to a sense of fiscal discipline so that we are not having the Federal Government suck up all the revenues that need to go to the private sector, that need to go to investment in this particular country.

□ 2100

We had Members down here earlier from the other side of the aisle, and those Members were saying that there is waste, fraud and abuse in the Federal Government; and surely there is. But Medicare remains the most efficient deliverer of health care services

in this country. Medicare does not pay multimillion dollar salaries to its executives, and Medicare is able to hold down the price of those health care services that are so important to people here.

What we have in this country today is a neglect of basic principles of the management of the Federal budget, and it seems to me that there is a lot more going on here than simply the inability to pay attention. It seems clear that this third tax cut passed in 2003 can only be explained as an effort to drive down Federal revenues to a point where we are not able, as a country, to preserve Medicare as we know it and to preserve Social Security as we know it.

In conclusion, I would call to mind on that point what the chairman, the Republican chairman of the Committee on Ways and Means said the other day when asked on television. Someone said to him in a television interview: Will not this Medicare bill that you are working on destroy Medicare? And he said, I certainly hope so because fee-for-service Medicare is outmoded and not good for the American people.

It is the only program we have. What is going on here is, in my opinion, a systematic effort to undermine the Federal budget so that these programs that are in many ways the great achievement of the last half of the 20th century will be not able to be continued in their current form.

We need to return to fiscal discipline. We need a concentration on jobs for ordinary Americans instead of tax cuts for the wealthiest Americans, and then maybe we can get this country back on track.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I want to thank the distinguished gentleman from South Carolina (Mr. SPRATT) for the wonderful work he does as our ranking member on the Committee on the Budget. I will be followed in just a few minutes by the distinguished gentleman from Texas (Mr. STENHOLM), who has served on the Committee on the Budget. He has been a deficit hawk and a debt hawk and a very responsible person with this country's money for a long, long time, and I want to publicly acknowledge the great work that both these gentlemen have done and tell them how much the rest of us appreciate it.

I can state that to be here this evening talking about this very issue is a heartbreaking thing for me, Mr. Speaker. I came here in 1993, shortly after the historic vote when they changed the course of the economy in this country with only Democratic votes to pass the economic recovery plan of then-President Bill Clinton. I was part of the Clinton administration. I know how hard it was to reduce spending, and we did reduce spending. And we continued to reduce spending until we had the budget in balance with the help of both of these gentlemen. I know how difficult it was to achieve that.

We reduced the number of Federal employees by 20 percent. And it was a hard thing to do. And yet, the President now says, this current President, he comes in, he squanders the surplus, and he says: We are going to stay the course. We are going to keep doing what we have already done that has been such a disaster. I guess what he means is, as near as I can tell, he is going to cut taxes on the wealthiest people in this country some more.

There is nothing in the minority we can do about it. The Republicans have the White House. They have the House. They have the Senate. They can pass whatever they want to pass. But I can tell you where I come from, Mr. Speaker, it seems to me that some people they just do not know a good deal from a bad one, and we have obviously been given a bad deal.

Let us look at the record, and it will be talked about over and over and over. We are not able to fund education. We cannot fund veterans benefits; we have to cut them. There are 3.2 million lost jobs, and we are losing more every day. There is a $5.6 trillion surplus that was inherited by this administration that has just, simply, been squandered. Two million people that do not have health insurance. This is the plan that we are going to stay with. And it is a heartbreaking thing because we did have a surplus when this President came into office.

Now, I find the other gentlemen from across the aisle this evening, they were talking about we had wasteful spending, and they had found places where the government had not spent the taxpayers' dollars very wisely, and I do not think we ought to do that either. I agree with that. But the sad part of this story is if we did away with the whole department that they were talking about, we could not balance the budget. If we did away with an entire Department of Defense, Department of Transportation, Department of Education, and the list goes on and on, we could not balance the budget.

The budget is so far out of whack that we would not salvage anything but about 15 or 20 percent of the discretionary spending. If we tried to balance the budget, that is all we would have.

The wasteful spending they talk about is shameful, but at the same time it does not even come close to addressing the problem. We need to understand the magnitude of this problem.

The Concord Coalition says that if we were to balance a budget within the next 10 years, we would have to cut Social Security benefits by 60 percent, we would have to cut the Department of Defense by 73 percent, and those massive Draconian cuts go on and on and on. And this is what the President says that he is going to stay with, the plan. He is committed to his economic plan.

At some point, Mr. Speaker, you have got to recognize a bad deal when you have one and deal with it in an appropriate fashion. We simply cannot afford to continue to do this as a Nation. I am sure our Founding Fathers would be horrified at this. I am horrified by it. But the most heartbreaking thing that I find, and that I feel when I see this happen, is the fact that we are passing it on to our children and grandchildren.

Why would any responsible adult do this to their children and grandchildren? We are putting a tax on our children and grandchildren that they will not have a choice about. They will have to pay exorbitant taxes just to pay the interest on the debt, not to pay the debt off. And also I cannot forget the fact that our troops are on the battlefield losing their lives, making enormous sacrifices, in some cases the greatest sacrifice; and those that are lucky enough to return will have to go to work to help pay the interest on the debt where we borrowed the money while they were in battle. And they will have to help pay off the interest and the debt that we have incurred in such an irresponsible way. I think that is a heartbreaking set of facts.

I think that it is absolutely unacceptable that we would allow this to happen to the next generations. I thank the gentleman from South Carolina (Mr. SPRATT) for his leadership in this matter.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank my colleague for his leadership, and I wanted to just expand on what was said.

President Bush in the State of the Union address, and then later on, made a comment that I strongly agree with, in principle, but not in the way he has put it into practice. The President said, ''See, I ran for office to solve problems, not to pass them onto future Presidents and future generations.''

That is with merit to say that. But what has he, in fact, done?

This is the budget outlook under the current Republican policies. And I want to call your attention to a couple of things, and I know it is something that the gentleman from South Carolina (Mr. SPRATT) raised before.

Virtually every Member of this body voted to put Social Security and Medicare in a lockbox. The President said he would put it in a lockbox. But what he did not say is he would keep the key to that lockbox in his back pocket and if budget numbers look bad, he would open up to lockbox and borrow from it to make his deficit projections look smaller.

The gentleman from Arkansas (Mr. BERRY) pointed out that the deficit is so great under this administration that we could completely eliminate the Department of Education, the National Institute of Health, the National Park Service, transportation funding at the Federal level and a host of other programs, lock up the National Parks,

shut down all the research at the National Institute of Health, and we are still not out of deficit.

When the President and the leadership of the Republican party say we have a $400 billion deficit, what they are not telling you is we are borrowing hundreds of billions more from Social Security and Medicare. That debt is going to come due at precisely the time that the tax breaks these folks have passed expand.

Our friends would have you believe that Democrats want to raise taxes. That is not true. In fact, this party offered a number of constructive and responsible tax breaks. But what we do believe is we should not pass debt onto our kids.

Let us look at the debt we are putting on. You hear about all of $400 billion debt or $400 billion deficit or a $500 billion deficit, and the Republicans would have you believe, well, it is not so much. It is a percentage of gross domestic product. But the American people have more sense than that. The American people understand that even in Washington, D.C., $400 billion is a lot of money. And they also know that it adds up year after year after year.

Look at this chart. This chart shows the cumulative effects of the Bush deficit and the Republican Congress deficit, because make no mistake about it, the fiscal policies in play in this country right now are solely, solely the responsibility of the Republican majority because they control the House of Representatives, the Senate of the United States, and the Presidency. And their deficit adds up to $7 trillion more debt over the next 10 years. They will double, effectively double the debt in just 10 years. And that is a debt our children are going to have to pay. I would submit to you that this is not an economic policy. It is a Ponzi scheme. Ponzi schemes are outlawed because they do not work, because you promise people things that they cannot deliver, and that is what this budget does. They would have you believe it is going to recover magically. The growth fairy will come save us.

I will state that in April I gave a speech, and I said we should be aware, and we should hope that the economy is going to recover because, quite frankly, if you give me 2 percent interest rates or any President 2 percent interest rates for a period of a couple of years, and if you pump in a trillion dollars of deficit spending, just like if Disney dads whip out the credit cards and buy their kids all kinds of treats, you will think the economy has gotten better. But the long-term cost of that short-term celebration will be paid by our children and that is not responsible. That is not conservative and that is not compassionate.

The American people deserve to know the truth. I applaud the gentleman from South Carolina (Mr. SPRATT) for being able to tell them the truth and my good friend, the gentleman from Texas (Mr. STENHOLM) who has been a leader on this.

Mr. SPRATT. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. BISHOP of Utah). The gentleman has approximately 30 minutes.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding to me. I think it is particularly important to point out that the gentleman here is from South Carolina.

A few weeks ago we had a hurricane called Isabel that was heading in on the East Coast, and the folks from South Carolina, North Carolina and Virginia began to plan for that hurricane because through modern technology, we can see it coming through, and we followed it. And there were a lot of homes that were boarded up. There were a lot of preparations made, a lot of batteries were bought and other supplies were bought preparing for what we could see coming.

It is amazing to me that the majority party in this House refused to acknowledge the coming perfect storm. The perfect storm of fiscal deficit, now as far as the eye can see, of 400, $500 billion, trade deficits as far as the eye can see, $500 billion this year and growing, and these are the jobs that we are losing, the exporting of the jobs that are occurring.

□ 2115

That is happening under current policy and then the third component of this perfect storm, the upcoming baby boom generation that will begin retiring in 2011. We know that is going to hit all 50 States. It is not going to pick out Virginia or North Carolina. It is going to hit all 50 States, and what are we doing in this body to prepare for it today? Zero. In fact, worse than nothing we are doing. We are digging the hole deeper.

Fiscal deficits now do not matter anymore, and it is amazing to me, someone who has been around here and used to vote with my friends on the other side for attempting to bring fiscal responsibility to this body, we are now told deficits do not matter anymore. Oh, they are tried to be explained away as a percent of gross domestic product. The last one we come in with was $374 billion deficit last year; and folks say, hey, good news, it is less than the 450 we projected last July. And we are supposed to rejoice? The 374 happens to be the biggest deficit in this history of our country. Amazing.

Another little perspective perhaps that people might begin to pay attention in this body is who I am talking to. It took this country 204 years to borrow the first $1 trillion. In the first 2½ years of this administration, we borrowed another $1 trillion. In the next year and a half, we are going to borrow another $1 trillion. I would hope with $1 trillion we could get one quarter of 7.2 percent gross domestic product increase. I would hope that because as we saw on my colleague's chart a moment ago, the math on this does not add up to being good business practices.

Oh, when we start down this line, how many times have we heard somebody say, well, if only Congress would control spending. There are still a lot of folks out there, particularly on the talk radio shows, still blaming it on Democrats. Well, we have been in the minority for 8 years in this body, and let me give my colleagues the record of the last 8 years of Republicans in the Congress.

Spending went up 6.5 percent per year compared to an average 1.6 percent in the previous 8 years. Now, I happen to agree that we have got to constrain spending. I have promised on this floor, and again, tonight, I will, to the best of my ability and knowledge, not vote for one penny more spending than President Bush asked us to spend, period; but let us stop blaming spending unless my colleagues are willing to control spending, and that means all spending. We cannot just pick out that which we like, because in the economy it is all spending.

I happen to be personally of the opinion that it is worse policy to borrow and spend than it is to tax and spend; and I say that because when we tax and spend, the voters take it out on us; but when we borrow and spend, the voters are still in diapers, and they cannot take it out on us. Therefore, it is easy to borrow and spend to get through the next election; but then somebody's got to pay the piper, and boy, the hole we are digging is getting deeper and deeper.

My friends and colleagues on both sides of the aisle and Mr. President and this administration, the perfect storm is gathering. The idea that we can borrow at the rate we are borrowing and spend at the rate we are spending and not have somebody pay the piper is redefining basic economics.

The trade deficit is the second leg of that perfect storm, and the baby boomers are going to begin retiring in 2011, guaranteed. What are we doing? Tax cut a week. Tax cut a month. New economics. Dig the hole deeper. Well, I do not know whether it was Confucius or Garfield that first uttered the words, When you find yourselves in a hole, the first rule is to quit digging.

The second observation I make in closing tonight, in listening to my colleagues on this side earlier tonight, 5-minute speeches talking about waste, fraud and abuse, it is on my colleagues' watch. If we are spending too much, Mr. President, veto some bills because they do not spend or they spend too much.

Also, I am reminded of the words of the late Will Rogers, ''It ain't ignorance that bothers me so much. It's them knowing so much that ain't so is the problem.''

We listened to the debate tonight, we listened to some of the statements that

were made earlier, and we look at charts that the gentleman from South Carolina (Mr. SPRATT) is showing. These are facts. What I have just said about the deficit are facts. They are not made up. They are not made up. But what are we doing about it? Not one cotton-picking thing except digging the hole deeper, until somebody starts paying attention.

I thank the gentleman tonight for attempting to cause some of us, hopefully to get 218 of us, to start paying attention again and do something about the deficit and the approaching perfect storm before it is too late. I thank the gentleman.

Mr. SPRATT. Mr. Speaker, I thank the gentleman from Texas. I yield to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I thank the gentleman from South Carolina for his leadership as ranking member of the House Committee on the Budget, and I am here tonight joining my friend from South Carolina and the gentleman from Texas and others because I am concerned about our country and its future.

Let me preface my remarks by saying that I am one of 37 members of the fiscally conservative Democratic Blue Dog coalition. I am as sick and tired of all the partisan bickering as anyone else. I do not look at an idea and look at whether it is just a Democratic idea or Republican idea. I look at it, is it a commonsense idea? If it is, then I support it. But when it comes to the budget and when it comes to the tax cut that was passed earlier this year, the Republican leadership and this administration are dead wrong. Do not take my word for it; look at the numbers.

Under this administration, 3.2 million people have lost their jobs. We now have 9 million people out of work, unable to provide for their families. People have lost $.6 trillion in the stock market, and much of that is retirement savings for so many working families. There are 43.6 million people in America without health insurance. Ten million of them are children. Most of the rest of them work for a living. They are working the jobs with no benefits.

Trade deficits have increased nearly $100 billion. We had a $5.6 trillion projected surplus when President Bush took office. That has become a $3.5 trillion projected deficit over the same period of time. In fact, we have the largest deficit ever in our Nation's history; 374 billion is what they want my colleagues to believe it is, but when we take Social Security out of it and not count Social Security, it is really a $535 billion deficit. Does it matter? Either way we cut it, it is the largest deficit ever in our Nation's history.

The Republicans like to say the Democrats are the ones who spend the money. This is the first time in 50 years that the Republicans have controlled the White House, the House and the Senate; and they have given us the largest deficit ever in our Nation's history.

The first bill I wrote as a Member of Congress was a bill to tell the politicians in Washington to keep their hands off the Social Security trust fund. The Republican leadership refused to give us a hearing or a vote on that bill, and now we know why. Because they were borrowing $374 billion from the Social Security trust fund to help fund this budget, the largest deficit ever in our Nation's history.

Let us think back a moment from 1997 to 2001. We had a balanced budget. We were beginning to pay the debt down. Now we have a $7 trillion debt. This country is spending $1 billion a day, $1 billion a day simply paying interest on the national debt. How much is $1 billion? I put that number to a calculator and get a little E at the end.

I will tell my colleagues how much $1 billion is. We could build 200 brand-new elementary schools every single day in America just for the interest we are paying on the national debt. Better yet, we could provide 1 million senior citizens on Medicare prescription drug coverage for a year just with the interest that we are paying in 1 day on the national debt, $1 billion a day in interest payments on this $7 trillion debt. We are not talking about principal payment; we are talking simply interest payments.

What are we seeing from this administration? We are seeing cuts in education. It was President Bush who said his top priority was education reform in this No Child Left Behind business, and he is the one who told us how much it would take to implement this program. My colleagues know how it works in this body. If it had been my program and he was cutting it, that makes sense. We are talking about he cut his own program. Arkansas's cut, $87 million for next year. What does that say about our commitment to our children and their future?

Veterans benefits are being cut left and right. What kind of message are we sending to the men and women in uniform serving us today in Iraq and Afghanistan and around the world when we are cutting the benefits for the veterans who came and served before them?

These may be Republican priorities, but they are not American priorities. These may be Republican values, but these are not America's values. I believe it is time for us to get our fiscal house back in order, to restore common sense and fiscal discipline to our Nation's government.

Finally, let me say that I raise these issues because I believe our priorities and values should be centered around our children ensuring they get the very best education possible, Head Start, after-school programs, providing our veterans with the help that they so desperately need. We need to be investing in infrastructure. That is how President Roosevelt got us out of the Depression, with the WPA program. I drove over bridges yesterday that were built as part of the WPA program. We are there folks. We are there. All 50 States collectively are faced with the largest shortfall they have seen since the Great Depression. We should be investing in our infrastructure, and we need to be investing in jobs.

I raise these issues because my grandparents left this country better off than they found it for my parents, and my parents left this country better off than they found it for our generation, and I think we have got a duty and an obligation to leave this country a little better off than we found it for our children and grandchildren.

I thank the gentleman from South Carolina for yielding.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank my friend from South Carolina (Mr. SPRATT) for leading this Special Order. It is timely and so important, and it is really about the failure of the Republican regime here in Washington on the budget, at a time when the other side in the budget debate is engaging in, I think, deception and misinformation and sometimes down right dishonest figures.

The gentleman from South Carolina (Mr. SPRATT) is not only an expert on the Federal budget, but he is engaging as a lone voice of truth and really what the facts are and I thank him for that. The American people need to know that.

The truth of the matter is that the Republican economic record is in shambles and is leading this country in the wrong direction. This failed economic record has three main features: huge budget deficits, massive job losses, and festering domestic problems. The Bush administration and the congressional Republicans have sought to deny their budget calamity of the blown surplus and the return to huge deficits, and they are going to be there as far as the eye can see; but the Congressional Budget Office has determined that the budget would be balanced, as we have already heard, by 2006 if it were not for the administration's tax policies.

□ 2130

As bad as the budget situation is, as has been shared by my colleagues, the administration and the leadership in this Congress will not stop digging. The first thing to do, as our colleague from Texas said when you get in a hole, the first thing to do is stop digging. Well, they are going to bring more programs out that will dig the hole deeper.

The economy has lost roughly 3.2 million private sector jobs, the worst record of any administration since Herbert Hoover and the Great Depression. My home State of North Carolina has seen devastating job losses. We are the second largest State with manufacturing job losses in the country. The national unemployment rate has gone from 4.1 percent to 6.1 percent. North Carolina Statewide unemployment is

roughly 6.6 percent, and I have counties in my congressional district where the unemployment rate is approaching 15 percent.

For all their talk about appealing to the investor class, as we have heard this evening, Republicans have presided over the loss of $4.6 trillion in stock market wealth, and a lot of that is income of retirees.

The problem is made worse by the record deficits and massive national debt that is going to make it impossible for us to make the investments that we need to make in America's long-term economic prosperity. As has been shared this evening, we need to be investing right now, for example, just in education, the administration is proposing to shortchange its Leave No Child Behind by roughly $20 billion over 3 years. I met on Monday with international business officers of this country, they know already because they are seeing the cuts, what this is going to be about is it is going to be unfunded mandates to local governments at a time when they are hurting. Critical needs at the local level are going unmet in a whole lot of areas, and problems are festering because the national debt crisis is getting worst.

Just last week, WRAL-TV, the largest television station in the Raleigh market, talked about a school in North Carolina that is bursting at the seams with overcrowding; specifically, New Hope Elementary School in Wilson, where 135 students are going to classes in closets, literally in closets. That is wrong at a time when we could be doing better if we were doing the right thing about our budget.

The Democrats had a plan to do it. We could get the economy going without massive debts. We have sponsored legislation to fund school construction, but my colleagues on the other side of the aisle will not let it happen. The administration and the Republican leadership in Congress refused to act because they have blown the budget surplus, so there is no money left.

In conclusion, Mr. Speaker, Democrats have a better idea to return to a balanced budget and return sanity and honesty to the Federal budget. I thank the gentleman from South Carolina (Mr. SPRATT) for leading this Special Order.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman from South Carolina (Mr. SPRATT) for his leadership in this budget issue. We have seen a lot of charts, and I would like to remind the public of this chart right here which shows the deficit from the Johnson administration, Nixon, Ford, Carter, the deficit created during the Reagan and Bush years. And then when President Clinton came in, as noted, we passed a budget without a single Republican vote that created the momentum carrying up towards an actual surplus. We got ourselves out of the ditch into a surplus.

Some have suggested that since the Republicans used this vote and took over the House and the Senate, that they ought to get some credit for this improvement. Unfortunately, they should not get the credit because as soon as they took over, they passed trillions of dollars in tax cuts, and President Clinton vetoed those tax cuts. They threatened to shut the government down, he vetoed them again. They shut the government down, President Clinton stuck to his guns, vetoed it again, and as a result, this line continued up.

Unfortunately, when President Bush came in, he signed those trillion dollar tax cuts, and we see what would have happened a long time ago had President Clinton not vetoed those budgets.

Now, this goes down to an on-budget deficit of almost $700 billion. We have to put that into perspective and the fact of the line item individual income tax, how much revenue we get from individual income tax in the United States, less than $800 billion. In a couple of years, we are going to be almost $700 billion in on-budget deficit, spending almost $150-$200 billion in Social Security and Medicare, and then almost $700 billion in on-budget deficit.

We cannot sustain this for very long. Let us see what this next chart shows, the height of fiscal irresponsibility, because this shows how much of their budget was paid for with borrowed money. Back in the depression in World War II, obviously, a substantial amount was paid for with borrowed money, but we are getting to numbers now, and this goes to 2010, we are getting to numbers now that we have not seen on a sustained basis since World War II. This year we are breaking the record. Since World War II, we have not seen almost a third of the budget being paid for with borrowed money. Of course, during the Clinton years, the amount paid for with borrowed money went down due to the fact that it was actually a surplus. And as soon as President Bush came in, we started paying for the budget with borrowed money, and we are up in a couple of years with almost a third of the budget being paid off in borrowed money, and it looks like it is not going to get any better in the future.

How did we get there, we got there with tax cuts. And who got the tax cuts, the top 20 percent got most of the tax cuts. In fact, half of the tax cuts went to the upper 1 percent. Most people do not know how big the tax cut was because most people did not get very much. As we can see from the chart, the middle 20 percent did not get very much, and on down. By income, if the taxpayer made more than a million dollars, they would be off the chart, a $90,000 tax cut in 1 year. If all they made was $500,000 to $1 million, you got $13,000 in 2003. $200,000 to $500,000 on average got $2,000. And as we get down to $50,000 to $75,000 on average, the taxpayer hardly noticed what they got. Going down, we do not even need any red ink to show what they got. Most Americans do not know how big this tax cut was.

But we were told we had to cut taxes to create jobs, and the gentleman from South Carolina (Mr. SPRATT) told us how many jobs have been created. We, in fact, lost jobs. On a 4-year basis back to Truman, everybody is gaining jobs. Eisenhower in his two terms, almost two million jobs. Everybody is creating jobs until we get to this administration. We have lost 3.1, 3.2 million jobs already lost in this administration.

We cannot blame this on 9/11 because going back to the Truman administration, and that includes the Korean War, coming forward it includes the Vietnam War, the hostages in Iran, Somalia, Grenada, the Cold War, everybody is still creating jobs, until we get to this administration.

This is a complicated chart, but it shows what the Republican-led Joint Committee on Taxation thought about the tax cuts. Since they are done with borrowed money, there might be a short-term spike in jobs that we should expect, but depending on which model we use, we will be losing jobs, at best, and end up where we started in the fullness of time. So the Joint Committee on Taxation told us this was a job killer.

When we run up deficits, we run up debt and interest on the national debt. This shows the interest on the national debt that has to be paid in cash. More actually has to be paid, because we have to pay interest on trust funds, but that is internal. This is what we need to come up with every year in terms of cash. By 2010, $300 billion every year just to pay interest on the national debt. This line here shows what we would have been paying had we not messed up the budget in 2001. The projection was that we would be paying no interest on the national debt by 2008, but instead because we messed up the budget, $300 billion a year.

This is happening at a time when the Social Security trust fund becomes a challenge. We see in this chart the Social Security trust fund. The blue is the surplus that we are running now. We are bringing in more in Social Security than we are paying out. We ought to keep it in the lockbox which has been referenced because, obviously, we are going to need it shortly. But unfortunately, we are spending it all. This shows the deficit. By 2030, it is almost $900 billion a year in shortfall that we are going to have to come up with every year to pay Social Security as promised.

Members may look at this chart and conclude maybe it was a lost cause, maybe we just could not pay Social Security, maybe it was just a matter of time before the thing went broke, but there is one little interesting fact. When we go back to this tax cut in 2001, this tax cut was so large that if we had taken what the top 1 percent got and instead of giving a tax cut to

the upper 1 percent, if we put that money into the Social Security trust fund, just what the top 1 percent got, everybody else gets what they got, just the top 1 percent, put that into the Social Security trust fund, we would have built up the surplus enough to have paid benefits under Social Security without reducing benefits for 75 years. For 75 years, Social Security would have been secure, or tax cut for the upper 1 percent. Those are the kinds of choices we have been making and the reason we have been fighting for fiscal sanity. If we do not get this straight, we are going to lose Social Security.

We cannot pay increasing interest on the national debt and this increasing deficit in Social Security without something having to go. By all likelihood, it is going to be the Social Security program unless we get things under control.

So I would hope we can get the budget under control and people will follow the leadership of the gentleman from South Carolina (Mr. SPRATT) in maintaining fiscal discipline so we can have Social Security in the future for us and the next generation.

This is a very challenging chart, but as I said, if we had allocated the same amount of money as we had for the upper 1 percent in tax cuts, just 2001, we could have had a secure Social Security program for 75 years. Those are not the kinds of decisions we ought to be making. We have to reverse that direction, and that is why I am delighted to participate with the gentleman from South Carolina (Mr. SPRATT) in this Special Order.

Mr. SPRATT. Mr. Speaker, I thank the gentleman for his contribution.

RULING CLASS HAS COMPLETELY PACIFIED SWINDLED CLASS

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under the Speaker's announced policy of January 7, 2003, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, it is near the end of the session, and I have listened closely to the comments of my colleagues just leaving the floor, and I think they were all appropriate at this time for us to take a hard look at money matters most. I would like to discuss a number of issues which relate to resources and money.

I have chosen to sort of use a theme of class warfare. There is no class warfare in America. When we raise that issue, people get excited. I agree with everybody who says there is no class warfare. The problem is the ruling class has completely pacified the swindled classes. The swindled class includes more than the working class, I assure you. The simple-minded notion of the communist, that there is a war of working-class folks against the rich, et cetera, that is very simple-minded. It is much more complicated than that. There are swindled classes in our democracy, and they are not fighting back so there is no war. One of the duties of the Congress should be to make certain that we stir our people up and start a war, an overt war. That is what democracy ought to be all about, a war of ideas and a war of confrontations with policies and principles that guide the way we live.

□ 2145

The whole system of checks and balances built into our Constitution and our government in a very formal way is very important. Those checks and balances have kept the Nation going in some critical times. They have stopped the hysterical from overriding and overruling the logical and the reasonable. They have done a number of things, the formal checks and balances. But beyond the formal checks and balances, democracy has to have a whole lot of informal checks and balances. The labor unions, the town meeting maverick who gets up and challenges the school board. There is a whole set of people who are a part of a checks and balances system. The newspapers, the magazines, the media. All that is part of the checks and balances.

When some part of that checks and balances system goes silent or becomes dormant, then we are in trouble. I think that we have large numbers of people in classes who are silent and dormant, pacified at this point, and that is the problem.

This is my prevailing and my overwhelming thought as we near the end of the first session of the 108th Congress, that we are a Nation that has no class warfare because the ruling class has completely pacified the swindled classes. I think it is important to note that today is election day. In a democracy we should not ever minimize or trivialize any election day. But the Republican majority that runs this House has chosen to bring us back to Washington here on election day when every public official ought to be close to his constituency. If we think voting is important, then any election, whether it is a local election, a State election, it is important. It is ridiculous that we are here today. It is symptomatic of what is wrong in terms of a handful of people making stupid decisions. I think that the leadership of this House has done that in bringing us back here to deal with two ceremonial bills. We did not have to come back because the Nation needed some basic decision to govern, some decision related to the budget or some decision related to the war. We came back for two ceremonial bills. That is part of the problem, the way this House has been run.

As we approach the end of this session, we should reflect on that. In this session, Democrats have been shut out of any kind of meaningful participation. It is amazing how the Constitution is one thing, but the rules of the House are another. There is no check and balance built into the rules. In other words, the rules of the House are established, and there is nowhere you can go to appeal the way the rules are established or the way they are executed. In our checks and balances, we have a problem because the legislative body, the executive body and the Supreme Court, the judicial, are three separate bodies. There are checks on the executive body. There are definitely checks. Both the legislative body and the judicial body can check the executive section of our government. But there is no check on the rules of the House. There is nowhere to go. So we have had totalitarian rule in this House during this session. We have had the least amount of participation and the least productivity and the most totalitarian set of rules here in this first session of the 108th Congress.

As we come to the end, part of the process of swindling all the classes is certainly carried out by the ruling class of the majority Republicans here in this House. It is not a pleasant thing to stand here and say this and admit that we are the greatest and most powerful legislative body anywhere in the world at this point, but the Members of this body are treated in a very trivial manner. We are like ants. Certainly if you are a Democratic Member here, you are like an ant shoved aside.

Recent outrage was expressed by the gentleman from New York (Mr. RANGEL), who stormed into a meeting, a conference meeting. He felt he belonged there. The school books and the textbooks still say that legislation is made in a certain way. Both Houses of Congress vote separately, the House votes, the Senate votes, and they come together in a conference committee to iron out the differences. That is what the civic book says. That is the way the Founding Fathers meant for it to happen. But with Republicans in charge of both the House and the Senate, they have chosen to just shut out the Democrats in the conference process, as they have chosen in many cases to bring legislation to the floor on very short notice, with no participation, and on and on it goes.

I am not going to waste anybody's time with a litany of the things that have gone wrong here. But I think the American people, and our colleagues, I am addressing the House, my colleagues, wake up. We are part of the process of allowing the ruling class to continue to overwhelm, pacify, and exploit the swindled classes.

I think it is important to look at the end of this session in terms of unfinished business, and some of that was discussed by my colleagues who preceded me. It all fits together. What is happening and not happening in one area flows into another, just as all the elections that are taking place at the various levels, State and municipal today, are interwoven with what we do and what we can accomplish here. Local governments are very important. They have an impact on people, probably greater than any other level of government.

I have served in every level of government. I served as a commissioner in

New York City government. I served as a State senator in the State legislature, and I am a Member of Congress. Having served at all three levels, nothing is more important than the people who are on the front lines, who are the most important in the dialogue and delivery of policies and services and programs to ordinary citizens. They are on the front lines. It is the hardest job level in terms of governing that we have, the local level. Therefore, we should not trivialize city council elections, local county legislature elections. We should not tear our Congresspeople away from that and bring them to Congress and have them do nothing and not have them participate in the process of the citizens dealing with that level of government in an appropriate way. We are making people suffer a great deal at the local level. We are setting our legislators up in counties and cities for very difficult jobs in terms of the way in which we are managing the resources of the Nation.

One of the unfinished agenda items is the appropriations process. The appropriations process is far from finished, including a very important area, Health and Human Services. The Health and Human Services appropriation has the appropriation for education. At the local level, nothing is more important than education. I want to salute my city's mayor. He is a Republican, but I will engage in some nonpartisan or crosspartisan praise here.

The Republican mayor certainly has kept his word in terms of making education a priority. I have watched skeptically as things have developed in his administration; and the issuance today of a $13.5 billion proposed capital budget for schools, building, renovation, restructuring, equipping with modern equipment, I think, was a step to show that for this mayor, education remains a high priority. I am not so naive as to believe that the development of the budget and the announcement of the capital budget of $13.5 billion means it is going to be achieved, that the funds will be there to carry it out; but he has made it a priority.

From some sources, some of that money will be found. It ought to be found, some of it, for school construction at the Federal level. Tip O'Neill said, ''All politics is local.'' All taxes are local. The only retreat to this whole business of the Federal Government has no role in education when it is convenient for us, it ought to be well established now that the Federal Government has a major role in education and has played a role throughout our history from the time Thomas Jefferson established the University of Virginia. If we had not had a major role in later on taking that University of Virginia model and expanding it into the land grant colleges, the education level of the American people at the time of World War I and World War II would have been inadequate for the challenges that it faced.

Not enough credit is ever given to the fact that there was a very educated population that made the productive capacity of America overwhelm Hitler. There was a very educated population even that hit the beaches of Normandy, engineers and a whole set of people who probably would not have been there with the same competence if there had been no land grant colleges spread throughout a whole Nation where we were teaching more than Latin and classics and English composition, but also teaching engineering and agriculture, et cetera. Education has always played a role.

We finally, under Lyndon Johnson, began to give aid to elementary and secondary education. This President as he came in made a statement and took action which showed that he considered education a great priority. No Child Left Behind is a law which was the outgrowth of the President mobilizing, marshaling all of the Members of Congress behind a bill that passed overwhelmingly. It certainly makes a great commitment to continue the role of the Federal Government in elementary and secondary education.

The problem is that before the ink was dry on the President's signature for the bill, he moved away from his commitment to provide funding at a level that would make the bill work, make the law work. The $6 billion that was promised is not there. That is part of our problem. The appropriations process for Health and Human Services is stalled, partially because there are some people who are trying very hard to regain that committed $6 billion or some portion of it. The appropriations process is stalled for Health and Human Services, I think, primarily because the majority party knows that it cannot go to America, it cannot go back home and admit that we have neglected certain basic needs in education.

We have maybe complicated the problem by adding mandates, requirements through No Child Left Behind that we are not willing to fund and made life miserable and more difficult for teachers and students, and school reform is suffering instead of being benefited. So the appropriations process with respect to Health and Human Services should go forward. I hope it will go forward with a break in the logjam that creates the funding stream that is necessary to make No Child Left Behind live up to its promise.

Another unfinished business here, I hesitate to even bring it up because it has not been discussed at all anywhere in any meaningful way, that is, the increase in the minimum wage. It is still stuck where we were more than 3 years ago at a $5.15 minimum wage. There is nothing on the floor, nothing at the committee level that deals with the increase in the minimum wage. It is just tossed aside as being inconsequential.

What does this have to do with swindling people? The working class, the working people at the very bottom are the ones who make the minimum wage. There are many more than you would imagine, more than 10 million in this country still at that level. $5.15 an hour. Those people are being swindled. Those people should be protected more by the government, if that is the only way we can get the wages up, deal with the realities of the 21st century and make certain that employers pay a minimum wage. It is not a living wage. Some States have passed what they call a living wage. They have calculated how much the cost of living is, and they have come up with a living wage. New York has one which they passed, but they are not implementing. It is 2 years away before they fully implement it. But they recognize that families cannot make it on $5.15 an hour, even when two members are working in a family of four. $5.15 an hour will not produce enough to take care of a family. So minimum wage is very important, if you care about working families, if you care about people at the very bottom.

Ninety-five percent of the troops in Iraq come from working families. Ninety-five percent of the troops in our military come from working families. They happen to be on the front lines now, but they are a class. They are mothers and fathers and brothers and sisters and they are children trapped in a situation where they cannot realize a decent wage. I will talk more about that later.

In health care, the same thing is true. They cannot depend on the government to help guarantee that their families back here have decent health care. Health care bankrupts the average middle class family. We are not talking about the poor. The very poor, thanks to Lyndon Johnson and the Great Society programs, Medicaid, for which not a single member of the Republican Party voted, Medicaid, Medicare, a fundamental safety net for health care for the poor.

□ 2200

But there are many who fall outside that net, and some of the people who fall outside that net are not working families in the usual sense. They are middle-income families who, for various reasons, do not have insurance, and when they have to start paying for medical care, some have gone bankrupt as a result of trying to pay for health care costs, a burden that no family should be asked to bear in certain cases. So we have the unfinished business of health care. Prescription drug benefits is on the table somewhere. That is just for senior citizens. We just started. The need for universal health care, the need for a single-payer plan, that is like minimum wage. Nobody will discuss that around here. All the industrialized nations of the world have something close to universal health care, but in our great American democracy, the richest Nation that ever existed on the face of earth, we will not even discuss a universal health

care plan. This 108th Congress is no different. A discussion of the prescription drug benefit is frightening because there is an attempt to try to make that a means-tested program with overtones of welfare that would drive a wedge and set up divisiveness among our senior citizens and the families who have to support senior citizens.

Transportation, I understand, is stagnated. We will not have any major action on that. Home security and terrorism, two things that are high on the agenda of this administration, have made no great breakthroughs where they are needed most. I still have police stations in my district which have telephone systems that can only take three calls at a time. The police precinct serves something like 200,000 or 300,000 people in a New York police precinct, but the phone systems are so old that they can only take three or four calls at a time. We do not need a 9/11-type emergency to show us that we have got a problem. Everyday citizens are complaining about the fact that that system does not work. We do have 911, a number of ways to deal with that, but why such antiquated systems?

The firemen who lost lives in great amounts, more than 300 firemen died in the September 11 World Trade terrorism attack. They still do not have equipment that is up to par in terms of communication. Many of them died because the communication equipment was inadequate, and they could not be warned properly about what was happening outside as they went up the steps to rescue people. A simple matter of radios that were not tuned in to the frequency of police radios and things that we have known for some time were a problem. Those problems are not being corrected. In the House and the Senate, many Members have talked about security in our ports and how vulnerable our ports are, and I heard on some television station today about a new program that is being launched by the Secretary for Homeland Security, and that is welcomed, but it is just beginning to creep off the ground, slowly, because we have our priorities diverted into other areas. Each one of these items would be getting far more attention and could be dealt with in a more realistic way if we did not have the war in Iraq. The war in Iraq is a blunder, a quagmire that sucks down dollars. It sucks up the energy and the attention of the highest policymakers in our government. It destroys lives unnecessarily. So the great evil that hangs over this 108th Congress at this time is the great blunder of the war in Iraq.

Accountability for the war in Iraq is unfinished business. We do not, as a Congress, have the accountability that we should be able to expect. As part of a system of checks and balances, certainly we should get more information, we should have more dialogue, we should be told more about what the gentlewoman from Ohio (Ms. KAPTUR) had called an exit strategy. She talked about a plan to train people, the Iraqi police force, the army. When are we going to declare that we have sufficiently done that and say we can go home. There are a number of questions that she asked earlier tonight that go to the heart of the accountability question. Beyond the Permanent Select Committee on Intelligence, and they complain that they do not have respect and they are not given the kind of accountability that they deserve, but there ought to be more general accountability to the Congress and the American people about just how we spent the money. Seventy-nine billion dollars was appropriated earlier. Now, another $87 billion, and yet the question with respect to the helicopter explosion, and it is pretty much conceded now that it was a Stinger-missile-type, shoulder missile which we call our Stingers. We perfected that in the war against the Soviets in Afghanistan. We taught the Taliban how to do that. We gave them those modern weapons which helped drive the Soviets out, but we learned they are very skilled. The terrorists who came out of the Taliban in Afghanistan are very skilled in the use of shoulder missiles; plus I understand that they are so well-designed that they are fairly easy to use. The helicopter was probably hit by that kind of surface-to-air missile fired by one or two people. One question being raised is did the helicopter have a device that has been designed to protect aircraft from heat-seeking missiles? Was it equipped with it or was it not? And the very fact that the question is being raised and there is no immediate answer tells me that it was not. If it was equipped and it failed, we would have known. We would have been told that by now: It was equipped properly, but it failed.

There are some other questions about how the troops inside the helicopter were protected. And these kinds of micromanagement questions are being raised all the time. The bulletproof vests, there are two types, they say. One just protects them from flak and shrapnel. Another protects them from flak, shrapnel, and bullets. And many of our troops only have the old one. And on and on it goes. My colleagues who have visited Iraq, Republicans as well as Democrats, this is not a partisan matter, are very upset by the shabby way in which some things have been done. We should have a chance to talk more openly about what is going to be done to correct all of this or what exactly is happening. If Rumsfeld is the kind of person who just does not want to talk to Members of Congress, it is one more reason to call for Rumsfeld's resignation. Several people have called for his resignation. I would like to add my voice to that. I think in a situation like this, he should have been asked to resign long time ago. The President is elected. The buck stops with the President. But we ought to say to the President that if he wants to show that he is trying to deal with this problem, then he has got to get rid of the chief planner, the chief policymaker, the person who made the mess. It does not make sense to keep Rumsfeld on as the Secretary of Defense if he wants to convince us that he is trying to solve this problem. We would like to have a dialogue with the President about why he insists on keeping Rumsfeld there when such a mess has been made on so many different levels. The failure to plan for postwar, what happened after the war, is totally unacceptable. It is an outrage because we have been in these situations before. There was so much experience and so much knowledge available, so much history, that we cannot comprehend how basically intelligent men and women could have done such a bad job of anticipating what happened. These are not basically intelligent people; these are brilliant people. Intellect was not a problem. The problem is mindsets and old men indulging in juvenile fantasies about war. All that is part of what has happened, and I make these charges and statements, and I would love to have a dialogue with somebody to tell me they are not true.

The punishment of corporate crime is part of an economic swindle, probably the biggest swindle that the swindled classes suffer from, and I repeat, what I am talking about tonight is there is no class warfare in America. There is a ruling class which has completely pacified the swindled classes, and the present administration here, along with its Republican rule in both Houses, have demonstrated how the ruling class can be very efficient and very effective in executing its policies, even when the policies are wrong. Tax cuts to make the ruling class stronger and more powerful at a time when the economy is in trouble.

Yes, the economy suddenly surged forward, more than 7 percent growth in the last quarter, but that is more disturbing than if the economy was just dragging along. When we look at the surge forward that took place, and we look at the number of jobs that still were lost in the last quarter, 47,000 jobs to make up the total of 3.2 million jobs that have been lost since the Bush Administration came into power, we are having a terrible economic situation develop where the economy can improve, profits can go up, wealth can increase, but there are no jobs for the working families. There are no jobs for college graduates soon because our jobs are being exported. The ruling class has decided they can get computer specialists, they can get Ph.D.s, they can get all kinds of people by traveling around the world, and they can get them for less than one-quarter of the price that they pay here. Computer specialists, now the best school for training for computers is not MIT, computer and related matters, not MIT and some of the first-rate American

universities. At the very top is the University of India, and everybody is clamoring for their graduates from our corporations. Beyond that, at lower levels, people who can do computer work are the beneficiaries from India, Pakistan, a few other places. They just merely have to learn English. They can be beneficiaries of lower-level jobs related to computer services.

And, also, simple matters like telemarketing, telemarketing now is being outsourced at a very rapid rate. Listen carefully, if my colleagues have the occasion when somebody calls them about an item, especially something related to a big corporation, a utility, listen carefully and sometimes we do not have to listen carefully. They have been trained to disguise their voices, and those who call Brooklyn from India, some of them have got a Brooklyn accent, but I picked up phone the other day and there was a person talking from AT&T who had a bit of an accent. So I said, ''Where are you calling from?'' And she said, ''Why are you asking that?'' I said, ''Are you calling from India or Pakistan? Where are you calling from?'' So she got a bit ruffled and she fell into her real accent. So I knew very well she was not an American, and she was calling from some foreign place, having learned to speak English very well.

Telemarketing is not a great job. That is one of the jobs where we might call it an entry-level job. A lot of college graduates have got out of college and drifted around, cannot find anything else. Telemarketing is one of the places they go to get a start. A lot of people who have not been to college can find a lot of jobs in telemarketing. Telemarketing jobs are going rapidly, and it will go right up the ladder. Anybody who thinks they are exempt because they have a Ph.D. or a master's degree are going to find that the master's degrees of India and Pakistan, even Russia, China, those master's degrees and Ph.D.s will be competing at much lower wage levels if we do not do something about policy.

□ 2215

What we do in our government has to deal with the fact that we have got a standard of living that is being steadily eroded by this kind of exporting of jobs. But corporations are doing that, and there is no countervailing force. We waste our time here on ceremonial bills and do not even tackle the problem.

Finally, the failure to punish corporate crime is one of the greatest swindles of all that has taken place in the last few years, one of the derelictions of duty that has taken place, the worse dereliction of duty that has taken place in the last few years.

The failure to deal with corporate crime, to have the appropriate investigations, to have the appropriate follow-up and to punish people who have been stealing from the investing class, the middle class, the investing class, people who are well off enough to have invested some portion of their income, they are the worst victims; not the working class, but the middle class, upper-middle class in particular, who had extra income to invest.

I do not know what the figure is, but my colleague who just left the floor from North Carolina said it is $4.6 trillion; $4.6 trillion has been lost in investment income. It is an astounding figure.

People have lost that kind of money, many of them. Of course, pensioners, people whose pensions got caught up in this. But $4.6 trillion has been swindled away. These people have been swindled, and they are not really fighting back, and nobody is fighting for them. The ruling class has prevailed, and they do not even call hearings in Congress to really deal with it in a forceful way.

Enron, the criminals at Enron are still at large. There are a few that they put in handcuffs and paraded before the cameras, but it was a massive, massive swindle. WorldCom was even larger. Then every day there is some new revelation about the way in which the banks are in collusion with these swindles. Even the stock market has finally been exposed to be riddled with conflicts of interest and all kinds of questionable dealings that resulted in income being lost by this class of people that had enough money to invest.

Investors have lost a tremendous amount of money. The ruling class has completely prevailed over these investors, and the investors, the middle class, upper middle class, educated people, they are now part of the swindled class. They join the ranks at the very bottom who cannot even get an increase in the minimum wage.

If there is anything that stands out, it is the way we have failed as a Congress to protect our people from the ruling class swindles that have taken place. The greatest economic swindle on jobs is the worst. Corporate swindles against small investors is probably the most far-reaching and the most devastating in terms of the volume of stealing that is taking place.

We have got a surge with our jobs lost which shows we are going to have more of a swindling taking place at another level of what used to be the middle class. We have lost manufacturing jobs. We have given up on that.

We joined in the great argument in many cases. The great argument was that we are America, we are ahead of everybody in the area of high-tech production. We will be the high-tech gurus of the world. We will provide high-tech services. And we still do lead everybody else in terms of nations. But the assumption that this is automatic, that, as we surrender manufacturing jobs, that automatically we will benefit from the new world order, where global trade will mean trading services as well as trading goods, and we will trade our services, we will provide the innovations, we will provide the science, all of those assumptions might have made sense 10 years ago; but you would have to be blind not to see that China is not waiting to develop its high-tech class, its high-tech workers. Russia certainly always has had high-tech workers; they have just been out of the world markets, and many other nations have, as a matter of national policy, set out to take over certain sectors of the high-tech economy.

It is not by accident that China sent a man up in space. They have been sending up satellites for some time. The man in space in China is just one more piece of evidence that shows you how hard they are working at this high-tech development of high-tech personnel brain power.

The brain power is the question, not military power. Military power is backed by brain power. That is why we won the war in Iraq so rapidly. It was by a tremendous amount of brain power that went into developing the weapons system. But that is not the way of the future. We have done it probably for the last time, made the mistake of believing we can really gain a greater foothold for democracy or for our economy or anything by military action against a nation as large as Iraq. It is a pitfall, a bottomless pit that we have fallen into, and we must get out of it and get out of it with honor. But we cannot do that unless we make some radical changes in the way we do things, the swindle I will come to later, because lives are being swindled away from American citizens.

The refusal to consider the minimum wage, I want to come back to that. The refusal to consider the minimum wage increase is the most hard-hearted, cold-blooded piece of mindset that we are faced with. It originates from Democrats and Republicans, unfortunately.

We have an economic guru, a person who has been guiding our economic policy in this country for some time now, Alan Greenspan. Alan Greenspan does not believe in the minimum wage. Alan Greenspan thinks we should not have a minimum wage. He is a disciple of Ayn Rand, the individualist, great fascist, rugged individualist, in my opinion.

Ayn Rand said the government should never be involved in the lives of people, it should never interfere with business; we do not need government until we have a war. Ayn Rand said we need government only for wars. So the government should use its power to send soldiers off to die to protect the rugged individuals, the capitalists, the Greenspans, the Rands. People should go off to die to protect them, but it should ignore their health care, ignore laws which establish minimum wages and allows them to earn a decent living. All that should be ignored. It is all unnecessary.

I marvel at how long they have gotten away with this and how revered Mr. Greenspan is in this Capitol still by Democrats and Republicans. He has

been reappointed twice by a Democratic President, and nobody wants to touch Mr. Greenspan.

I think we should dwell for a moment on the fact that all the surveys show that the soldiers fighting in Iraq, like the soldiers who died in Vietnam, like the soldiers who died in Korea, mostly come from working families, people who would benefit from government actions such as an increase in the minimum wage.

We have a situation where basic questions need to be asked, about whether or not an individual should have the right to refuse to go to war. We had a draft in the case of Korea; we had a draft in the case of Vietnam. If this administration is reelected, and I say this standing here on this 4th of November, 2003, if this administration is reelected, there will be a draft, because there is only one way to solve their problems, and that is more manpower.

I would like to see them put more manpower in Iraq right away, because I think part of the solution to the problem in Iraq is you have to secure the place and you need bodies to secure the place. You need soldiers to secure the place. For political reasons they want to keep the number of soldiers involved in Iraq down low, but by that political decision we are going to lose more lives. Every life lost in any war is unfortunate, but a life lost in the war in Iraq, a war which never should have been, a blunder, a disgrace, that life is much worse, the tragedy is much worse, because it is needless. We are going to lose more people because of the politics of not putting enough troops in place to secure Iraq.

While I am on the subject, I would like to mention there is a conference being scheduled by my colleague, the gentleman from Illinois (Mr. DAVIS), sometime next week, I think it is the 14th of November, a conference on the black male and the problems faced by black males in America. Of course that conference will have to deal with the first and greatest problem, the tremendous unemployment problem faced by black males, by young people in general; and our society as a whole better take note that things that happen to blacks always get multiplied and transferred into the larger society.

There was a time when drug addictions and problems related to drugs started out in the African American community. The hustlers and the criminals and organized crime took advantage of the weaknesses in the African American community. They got a base there. They capitalized and expanded and got such a tremendous base until there is nowhere in America right now, small towns, large towns, nowhere, where the menace of drugs, particularly for young people, is not there.

So the menace of unemployment on a mass scale, unemployment of a group of people, will not stay just with the black males. But right now it is very high, 25 percent. Before you get into the figures of how many unemployed there are, look at the figures that relate to the lack of jobs and the lack of any stabilizing factors in their lives, like the figures, the numbers in prison, on probation and on parole. Staggering numbers of young black males are in prison, on parole or on probation.

Even Secretary Rumsfeld brought up the subject of education in one of his interviews, where he talked about the dilemma that we face as we fight terrorism in the world. The dilemma is that the terrorists are always training more people. They have sort of an unlimited supply of potential terrorists; and they are even training them formally, openly, in the madrassas, madrassas, particularly he mentioned madrassas of Pakistan.

Well, that is an appropriate observation, because the Taliban came out of the madrassas of Pakistan. The Taliban did not organize themselves by themselves, but the cannon fodder, the personnel of the Taliban, are graduates from the madrassas of Pakistan. These are schools that were set up by the fundamentalists, Islamic fundamentalists. They taught them reading, writing, science, and hatred. They still are going.

I visited Pakistan. Because I have a large Pakistan community in the lower part of my district in Brooklyn, they kept inviting me to come visit. Three years ago I visited Pakistan. Because I was most interested in education, I was taken around to various places, three cities, and talked to people, visited schools, et cetera. It became apparent to me after one day that they had no respect for their education system.

Public education was a very low priority in Pakistan. So the public education was receiving pennies, while they were spending money heavily, of course, on the military and in a number of other places. But public education was still being treated as though it was trivial, inconsequential. So the madrassas, the religious private schools, step in and fill the vacuum by providing reading, writing, science, math, food. You get a meal. A mother who sends a child, they are mostly males, sends her son to a madrassas, knows he is going to get a decent meal, be taken care of all day, and get basic education.

If you have no public school system, then who can blame a mother or father for sending their child to what does exist? The madrassas of Pakistan and a number of other places, these madrassas, by the way, are able to do what they do because they get funding from Saudi Arabia and some other rich oil countries, but mostly Saudi Arabia, because they are based on the Wahhabi sect. I am not well versed enough to know whether it is a sect or not, but there is a group that pushes what they call Islamic fundamentalism. It is based in Saudi Arabia, and they have financed these madrassas in Pakistan and other places. So they will keep going. Our ally, Saudi Arabia, has not indicated they will stop funding it.

But for a parent, it is an alternative that makes sense, if you do not have a public education system. The public education system in this country in areas where the black males are concentrated has been treated as a low priority, trivialized.

□ 2230

Obvious problems have not been dealt with. You can look at the physical facilities and the lack of equipment and supplies and books and before you get to the quality of construction and see that there is a great difference, it is almost as if you had de jour, de jour segregation in our big cities. When you look at the contrast between the way our big cities look in one section versus in another, or the way our big city schools look in the cities, the inner city versus the suburbs, you can see the great difference, as if somebody had consummated a decision to give inferior education to the African American students and to not deal with their needs.

The greatest need, of course, is outside of school, and that is income. Families need income in order to support children in school. School children's families are struggling to survive and are inevitably going to suffer. They are going to suffer. I do not see that it is inevitable that they will not succeed, because I came from a very poor family. My father never earned more than the minimum wage, and he had eight children. So you cannot get much poorer than we were and, yet, just about every member of my family has to some degree achieved some degree of success.

We have those stories of very strong families and people who overcome. The African American community would have withered away a long time ago if we did not have these people who overcome: the super people. But that is not human nature. Most human beings faced with tremendous adversity do not overcome, they succumb. They succumb to drugs, they succumb to the easy money on the streets selling drugs or other kinds of crime, and our dilemma with the black male conference is that we do not know how we are going to get out of this without the help of government. It is such a monumental problem, such a huge problem, we do not know how to get out of it.

Of course, the prejudices in our policymaking do not help at all. The fact that our prisons are already full of people who really should not be there and that many of the black males who go back on the street after serving time in prison, never should have been put in prison because they had drug problems, drug addiction problems. And all intelligent people agree that the first avenue of attack for a drug addiction problem ought to be treatment. But these people have never been in treatment in large numbers, and it is generally considered a luxury to provide treatment for a drug addict.

Of course, if a drug addict happens to be Rush Limbaugh, not only does he

get the best treatment in the world because he can afford it, but he also does not admit that he is an addict. I do not know whether what he did was criminal or not, but I do take exception, and I resent the way in which the information about Rush Limbaugh's situation is being handled. I know of many young people who have been put in prison and served terms for the kinds of things that are implied in Rush Limbaugh's behavior. Definitely, he was an addict seeking drugs that were not prescribed, or seeking amounts of drugs that were not prescribed.

I have been told that it is intemperate, it is bad manners, it maybe is uncivilized to criticize Rush when he is down, but if there is anybody who ought to be criticized when he is down, it is Rush Limbaugh. Heartless, merciless, he specialized in ridiculing people. He is the kind of person who calls for drug addicts to be put in jail. So why not comment on the fact that there is one standard for the black males and females who happen to get caught up in drug use, drug users, and another standard for another set of people. The swindled set of people. There are large numbers of blacks, but the number of whites is increasing all the time. The number of other groups is increasing. The number of females is steadily increasing who are caught up in using drugs, and they get into the criminal system that refuses to provide adequate treatment, but will spend $15,000 or $20,000 a year to keep them in prison, and $15,000 is a low figure. Some prisons in New York and a few other places, it is $30,000 a year to keep a person in prison. Half the people in prison are there for nonviolent crimes relating to drugs. But Rush Limbaugh can go to a private place and people are afraid to say he has committed a crime.

I would like to read a bit from an article that appeared in the Miami Herald on October 12 related to Rush Limbaugh's situation. The article was written by two reporters, and I will not submit the entire piece for the RECORD, but I want to read some sections. Lisa Anderson and Raoul Mowatt wrote this article and I quote from certain sections of it. One quote: ''Limbaugh did not specify if the medicines he abused had been prescribed. And he did not address allegations by his former maid, Wilma Cline, that she had procured OxyContin, Lorcet and other painkillers for him.''

''At the present time, the authorities are conducting an investigation,'' Mowatt said, ''and I have been asked to limit my public comments until this investigation is complete.''

Quoting again, from the article, ''I do wonder if it is going to cause any softening in the way he perceives personal failings and weaknesses in others,'' said Rendall, who coauthored the book ''The Way Things Aren't: Rush Limbaugh's Reign of Error.'' A critic of him said, ''I wonder if this is going to cause any softening in the way he perceives personal failings and weaknesses in others.''

Maybe we should all pray for Rush Limbaugh. Why not pray for him as we pray for other addicts. But I think somewhere there ought to be an acknowledgment of the fact that he is an addict and some request for forgiveness.

To continue from the article, ''He has been incredibly uncharitable. He has relentlessly exploited the personal weaknesses and failings of others. He has not extended the same understanding one suspects he would like to be getting right now,'' said Rendall. ''Some of his listeners are bound to be shaken by the fact that Rush has feet of clay.''

''While humility has never been the style of the bombastic Limbaugh, a dose of it might not hurt his image,'' said Harrison, another person who was asked to comment. ''Well, I guess he has to now join the rest of humanity and fess up to the fact that some of us are not as strong as others. If he is a hypocrite, well then so be it. He is not the only one.''

''Indeed, Limbaugh hardly is the first prominent conservative figure to tumble from the realm of sanctimony to shame. Once wildly popular television evangelists Jim Bakker and Jimmy Swaggert famously fell from their pulpits in the late 1980s, undone by missions of adultery and addiction to pornography, respectively. And just 5 months ago, former Reagan administration education Secretary William Bennett, best-selling author of such moralistic tomes as ''The Book of Virtues'' was revealed to have a major gambling habit. In Limbaugh's case, many thought his conservative listeners would be compassionate. This is a beloved man to his listeners. It would only draw them closer like a family gets closer in a time of crisis. The worst thing Limbaugh could do is to return to the air in too chastened a form,'' said one commentator. ''The only thing that can destroy Rush Limbaugh's career is Rush Limbaugh suddenly becoming a boring person, and it doesn't seem that he is about to become that,'' implying that to be compassionate is to be boring. To be tolerant is to be boring.

The excitement of Rush Limbaugh is that he has no mercy on people in trouble. It is another way in which the ruling class dominates the swindled classes. Rush Limbaugh is a jester. He is a joker. The kings had jesters, you know, and jokers. Sometimes they were very well paid. He stands for the ruling class and provides laughs for them by denigrating the poorest people who are being swindled at the bottom.

The great education reform swindle takes place because we do not recognize the problem that I just cited in Pakistan. If we do not educate people, we run the risk of them falling into the hands of a Taliban. I am not going to make any extreme projections, but Islam is the fastest growing religion in America today, and the people who are converting to Islam are black males. If you want to know what is relevant, how to relate one thing to another, black males are the people converting to Islam faster than anybody else. I am not saying that they are ready to rush out and become terrorists and join the Taliban, but it is an interesting development. They see something there that I do not quite understand, but it ought to be watched and understood.

People who are treated like dirt, if they are drug addicts, of course, they are even below that level, they are going to respond, the whole class is going to respond in ways which are not healthy for America. The great health care swindle goes on, the people who are going bankrupt, and a lot of them are middle class and upper middle class. I mentioned them before.

But the biggest swindle, of course, is the war on Iraq swindle. The war on Iraq swindle is the most outrageous of all. Dollars and lives are going down the drain, and the people who are running the operation refuse to be accountable to the Congress of the United States, and the leadership of the Congress of the United States refuses to make them accountable. They do not demand. The leadership is the Republican majority. They do not demand that the people come here and tell us what they are doing, how they intend to proceed with the spending of $87 billion, and when we can expect an exit.

The gentleman from Oregon (Mr. DEFAZIO), who was on the floor earlier, cited the fact that if you took the $87 billion and divided it among the Members of Congress, it will be above $200 million for each congressional district in America; that $87 billion would be more than $200 million. And he talked about all of the things we could do with that in terms of building schools, supporting better health care, et cetera. But those dollars are swindled away from the American people who are going to have to pay the bill with interest later on.

We have the swindle that refuses to spend dollars on targeted revenue-sharing back to our localities that are in trouble who are cutting the budgets of schools and services, so those localities can get through this recession, which they say is almost over; that kind of cooperation is needed. As I said before, disdain for the municipal elections, the local elections that are taking place today, that disdain is reflected in the way we appropriate money. We have not come to their aid. The Federal Government is the one place that does not have to balance the budget. New York City, New York State, 42 of the States were in such budget trouble that they had to cut the school budgets and, in some cases, the school year was cut. But the Federal Government has not come to their aid.

So as we end this session, as we are nearing the end of the session, I would like for my colleagues to reflect on the

fact that there is no class warfare in America. The ruling class has completely pacified the swindled classes.

I want to end it with a little piece that summarizes that. It is a rap poem I put in the CONGRESSIONAL RECORD on Wednesday, July 16 called ''Let the Rich Go First.'' This is as a result of my anger when on July 10, there was a vote to stop the expenditure of funds which were being allocated for the study of the Wage an Hour Act to cut overtime and that vote was defeated by the Republican majority. At a time when we were voting to stop paying overtime to working families, shortly after that, it was announced that the soldiers in Iraq would have to be kept there longer than expected. Instead of 6 months, they may be kept there for a year. Reservists would be in for a year instead of 6 months. So overtime for the people dying and fighting in Iraq, we are fighting overtime for payment of working families.

''Let The Rich Go First.''

''Working families keep your soldiers at home, for overtime in Iraq no cash, no comp time, not even gratitude, Republicans intrude to exempt all heroes, no combat rotation, life on indefinite probation, scrooges running the Nation. To the front lines let the rich go first, for blood they got a thirst, let the superstars drink it in the glorious trenches; leave the disadvantaged on the benches. Welfare moms have a message for the masters: Tell Uncle Sam his welfare pennies he can keep for food stamps we refuse to leap through your hoops like beasts; just promise to leave our sons alone and we will find our own feasts. To Uncle Sam we offer a bargain: don't throw us dirty crumbs, don't treat us like bums and then demand the full measure of devotion; our minds are now in motion, class warfare is not such a bad notion.

□ 2245

Your swindle will not last. Recruiters we will not let pass. Finally we opened our eyes, each family is a private enterprise. Each child a precious prize. We got American property rights, before our children die in war. This time we will choose the fights. Let the rich go first: They worry about the overtime we abuse; the battlefields they always choose. Their estates have the most to lose. Let the rich go first.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON of Indiana (at the request of Ms. PELOSI) for today on account of official business.

Ms. HARMAN (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. JACKSON-LEE of Texas (at the request of Ms. PELOSI) for today and November 5 on account of official business.

Mr. MCNULTY (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. POMEROY (at the request of Ms. PELOSI) for today on account of attending a funeral.

Mr. WAMP (at the request of Mr. DELAY) for today on account of attending funeral services for former Congressman Jimmy Quillen.

Mr. LATOURETTE (at the request of Mr. DELAY) for today and November 5 until 5:00 p.m. on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GREEN of Texas) to revise and extend their remarks and include extraneous material:)

Mr. GREEN of Texas, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. EDWARDS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today and November 5.

Mr. HENSARLING, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today.

Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, today.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. KING of Iowa, for 5 minutes, November 5 and 6.

Mr. GINGREY, for 5 minutes, today.

Mr. WELDON of Pennsylvania, 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. 1210. An act to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries; to the Committee on Resources

S. 1400. An act to develop a system that provides for ocean and coastal observations, to implement a research and development program to enhance security at United States ports, to implement a data and information system required by all components of an integrated ocean observing system and related research, and for other purposes; to the Committee on Resources in addition to the Committees on Science, Armed Services, and Transportation and Infrastructure 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 commitee concerned.

S. Con. Res. 58. Concurrent resolution raising awareness and encouraging prevention of stalking by urging the establishment of January 2004 as National Stalking Awareness Month; to the Committee on the Judiciary.

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. 2691. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

H.R. 3288. An act to amend title XXI of the Social Security Act to make technical corrections with respect to the definition of qualifying State.

H.R. 3289. An act making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 30, 2003 he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 52. 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.

H.J. Res. 75. Making further continuing appropriations for the fiscal year 2004, and for other purposes.

H.R. 1516. An act to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration.

Jeff Trandahl, Clerk of the House reports that on November 3, 2003 he presented to the President of the United States, for his approval, the following bills.

H.R. 1610. To redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the ''Walt Disney Post Office Building''.

H.R. 1882. To designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy' Kennedy Post Office''.

H.R. 1883. To designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office''.

H.R. 2075. To designate the facility of the United States Postal Service located at 1905 West Blue Heron Boulevard in West Palm Beach, Florida, as the ''Judge Edward Rodgers Post Office Building''.

H.R. 2254. To designate the facility of the United States Postal Service located at 1101 Colorado Street in Boulder City, Nevada, as the ''Bruce Woodbury Post Office Building''.

H.R. 2309. To designate the facility of the United States Postal Service located at 2300

Redondo Avenue in Long Beach, California, as the ''Stephen Horn Post Office Building''.

H.R. 2328. To designate the facility of the United States Postal Service located at 2001 East Willard Street in Philadelphia, Pennsylvania, as the ''Robert A. Borski Post Office Building''.

H.R. 2396. To designate the facility of the United States Postal Service located at 1210 Highland Avenue in Duarte, California, as the ''Francisco A. Martinez Flores Post Office''.

H.R. 2452. To designate the facility of the United States Postal Service located at 339 Hicksville Road in Bethpage, New York, as the ''Brian C. Hickey Post Office Building''.

H.R. 2533. To designate the facility of the United States Postal Service located at 10701 Abercorn Street in Savannah, Georgia, as the ''J.C. Lewis, Jr. Post Office Building''.

H.R. 2746. To designate the facility of the United States Postal Service located at 141 Weston Street in Hartford, Connecticut, as the ''Barbara B. Kennelly Post Office Building''.

H.R. 3011. To designate the facility of the United States Postal Service located at 135 East Olive Avenue in Burbank, California, as the ''Bob Hope Post Office Building''.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 5, 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:

5017. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Interim Capital Treatment of Consolidated Asset-Backed Commercial Paper Program Assets (RIN: 3064-AC74); Department of the Treasury, Office of the Comptroller of the Currecy [Docket No. 03-21] (RIN: 1557-AC76); Federal Reserve System [Regulations H and Y; Docket No. R-1156]; Department of the Treasury, Office of Thrift Supervision [No. 2003-48] (RIN: 1550-AB79) received October 14, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5018. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-209, ''Debarnment Procedures Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5019. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-200, ''Kivie Kaplan Way Designation Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5020. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-198, ''Draft Master Plan for Public Reservation 13 Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5021. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-197, ''Voluntary Transfer of Leave Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5022. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-196, ''Identity Theft Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5023. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-185, ''Public School Enrollment Integrity Clarification Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5024. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-184, ''Expansion of the Golden Triangle Business Improvement District Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5025. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-183, ''Sexual Minority Youth Assistance League Equitable Real Property Tax Relief Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5026. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-182, ''Self Storage Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5027. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-181, ''Standard Valuation and Nonforfeiture Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5028. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2004 through 2009, pursuant to Public Law 103—62; to the Committee on Government Reform.

5029. A letter from the Chairman, Federal Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5030. A letter from the Chairman, National Endowment for the Humanities, transmitting the Endowment's Strategic Plans for Fiscal Years 2004 through 2009, as required by the Government Performance and Results Act of 1993; to the Committee on Government Reform.

5031. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the Corporation's Five-Year Strategic/Operational Plan, for the period FY 2003-FY 2008, pursuant to The Government Performance and Results Act of 1993; to the Committee on Government Reform.

5032. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's strategic plan for fiscal years 2003 through 2008, pursuant to Public Law 103—62; to the Committee on Government Reform.

5033. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting the Office of Federal Housing Enterprise Oversight's (OFHEO's) Strategic Plan for FY 2003-2008, in accordance with the Government Performance and Results Act of 1993; to the Committee on Government Reform.

5034. A letter from the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting the FY 2003 report pursuant to the Federal Managers' Financial Integrity Act of 1982 and the 1988 Amendments to the Inspector General Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5035. A letter from the Director, Center for Employee and Family Support Policy, Office of Personal Management, transmitting the Office's final rule — Federal Employees Health Benefits Children's Equity (RIN: 3206-AJ34) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5036. A letter from the Deputy General Counsel, Department of Homeland Security, transmitting the Department's ''Major'' final rule — Regulations Implementing the Support of Anti-terrorism by Fostering Effective Technologies Act of 2002 (the SAFETY Act) [USCG-2003-15425] (RIN: 1601-AA15) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5037. A letter from the Deputy Assistant General Counsel, Regulations, U.S. Citizen & Immigration Services, Department of Homeland Security, transmitting the Department's final rule — Adding and Removing Institutions to and from the List of Recognized American Institutions of Research [CIS No. 2131-03] (RIN: 1615-AA72) received October 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5038. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule — Implementation of Methamphetamine Anti-Proliferation Act; Thresholds for Retailers and for Distributors Required To Submit Mail Order Reports; Changes to Mail Order Reporting Requirements [Docket No. DEA-210F] (RIN: 1117-AA69) received October 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5039. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Implementation of National Maritime Security Initiatives [USCG-2003-14792] (RIN:1625-AA69) received October 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5040. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Stemme GmbH & Co. KG Model STEMME S10-VT Sailplanes [Docket No. 2003-CE-36-AD; Amendment 39-13327; AD 2003-20-09] (RIN: 2120-AA64) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5041. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 208 and 208B Airplanes [Docket No. 2003-CE-41-AD; Amendment 39-13339; AD 2003-21-04] (RIN: 2120-AA64) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5042. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 2003-CE-42-AD; Amendment 39-13333; AD 2003-20-15] (RIN: 2120-AA64) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5043. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900, 1900C, and 1900D

Airplanes [Docket No. 2003-CE-43-AD; Amendment 39-13328; AD 2003-20-10] (RIN: 2120-AA64) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5044. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Interagency Acquisition Approvals (RIN: 2700-AC78) received October 14, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

5045. A letter from the Deputy General Counsel, Office of Disaster Assistance, Small Business Administration, transmitting the Administration's final rule — Disaster Loan Program-Disaster Mitigation Act of 2000 (RIN: 3245-AE97) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

5046. A letter from the Deputy General Counsel, Office of New Market Venture Capital, Small Business Administration, transmitting the Administration's final rule — New Markets Venture Capital Program (RIN: 3245-AE91) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

5047. A letter from the Deputy General Counsel, HUBZone Program, Small Business Administration, transmitting the Administration's final rule — HUBZone Program; received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

5048. A letter from the Deputy General Counsel, HUBZone Program, Small Business Administration, transmitting the Administration's final rule — HUBZone Program; received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

5049. A letter from the Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Elimination of Statistical Classes Large Cigars (2000R-410P) [T.D. TTB-4; ATF Notice No. 962] (RIN: 1513-AA18) received October 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5050. A letter from the Assistant Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Electronic Signatures; Electronic Submission of Forms (2000R-458P) [T.D. TTB-5; Notice No. 5] (RIN: 1513-AA61) received October 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5051. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2003-114) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5052. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Special Rules for Certain Foreign Business Entities [TD 9093] (RIN: 1545-AX39) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5053. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Validity and Priority Against Certain Persons (Rev. Rul. 2003-108) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5054. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Taxation of DISC Income to Shareholders (Rev. Rul. 2003-111) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5055. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update [Notice 2003-61] received October 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5056. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Stock that is considered readily tradable on an established securities market in the United States for purposes [Notice 2003-71; I.R.B. 2003-43] received Ocotber 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5057. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Availibility of Information and Records to the Public [Regulations No. 2] (RIN: 0960-AF91) received October 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5058. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Calendar Year 2004 Payment Rates [CMS-1471-FC] (RIN: 0938-AL91) received October 31, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5059. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule for Calendar Year 2004 [CMS-1476-FC] (RIN: 0938-AL96) received October 31, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5060. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Calendar Year 2004 Payment Rates [CMS-1471-FC] (RIN: 0938-AL19) received November 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on International Relations. H.R. 3145. A bill to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes; with an amendment (Rept. 108–339). Referred to the Committee on the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3181. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes (Rept. 108–340). Referred to the Committee on the Whole House on the state of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1274. A bill to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county; with amendment (Rept. 108–341). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNOLLENBERG: Committee of Conference. Conference report on H.R. 2559. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108–342). Ordered to be printed.

Mr. POMBO: Committee on Resources. House Concurrent Resolution 237. Resolution honoring the late Rick Lupe, lead forestry technician for the Bureau of Indian Affairs Fort Apache Agency, for his dedication and service to the United States and for his essential service in fighting wildfires and protecting the environment and communities of Arizona (Rept. 108–343). Referred to the House Calendar.

Mr. POMBO: Committee on Resources. S. 677. An act to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, and for other purposes (Rept. 108–344). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. S. 924. An act to authorize the exchange of lands between an Alaska Native Village Corporation and the Department of the Interior, and for other purposes (Rept. 108–345). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 506. A bill to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes; with an amendment (Rept. 108–346). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1204. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties, and for other purposes; with an amendment (Rept. 108–347). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 428. Resolution providing for the consideration of the bill (H.R. 1829) to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations, and for other purposes (Rept. 108–348). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 429. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2559) making appropriations for military construction, family

housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108–349). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 430. Resolution providing for consideration of the joint resolution (H.J. Res. 76) making further continuing appropriations for the fiscal year 2004, and for other purposes (Rept. 108–350). Referred to the House Calendar.

Mr. OXLEY: Committee on Financial Services. H.R. 2420. A bill to improve transparency relating to the fees and costs that mutual fund investors incur and to improve corporate governance of mutual funds; with an amendment (Rept. 108–351). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on October 31, 2003]

Pursuant to clause 2 of rule XII the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 135 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following actions occurred on October 31, 2003]

H.R. 180. Referral to the Committee on Rules extended for a period ending not later than November 7, 2003.

H.R. 1081. Referral to the Committees on Transportation and Infrastructure, Resources, and House Administration for a period ending not later than November 7, 2003.

H.R. 1856. Referral to the Committee on Resources extended for a period ending not later than November 7, 2003.

H.R. 2120. Referral to the Committee on the Judiciary extended for a period ending not later than November 7, 2003.

H.R. 2571. Referral to the Committee on Ways and Means extended for a period ending not later than November 7, 2003.

H.R. 2802. Referral to the Committee on Government Reform extended for a period ending not later than November 7, 2003.

H.R. 3358. Referral to the Committee on the Budget extended for a period ending not later than November 7, 2003.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TOM DAVIS of Virginia (for himself, Mr. MORAN of Virginia, Mr. SENSENBRENNER, Mr. COBLE, Mr. SCHROCK, Mr. WOLF, Mrs. JO ANN DAVIS of Virginia, Mr. GOODLATTE, Mr. CANTOR, Mr. FORBES, Mr. BOUCHER, Mr. GOODE, and Mr. SCOTT of Virginia):

H.R. 3428. A bill to designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the ''Justin W. Williams United States Attorney's Building''; to the Committee on Transportation and Infrastructure.

By Mr. SHIMKUS (for himself and Mr. RUSH):

H.R. 3429. A bill to improve the funding mechanism for the Department of Energy Civilian Radioactive Waste Management Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ANDREWS (for himself, Mr. LOBIONDO, and Mr. SAXTON):

H.R. 3430. A bill to amend title 28, United States Code, to divide New Jersey in 2 judicial districts; to the Committee on the Judiciary.

By Mr. BACA (for himself, Mr. WAMP, Mr. OSBORNE, Mrs. BONO, Mr. ORTIZ, Mr. PASTOR, Mr. RODRIGUEZ, Mr. BECERRA, Ms. SOLIS, Mr. GRIJALVA, Mr. GONZALEZ, Ms. WOOLSEY, Mr. RAHALL, Mr. FRANK of Massachusetts, Ms. KAPTUR, Mr. KIND, Mr. KILDEE, Mr. HINOJOSA, Ms. ESHOO, Mr. ROSS, Mrs. DAVIS of California, Mr. SCHIFF, Mr. UDALL of Colorado, Mr. ALEXANDER, Mr. ALLEN, Mr. BISHOP of New York, Mr. BELL, Mr. CARSON of Oklahoma, Mr. CARDOZA, Mr. CLYBURN, Mr. CROWLEY, Mr. DAVIS of Florida, Mr. DOYLE, Mr. EMANUEL, Mr. ETHERIDGE, Mr. EVANS, Mr. FROST, Mr. GREEN of Texas, Mr. HILL, Mr. HONDA, Mr. INSLEE, Ms. LEE, Mr. MCINNIS, Ms. LOFGREN, Mr. TOWNS, Ms. HARMAN, Mr. WAXMAN, Mr. GEORGE MILLER of California, Mr. REYES, Mrs. MALONEY, Mr. LANTOS, Mr. SMITH of Washington, Mr. MATSUI, Mr. FILNER, Mrs. NAPOLITANO, Ms. NORTON, Ms. MILLENDER-MCDONALD, Ms. WATERS, Ms. CARSON of Indiana, Ms. LORETTA SANCHEZ of California, Mr. PASCRELL, Ms. VELAZQUEZ, Ms. SCHAKOWSKY, Mrs. CAPPS, Ms. PELOSI, Mr. SHERMAN, Mrs. TAUSCHER, Mr. PAYNE, Ms. BERKLEY, Ms. ROYBAL-ALLARD, Mr. NADLER, Mr. HOYER, Ms. DEGETTE, Ms. LINDA T. SANCHEZ of California, Mr. EDWARDS, Ms. DELAURO, Mr. DICKS, Mr. HASTINGS of Florida, Mr. CALVERT, Mr. WELDON of Pennsylvania, Mr. ISRAEL, Mrs. JONES of Ohio, Mr. LARSEN of Washington, Mr. LEWIS of California, Mr. LYNCH, Mr. MATHESON, Mr. MARSHALL, Mr. MENENDEZ, Mr. MURTHA, Mr. OSE, Mr. PALLONE, Mr. RENZI, Mr. ROTHMAN, Mr. SANDLIN, Mr. SERRANO, Mr. TANNER, Mr. THOMPSON of California, Mr. WEINER, Ms. WATSON, Mr. OLVER, Ms. BORDALLO, Mr. OWENS, Mr. BERMAN, Mr. ACEVEDO-VILA, Mr. GUTIERREZ, Mr. CONYERS, Mr. UDALL of New Mexico, Mr. DOOLEY of California, Ms. JACKSON-LEE of Texas, Mr. ISSA, and Ms. KILPATRICK):

H.R. 3431. A bill to require the National Institute for Occupational Safety and Health to monitor the long-term health of firefighters involved in fighting fires within Federal disaster areas; to the Committee on Education and the Workforce.

By Mr. BLUMENAUER (for himself, Mr. MANZULLO, Mr. MORAN of Virginia, Mr. SIMMONS, Mr. FARR, Mr. GREENWOOD, Mr. BEREUTER, Mr. FRANK of Massachusetts, Mr. HOLDEN, Mr. INSLEE, Mr. MOLLOHAN, Mr. SERRANO, Mr. UDALL of New Mexico, Mr. BROWN of Ohio, Mr. KANJORSKI, Ms. WOOLSEY, Mr. HOEFFEL, Mr. HILL, Mrs. KELLY, Mr. ALLEN, Mrs. CHRISTENSEN, Mr. MURTHA, Mr. HOLT, Mr. FILNER, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. WYNN, Mrs. MCCARTHY of New York, Mr. RODRIGUEZ, Mr. MARKEY, Mr. EVANS, Mr. RAHALL, Mr. OWENS, Mr. STARK, Mr. MCNULTY, Mr. LEWIS of Kentucky, Mr. LIPINSKI, Mr. THOMPSON of California, Mr. BAIRD, Mr. CLAY, Mr. ENGLISH, Mrs. EMERSON, Ms. KILPATRICK, Mr. ACKERMAN, Mr. FROST, Mrs. LOWEY, Mr. KUCINICH, Mr. DOOLEY of California, Mr. BOEHLERT, Ms. DELAURO, Mr. POMEROY, Mr. OSBORNE, Ms. CARSON of Indiana, Mr. SHAYS, Ms. ESHOO, Ms. BALDWIN, and Mr. COOPER):

H.R. 3432. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or construction of a post office, and for other purposes; to the Committee on Government Reform.

By Mrs. EMERSON:

H.R. 3433. A bill to transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior; to the Committee on Resources, and in addition to the Committees on Agriculture, and Education and the Workforce, 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. FRANK of Massachusetts:

H.R. 3434. A bill to amend title XVIII of the Social Security Act to limit the deduction of Medicare part B premiums from Social Security benefits payments only for months in which Medicare coverage is provided; 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. HASTINGS of Florida:

H.R. 3435. A bill to establish a commission to study employment and economic insecurity in the United States workforce; to the Committee on Education and the Workforce.

By Mr. ISRAEL:

H.R. 3436. A bill to amend title 38, United States Code, to provide for the Government to pay for the cost of premiums for Servicemembers Group Life Insurance for the first $100,000 of coverage; to the Committee on Veterans' Affairs.

By Mr. LANGEVIN (for himself, Mr. KENNEDY of Rhode Island, Mr. DELAHUNT, and Mr. MCGOVERN):

H.R. 3437. A bill to direct the Consumer Product Safety Commission to issue standards addressing open flame ignition of consumer products containing polyurethane; to the Committee on Energy and Commerce.

By Mr. LEVIN (for himself, Ms. GRANGER, Ms. DELAURO, Mrs. WILSON of New Mexico, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. BACHUS, Mr. BELL, Mr. BISHOP of New York, Mr. BURGESS, Mr. CUMMINGS, Mr. DEUTSCH, Mr. FALEOMAVAEGA, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HART, Mr. HONDA, Mr. ISRAEL, Mr. KILDEE, Mr. LATOURETTE, Ms. LOFGREN, Mrs. MALONEY, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCHUGH, Mr. MCNULTY, Mr. MENENDEZ, Mr. MORAN of Virginia, Mr. NADLER, Mr. OWENS, Ms. SLAUGHTER, Mr. TOWNS, Mrs. JONES of Ohio, Mr. WAXMAN, Mr. WEXLER, and Mr. WYNN):

H.R. 3438. A bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself and Mr. FROST):

H.R. 3439. A bill to promote the sharing of personnel between Federal law enforcement agencies and other public law enforcement agencies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), 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. YOUNG of Florida:

H.J. Res. 76. A joint resolution making further continuing appropriations for the fiscal year 2004, and for other purposes; to the Committee on Appropriations.

By Mr. FEENEY (for himself and Mr. BOYD):

H. Con. Res. 320. Concurrent resolution expressing the sense of the Congress regarding the importance of motorsports; to the Committee on Government Reform.

By Ms. BERKLEY (for herself and Mr. PORTER):

H. Res. 431. A resolution honoring the achievements of Siegfried and Roy, recognizing the impact of their efforts on the conservation of endangered species both domestically and worldwide, and wishing Roy Horn a full and speedy recovery; to the Committee on Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H. Res. 432. A resolution expressing the sense of the House of Representatives that the United States should take action to meet its obligations, and to ensure that all other member states of the United Nations meet their obligations, to women as agreed to in United Nations Security Council Resolution 1325 relating to women, peace, and security, and the United States should fully assume the implementation of international law relating to human rights that protects the rights of women and girls during and after conflicts, and for other purposes; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

211. The SPEAKER presented a memorial of the Senate of the State of Texas, relative to Senate Resolution No. 373 memorializing the Congress of the United States to prohibit federal courts from ordering or instructing any state or political subdivision thereof to levy or increase taxes; to the Committee on the Judiciary.

212. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to adequately fund the programs of the Veterans Administration; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 211: Mr. LEWIS of Georgia, Mr. MEEKS of New York, and Mrs. JONES of Ohio.

H.R. 218: Mr. GERLACH and Mr. MORAN of Virginia.

H.R. 318: Mr. KING of Iowa.

H.R. 333: Mr. LANTOS.

H.R. 353: Mr. CANNON.

H.R. 369: Mr. CUMMINGS.

H.R. 375: Mr. BURR, Mr. BURTON of Indiana, Mr. TURNER of Texas, and Mr. BOSWELL.

H.R. 401: Mrs. MUSGRAVE and Ms. BORDALLO.

H.R. 440: Mr. CROWLEY, Mr. DEUTSCH, Mr. MEEK of Florida, and Mr. KUCINICH.

H.R. 623: Mr. LAMPSON.

H.R. 677: Mr. JACKSON of Illinois.

H.R. 685: Mr. BELL.

H.R. 713: Mr. BROWN of Ohio.

H.R. 737: Mr. BOYD and Mr. JACKSON of Illinois.

H.R. 752: Mrs. CAPPS.

H.R. 776: Mr. FRANK of Massachusetts.

H.R. 811: Mrs. NAPOLITANO.

H.R. 833: Mr. MANZULLO.

H.R. 857: Mr. WAMP, Mr. WU, and Mr. PALLONE.

H.R. 890: Mr. DELAHUNT.

H.R. 936: Mr. WATT.

H.R. 962: Ms. MAJETTE, Mr. KIND, Mr. WALSH, and Mr. JACKSON of Illinois.

H.R. 980: Mr. GARY G. MILLER of California.

H.R. 1070: Mr. FROST.

H.R. 1105: Mr. LEVIN.

H.R. 1116: Ms. MCCOLLUM.

H.R. 1173: Mr. ISAKSON.

H.R. 1267: Mr. BISHOP of Georgia.

H.R. 1285: Mr. BELL.

H.R. 1435: Mr. BELL.

H.R. 1464: Mr. DOGGETT.

H.R. 1532: Mr. DAVIS of Illinois, Mr. JONES of North Carolina, Mr. MICHAUD, and Mr. DOOLEY of California.

H.R. 1563: Mr. OLVER.

H.R. 1657: Ms. SLAUGHTER and Mr. RANGEL.

H.R. 1680: Mr. CONYERS.

H.R. 1708: Mr. JENKINS, Mr. ENGEL, Mr. BRADY of Pennsylvania, Mr. WILSON of South Carolina, and Mr. BURGESS.

H.R. 1818: Mr. SESSIONS.

H.R. 1858: Mr. WAXMAN.

H.R. 1906: Mr. KUCINICH.

H.R. 1929: Mr. KUCINICH.

H.R. 2107: Mr. BALLANCE.

H.R. 2173: Ms. KAPTUR, Mr. REYES, Mr. ACKERMAN, Mr. LIPINSKI, and Ms. MILLENDER-MCDONALD.

H.R. 2181: Mr. GREEN of Wisconsin.

H.R. 2203: Mr. ACKERMAN and Mr. LANTOS.

H.R. 2216: Mr. SOUDER and Mr. BACHUS.

H.R. 2327: Mr. WELDON of Pennsylvania.

H.R. 2420: Mr. OXLEY, Mr. FRANK of Massachusetts, Mr. CASTLE, Ms. WATERS, Mrs. MALONEY, Ms. HOOLEY of Oregon, Mr. MOORE, Mr. FORD, Mr. JONES of North Carolina, Mr. GONZALEZ, Mr. EMANUEL, Mr. MATHESON, Mr. SCOTT of Georgia, Mr. HINOJOSA, Mr. HENSARLING, Mrs. CAPITO, Mr. GARRETT of New Jersey, and Mrs. BIGGERT.

H.R. 2426: Mr. VAN HOLLEN.

H.R. 2490: Mr. MCDERMOTT, Ms. SLAUGHTER, Ms. MCCOLLUM, Mr. KUCINICH, and Mr. DELAHUNT.

H.R. 2511: Ms. WATERS.

H.R. 2536: Ms. LOFGREN and Mr. ANDREWS.

H.R. 2558: Mr. MEEK of Florida.

H.R. 2569: Ms. NORTON, Ms. WATSON, Mr. BALLANCE, Mr. FRANK of Massachusetts, Mr. STUPAK, and Ms. MCCOLLUM.

H.R. 2579: Mr. JONES of North Carolina, Mr. DOOLITTLE, and Mr. SANDLIN.

H.R. 2585: Ms. SCHAKOWSKY, Ms. LOFGREN, and Ms. SOLIS.

H.R. 2592: Mr. OWENS and Ms. MAJETTE.

H.R. 2594: Mr. DOGGETT.

H.R. 2683: Mr. WHITFIELD.

H.R. 2700: Mr. TERRY, Mr. FRANK of Massachusetts, and Mr. KIND.

H.R. 2705: Ms. MCCOLLUM, Mr. CUMMINGS, Mr. KUCINICH, and Mr. JACKSON of Illinois.

H.R. 2720: Mr. CROWLEY, Mr. TOWNS, Mr. SERRANO, and Mr. GERLACH.

H.R. 2732: Mr. STEARNS.

H.R. 2762: Mr. PETERSON of Pennsylvania.

H.R. 2763: Mr. PETERSON of Pennsylvania.

H.R. 2768: Mr. SERRANO, Mr. POMEROY, Mr. BISHOP of New York, Mr. TAYLOR of Mississippi, Mr. DAVIS of Alabama, Mr. MENENDEZ, Mr. PASTOR, Mr. BLUMENAUER, Ms. ROYBAL-ALLARD, Mr. PALLONE, Mr. HOLT, Mr. BROWN of Ohio, Mr. DOOLEY of California, Mr. FRANK of Massachusetts, Mr. ISRAEL, Mr. RYAN of Ohio, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. KENNEDY of Rhode Island, Mr. WAXMAN, Mr. DINGELL, and Mr. ANDREWS.

H.R. 2771: Mr. MCHUGH and Mr. SERRANO.

H.R. 2809: Mr. KUCINICH.

H.R. 2810: Mr. KUCINICH.

H.R. 2816: Mr. BLUMENAUER and Mr. GRIJALVA.

H.R. 2823: Mr. SHIMKUS, Mr. GOODE, and Mr. FILNER.

H.R. 2849: Mr. SHAW.

H.R. 2866: Ms. MAJETTE.

H.R. 2868: Mr. HYDE.

H.R. 2871: Mr. SANDLIN and Mr. WYNN.

H.R. 2888: Ms. SLAUGHTER.

H.R. 2908: Mr. RYAN of Ohio.

H.R. 2934: Mr. GALLEGLY and Mr. MCHUGH.

H.R. 2945: Mr. CONYERS, Mr. KUCINICH, Mr. FROST, Mr. BROWN of Ohio, Mr. OLVER, Mr. RUSH, and Mr. GUTIERREZ.

H.R. 2952: Ms. SLAUGHTER.

H.R. 2978: Mr. MARSHALL, Mr. CANNON, Mr. OTTER, Mr. PEARCE, and Mr. TOWNS.

H.R. 3002: Mr. WAMP and Mr. BRADLEY of New Hampshire.

H.R. 3004: Mr. MICHAUD.

H.R. 3008: Mr. KUCINICH.

H.R. 3079: Mr. PUTNAM, Ms. ROS-LEHTINEN, and Mr. BAKER.

H.R. 3120: Mr. KUCINICH.

H.R. 3125: Mr. WILSON of South Carolina.

H.R. 3129: Mr. FILNER.

H.R. 3139: Mr. KUCINICH.

H.R. 3142: Ms. HARRIS.

H.R. 3153: Ms. LEE and Mr. CUMMINGS.

H.R. 3184: Ms. MCCOLLUM and Mr. WAMP.

H.R. 3227: Ms. DELAURO.

H.R. 3237: Ms. DEGETTE and Mr. KUCINICH.

H.R. 3263: Mr. ADERHOLT, Mr. BRADY of Texas, Mr. CHOCOLA, Mr. DEAL of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FEENEY, Mr. GERLACH, Mr. GREENWOOD, Ms. HART, Mr. HENSARLING, Mr. HERGER, Mr. ISSA, Mr. JANKLOW, Mrs. KELLY, Mr. KIRK, Mr. LEWIS of California, Mr. MCKEON, Mr. SHADEGG, Mr. SHUSTER, Mr. WALDEN of Oregon, and Mr. REYES.

H.R. 3275: Mr. WEXLER, Mr. OWENS, and Ms. CORRINE BROWN of Florida.

H.R. 3277: Mr. LEWIS of California, Mr. FOLEY, Mrs. JONES of Ohio, Mr. WHITFIELD, Mr. QUINN, Ms. DUNN, Mr. BOEHLERT, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. EHLERS, Mrs. JOHNSON of Connecticut, Mr. RAMSTAD, Mr. BRADY of Texas, Mr. MCNULTY, Mrs. BIGGERT, Mr. LEVIN, Mr. KIRK, Ms. MILLENDER-MCDONALD, Mr. PLATTS, Mr. YOUNG of Florida, Mr. FALEOMAVAEGA, Mr. PORTMAN, Mr. CROWLEY, Mr. SKELTON, Mr. GILLMORE, Mr. UPTON, Mr. LANTOS, Mr. MATSUI, Mr. SIMMONS, Mr. HOBSON, Mr. BALLENGER, Mr. AKIN, Mr. SESSIONS, and Mr. BEREUTER.

H.R. 3284: Mr. DOGGETT.

H.R. 3304: Mr. HINOJOSA.

H.R. 3323: Mr. FILNER.

H.R. 3344: Mr. CUMMINGS, Ms. MILLENDER-MCDONALD, and Mr. NEAL of Massachusetts.

H.R. 3348: Mr. CONYERS.

H.R. 3350: Mr. MCNULTY and Mr. COSTELLO.

H.R. 3352: Ms. LEE, Ms. SLAUGHTER, Ms. DEGETTE, and Mr. TOWNS.

H.R. 3355: Mr. CONYERS and Mr. GUTIERREZ.

H.R. 3358: Mr. TURNER of Ohio and Mrs. MUSGRAVE.

H.R. 3362: Mr. GRIJALVA.

H.R. 3387: Mr. GUTIERREZ.

H.R. 3388: Mr. GREEN of Wisconsin, Mr. LEACH, and Mr. SHIMKUS.

H.R. 3400: Mr. HERGER, Mr. DOOLITTLE, and Mr. GIBBONS.

H.R. 3402: Mr. ETHERIDGE and Mr. SCOTT of Georgia.

H.R. 3416: Mr. LANTOS, Mr. MCGOVERN, Mr. FRANK of Massachusetts, and Ms. JACKSON-LEE of Texas.

H.R. 3424: Ms. MCCOLLUM, Mr. CUMMINGS, Ms. SCHAKOWSKY, Mr. SANDERS, and Mrs. NAPOLITANO.

H.R. 3425: Mr. CROWLEY, Mr. CUMMINGS, Ms. MAJETTE, Ms. SCHAKOWSKY, Mr. SANDERS, and Mrs. NAPOLITANO.

H.J. Res. 65: Mr. BARTLETT of Maryland.

H. Con. Res. 69: Mr. FALEOMAVAEGA.

H. Con. Res. 82: Mr. WILSON of South Carolina.

H. Con. Res. 87: Mr. WAXMAN.

H. Con. Res. 137: Mr. ENGEL.

H. Con. Res. 194: Mr. CLAY, Mr. QUINN, Mr. CLYBURN, Mr. JEFFERSON, Ms. JACKSON-LEE of Texas, Mr. BALLANCE, Ms. CARSON of Indiana, Mr. LEWIS of Georgia, Mr. WATT, Mr. RUSH, Mr. DAVIS of Alabama, and Ms. WATERS.

H. Con. Res. 213: Mr. CLAY.

H. Con. Res. 247: Mr. JENKINS.

H. Con. Res. 265: Mr. REYNOLDS.

H. Con. Res. 280: Mr. NADLER and Mr. PORTER.

H. Con. Res. 281; Ms. LEE and Ms. NORTON.

H. Con. Res. 285: Mr. WATT and Ms. BORDALLO.

H. Con. Res. 297: Ms. NORTON and Mr. MCDERMOTT.

H. Con. Res. 298: Mr. MCINTYRE, Mr. BARRETT of South Carolina, and Mr. SMITH of New Jersey.

H. Con. Res. 309: Mr. SOUDER, Mr. ALLEN, Mr. MCHUGH, Mr. KIRK, Mr. DOYLE, and Mr. LEWIS of Georgia.

H. Con. Res. 310: Mr. BACHUS.

H. Con. Res. 314: Mr. BISHOP of Georgia and Mr. WYNN.

H. Con. Res. 316: Mr. LEVIN, Mr. REGULA, and Mr. WEINER.

H. Res. 136: Mr. CUNNINGHAM.

H. Res. 300: Mr. CALVERT and Mr. VITTER.

H. Res. 320: Mr. KUCINICH.

H. Res. 393: Mrs. KELLY and Mr. KUCINICH.

H. Res. 394: Mr. PORTER and Ms. BERKLEY.

H. Res. 402: Ms. MCCOLLUM.

H. Res. 419: Mr. CLAY, Mr. GEORGE MILLER of California, and Mr. BERMAN.

H. Res. 425: Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mrs. BONO, Mr. CALVERT, Mrs. CAPPS, Mr. CARDOZA, Mr. COX, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. DREIER, Ms. ESHOO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GALLEGLY, Mr. GOODLATTE, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. ISSA, Mr. KOLBE, Mr. LANTOS, Ms. LEE, Mr. LEWIS of California, Ms. LOFGREN, Mr. MATSUI, Mr. MCDERMOTT, Mr. MCINNIS, Mr. MCKEON, Ms. MILLENDER-MCDONALD, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Mr. OSE, Mr. PASCRELL, Ms. PELOSI, Mr. POMBO, Mr. RADANOVICH, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMAS, Mr. THOMPSON of California, Mrs. JONES of Ohio, Mr. WALDEN of Oregon, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Mr. WOLF, and Ms. WOOLSEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1829

OFFERED BY: MR. TOOMEY

AMENDMENT NO. 1: Page 7, line 17, strike the period and insert the following: '', unless the contract opportunity has been reserved for competition exclusively among small business concerns pursuant to section 15(a) of the Small Business Act (15 U.S.C. 644(a)) and its implementing regulations.''.

H.R. 1829

OFFERED BY: MS. MILLENDER-MCDONALD

AMENDMENT NO. 2: Page 24, after line 10, insert the following new subparagraph (and redesignate succeeding subparagraphs accordingly):

''(C) The Board of Directors of Federal Prison Industries shall—

''(i) not later than September 30, 2004, increase the maximum wage rate for inmates performing work for or through Federal Prison Industries to an amount equal to 50 percent of the minimum wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1));

''(ii) not later than September 30, 2009, increase such maximum wage rate to an amount equal to such minimum wage; and

''(iii) request the Secretary of Labor to establish, not later than October 1, 2004, an 'inmate training wage' pursuant to that Act.

H.R. 1829

OFFERED BY: MS. WATERS

AMENDMENT NO. 3: Page 24, line 7, insert after the period the following: ''In the case of an inmate whose term of imprisonment is to expire in not more than 2 years, wages shall be earned at an hourly rate of not less than $2.50, but paid at the same rate and in the same manner as to any other inmate, and any amount earned but not paid shall be held in trust and paid only upon the actual expiration of the term of imprisonment.''.

H.R. 1829

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 4: Page 17, strike line 16 and all that follows through page 18, line 19.

Page 18, line 20, strike ''(2)'' and insert ''(b)'' (and align the margin with subsection (a) and redesignate subsequent subsections accordingly).

Page 19, lines 7 and 8, strike ''subsection (b) and subsection (c) of''.

Page 19, lines 15 and 16, and lines 21 and 22, strike ''subsections (b) and (c)'' and insert ''this section''.

Page 20, line 7, strike ''preferential''.

Page 20, line 8, strike ''subsection (b)'' and insert ''this section''.

H.R. 1829

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 5: Page 25, strike section 7 (line 11 and all that follows through page 26, line 12).

H.R. 1829

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 6: Page 29, insert after line 5 the following new subsection (and redesignate subsequent subsections accordingly):

(b) ADDITIONAL INMATE WORK OPPORTUNITIES THROUGH PUBLIC SERVICE ACTIVITIES.—

(1) IN GENERAL.—Chapter 307 of title 18, United States Code, is further amended by inserting after section 4124 the following new section:

''§ 4124a. Additional inmate work opportunities through public service activities

''(a) IN GENERAL.—Inmates with work assignments within Federal Prison Industries may perform work for an eligible entity pursuant to an agreement between such entity and the Inmate Work Training Administrator in accordance with the requirements of this section.

''(b) DEFINITION OF ELIGIBLE ENTITIES.—For the purposes of this section, the term 'eligible entity' means an entity—

''(1) that is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code and that has been such an organization for a period of not less than 36 months prior to inclusion in an agreement under this section;

''(2) that is a religious organization described in section 501(d) of such Code and exempt from taxation under section 501(a) of such Code; or

''(3) that is a unit of local government, a school district, or another special purpose district.

''(c) INMATE WORK TRAINING ADMINISTRATOR.—

''(1) The Federal Prison Industries Board of Directors shall designate an entity as the Inmate Work Training Administrator to administer the work-based training program authorized by this section.

''(2) In selecting the Inmate Work Training Administrator, the Board of Directors shall select an entity—

''(A) that is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

''(B) that has demonstrated, for a period of not less than 5 years, expertise in the theory and practice of fostering inmate rehabilitation through work-based programs in cooperation with private sector firms.

''(3) With respect to the formation and performance of an agreement authorized by this section, the Director of the Bureau of Prisons and the Chief Operating Officer of Federal Prison Industries shall be responsible only for—

''(A) maintaining appropriate institutional and inmate security; and

''(B) matters relating to the selection and payment of participating inmates.

''(d) PROPOSED AGREEMENTS.—An eligible entity seeking to enter into an agreement pursuant to subsection (a) shall submit a detailed proposal to the Inmate Work Training Administrator. Each such agreement shall specify—

''(1) types of work to be performed;

''(2) the proposed duration of the agreement, specified in terms of a base year and number of option years;

''(3) the number of inmate workers expected to be employed in the specified types of work during the various phases of the agreement;

''(4) the wage rates proposed to be paid to various classes of inmate workers; and

''(5) the facilities, services and personnel (other than correctional personnel dedicated to the security of the inmate workers) to be furnished by Federal Prison Industries or the Bureau of Prisons and the rates of reimbursement, if any, for such facilities, services, and personnel.

''(e) REPRESENTATIONS.—

''(1) ELEEMOSYNARY WORK ACTIVITIES.—Each proposed –agreement shall be accompanied by a written certification by the chief executive officer of the eligible entity that—

''(A) the work to be performed by the inmate workers will be limited to the eleemosynary work of such entity in the case of an entity described in paragraph (1) or (2) of subsection (b);

''(B) the work would not be performed but for the —availability of the inmate workers;

''(C) the work performed by the inmate workers will not result, either directly or indirectly, in the production of a new product or the furnishing of a service that is to be offered for other than resale or donation by the eligible entity or any affiliate of the such entity.

''(2) PROTECTIONS FOR NON-INMATE WORKERS.—Each proposed agreement shall also be accompanied by a written certification by the chief executive officer of the eligible entity that—

''(A) no non-inmate employee or volunteer of the eligible entity (or any affiliate of the entity) will have his or her job abolished or work hours reduced as a result of the entity being authorized to utilize inmate workers; and

''(B) the work to be performed by the inmate workers will not supplant work currently being performed by a contractor of the eligible entity.

''(f) APPROVAL BY BOARD OF DIRECTORS.—

''(1) IN GENERAL.—Each such proposed agreement shall be –presented to the Board

of Directors, be subject to the same opportunities for public comment, and be publicly considered and acted upon by the Board in a manner comparable to that required by paragraphs (6) and (7) of section 4122(b).

''(2) MATTERS TO BE CONSIDERED.—In determining whether to approve a proposed agreement, the Board shall—

''(A) give priority to an agreement that provides inmate work opportunities that will provide participating inmates with the best prospects of obtaining employment paying a livable wage upon release;

''(B) give priority to an agreement that provides for maximum reimbursement for inmate wages and for the costs of supplies and equipment needed to perform the types of work to be performed;

''(C) not approve an agreement that will result in the displacement of non-inmate workers or volunteers contrary to the representations required by subsection (e)(2) as determined by the Board or by the Attorney General (pursuant to subsection (i)); and

''(D) not approve an agreement that will result, either directly or indirectly, in the production of a new product or the furnishing of a service for other than resale or donation.

''(g) WAGE RATES AND DEDUCTIONS FROM INMATE WAGES.—

''(1) IN GENERAL.—Inmate workers shall be paid wages for work under the agreement at a basic hourly rate to be negotiated between the eligible entity and Federal Prison Industries and specified in the agreement. The wage rates set by the Director of the Federal Bureau of Prisons to be paid inmates for various institutional work assignments are specifically authorized.

''(2) PAYMENT TO INMATE WORKER AND AUTHORIZED DEDUCTIONS.—Wages shall be paid and deductions taken pursuant to section 4122(b)(11)(C).

''(3) VOLUNTARY PARTICIPATION BY INMATE.—Each inmate worker to be utilized by an eligible entity shall indicate in writing that such person—

''(A) is participating voluntarily; and

''(B) understands and agrees to the wages to be paid and deductions to be taken from such wages.

''(h) ASSIGNMENT TO WORK OPPORTUNITIES.—Assignment of inmates to work under an approved agreement with an eligible entity shall be subject to the Bureau of Prisons Program Statement Number 1040.10 (Non-Discrimination Toward Inmates), as contained in section 551.90 of title 28 of the Code of Federal Regulations (or any successor document).

''(i) ENFORCEMENT OF PROTECTIONS FOR NON-INMATE WORKERS.—

''(1) CONSULTATION WITH SECRETARY OF LABOR.—The Attorney General shall carry out this subsection in consultation with the Secretary of Labor.

''(2) PRIOR TO BOARD CONSIDERATION.—Upon request of any interested person, the Attorney General may promptly verify a certification made pursuant subsection (e)(2) with respect to the displacement of non-inmate workers so as to make the results of such inquiry available to the Board of Directors prior to the Board's consideration of the proposed agreement. The Attorney General and the person requesting the inquiry may make recommendations to the Board regarding modifications to the proposed agreement.

''(3) DURING PERFORMANCE.—

''(A) IN GENERAL.—Whenever the Attorney General deems appropriate, upon request or otherwise, the Attorney General may verify whether the actual performance of the agreement is resulting in the displacement of non-inmate workers or the use of inmate workers in a work activity not authorized under the approved agreement.

''(B) SANCTIONS.—Whenever the Attorney General determines that performance of the agreement has resulted in the displacement of non-inmate workers or employment of an inmate worker in an unauthorized work activity, the Attorney General may—

''(i) direct the Inmate Work Training Administrator to terminate the agreement for default, subject to the processes and appeals available to a Federal contractor whose procurement contract has been terminated for default; and

''(ii) initiate proceedings to impose upon the person furnishing the certification regarding non-displacement of non-inmate workers required by subsection (d)(2)(B) any administrative, civil, and criminal sanctions as may be available.''.

(2) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated $5,000,000 for each of the fiscal years 2004 through 2008 for the purposes of paying the wages of inmates and otherwise undertaking the maximum number of agreements with eligible entities pursuant to section 4124a of title 18, United States Code, as added by paragraph (1).

(3) CLERICAL AMENDMENT.—The table of sections for chapter 307 of title 18, United States Code, is amended by inserting after the item relating to section 4124 the following new item:

''4124a. Additional inmate work opportunities through public service activities.''.

Page 36, insert after line 5 the following (and redesignate subsequent subsections and clerical amendments accordingly):

SEC. 11. ADDITIONAL PILOT AUTHORITIES FOR INMATE WORK OPPORTUNITIES.

(a) IN GENERAL.—Chapter 307 of title 18, United States Code, as amended by section 9, is further amended by adding at the end the following new section:

''§ 4131. Additional pilot authorities for inmate work opportunities

''(a) PILOT AUTHORITIES.—Federal Prison Industries may contract with private or public sector entities for Federal inmates to produce products or perform services for those entities. Under these pilot authorities, and pursuant to the terms and conditions specified in section 4122, Federal inmates may, under the direct supervision of Federal Prison Industries staff—

''(1) produce products or perform services for commercial companies which have been otherwise produced or performed for the companies by foreign labor outside the United States for at least 3 years before the proposed effective date of the business agreement;

''(2) produce products or perform services for commercial companies which would otherwise be performed for the companies by domestic labor, if available; or

''(3) produce products or perform services for not-for-profit agencies in support of the charitable activities of those agencies.

''(b) LIMITATIONS ON USE OF AUTHORITIES.—(1) Federal Prison Industries is prohibited from directly offering for commercial sale products produced or services furnished by Federal inmates, including through any form of electronic commerce.

''(2) The number of Federal inmates working under the pilot authority provided in subsection (a)(1) shall not exceed—

''(A) 4,000 during fiscal year 2005;

''(B) 8,000 during fiscal year 2006;

''(C) 12,000 during fiscal year 2007;

''(D) 16,000 during fiscal year 2008;

''(E) 20,000 during fiscal year 2009; or

''(F) 25 percent of the work-eligible Federal inmate population in any fiscal year beginning after September 30, 2008.

''(3) The number of Federal inmates working under the pilot authority provided in subsection (a)(3) shall not exceed—

''(A) 2,000 during fiscal year 2005;

''(B) 4,000 during fiscal year 2006;

''(C) 6,000 during fiscal year 2007;

''(D) 8,000 during fiscal year 2008;

''(E) 10,000 during fiscal year 2009; or

''(F) 10 percent of the work eligible Federal inmate population in any fiscal year beginning after September 30, 2009.

''(c) INMATE WAGES.—

''(1) IN GENERAL.—Each Federal inmate worker participating in industrial operations authorized by the Corporation shall be paid at a wage rate prescribed by the Board of Directors. The Director of the Federal Bureau of Prisons shall prescribe the wage rates for other Federal inmate work assignments within the various Federal correctional institutions. The Board shall give priority to approving Federal inmate work opportunities which maximize inmate earnings. Inmate wage rates shall be reviewed by the Board at least biannually.

''(2) WORK PURSUANT TO SUBSECTION (a)(1).—For Federal inmate work performed for commercial companies pursuant to subsection (a)(1), the wage rate paid to Federal inmates must be the Federal Prison Industries wage rate in effect on the date of the enactment of this section or twice the rate paid for work of a similar nature in the foreign locality in which the work would otherwise be performed, whichever is higher.

''(3) WORK PURSUANT TO SUBSECTION (a)(2).—For work performed by Federal inmates pursuant to subsection (a)(2), the wage rate paid to inmates shall be not less than the rate paid for work of a similar nature in the locality in which the work is to be performed, but in no event less than the minimum wage required pursuant to the Fair Labor Standards Act (29 U.S.C. 201 et seq). The determination of this wage rate shall be approved by the Secretary of Labor or by the State or local government entity with authority to approve such determinations.

''(d) DEDUCTIONS FROM INMATE WAGES.—Inmate wages paid by commercial companies shall be paid to the Corporation in the name and for the benefit of the Federal inmate. Except as specified in subsection (e), the Corporation may deduct, withhold, and disburse from the gross wages paid to inmates, aggregate amounts of not less than 50 percent and not more than 80 percent of gross wages for—

''(1) applicable taxes (Federal, State, and local);

''(2) payment of fines, special assessments, and any other restitution owed by the inmate worker pursuant to court order;

''(3) payment of additional restitution for victims of the inmate's crimes (at a rate not less than 10 percent of gross wages);

''(4) allocations for support of the inmate's family pursuant to statute, court order, or agreement with the inmate;

''(5) allocations to a fund in the inmate's name to facilitate such inmate's assimilation back into society, payable at the conclusion of incarceration;

''(6) such other deductions as may be specified by the Board of Directors.

''(e) EXCEPTION FOR HIGHER DEDUCTIONS.—The aggregate deduction authorized in subsection (d) may, with the written consent of an inmate, exceed the maximum limitation, if the amounts in excess of such limitation are for the purposes described in paragraphs (4) or (5) of that subsection.

''(f) CONVERSIONS.—Commercial market services authorized by the Federal Prison Industries Board of Directors and being provided by Federal Prison Industries on the date of enactment of this section may be continued until converted to a private sector contract pursuant to the authority in this

Act. The Board of Directors of Federal Prison Industries shall ensure these conversions occur at the earliest practicable date.

''(g) PROPOSALS FROM PRIVATE COMPANIES.—Federal Prison Industries may solicit, receive and approve proposals from private companies for Federal inmate work opportunities. Federal Prison Industries shall establish and publish for comment criteria to be used in evaluating and approving such proposals. In developing criteria, priority shall be given to those proposals which offer Federal inmates the highest wages, the most marketable skills, and the greatest prospects for post-release reintegration.

''(h) APPROVAL OF PROPOSALS.—The Board must approve all proposals in advance of their implementation.

''(i) CONTENT OF PROPOSALS.—Any business or eligible not-for-profit entity seeking to contract with Federal Prison Industries for Federal inmate workforce participation shall submit a detailed proposal to the Chief Operating Officer of Federal Prison Industries. Each such proposal shall specify—

''(1) the product or service to be produced or furnished;

''(2) the proposed duration of the business agreement, specified in terms of a base period and number of option period;

''(3) the number of Federal inmate workers expected to be employed during the various phases of the agreement;

''(4) the number of foreign workers, if any, outside the United States currently performing for the proposing entity the work proposed for performance by Federal inmate workers, and the wage rates paid to those workers;

''(5) the wage rates proposed to be paid to various classes of Federal inmate workers, at not less than the rates required by subsection (c); and

''(6) the facilities, services and personnel (other than correctional personnel dedicated to the security of the inmate workers) to be furnished by the Federal Prison Industries or the Bureau of Prisons and the rates of reimbursement for such facilities, services, and personnel, if any.

''(j) WRITTEN CERTIFICATION FOR PROPOSED COMMERCIAL BUSINESS AGREEMENT.—Each proposed commercial business agreement shall be accompanied by a written certification by the chief executive officer of the business entity proposing the agreement that—

''(1) no noninmate employee of the business (or any affiliate) working within the United States will have their job abolished or their work hours reduced as a direct result of the agreement;

''(2) inmate workers will be paid wages at rates in accordance with subsection (c); and

''(3) any domestic workforce reductions carried out by the business entity affecting employees performing work comparable to the work being performed by inmates pursuant to the agreement shall first apply to inmate workers employed pursuant to the agreement.

''(k) WRITTEN CERTIFICATION FOR PROPOSED AGREEMENT WITH NOT-FOR-PROFIT ENTITY.—Each proposed agreement with an eligible not-for-profit entity shall be accompanied by a written certification by the chief executive officer of the eligible entity that—

''(1) the work to be performed by the inmate workers will be limited to the eleemosynary work of such entity;

''(2) the work would not be performed on a compensated basis but for the availability of the inmate workers;

''(3) the work performed by the inmate workers will not result, either directly or indirectly, in the production of a product or the furnishing of a service that is to be offered for commercial sale by the eligible entity or any affiliate of such entity;

''(4) no noninmate employees of the eligible entity (or any affiliate of the entity) will have their job abolished or their work hours reduced as a result of the entity entering into an agreement to utilize inmate workers; and

''(5) the work to be performed by the inmate workers will not supplant work currently being performed by a contractor of the eligible entity.

''(l) PUBLIC NOTICE AND COMMENT.—

''(1) IN GENERAL.—The Board shall make reasonable attempts to provide opportunities for notice and comment to the widest audience of potentially interested parties as practicable. At a minimum, the Board shall—

''(A) give notice of a proposed business agreement on the Corporation's web site and in a publication designed to most effectively provide notice to private businesses and labor unions representing private sector workers who could reasonably be expected to be affected by approval of the proposed agreement, which notice shall offer to furnish copies of the proposal (excluding any proprietary information) and chief executive certifications and shall solicit comments on same;

''(B) solicit comments on the business proposal from trade associations representing businesses and labor unions representing workers who could reasonably be expected to be affected by approval of the proposal; and

''(C) afford an opportunity, on request, for a representative of an established trade association, labor union, or other representatives of private industry to present comments on the proposal directly to the Board of Directors.

''(2) COPIES.—The Board of Directors shall be provided copies of all comments received on the proposal.

''(3) REVISED PROPOSAL.—Based on the comments received on the initial business proposal, the business or nonprofit entity or Federal Prison Industries Chief Operating Officer may provide the Board of Directors a revised proposal. If the revised proposal presents new issues or potential effects on the private sector which were not addressed in the original proposal and comments received thereon, the Board shall provide another public notice and comment opportunity pursuant to paragraph (1).

''(4) OPEN MEETING.—The Board of Directors shall consider all inmate work opportunity proposals submitted and take any action with respect to such proposals, during a meeting that is open to the public, unless closed pursuant to section 552(b) of title 5.

''(m) BOARD APPROVAL.—(1) In determining whether to approve a proposed business agreement for Federal inmate work opportunities, the Board shall—

''(A) not approve any agreement that would result in the displacement of noninmate workers contrary to the certifications required in subsections (j) and(k) or pay less than the wages required by subsection (c).

''(B) not approve an agreement which the Board determines contains terms and conditions which would subject domestic noninmate workers to unfair competition;

''(C) request a determination from the International Trade Commission, the Department of Commerce or such other Executive Branch entities as may be appropriate, whenever the Board questions the representations by a commercial company or a not-for-profit entity regarding whether a particular product or service has been produced by foreign labor outside the United States for the commercial company or not-for profit entity for at least 3 years before the proposed effective date of the business agreement;

''(D) not approve an agreement which would cause Federal Prison Industries sales revenue derived from any specific industry to exceed 50 percent of Federal Prison Industries total revenue.

''(E) not approve any agreement which provides for direct supervision of Federal inmate workers by non-Federal Prison Industries employees; and

''(H) not approve any agreement which would provide for products or services produced by Federal inmates to be sold to agencies of State government without the written consent of the Governor or designee.

''(n) REVIEW AND ENFORCEMENT.—(1) The Attorney General shall carry out this subsection in consultation with the Secretary of Labor.

''(2) Upon request of any interested person, the Attorney General may promptly verify a certification pursuant to subsection (j)(1) with respect to the displacement of noninmate workers or a certification with respect to the wages proposed to be paid Federal inmate workers pursuant to subsection (j)(2) so as to make the results of such inquiry available to the Board of Directors prior to the Board's consideration of the proposed agreement. The Attorney General and the person requesting the inquiry may make recommendations to the Board regarding modifications to the proposed agreement.

''(3) Whenever the Attorney General deems appropriate, the Attorney General may verify whether the actual performance of the agreement is resulting in the displacement of noninmate workers and whether the wages being paid the Federal inmate workers meet the standards of subsection (c).

''(4) Whenever the Attorney General determines that performance of the agreement has resulted in the displacement of noninmate workers or the payment of Federal inmate workers at less than the required wage rates, the Attorney General may—

''(A) direct the Chief Operating Officer of the Corporation to terminate the agreement for default, subject to the processes and appeals available to a Federal contractor whose procurement contract has been terminated for default;

''(B) direct that the Federal inmate workers be retroactively paid the wages that were due; and

''(C) initiate proceedings to impose upon the person furnishing the certifications made pursuant to subsection (j), any administrative, civil, and criminal sanctions as may be available.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 307 of title 18, United States Code, is amended by adding at the end the following new item:

''4131. Additional pilot authorities for inmate work opportunities.''.

H.R. 2443

OFFERED BY: MS. BALDWIN

AMENDMENT NO. 13: At the end of title VI (page 43, after line 2), add the following:

SEC. . LIMITATION ON USE OF FUNDS TO ACQUIRE ENGINES FOR INTEGRATED DEEP WATER SYSTEM.

None of the funds authorized in this Act may be used to acquire any main propulsion diesel engine for the Coast Guard's Integrated Deep Water System unless the engine is manufactured in the United States.

H.R. 2443

OFFERED BY: MR. HOSTETTLER

AMENDMENT NO. 14: At the end of title VI (page 43, after line 2) add the following:

SEC. . COAST GUARD EDUCATION LOAN REPAYMENT PROGRAM.

(a) PROGRAM AUTHORIZED.—Chapter 13 of title 14, United States Code, is amended by inserting after section 471 the following:

"§ 472. Education loan repayment program

''(a)(1) Subject to the provisions of this section, the Secretary may repay—

''(A) any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

''(B) any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.); or

''(C) any loan made under part E of such title (20 U.S.C. 1087aa et seq.).

Repayment of any such loan shall be made on the basis of each complete year of service performed by the borrower.

''(2) The Secretary may repay loans described in paragraph (1) in the case of any person for service performed on active duty as an enlisted member of the Coast Guard in a specialty specified by the Secretary.

''(b) The portion or amount of a loan that may be repaid under subsection (a) is 33⅓ percent or $1,500, whichever is greater, for each year of service.

''(c) If a portion of a loan is repaid under this section for any year, interest on the remainder of such loan shall accrue and be paid in the same manner as is otherwise required.

''(d) Nothing in this section shall be construed to authorize refunding any repayment of a loan.

''(e) A person who transfers from service making the person eligible for repayment of loans under this section (as described in subsection (a)(2)) to service making the person eligible for repayment of loans under section 16301 of title 10, United States Code (as described in subsection (a)(2) of that section) during a year shall be eligible to have repaid under this section a portion of such loans determined by giving appropriate fractional credit for each portion of the year so served, in accordance with regulations of the Secretary.

''(f) The Secretary shall, by regulation, prescribe a schedule for the allocation of funds made available to carry out this section during any year for which funds are not sufficient to pay the sum of the amounts eligible for repayment under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the baeginning of chapter 13 of title 14, United States Code, is amended by inserting after the item relating to seciton 471 the following:

''472. Education loan repayment program.''.