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House of Representatives

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2115, VISION 100—CENTURY OF AVIATION REAUTHORIZATION ACT

The SPEAKER pro tempore. The Chair would announce that we have 7 minutes remaining to finish the debate on the rule. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) has 2 minutes remaining. The gentleman from Massachusetts (Mr. MCGOVERN) has 5 minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), our distinguished minority whip.

Mr. HOYER. Mr. Speaker, the Republican leadership has turned what should have been a bipartisan achievement into a partisan travesty. When we passed this legislation by a vote of 418–8 on July 11, we explicitly barred the privatization of air traffic controllers. We did so because we were concerned about the safety of the American public. The Senate bill which passed 94–0 went even further. It extended the protection to airway system specialists. Why? On behalf of the safety of the American public.

Then the Republican leadership hijacked this legislation. It adopted a conference report that rejected the opinion of the House and rejected the opinion of the Senate and stripped out the language barring privatization, again, passed to protect the safety of the American flying public.

Instead, it allowed 69 air traffic control towers to be turned over to private companies which must always put the bottom line first, and it removed the protections for airway systems specialists, removed mandatory and terrorism training for flight attendants, and permitted foreign airlines to raid U.S. markets.

Even Republicans balked at these changes, and that is why this legislation has hung around for so long, but Mr. Speaker, without the explicit prohibition on privatization that was included in the bill we passed in June, the administration is free to move forward with privatization, notwithstanding the will of the House and the will of the Senate. That should not be acceptable in a democratic legislative body. The flying public deserves better. America deserves better. They need to know that the people on the ground responsible for air safety are not being forced to cut corners to save dollars.

I urge my colleagues to vote for a fair process and vote for the public safety by voting down this legislation and this conference report. I thank the gentleman for yielding me the time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would inquire at this time how many speakers the other side has remaining.

Mr. MCGOVERN. I am the last speaker on our side.

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

Alluding to the facts, Mr. Speaker, I think is important sometimes. Under the Presidency of William Jefferson Clinton, approximately 150 control towers were privatized.

□ 1530

This legislation mandates no privatizations. And under the Presidency of George W. Bush, by the way, there have been zero towers privatized.

I do not recall the protests during the 150 privatizations during the years of Bill Clinton. What I do know is that this legislation mandates no privatizations. The facts sometimes, Mr. Speaker, are important.

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

Mr. MCGOVERN. Mr. Speaker, how much time remains on this side?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts has 2½ minutes remaining.

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

Mr. Speaker, I will be asking for a vote on the previous question, and if the previous question is defeated, I will offer an amendment to the rule. My amendment will provide that upon adoption of this rule the enrolling Clerk is directed to make the following changes to the conference report:

One, to insert the language in the Senate-passed FAA bill that would prohibit the privatization of the air traffic control system. Two, to strike the cabotage language in the bill that would allow foreign airlines to carry cargo between cities in Alaska and other cities in the United States. Three, to restore the mandatory TSA security and antiterrorism training guidelines for flight attendants that was in the House-passed version of the FAA bill. The conference report makes these important guidelines discretionary. And, four, to delete the requirement for certain communities to pay a local share for essential air service.

Mr. Speaker, these changes represent the true will of the Congress with regard to this very important legislation. What has happened since H.R. 2115 first went to conference, and particularly in the past 2 days, is a travesty of our democratic system of government. It is obscene that the leadership in the House of Representatives and the Senate would turn our legislative process on its head. And it is even more obscene if we were to let that happen without any protest. This type of behavior must stop. The last time I looked, we lived in a democracy. This is supposed to be a deliberative body. We all took an oath of office when we began serving in this fine institution. It is time to live up to that oath.

I want to stress that a ''no'' vote on the previous question will not stop consideration of the conference report for the FAA reauthorization; rather, a ''no'' vote will allow the House to

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amend the rule to make the changes necessary for this conference report to truly reflect the bill that won widespread bipartisan support in both the House and the Senate.

Again, I urge my colleagues to vote ''no'' on the previous question and remind them that this is the only way that we are going to prohibit the privatization of our air traffic control system.

Mr. Speaker, I ask unanimous consent that the text of this amendment be printed in the RECORD immediately before the vote on the previous question.

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

There was no objection.

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

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

Mr. Speaker, this legislation reauthorizes the FAA. It is extremely important to the safety of the flying public in this country. In addition, it reauthorizes $3.4 billion for the FAA and increases it by $100 million each year.

Mr. Speaker, many of the ideas of our friends on the other side of the aisle, and I have a whole page of them here in summary, were included in this legislation. And with regard to what we have heard time and time again about phantoms of privatization, and though 150 occurred during President Clinton's administration, this legislation mandates none.

Mr. Speaker, this is an important piece of legislation. We must pass it today, and so I urge my colleagues to pass the rule and the underlying legislation.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 422—RULE ON CONFERENCE REPORT FOR H.R. 2115 FLIGHT 100—CENTURY OF AVIATION REAUTHORIZATION ACT

AMENDMENT TO H. RES. 422 OFFERED BY REP. MCGOVERN

Strike all after the resolved clause and insert:

''That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. (a) A concurrent resolution specified in subsection (b) is hereby adopted.

(b) The concurrent resolution referred to in subsection (a) is a concurrent resolution

(1) which has no preamble;

(2) the title of which is as follows: ''Providing for Corrections to the Enrollment of the Conference Report on the bill H.R. 2115''; and

(3) the text of which is as follows:

H. CON. RES.—

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 2115, the Clerk of the House of Representatives shall make the following corrections:

(1) At the end of subtitle B of title II of the conference report, add the following (and conform the table of contents of the conference report accordingly):

''SEC. 230. TRANSFER OF CERTAIN AIR TRAFFIC CONTROL FUNCTIONS PROHIBITED.

''(a) IN GENERAL.—The Secretary of Transportation may not authorize the transfer to a private entity or to a public entity other than the United States Government of—

''(1) the air traffic separation and control functions operated by the Federal Aviation Administration on the date of enactment of this Act; or

''(2) the maintenance of certifiable systems and other functions related to certification of national airspace systems and services operated by the Federal Aviation Administration on the date of enactment of this Act or flight service station personnel.

''(b) CONTRACT TOWER PROGRAM.—Subsection (a)(1) shall not apply to a Federal Aviation Administration air traffic control tower operated under the contract tower program as of the date of enactment of this Act.''.

(2) Strike section 408 of the conference report (and conform the table of contents of the conference report accordingly).

(3) In section 603 of the conference report, in the matter proposed to be inserted as section 44918(a)(4) of title 49, United States Code, strike ''the Under Secretary may establish minimum standards'' and insert ''the Under Secretary shall establish minimum standards''.

(4) Strike section 808 of the conference report (and conform the table of contents of the conference report accordingly).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—ayes 222, noes 199, not voting 13, as follows:

[Roll No. 586]

AYES—222

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

NOES—199

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan

Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Akin
Bradley (NH)
Case
Clay
Fletcher
Gephardt
Gutierrez
Hobson
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1552

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 199, not voting 15, as follows:

[Roll No. 587]

AYES—220

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

NOES—199

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—15

Akin
Barton (TX)
Bradley (NH)
Case
Clay
Fletcher
Gephardt
Gutierrez
McCotter
Miller (NC)
Pearce
Pickering
Sanchez, Linda T.
Scott (GA)
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1600

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion to adjourn offered by the gentleman from Florida (Mr. HASTINGS).

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 54, noes 360, not voting 20, as follows:

[Roll No. 588]

AYES—54

Ackerman
Allen
Baird
Baldwin
Ballance
Berry
Brown, Corrine
Capuano
Carson (IN)
Clyburn
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Filner
Frank (MA)
Grijalva
Hastings (FL)
Hill
Hinchey
Honda
Jefferson
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kilpatrick
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
McDermott
McGovern
McIntyre
Meek (FL)
Meeks (NY)
Millender-McDonald
Oberstar
Pallone
Pelosi
Rodriguez
Sandlin
Schakowsky
Thompson (MS)
Tierney
Towns
Velazquez
Waters
Waxman
Woolsey

NOES—360

Abercrombie
Aderholt
Alexander
Andrews
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher

Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (OK)
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McKeon
McNulty
Meehan
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sanders
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—20

Akin
Blumenauer
Bradley (NH)
Burr
Case
Clay
Conyers
Feeney
Fletcher
Gephardt
Gordon
Gutierrez
Herger
Hunter
McCotter
Miller (NC)
Miller, George
Pearce
Sanchez, Linda T.
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1616

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CONFERENCE REPORT ON H.R. 2115, VISION 100–CENTURY OF AVIATION REAUTHORIZATION ACT

Mr. MICA. Mr. Speaker, pursuant to House Resolution 422, I call up the conference report on the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 422, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 29, 2003, at page H10008.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. MICA) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

PARLIAMENTARY INQUIRY

Mr. DEFAZIO. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DEFAZIO. Mr. Speaker, I would like to inquire whether the rules and precedents of the House require that after the House has voted, that we meet in conference, that an actual meeting of a conference take place?

The SPEAKER pro tempore. Under the precedents of the House, a conference report must be the product of an actual meeting of the managers appointed by the two Houses.

Mr. DEFAZIO. Mr. Speaker, I am sorry, the answer is yes then; when we vote to go to conference, there has to be an actual meeting?

The SPEAKER pro tempore. The gentleman is correct.

POINT OF ORDER

Mr. DEFAZIO. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. DEFAZIO. Mr. Speaker, I would make a point of order, since there was no actual meeting of the conference.

The SPEAKER pro tempore. Does the gentleman wish to be heard on his point of order?

Mr. DEFAZIO. I do.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. DEFAZIO. Mr. Speaker, this is a crucial issue of the privileges of Members in our representation of our districts, of our constituencies, and of the precedents of the House of Representatives on how we conduct business.

The House earlier this week voted unanimously to return to conference because the bill had been in dispute because of a contentious section regarding the privatization or contracting out of 69 air traffic control towers. The only way it seemed possible to resolve that issue was to return to conference. The House voted unanimously to return to conference, but no conference meeting was ever held. Earlier in the debate one would have gotten the impression that such a meeting was held. It was not held.

The Chair has ruled that an actual physical meeting of the conferees representing the various points of view on the bill in representing their constituents must be convened and they must have the opportunity to work through those issues.

In this case, there was no meeting of any conference. No Democratic Member, and, to the best of my knowledge, no Republican Member, was invited to a conference, there was no public notice of a conference, and no conference took place. Yet the bill was modified and returned to the floor of the House here.

So, Mr. Speaker, given the 200 years of precedent that an actual conference meeting must take place before you can have a conference report, I would respectfully make a point of order under clause 12 of rule XXII that there be at least one conference meeting. As I understand it, that same rule provides for a point of order in the House against the report and for an automatic request for a new conference if the House managers fail to meet in open session.

So I would ask that the Chair so rule, that this bill is out of order, and that we be mandated to return to actually have a physical meeting of a conference.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. MICA. Mr. Speaker, I do.

Mr. Speaker, the House, as I recall, just passed on a vote of 220 to 199 a rule by which this legislation would be considered before the House of Representatives. In that rule, there was clearly a provision that waived all points of order, which also would negate the previous standing rule of the House for specific meeting.

I might say also, Mr. Speaker, in the debate on the rule I did cite the sequence of events in which the conference did meet and in which full participation was permitted, and specifically cited a rule on the particular issue that has raised so much controversy here. We did acquiesce to the minority's request to pull that provision, and that was the reason it was handled in that fashion.

So, again, based on the passage of the rule, the provisions of the rule and the adoption of the rule subsequently by the House of Representatives, I think that you will find the gentleman's point of order out of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. OBERSTAR. Mr. Speaker, I wish to be heard on the point of order.

Mr. Speaker, surely the gentleman from Florida speaks about a supposititious meeting and a supposititious participation, because none such existed.

Mr. Speaker, I would yield to the gentleman to explain what he meant by ''full participation.''

The SPEAKER pro tempore. The gentleman cannot yield.

Mr. OBERSTAR. I cannot yield. I thank the Speaker.

That is the point; there was no such meeting. That, I find extraordinary. In the 40 years that I have served on the Committee on Public Works, now the Committee on Transportation and Infrastructure, I started on that committee as a clerk on the Subcommittee on Rivers and Harbors in January of 1963, I followed every one of our conferences. I have served on conferences for 24 years. Never have we failed to have meetings, except in a very few instances when a bill was conferenced without formal meeting of conferees, for which I reference the Aviation Noise Act of 1990, in which case the Senate, the other body, failed to call a meeting of conferees, but we did meet. The gentleman from Pennsylvania, Mr. Clinger, was the ranking Republican on the subcommittee I chaired at that time, and I included him in every meeting.

We did not have that courtesy extended to us. The rules of the House clearly were violated, to say the worst; avoided, to say the best. And I will compliment the Chair of the Committee on Rules. Last night when I raised this point, he, too, was shocked and offended and said that he would take this matter up with leadership and see that it does not happen again.

But the gentleman from Oregon makes a point of order that is sustained by the rules of the House, and I support the gentleman's call for a ruling by the Chair.

The SPEAKER pro tempore. If no other Member wishes to be heard on the point of order, the Chair is prepared to rule.

Under House Resolution 422, previously adopted by the House, all points of order against consideration of the conference report are waived, and the point of order is overruled.

The gentleman from Florida (Mr. MICA) is recognized for 30 minutes.

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

Mr. Speaker, we finally come to the conference report on H.R. 2115, the Vision 100—Century of Aviation Reauthorization Act. It has been a struggle to get here, but I believe it is critical to the success of aviation that we complete our mission, particularly on this 100th anniversary of the first flight in the United States by the Wright Brothers.

I want to take this time as we finish this conference report and this legislation to commend the Members of the minority. My ranking member, the gentleman from Oregon (Mr. DEFAZIO), has been an outstanding leader on transportation issues in the Committee on Transportation and Infrastructure, and I have been honored to have him as a subcommittee ranking member. He has worked diligently in a bipartisan manner to craft what I consider to be an excellent piece of legislation.

During the rule debate, it was cited how many provisions were added by the Members of the minority, and I compliment the Members of the minority for their contributions to this well-crafted piece of legislation.

Also, I want to take time to thank the ranking member of the full committee, the gentleman from Minnesota (Mr. OBERSTAR). The gentleman is one of the most knowledgeable people on transportation issues. When I came to the Congress in 1993, he chaired the Subcommittee on Aviation. I have learned a great deal under his stewardship. He is also a font of historical institutional knowledge, both to the subcommittee and also to the committee, and has contributed greatly to the text of this measure.

Now, this is a sizable measure and there are, again, some 70-plus Members on here, and there are some issues where folks did not get their entire provision included in this bill. It is difficult when you have such a diverse committee, and subcommittee of over 40 members, to please everyone and put every provision in possible. But, for the most part, this is a bipartisan piece of legislation, crafted in a bipartisan spirit, in the tradition of the Committee on Transportation and Infrastructure.

This past week I attended the funeral ceremony of my former boss, William C. Cramer. He was the first Republican Member of Congress to represent Florida since the postreconstruction period, and I always looked up to him as ''Mr. Public Works.'' He added tremendously to the bipartisan working relationship that has continued, even when he was the only Republican from the State of Florida. I am pleased now, we have 18 out of 25 Republican Members from Florida. I appreciate his contributions. I also appreciate those of the minority in crafting this.

Now, one would have to live on another planet to not know that there has been controversy over one primary issue, and that is the issue of privatization. We did include initially in this legislation a provision that did allow this President to look at some 69 specified VFR fully FAA-staffed towers and possibly consider them for future privatization or conversion to contract towers.

After some 3 months. Since this past July 24, I believe, we filed the report and the conference met, and we did agree to take that provision out. We did not have a formal meeting of the conference committee. We knew after months of conflict that the issue was tearing us apart.

But now we have taken that out, and we are in a situation where we have a piece of legislation, and this conference report, that is totally, completely silent on the issue of privatization. And now we are prepared hopefully to go beyond that, because this bill has many important provisions that we need.

First of all, this measure aids in restoring jobs and opportunities in the American aviation industry.

□ 1630

We all know how hard hit this industry has been since the effects of the horrible day of September 11. No industry has lost more jobs. We talk about the loss of 2.7 million jobs in the economy; I would venture to say that at least 1 million are related either directly or indirectly to aviation. And it is slowly coming back, and this bill will aid it in coming back. So this will help us in creating jobs and opportunities for people in one of our most dynamic industries in this country.

Finally, there are several other points that I would like to make about this legislation. It does release the money for aviation trust funds to pay for airport improvements. All across this country, airports are beginning to again rebuild the passenger traffic, to rebuild; we can almost feel some of the economy coming back. If we do not pass this, those improvements come to a halt, not only for improving the airports and the infrastructure, but also for security improvements that are so important. We have provided in this bill to again assist our airports with that important mission.

So there are a whole host of areas where this is beneficial to the whole country. I urge the passage of this conference report.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 5½ minutes.

I appreciate the very thoughtful comments of the gentleman from Florida about my service during the time I was the Chair of the subcommittee. We have had a very constructive, generally, relationship between the majority and the minority, both prior to the Republican majority and subsequent to it. Generally, on the Subcommittee on

Aviation, this has been perhaps the most constructive area of work on the Committee on Transportation and Infrastructure over the past 9 years.

But we have really run aground here on this issue. Had we actually had a conference and had a full, thorough discussion and debate the first time around, and had we been able to discuss the four principal issues. I agree with the chairman of the subcommittee, there are many other matters of great importance: funding of the air traffic control system, F&E account, the operations account, the research and development account. All of those are important, and there are other important measures.

But, there are four items on which we should have had a full discussion. And if we had and if we had been able to negotiate back and forth, some give and take, maybe we would win some of it and maybe the other side would win some of it. And this is not Democrat or Republican side. There are ideological differences on this matter; and if it came out this way after full and thorough discussion, we came out with the package now before us, it would have been a different arena. We did not have that discussion. We had it only for the few minutes during the first conference. After the conference report was recommitted, we had no meeting; we had no discussion. I appreciate the gentleman's comments that the minority asked to drop the language. I do not know who was consulted. We never had that conversation, either formally or informally. What we wanted was a discussion of options, of opportunities.

The gentleman from Florida has several times referenced the report of the Inspector General of DOT. Now, the actual statements of the Inspector General I quote: ''In addition to limitations on evaluating the rating of contract towers performance,'' he said, ''and due to the low number of operational errors at both places,'' that is both contract and FAA, ''I would caution you against concluding that either group has a safer safety record than the other. It is just not fair to draw that conclusion.''

The Inspector General's report goes on to show that, or the gentleman says that the IG's report says, the contract towers are two times safer than FAA towers. The IG specifically cautioned against this interpretation of the study.

So I asked the General Accounting Office to evaluate the IG report, and that is what the General Accounting Office came back and said: ''We identified several potential limitations with FAA's data on operational errors based on our review of GAO and DOT reports and application of best methodological practices. Due to the way data are recorded, the severity of many errors cannot be determined or is misleading. Further, comparisons of operational errors among types of air traffic control facilities such as FAA staff versus contractor staff cannot be used alone to provide valid conclusions about safety, due to three factors we identified based on standards of methodological practices and our understanding of FAA's data. The determination,'' quoting further, ''of real differences in the rate of operational errors is difficult, and comparisons of operational error rates alone are not sufficient to draw conclusions.''

The point is, there has never been a thorough, full discussion of this issue. We should have that. We should have had an extended hearing on the subject matter. We should have had a discussion of what policy this administration plans to bring to the privatization of air traffic control facilities. We have not had it.

When the Clinton administration came up with this idea in 1993, I vigorously opposed it, with great support from our colleagues across the aisle; and we sent them in full flight retreat on this subject. We ought to do the same. We ought to join forces today to do the same, to put this issue in full flight retreat.

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

Mr. MICA. Mr. Speaker, I am delighted to yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG), the distinguished chairman of the full Committee on Transportation and Infrastructure.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman for the work he has done on this legislation and the abuse he has taken over the last month and a half. He has stood up better than most people. I want to thank the staff, especially, for the work they have done over this period of time. I also want to thank the gentleman from Minnesota (Mr. OBERSTAR). He is probably the most knowledgeable person in this House about aviation and has worked on it longer than anybody else, understands the problems and the needs. I would also like to say that I do appreciate the time that he has spent with me and the gentleman from Florida (Mr. MICA) and the gentleman from Oregon (Mr. DEFAZIO) on writing, I think, a very good piece of legislation.

I will say this: I learned one thing. I will never let a cow out in the pasture without a halter again. This thing sort of got away from me a little bit, but it is still a good bill. It is a bill that should be done; it should be passed. The conference report is very, very, very vital. It does reauthorize the Federal aviation part for 4 years.

I understand the part that has been the most controversial, which is the air traffic control privatization. I will say that when we did pass this in the House, we did not allow any of that to occur. I was in a position that I had to recognize a result instead of just a philosophy and a position that had to be achieved, and that was to try to compensate for interests outside of even the conference. And that was to try, and I thought we had done a good job of protecting, 95 percent of the control towers. That is what we do in the bill. But I had to agree to, and I will not apologize for it, to 69 and, yes, I will say, I took mine out; it was originally 71. But that is the process of the conference.

But this bill does a lot of the other things besides that. That is what the most emphasis is upon. It does fund the small community air service program, the essential air service programs. It provides an increased airport improvement grant funding for the improvement of our airports. There are streamlining airport project reviews that are very important to get our airports built. Increases the number of slots at Reagan National Airport, with which some may not agree, but it was not the abundance of slots that there were on another bill. We kept the slots to a very minimum. It provides flight crew training and certification.

Very frankly, as my colleagues know, this industry has taken a tremendous beating. We need this legislation to pass. We need it to become law. We need to get on with the idea of making sure our airports are safe under this legislation, and that we have the ability to move passengers safely and on time, and that we are not delayed by, I think, inactivity by another agency which sometimes does not do the job they should, and people are frustrated. I have talked to thousands of people today that are not afraid to fly; they are just afraid of the harassment of going to the airport. So I think we must address that.

Overall, again, this, I believe, is a tremendous piece of legislation. It has some flaws, but when we work with two bodies and there are interests from the other side, we have to give some, we take some, and we end up with a result. I believe the result is a good piece of legislation.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the ranking member of both the subcommittee and the full committee for yielding me this time.

Mr. Speaker, I rise in strong opposition to H.R. 2115, this FAA reauthorization bill conference report.

To begin with, I am deeply concerned that the Democratic members were not included in this conference committee. Members from both sides of the aisle and in both Chambers of Congress have worked too hard on this aviation reauthorization bill to have had it stalled over disputes that can be rectified through consensus.

Secondly, the language that was struck from section 230 will actually make it easier for the privatization of air traffic control positions. Ultimately, when we address the future of our national air traffic controllers, I firmly believe that we need to view it through the scope of safety and security. No amount of cost-saving can

come close to substituting for the safety and security of our national aviation system and infrastructure.

This is not an administrative shell game, Mr. Speaker, nor should we treat it as such. At risk is the American flying public.

In 2002, 612 million people boarded U.S. carriers, serving both domestic and international flights. No event illustrates the importance and the grave necessity of ensuring that we have a skilled air traffic control network than the events of 9–11. On that horrific day, as Americans waited for the next tragic event to unfold, our Nation's air traffic controllers calmly landed almost 5,000 planes in 2 hours without any operational incidents or errors. This incredible feat was due to the skill and ultimate professionalism of our Nation's air traffic controllers.

As a senior member representing California on the Subcommittee on Aviation, I have local concerns as well. Specifically, Southern California is no ordinary region. We are the most populous region in the country. The congestion on the highways of Southern California is legendary.

Mr. Speaker, let us oppose this bill.

Mr. MICA. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentleman for yielding me this time, and I appreciate the diligence and leadership that he has provided and the countless hours that he has invested in providing us with a good bill today. I want to echo the gentleman from Alaska's (Chairman YOUNG) thanks and appreciation to the gentleman from Minnesota (Mr. OBERSTAR) whose time of service, whose interest, whose involvement in this and in all transportation projects is very admirable, particularly on aviation. His knowledge and wisdom and experience that he brings to the table is outstanding, and I appreciate the friendship that we share.

Mr. Speaker, today I rise in support of the FAA reauthorization bill because we need to move forward with improvements to our Nation's aviation system. This bill is about improving our Nation's aviation infrastructure and system at a time when we are looking for ways to stimulate our economy. Slowing the modernization of our aviation system is exactly the wrong thing to do.

The conference report includes more than $14 billion for airport improvements, money from the aviation trust fund to pay for improvements such as new runways, taxiways, terminal buildings and noise abatement, and a streamlined environmental review process. The bill includes over $100 million in critical funding to support air services at small and medium airports.

The legislation provides an important economic stimulus. Civil aviation generates more than $900 billion in gross domestic product every year. In fiscal year 2004 alone, funding in the FAA reauthorization bill for airport construction projects will create approximately 162,000 direct and indirect jobs. Over the life of the bill, the $14 billion for airport improvements will create approximately 665,000 jobs. It frees up takeoff and landing slots at Reagan National Airport. It increases competition for consumers. For cargo pilots, it allows them to be armed, just like passenger airline pilots.

Mr. Speaker, this bill keeps our promise to the flying public and continues the guarantee that all of the taxes and revenues paid into the aviation trust fund will be used and fully spent for airport improvements, air traffic control modernization; and all of these issues will be fully funded.

□ 1645

MOTION TO ADJOURN

Mr. OBERSTAR. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion to adjourn offered by the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 55, nays 360, not voting 19, as follows:

[Roll No. 589]

YEAS—55

Allen
Baird
Baldwin
Berry
Brown, Corrine
Capps
Capuano
Carson (IN)
Carson (OK)
Clay
Clyburn
Conyers
DeFazio
Delahunt
DeLauro
Dingell
Doggett
Farr
Filner
Frank (MA)
Grijalva
Hill
Holt
Honda
Jackson (IL)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
McDermott
McGovern
McIntyre
Meek (FL)
Millender-McDonald
Miller, George
Oberstar
Pallone
Pascrell
Pelosi
Sandlin
Schakowsky
Solis
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Velazquez
Waters
Waxman
Woolsey

NAYS—360

Abercrombie
Ackerman
Aderholt
Alexander
Andrews
Baca
Bachus
Baker
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sanders
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—19

Akin	Gutierrez	Miller (NC)
Bereuter	Harman	Murtha
Bradley (NH)	Hunter	Pearce
Case	Kleczka	Sanchez, Linda T.
Fletcher	Lowey	Stupak
Gephardt	Manzullo	
Goss	McCotter	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1717

Messrs. LEWIS of Kentucky, REYNOLDS, BISHOP of Utah, BARRETT of South Carolina, WILSON of South Carolina and FEENEY changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CONFERENCE REPORT ON H.R. 2115, VISION 100–CENTURY OF AVIATION REAUTHORIZATION ACT

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise the managers that the gentleman from Florida (Mr. MICA) has 17½ minutes remaining. The gentleman from Minnesota (Mr. OBERSTAR) has 22½ minutes remaining.

The gentleman from Minnesota (Mr. OBERSTAR) is recognized.

Mr. OBERSTAR. Mr. Speaker, I thank the Speaker for a commendable job of maintaining order in the House.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO), ranking member on the Subcommittee on Aviation.

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

There is some confusion about what actually we are voting on here and what the impact will be, and I would just like to make that clear to Members.

This President early in his term issued an executive order finding that air traffic control is not inherently a governmental function, which opens up the potential for basically a contracting out of the air traffic control system of the United States. The original House bill, debated fully in committee, prohibited privatization of air traffic control. It made a minor exception, particularly for maintenance of the system. The Senate bill debated and voted on an amendment which absolutely prohibited any contracting out by the FAA, even for maintenance purposes. So we went to conference with a prohibition in both the House and the Senate bill on the contracting out of air traffic control, the control of our air space and the safety of the flying public.

At the one brief conference meeting last July, suddenly we were confronted with a proposal to privatize 71 air traffic control towers in the United States. For unclear reasons why 71, and then, of course, for policy reasons, two were stripped, which has been spoken to earlier because Alaska is indeed unique, but there were still 69 to be contracted out.

The leadership found they could not pass that bill. So this week we voted to go back to conference. There was no conference. There was a press conference by the majority, and then we are back now in the House, and as the Chair said earlier, there was no conference, and that would normally violate the rules of the House. It never met, but that rule is waived, so we are here now.

We have heard from that side that there is no mandate for privatization in this bill. That is correct, but what we have here is very clear intent. The President has said air traffic control, the control of our air space for safety purposes and national security, is not inherently a governmental function. I think that is an astounding finding, but that is what this President has found. And that means that with no language in the bill, the President can contract out any or all of the air traffic control system in the United States, and I believe that would be disastrous for the traveling public and disastrous for national security.

We are going to trust to some private, for-profit contractor, working perhaps under direction of the airlines, with spacing of airplanes and other critical things that go to safety issues in this country? I do not believe that is an experiment we need to conduct.

We have the most efficient air traffic control system, the safest air traffic control system in the world. There is nothing to be improved upon here except that no one makes money on it.

So that is what the vote is about. There is going to be privatization if my colleagues vote for this conference report. The White House has made it clear. They said they would veto the bill if they did not get the right to do at least 69 towers. So it is clear where they are going to go. They have said it is not an inherently governmental function. Protecting the flying public, their safety, protecting and securing the air space of the United States, according to this administration, is not an inherently governmental function. That is an absurd position for the Government of the United States, particularly after 9/11.

They also stripped out language in the bill that said that flight attendants shall get additional training to deal with terrorists. At the urging of Continental Airlines, it was changed to ''may,'' and I hope everyone who flies on Continental will remember that they do not seem to take seriously what happened on 9/11. Other airlines did not like that, but it was stuck into the bill.

Then the final issue of cabotage. Sounds exotic. It is very simple. Air China will now be able to deliver packages into the heartland of the United States, having landed in Alaska, something prohibited in existing law. We will lose jobs and security because of that. Vote no.

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

I am pleased to rise and I wanted to clarify a couple of issues that have been raised. Let me say, we all have our roles in this august body, and I am honored and privileged to have as my ranking member the gentleman from Oregon (Mr. DEFAZIO), the gentleman who just spoke. He is an incredibly hardworking, dedicated, ranking member and has contributed immensely to this product that we have before us today. But there is a question on which we have a separation, and we just heard some of the history of the air traffic control structure in our country.

Under the Clinton administration, if we go back to 1994, when I came as a freshman, the gentleman from Minnesota (Mr. OBERSTAR) was the chairman of the Subcommittee on Aviation. Under the Clinton administration, Mr. Clinton in that year, 1994, privatized. He took from FAA towers to contract towers some 24 towers. Was there an outcry? No. During the remainder of the balance of the Clinton term, President Clinton converted 116 FAA towers to contract towers. Was there an outcry? No.

In the 3 years that President Bush has been in office, how many FAA towers has he converted to private contract towers? Zero. The other side complained when we put 69 towers that were mentioned in this FAA report under the Inspector General, 69 towers based on cost and safety, primarily on safety, that these towers that are now all FAA towers would be safer, based on their evaluation, if they converted to contract towers, and cost about $900,000 less, read the report. That is what we put in there. They protested. So what did we do? We took these out.

We now have no reference to privatization, but they do not want this President to have the same right that President Clinton had for some 7.9 years. We have taken every single mention of privatization, any specific tower, out of the bill. So that is where we find ourselves now. We cannot please them no matter what we do.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume, again to correct the record.

The gentleman said there was no outcry when the Clinton administration moved to privatize air traffic control. That was an initiative that came out of the Gore ''reinvent government program.'' I was the chairman of the Subcommittee on Aviation. I took it on head-on, with the help of decent-thinking Republicans, who supported our effort to stop it dead in its tracks, and we did. And when they began to move one by one to privatize air traffic control towers, some of which were already Federal towers, I moved against

that. Every time I objected, and finally, finally, when we no longer had the majority in this body, the administration backed down and the President issued his executive order.

There are some functions government performs that can be done by the private sector, and this body has given authority to the executive branch to do that, but I submit that separating aircraft is not one of those functions that should be contracted out. There is a vast difference, a vast difference between a tower with a D-BRITE, a rudimentary means of controlling air traffic, a tower that handles 10 to 15,000 general aviation aircraft in a year in Van Nuys, California and one which has 498,000 operations, complex air space, complexity of operations and is under the control of the southern California TRACON which handles two-and-a-half million operations a year. That is the radar that supports the tower that this proposal once would have subjected to privatization. That is wrong. There is no policy behind it.

I kept telling the Clinton administration, you come up with a policy, let us have a discussion of it, let us have a debate. This is a debate I am sorry we are having here that we should have had in the conference, and we never had. I am offended on process and on substance, and as for allegations made just a moment ago by the Chair of the subcommittee, let me go back to the testimony of the Inspector General at our committee.

In addition to limitations he has already cited about the report that the gentleman has cited, and due to the low number of operational errors at both of these places, I would caution you against concluding that either group has a safer safety record than the other. It is not fair to draw that conclusion. That is the conclusion of the Inspector General.

I rest my case.

□ 1730

MOTION TO ADJOURN

Mr. OBERSTAR. Mr. Speaker, I move the House do now adjourn.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion to adjourn offered by the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 59, nays 343, not voting 32, as follows:

[Roll No. 590]

YEAS—59

Alexander
Allen
Baldwin
Ballance
Brown, Corrine
Capuano
Carson (IN)
Clay
Clyburn
Conyers
Davis (IL)
Davis (TN)
DeFazio
DeLauro
Dingell
Doggett
Evans
Fattah
Filner
Frank (MA)
Grijalva
Hastings (FL)
Honda
Jackson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Lampson
Langevin
Larsen (WA)
Lee
Lewis (GA)
McDermott
McGovern
McIntyre
Meek (FL)
Miller, George
Oberstar
Olver
Pallone
Pascrell
Pelosi
Sanders
Sandlin
Schakowsky
Slaughter
Solis
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (CO)
Velazquez
Waters
Watson
Waxman
Woolsey

NAYS—343

Abercrombie
Ackerman
Aderholt
Andrews
Baca
Bachus
Baker
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
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (OK)
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lantos
Larson (CT)
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Michaud
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—32

Akin
Baird
Bradley (NH)
Carter
Case
Delahunt
English
Fletcher
Frost
Gephardt
Goss
Gutierrez
Harman
Hayes
Hunter
Kleczka
LaTourette
Lowey
Manzullo
McCollum
McCotter
Millender-McDonald
Miller (FL)
Miller (NC)
Pearce
Radanovich
Renzi
Sanchez, Linda T.
Smith (NJ)
Stupak
Tauzin
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1747

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CONFERENCE REPORT ON H.R. 2115, VISION 100–CENTURY OF AVIATION REAUTHORIZATION ACT

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. BEAUPREZ), one of the outstanding members of the Subcommittee on Aviation.

Mr. BEAUPREZ. Mr. Speaker, I commend the gentleman for bringing this legislation to the floor, and also for his courage and fortitude in standing up over several weeks of sometimes personal attacks. In trying to bring this legislation to the floor, the gentleman has shown remarkable composure and leadership.

As every member of the Subcommittee on Aviation knows, and I hope the Members in this Chamber appreciate, this conference report contains many provisions that will be helpful to the ailing aviation industry. Of particular interest in my district, and districts and airports all over this Nation, is a provision in this bill that sets up an airport security improvement grant program so that airports

can replace baggage conveyer systems, reconfigure terminal baggage areas, pursue projects that will enable the TSA to deploy explosive detection systems, and fund other airport security capital improvement projects.

This grant program allows the TSA to issues letters of intent, or LOIs, so that airports can pursue security projects quickly and efficiently. Denver International, my airport, recently received an LOI in the amount of $67.5 million. With this LOI, Denver International has aggressively pursued plans to install an in-line baggage screening system. These efforts will improve the safety and efficiency of the airport.

This bill also decreases the LOI local match for Denver from 25 percent to 10 percent reflecting the will of Congress that national security projects should be paid for by the Federal Government. This change in the local share will help the Denver International Airport tremendously.

Finally, with regard to the AIP authorization within this bill, Denver International also receives $5.3 million per year in AIP allotment. Reauthorizing AIP will allow the airport to address other safety and capacity needs. These are just a few of the reasons why I stand in strong support of the legislation and urge its passage.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, this is a sad day for our committee. I have been on this committee for 11 years, and my constituents always ask, how are things going in Washington? I say it is like swimming with the sharks; but today, it is a shark attack. This conference report is a shark attack on the people of this great country.

Members travel at least twice a week, sometimes four times a week. We have put a lot of money in the aviation industry. In fact, over $18 billion.

Mr. Speaker, there are a lot of good things in this bill, but this privatization of FAA is a poison pill. It is a poison pill for the traveling public. I have one question to ask: I want to know which one of the President's campaign contributors wants to run the national air traffic controller towers, is Halliburton doing the control tower work now?

The American people deserve a clean bill that does not compromise their safety and security. This bill does not do that. I want my colleagues to vote down this very dangerous bill.

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Speaker, I am going to vote for this conference report, and I will get to why I am going to do it in a minute, but before I do, I want to talk about the process that has gone on.

When a bill leaves the House in a certain condition, and the certain condition in this case was the protection of the air traffic control system, and the Senate with the Lautenberg amendment does the same thing and goes a little further. When a bill goes to conference and comes back looking different, we are left on our side with the conclusion that can only come from one place.

As a Member of this body, it concerns me that we need to have, and this message is really for my leadership, we are a coequal branch of the United States Government. And if we are just going to accede to what it is that the administration wants to do, I, as a Republican, have difficulty.

I listened carefully to this debate, and the gentleman from Florida (Mr. MICA) is right, during the Clinton administration the contract tower program was used extensively by the Clinton administration, and under the Bush administration, there have been no privatizations. The executive order that President Clinton issued as he left office, countermanded by President Bush, is why we find ourselves here today.

The contract tower program, if run responsibly, does not mean the death of the aviation system in this country. But I would suggest, and again to my leadership, this is not about, and it never was about, the 69 towers. It is about the belief by Members on the other side of the aisle and by Members on this side, today it is 69 small airport towers, tomorrow it is Davis-Bacon, the next day it is the privatization and contracting out of the Federal workforce. There comes a point where enough has to be enough.

Mr. Speaker, I am going to vote for the bill. As to why I am going to vote for the bill, I was asked to get the 69 towers out of the bill, and I am not taking credit for that, but I went to my leadership with others, and this recommittal does that. I gave my word to the leadership, and I am going to keep my word and vote for the bill.

Mr. OBERSTAR. Mr. Speaker, I yield myself 10 seconds to commend the gentleman from Ohio (Mr. LATOURETTE) for his conscience-stricken statement and for his ever-conscience-driven conduct in the House.

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

Mr. PASCRELL. Mr. Speaker, I think there might be something in this legislation more onerous than the privatization caper, as referred to about a half hour ago, and that is that the FAA reauthorization bill conference report contains a provision that gives foreign airlines, including obviously Air China, virtually total access to the U.S. domestic air cargo markets through the Alaskan gateway, in contravention of the very long-standing policy accepted by both Republican and Democratic administrations.

Here is the catch: There is no reciprocal benefit for American carriers and their employees, nor is there any provision for the United States to collect one dime in taxes on the millions of dollars of revenue that these foreign airlines will earn by operating in our domestic markets, and that is a fact. There is nothing in the legislation. This is one-sided legislation. It will take our Nation's air transport industry and its employees in the wrong direction. I think it is wrong.

Now, we have heard a lot of pontificating in the last month, particularly from the other side and even from the administration, about let us make trade fair, let us have parity in our commerce with other nations. Where is the parity in this bill? This is another foreign giveaway. Let us call it for what it is.

Mr. Speaker, the other side of the aisle is good at it, and I have to give them credit. They hide out and speak out of both sides of their mouth about trying to protect American workers, and at the same time we are doing this kind of legislation; that is the onerous part of this legislation. It could be far worse and far more damaging than the privatization issue.

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, because the gentleman from New Jersey (Mr. PASCRELL) brought up the name of Alaska, I wish he understood the reasons this is in there. The gentleman talks about jobs. He may not have been to Alaska, but Alaska is in a unique position for refueling. That is something that is very important to my airport. Already, the airlines the gentleman is talking about have gone to Vancouver and solicited bids to land in Vancouver, break down their cargo and ship it to the United States. We are part of the United States.

The difference between survival of the airport in Alaska, in Anchorage, is this part of this amendment. If it was not adopted, we would lose more than 400 jobs, 400 American jobs. And yes, I can say it is not point to point. These planes will come in, the cargo will be broken down and the planes will be refueled and sent back. The shipment will then be taken by Northwest and other airlines to other parts of the United States. It will create jobs, it will not lose jobs in Alaska.

The gentleman talks about foreign. If the gentleman wants them to go to Canada, that is what will happen if Members vote against this bill. My airport will not survive. This is one of the biggest money makers for my airport, and to have someone say this is going to give jobs to foreigners is nonsense.

□ 1800

We are different. We are closer to the Orient. We are not New York or New Jersey, which is about the size, by the way, of Kodiak Island. Our survival is the Orient market. That is what we are working on. This is what this bill does.

By the way, this is not my amendment. I am defending it because my senior Senator insisted upon it in the conference. We are a conference, and this is what this product is all about. Some may not agree with it, but I am saying it is about the survival of my airport.

Just keep in mind, I hear about this, I am concerned about some of the misinformation coming from certain groups about the damage this will do to airlines in this Nation. It will not do so. It will benefit labor. It will benefit the workers in Alaska, and it will benefit my State of Alaska. That is what I am elected for.

Mr. OBERSTAR. Mr. Speaker, I yield myself 10 seconds. I respect the statement of our chairman of the full committee, but this again is an example of the discussion we could have and should have had in a real House-Senate conference.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me express my appreciation for the kind of camaraderie we have on the committee. This is out of character for us to be on the floor discussing something in these tones. However, when we do not follow the rules and do not allow people to participate, this is what we get. That is why other committees are like that. I hope we do not continue this, because we have not had this in the past.

Mr. Speaker, I rise today to express my extreme disappointment that this FAA reauthorization bill does not include language to protect the operations and certification functions performed in our air traffic control system. Recommitting this bill was absolutely necessary to fix a fatally flawed conference report that risked the safety of the flying public. Unfortunately, Republican conferees decided not to listen to the will of Congress and excluded language that would protect our Nation's air traffic control system from privatization.

There are two critical functions of the air traffic control system that keep the system safe: certification and operations. Much of the debate on this bill has centered on prohibiting privatization of the operation functions performed by air traffic controllers and employees of 69 VFR towers. Operation of the air traffic control system, however, is only one part of the air traffic control system. In order for our system to remain safe and efficient in this area where we still have a great deal of fear, there must be language included in the bill to protect the certification functions performed by FAA systems specialists.

There are approximately 6,100 FAA systems specialists and technicians who install, repair, maintain, and certify over 50,000 systems and equipment that make up the air traffic control system. The certification functions performed by the systems specialists are critical to the safety and efficiency of the air traffic control system and, therefore, must be protected from privatization.

Certification is the process that systems specialists and technicians use to ensure that the systems used to separate and control aircraft are working properly and interface correctly with the other 50,000 systems and equipment in the NAS, Only the U.S. government, through its employees, is empowered to certify the air traffic control system. As a result, only FAA personnel with sufficient knowledge of the entire NAS may perform certification.

An example of the important functions that systems specialist perform is the work they did for the Department of Defense after the terrorist attacks of September 11, 2001. In the months after September 11th, the DoD realized that they did not have radar capabilities to see or hear air traffic activity within the U.S. borders. FAA systems specialists worked with the DoD to provide additional radar surveillance as well as data and voice communication capability to the military. What's really remarkable about this is that the bulk of the work was completed in only four months. The flexibility of the systems specialist workforce, their extensive knowledge of how the entire air traffic control system works as well as their ability to respond quickly to a problem would be lost if the work is contracted out.

Safety should be the FAA's number one priority. The only way to ensure that this happens is to enact legislation that protects the most safety critical functions from privatization. This means that we must protect all of the functions relating to the control and separation of air traffic—functions performed by systems specialists and air traffic controllers.

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. ISAKSON), one of the distinguished members of our subcommittee.

Mr. ISAKSON. Mr. Speaker, I thank the gentleman and chairman of our subcommittee for yielding me this time. I rise to pay tribute, first of all, to our committee chairman and for his willingness to recommit this bill and deal with the issue, part of which is being discussed today. Secondly, I want to commend the gentleman from Ohio (Mr. LATOURETTE) for his willingness to support this bill and addressing the fact that the committee, after the difficulties we had with the first report, addressed the concerns that were expressed.

I want to now express my opinion for a second. I have heard far too often statements made that directly or indirectly seemed to accuse Members of this House of quibbling with the security of the American flying, traveling public. I know that is not really intended, because this bill and this conference report is all about the safety and security of the American traveling public. I respect differences on the tower issue. I respect that. But I know our President and I know no member of our subcommittee and I know every Member of this House is committed to seeing that air travel in this country is safe, which is why the issues that are never talked about in this debate are so important for me to bring out.

The fact that we have codified and put into statute with this law the reimbursement to our airports and our airlines for the mandated security that is the responsibility to be put in, to see to it that the money is spent, the security is there. We no longer deal with situations like last year where we have emergency supplementals with billions of dollars and people arguing about who should have really paid what. We have issued deadlines for installation of security, for baggage inspection, for all the other things that we are doing. And now through this bill, we are providing the mechanisms and ensuring the framework in which that takes place.

So while I respect the differences that are debated and understand the points on both sides with regard to the towers, you should not throw the baby out with the bath water. This bill is about the safety of the American people and the flying public. This bill is about codifying that which since 9/11 we have grappled with regarding airport security and the installation of additional security. This is about the AIP. This is about the safety of the flying public. This is about an industry that is essential to the economy of the United States of America. I, like the gentleman from Ohio, will vote for this in its final passage because it is about the safety and security of the Americans and the Georgians that I represent flying safely in and out of one of the largest airports in the world, Hartsfield International.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, I rise to express my opposition to the conference report on H.R. 2115, the FAA reauthorization bill. This conference report is an affront to the proper legislative procedures of this body and, worse yet, a threat to our Nation's stellar aviation safety record.

As a member of the House Committee on Transportation and Infrastructure, I know firsthand that our committee developed strong, bipartisan legislation that this House almost unanimously passed 418–8 last June. Yet today, we debate a controversial FAA reauthorization conference report that has sparked heated opposition. Why? The answer is simple. By bowing to industry pressure and Bush administration demands and by shutting Democrats out of conference deliberations, Republican leaders have crafted a report that compromises the safety and security of the flying public. In fact, this conference report is proof that the lessons of September 11 have been forgotten. Republican leaders have forgotten that on September 11, air traffic controllers safely landed 4,482 planes within 2 hours without one operation error.

This is a system to protect, not endanger. Yet this conference report does just the opposite.

By allowing for further privatization of the air traffic control system, which is really silent on it and the wording previously was ''prohibit,'' Republican leaders wish to put air safety in the hands of the lowest bidder. That model did not work for airport security, and it will not work for our air traffic control system. In writing this conference report, Republican leaders have also forgotten the September 11 lesson that flight crews are a critical line of defense in aviation security. This report drops a House-passed provision that would require TSA to issue security and antiterrorism training guidelines for our Nation's flight attendants. By making these guidelines optional, the Congress is effectively rejecting calls by flight attendants for greater security training to protect themselves, airline passengers, and the American public.

I cannot in good conscience support this conference report. I urge my colleagues to vote ''no.''

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

Let me just correct the record at this time. I have heard two Members from the minority side cite that on September 11 that some 4 to 5,000 planes that were flying in the air were brought down safely by our air traffic control system. That is correct. But, in fact, some 219 of approximately 470 towers were contract towers, are contract towers, private towers. This is the statement that was put out in a $7 million NATCA, National Air Traffic Controllers, misinformation campaign. We have a system now today, we had a system on September 11 with contract towers and with fully staffed FAA towers.

So they question the safety and security. We advocate no change. Nada. None. Zip. We have taken any mention of privatization out of this. We are only instituting the status quo, the status quo that we had on September 11.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume to again fill out the record, if I may. It is not towers that bring aircraft down. At altitude, at 29,000 feet, the en route center steps aircraft down to 15,000 feet to a point where they are 40 miles out from the airport, at which point the terminal radar control facility takes over and brings aircraft to within 3 miles, at which point the easy part is done by the controllers in the towers. That is the real story. Let us not embellish this event of September 11.

Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I rise in opposition to this FAA reauthorization bill. While I know the gentleman from Alaska (Mr. YOUNG), the gentleman from Florida (Mr. MICA), the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Oregon (Mr. DEFAZIO) worked hard on this legislation, I rise in opposition to not what they have done in their committee and in the light of day, but in opposition to what the majority party of this Congress, both Houses, has done in back rooms.

Mr. Speaker, as all of us who represent airports know, airport noise is one of the biggest complaints we hear about. It is deafening. As the Congressman for LaGuardia Airport, I represent the largest amount of Americans who are acutely affected by airplane noise. The FAA through the Airport Improvement Program helps to fund noise abatement programs from schools and religious institutions to community centers to private homes. It has let the local airport operating authority set the noise level parameters for communities to qualify.

In section 189 of this bill, the former Senate majority leader thought allowing local airport operating authorities to set their own levels was not good enough. Section 189 says that only people who live in the areas with higher than 65 decibels of aviation noise, the noise of a power lawn mower, will receive funding for noise abatement programs, leaving millions of people without the funding needed to abate their homes.

This was all done without a single vote here on the floor of the House or a single vote on the floor of the Senate. It was done in the, quote-unquote, ''conference committee.'' This is a bad bill. That is just one example. My colleagues have gone through the other issues. This is a bad piece of legislation. This is not the way to make sausage. It is not the way to make legislation, either. It should be done in the light of day and should be done in the democratic way. We should all have an opportunity to vote on these issues before it gets to this point, which is not democratic; and it is not giving us an opportunity to really have an effect on making this legislation.

Mr. OBERSTAR. Mr. Speaker, I yield myself 10 seconds.

I appreciate the statement of the gentleman from New York. This provision to which he refers is another example of egregious special interest legislation that was advocated by one airline. It was done without any consultation, without any discussion. It vitiates a signed agreement between an airline in Minnesota and the Metropolitan Airports Commission. It is wrong.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BACA).

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

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Mr. BACA. Mr. Speaker, I rise today in opposition to this conference report on H.R. 2115, which will give the President the freedom to privatize our air traffic controllers.

How does this make Americans safer? We must ask ourselves, how does this make Americans safer? In a post-9/11 world, we must make safety a priority. So I ask again, why are we doing this? Is it cheaper? The answer is no. Privatizing increases our costs. Is this a good policy? The answer is no. Privatizing has failed miserably in other countries.

Approximately 20,000 hard-working men and women of the FAA ensure the safety of more than one million passengers each day, and we should trust them to continue to do the job. This is why I say, nothing has been broken, so why do we need to fix it?

The safety and security of the American people should not be the responsibility of the low bidders. It is the core responsibility of our American Government to make sure the safety is there. We must make sure that democracy is there. We have not allowed democracy by allowing this bill to come before us, and we should make sure that we vote no on this.

Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. MORAN of Virginia. Mr. Speaker, I thank my friend and leader for yielding me time.

Mr. Speaker, I also rise in opposition to this bill. Many have spoken against the provisions that privatize part of our Nation's air traffic control system. Others have objected to the failure to direct the certification and training of flight attendants. Others have condemned the process that seems to have shut out Democrats, particularly our leader, from participating in the drafting of this agreement. As much as we respect the gentleman from Minnesota (Mr. OBERSTAR), we know that he could have added a great deal so we would not have had this contentious argument.

I have one more reason to oppose it. In 1986, the Congress made an agreement with the Metropolitan Washington Airports Authority to cede operational control and financing of our airports to our regional authority. The Metropolitan Washington Region has maintained our part of the bargain. This conference report breaks that agreement by adding 20 more flights and going beyond the 1,250 mile perimeter rule. That is not right. It increases the safety concerns at National Airport.

For this and many other reasons, I oppose this conference report.

Mr. Speaker, I rise in opposition to this conference agreement.

Many here have already spoken against provisions in this bill that would allow privatilization of our nation's air traffic control system, others have objected to this agreement's failure to direct the certification and

training of flight attendants and still others have condemned a process that has shut out Democrats from participating in the drafting of this agreement.

Let me add one more reason to vote against this bill.

I object to this bill because it continues to intrude in the operations of this region's local airports.

While I appreciate the good efforts of the chairman to restore general aviation at National, to compensate businesses injured by the current shutdown, and assist hometown carrier, U.S. Airways, operate quieter, more efficient regional jets, I cannot support the heavy hand of this Congress in violating two longstanding agreements and mandating that National accommodate more flights and flights outside the current perimeter rule restrictions.

The agreement before us today continues to violate a promise this institution made to this region back in 1986.

In 1986, Senator ELIZABETH DOLE, President Reagan's Secretary of Transportation, helped broker an agreement between the federal government, the Congress, the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to cede control of National and Dulles Airports to a regional authority that would have, in the words of current law, ''full power and dominion over, and complete discretion in, operation and development of the airports.''

In return, Virginia, the District of Columbia, and Maryland agreed to accept operational control of the airports and raise the money necessary to modernize National and Dulles airports.

The Commonwealth of Virginia, the State of Maryland and the District of Columbia have upheld their part of the bargain. Congress, however, has not honored its part of the deal.

At least once every three years since this transfer took effect, Congress has tried to intervene and micro manage the operations of the two airports.

There may be a federal interest, and I recognize that both commercial airports are still owned by the federal government, but should Congress really be trying to determine what are clearly economic and business decisions on what carriers fly where?

With the bill before us today, Congress is once again telling the Metropolitan Washington Airports Authority to waive its existing rules and allow certain carriers more flights.

Mr. Speaker, these additional flights take us further down a controversial road whose final destination will make few carriers happy and cause real economic harm.

Three years ago, I spoke on the House floor opposing an FAA authorization bill that added more flights at National.

At that time I warned that breaking the 1986 deal would bring us down a dangerous path in which every FAA authorization bill would become a vehicle for further tinkering and interference by Congress.

Obviously not enough Members were sufficiently satisfied with the flights added in the last FAA reauthorization bill or we would not be back here again today with more changes.

Who is happy with the proposed changes? Not U.S. Airways, Delta or United, the Metropolitan Washington Airports Authority nor the residents of this region.

In fact, there is no solution that will satisfy everyone.

But, continue down this path of forcing more flights and there will be some real economic consequences that will ultimately undermine both the quality and quantity of air service this region is fortunate to now receive.

The point is being reached in which operational and safety constraints imposed by the type of runway and the number of gates, not slots, will limit the number of flights the airport is capable of handling.

Once this threshold is crossed, both the quality and quantity of flights will be compromised.

we risk:

(1) Losing direct air service to many smaller cities, those that can least afford a disruption from an economic development standpoint,

(2) We risk a reduction in international air service that may result in this region being bypassed in favor of other east coast airports with better transcontinental connections. (Hundreds of millions of dollars that have been invested to make Dulles an international gateway will have been imprudently invested), and

(3) We risk more delays and congestion as operational limitations and space cause delays throughout the system, something LaGuardia encountered when its slot rule was repealed.

(4) And, adding one more slot, one more flight, is one more than Washington area residents bargained for.

I know the support isn't there to rollback the 20 new slots, 8 inside the perimeter and 12 outside, in this bill.

But why pile it on with an additional provision that gives Congress yet another opportunity to tinker again with the operation of these two airports?

Why create the added burden and economic uncertainty that this bill invites by denying these two commercial airports the ability to receive any new Airport Improvement Program grants or new Passenger Facility Charges beginning in 2008?

Why single out and suspend federal assistance to just these two airports?

I thought an understanding had been worked out when Delegate NORTON offered her amendment earlier this year on the House floor that this obnoxious provision would be removed in conference.

Congress doesn't need this provision.

There is already sufficient oversight over the airports to ensure that any federal interest is protected.

We've got the FAA reauthorization bill.

In addition, there's the authority's own board of directors that must include 3 presidential appointments approved by the Senate.

In the past former Members of Congress have served on this board, and the GAO has unique statutory authority to audit the activities and transactions of the board.

Mr. Speaker, Congress, visitors to the nation's capital, businesses and local residents have all benefited from the capital improvements that have occurred at the airport since the regional authority took over control.

Let's not place $100 of millions in future development at risk.

Let the two airports continue to be treated like all other commercial airports for purposes of receiving improvement grants and new passenger facility charges.

Reject this agreement.

Mr. OBERSTAR. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, safety is not just one issue. Safety is a multiplicity of overlying redundancies. Safety depends on the interaction of the human and the technological.

What I object to in this proceeding is the lack of process, a lack of opportunity for debate on the future of the air traffic control system. Make no mistake about it, this debate is about the future of air traffic control in America. This is about how our air traffic control system will be managed in the future and by whom. It should be done in the public interest, not in the private interest. All that stands between the traveling public and a failure at seven miles in the air or on the ground is our air traffic controller and the equipment he will or she operates. We must keep it in the public sector.

Mr. Speaker, I yield the balance of my time to the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. Speaker, I do sincerely believe that what is at stake here is the future integrity of the air traffic control system in the United States. There is none better in the world. I fear that in the future, fragmentation of that system, taking major control towers and putting them into the private for-profit sector, will bring pressures to bear that will ultimately cause a catastrophe.

Look at Europe. Just last year, a midair collision. We have not had a midair collision in a really long time in the United States of America.

This is not about making the system safer, it is not about making it more efficient. The Europeans, the Canadians and others admit that our traffic controllers are 75 percent more productive than their's. So it is not about making it more productive. It is not about making it safer.

The only reason that we are opening the door here, and we are blasting the door open here by removing any restriction on privatization, as was in the original bill, this White House has shown it will fight to privatize. They have already threatened to veto the bill unless we inserted the specificity of 71 towers. So they are clearly going to go ahead with privatization.

Now, they are going to go ahead, not because they think it will be safer, not because it will be more efficient. I do not even believe it will be less expensive. The other failed air traffic privatizations around the world have actually cost the taxpayers more, and they have had to be bailed out in England and in Australia.

This is a ticking time bomb that I believe one day will kill Americans, and I just cannot believe that we are going ahead in this form without the proper consultation, without a conference, but vitiating all the rules of the House, just so someone might be able to make a little bit of money on something that is run so well by the government today.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time to close the debate on the conference report on H.R. 2115.

Mr. Speaker, indeed, this legislation is important to the success of aviation in this country. This particular industry is one of the great job creators, and no nation relies on safe and independent operation of aircraft more than the United States.

I disagree on the point that has been raised here in closing. We do not change in any way the current status of contract towers. We do not mention privatization. We have taken out some 69 airports that were identified in the previous conference report.

I believe that this bill strikes many carefully proposed compromises that address the many needs of our aviation system while providing for its future. I believe that this will also be a boon to many of our communities, to restore jobs, to provide economic opportunity in an industry that has been hard hit by the effects of September 11.

So we have an opportunity to help small communities. We have an opportunity to continue a safe and cost-effective system.

Mr. Speaker, I want to thank the Members on the other side of the aisle for their cooperation. I know that there is one issue in particular that has brought us apart, but eventually it would lead to this debate and to this day. I think this has been a healthy debate, and I think that will be resolved by the vote that is to take place.

The U.S. aviation industry is the strongest in the world, and I am committed to keeping it that way. H.R. 2115 and this conference report provide stability and funding to ensure that our Nation will continue to lead. I urge all Members to put aside partisan politics and to vote to pass this conference report for H.R. 2115.

Again, I thank my colleagues and the staff for their fine work, and especially the Members of the minority.

Mr. COSTELLO. Mr. Speaker, I rise today in strong opposition to the conference report for H.R. 2115.

I am deeply disappointed that despite this Congress's actions to recommit the bill to the conference committee, we are still dealing with a flawed bill. Over three months ago, the Transportation and Infrastructure Committee passed a good bill out of committee, a bill that had my strong support.

Two times, this bill has come out of Conference Committee, and both times the resulting product has been unacceptable. This bill contains significant changes from the committee passed bill—changes that have not previously been approved by the House or the Senate. I believe it is telling that not a single Democrat in the House or the Senate signed onto the conference report either time because of these egregious changes.

The version of the bill that we are considering today removes the language that would allow the FAA to contract out the operation of air traffic control towers at 69 towers nationwide. However, this is not an improvement over the previous version of the bill. Simply striking the provision does nothing to ensure that our nation's air traffic control system will not be contracted out to the lowest bidder. In fact, this bill would make it easier to privatize the air traffic control system by not prohibiting future privatization. We know that the administration supports privatization, as demonstrated by their many outsourcing initiatives and the reclassification of air traffic control as a ''commercial activity.'' Every tower in this Nation is now at risk for privatization.

In addition, this bill fails to address concerns that were in the previous version of the bill, which include allowing China essentially open access to our cargo markets, modifications to the Essential Air Service program requiring small communities to pay a substantial sum for their air service, and changes to the flight attendant training programs that basically gut the requirements.

Mr. Speaker, this is a bad bill. I urge my colleagues to join me in voting ''no'' on this legislation.

Mr. RAHALL. Mr. Speaker, I rise today to object to the rule accompanying the Conference Report for the reauthorization of the Federal Aviation Administration. I also oppose the Conference Report, itself. The rule would allow the Republicans to get away with passing a Conference Report without ever holding public meetings to work out an acceptable compromise.

And, Mr. Speaker, passing the rule ultimately allows the Republicans to get away with defying the will of the House. They excluded the minority Party from the conference, and they wrote a brand new bill out of thin air that contradicts the bills that passed out of both chambers.

One example of this slight-of-hand relates to the Essential Air Services program, which has ensured federal funding since airline deregulation to ensure that rural communities can continue to be included in the national aviation system. In the original House bill, some Members wanted to impose a local match provision, which would have required local communities to subsidize the federal government by paying to qualify for air service. Others, like myself, pointed out that doing this would kill air travel in small communities across more than 35 states.

In my own district in West Virginia, this local match provision would have applied to Bluefield Airport, serving the Bluefield and Princeton areas. Thankfully, the House deleted the local match requirement on the floor to guarantee that rural communities continue to be included in the national aviation system.

Unfortunately, the Republicans on the Conference Committee, who apparently don't care about maintaining a truly national air system, decided to reinsert the local match provision in secret, and to subject my rural West Virginia constituents to hardship.

They also inserted other provisions in the dark of night that are not consistent with the House and Senate bills' provisions aimed at ensuring safety. The Republicans secretly made it possible for the Bush administration to privatize uniquely-skilled air traffic control jobs at 69 airport across the country. It should also be noted that 11 of the airports on the Republicans' hit list for possible privatization are included among the 50 busiest towers in the country.

Although our highly-skilled air traffic controllers guided 5,000 planes to safety after one call from the Secretary of Transportation, on September 11, 2001 while our Nation was under attack, the Republicans think we should replace many of these skilled workers with companies whose only bottom line is pure profit.

Then, because they knew the Conference Committee Democrats, like myself for instance, would object to their brand new bill, they didn't bother to properly hold meetings in accordance with the rules. Instead, we had to find out through the media that they drafted a sham Conference Report, which they all signed. As a result, this bill has gone nowhere since July.

Now, amazingly, the Republicans come to the floor after this bill has lingered for months, and they say that we exaggerate the impact of their revisions. Then, they try to assure us that they have revised the bill again to eliminate the objectionable provisions that they added. And, they say we should just take their word for it and go ahead and pass the bill today, even though we haven't had meetings to review this bill that has supposedly been revised yet again without our involvement.

This partisan hijacking of the bill to ruin rural air travel and increase profits at the expense of safety is grotesque. Didn't we learn anything at all about the importance of a reliable and safe national air travel system from September 11?

The reauthorization of this bill offers us the opportunity to improve upon our current system while addressing areas of need. We should go back to work to accomplish that goal by finalizing a bipartisan bill that reflects the shared interests of the House and the Senate, and the American people. I urge Members to vote against the Rule. This bill should be sent back to the Conference, and conference meetings to work out a good bill should be held after all.

Mr. STARK. Mr. Speaker, I rise in opposition to the FAA conference agreement. While the conference report does remove the air traffic control privatization language from the report, that action is completely inadequate. Because the Administration has been so outspoken about moving forward with its plans to privatize air traffic controllers in airports across the country, there must be a clear prohibition on any such privatization in this bill. One of the airports targeted by the Administration is in my district, the Hayward Executive Airport. I will not support a bill that fails to protect my community from the threat of privatization.

Members of both the House and the Senate voted overwhelmingly to stop the privatization of our nation's air control towers through directive language. Both chambers also voted to require the Transportation Security Administration to establish mandatory guidelines for antiterrorism training for flight attendants. These and other important issues were simply overturned by Republican Congressional leaders and the White House—without even a perfunctory meeting of the FAA Conference Committee which is supposed to be in charge of revising the legislation.

The Federal Aviation Administration declared air traffic control services a ''commercial activity'' presumably to avail air traffic safety to private market interests. This is a completely misguided approach to air traffic safety in light of the events of September 11. Congress must do all it can to ensure that the safety of air traffic remains in the skilled hands, and under the close scrutiny, of our government. It is as much a public safety concern as are police or firefighters and no one is advocating turning their jobs over to the private sector.

The United States air traffic control system handles more than half of the world's air traffic cargo, and it is the safest in the world. The FAA air traffic controllers serve as the lynchpin of this system. These dedicated federal employees ensure the safety of nearly one million passengers every day. Their professionalism and skill was tested under uncertain circumstances on September 11, 2001. FAA air traffic controllers successfully landed 5,000 planes in two hours. They accomplished a feat that no one ever thought possible, and a task that no one wishes to repeat. The magnitude of that one accomplishment is testament to a system that works beyond anyone's comprehension.

Our air traffic control system is the envy of the world. Other nations that have privatized their air traffic control systems have encountered unending difficulties and problems. Canada, Great Britain and Australia have experienced questionable safety standards, increased delays, financial bailouts from the government, and plummeting staff morale.

Privatization of air traffic control is a big mistake and this conference report does nothing to prevent the Bush Administration from making the mistake anyway. We must learn from the lessons of other nations, and give credit to a system that has performed above and beyond expectations.

I urge my colleagues to reject privatization of our nation's air traffic system and vote no on the FAA conference report.

Mr. BISHOP of New York. Mr. Speaker, I rise in strong opposition to the FAA Conference Report now under consideration.

This bill contains billions of dollars in vital funding for America's airports and air traffic control system, which the Administration is insisting on holding hostage to a seriously flawed plan to privatize this nation's air traffic controllers.

Decisions made behind closed doors by a handful of conferees have thwarted the will of both Houses of Congress and placed the flying public in grave danger, by allowing for privatization of our air traffic control system and eliminating requirements that flight attendants receive vital anti-terrorism training.

As a representative from Long Island, New York, I have had the opportunity to meet many of the controllers who live in my district and who work at the nearby New York TRACON and New York Air Route Traffic Control Center. These dedicated public servants monitor nearly 2 million flights each year, with only two concerns in mind: the safety of passengers and the efficiency of air travel in the region.

We already know from the list of intended privatization sites misleadingly pulled from this bill that the Administration hopes to privatize one major airport on Long Island. We simply cannot begin down a road that would put profit above safety and cost-cutting above hiring the most qualified employees.

We also must not abandon flight attendants, many of whom lost their lives on September 11, bravely fighting the terrorists who took over their planes. We must do everything we can to act on the lessons learned that terrible day, and provide all flight attendants with the crucial training they need to deal with any future terrorist threats aboard their planes. It defies logic that conferees stripped language from this bill that would have prepared flight attendants to serve as a line of defense in the event of a future attack.

Mr. Speaker, the House and Senate passed fair, bipartisan FAA reauthorization bills by a combined vote of 512–8. I am deeply disappointed that Majority party conferees took the unprecedented step of ignoring the will of both chambers and all Democratic conferees.

I am left with no choice but to oppose this flawed bill, and I urge my colleagues to do the same.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak out against this conference report for H.R. 2115, Flight 100—Century of Aviation-FAA Reauthorization Act. This rule waives all points of order against the conference report, including the rule that a conference must hold at least one public meeting before filing its report.

Yesterday, the Republican Leadership after nearly 5-weeks of delay finally brought the rule to recommit the seriously flawed conference report on H.R. 2115. The House voted overwhelmingly to recommit the conference report, by a vote of 407–0. The new conference did not hold any public meeting and did not give Democratic Members of the conference any opportunity for input or to offer any amendments to the conference. In fact, Democratic Members of the conference were never notified of any action by the Republican conferees until after the conference was filed.

The new report was filed less than 24 hours after it was recommitted to conference. Once again, the report was not signed by any Democratic conferees in either the House or the Senate.

The new conference did not even address 3 of the 4 most controversial issues contained in the first conference report. It made only one change regarding the air traffic control matter. The only change to the original conference was to strike out the section of the bill (section 230) that allowed for immediate privatization of 69 air traffic control towers. The Republican and the Administration will claim that striking out this section would simply reinstate current law and that it gives air traffic controllers the same status they had under the Clinton Administration. This is not the case.

Under the Clinton Administration, controllers were considered ''inherently governmental.'' In June of 2003, President Bush reversed that standing in an Executive Order and air traffic control was officially declared to be a ''commercial activity'' on February 6, 2003 by the Department of Transportation FAIR Act list. This means that virtually any airport tower in the nation can be privatized by the FAA without any Congressional action or approval. This is in spite of language that was contained in both the House and Senate passed versions of this bill which prohibited privatization of the air traffic control system.

Furthermore, the new conference report makes no changes in the so called ''cabatoge'' issue allowing foreign airlines to carry cargo between cities in Alaska and other cities in the U.S., policies that have been used both for national security and competition. Additionally, the 2nd conference still makes the mandatory requirements of the Homeland Security Act of 2002 that TSA issue security and anti-terrorism training guidelines for flight attendants discretionary (the mandatory language was in both the House and Senate bills). And the conference report does not delete the requirement for certain communities to pay a local share for essential air service. An amendment to the conference report to fix all of these concerns was offered in the Rules Committee last night but was defeated on a party line vote.

I am also troubled that a provision I wrote in the House-passed bill has been deleted from the Conference Report. Right now, American pilots between the ages of 60 and 65 are forbidden to fly commercial airliners. This is despite the fact that these pilots are forced to pass physical and skills tests every six months. The reason for this is that the FAA feels that these pilots pose a risk to the flying public. However, foreign pilots from international airlines are allowed to fly in U.S. airspace. If these pilots are unsafe, they should not be flying. If they are safe, American pilots should be afforded the same opportunities. All my provisions did was to require the FAA to do a study on whether foreign pilots over the age of 60 are unsafe. This would give Congress necessary clarification and a scientific basis for this policy. The provision passed in the House Science Committee, but was struck out in Conference. This does not make sense to me.

The aviation system in our country is far too critical to the safety and security of our nation and its people to be manipulated by irresponsible partisan politics. Members of the House and the Senate voted overwhelmingly to stop the privatization of our the nation's air control towers. Both Houses voted to require the TSA to establish mandatory guidelines for antiterrorism training for flight attendants. These and other important issues were simply overturned by the Republican Leadership in the House and the Senate and by the White House. Such actions are a dangerous precedent.

I will vote ''no'' for this conference report.

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

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the previous question is ordered.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. OBERSTAR

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

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. OBERSTAR. In its present form I am.

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

The Clerk read as follows:

Mr. Oberstar of Minnesota moves to recommit the conference report on the bill (H.R. 2115) to the committee of conference with the following instructions to the managers on the part of the House:

(1) Insist that a meeting of the conferees take place pursuant to clause 12 of Rule XXII.

(2) Insist that section 624 (relating to transfer of certain air traffic control functions prohibited) of the Senate amendment to the bill be added at the end of subtitle B of title II in the conference substitute recommended by the committee of conference and be redesignated as section 230.

(3) Disagree to section 408 (relating to EAS local participation program) of the conference substitute.

(4) Insist that in section 603 (relating to crew training) of the conference substitute, in the matter proposed to be inserted as section 44918(a)(4) of title 49, United States

Code, the phrase ''the Under Secretary may establish minimum standards'' be changed to read ''the Under Secretary shall establish minimum standards''.

(5) Disagree to section 808 (relating to United States presence in global air cargo industry) of the conference substitute.

The SPEAKER pro tempore. The motion to recommit is nondebatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the question of adoption of the conference report, if ordered, and the motion to suspend the rules and agree to House Resolution 409 previously postponed.

The vote was taken by electronic device, and there were—yeas 197, nays 219, not voting 18, as follows:

[Roll No. 591]

YEAS—197

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—219

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

NOT VOTING—18

Akin
Bradley (NH)
Brown (OH)
Cannon
Case
DeMint
Fletcher
Gephardt
Gutierrez
Hunter
McCollum
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak
Waxman
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1847

Mrs. CUBIN and Mr. ROGERS of Michigan changed their vote from ''yea'' to ''nay.''

Mr. LARSON of Connecticut and Mr. LANGEVIN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the conference report.

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

RECORDED VOTE

Mr. DEFAZIO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 211, noes 207, not voting 17, as follows:

[Roll No. 592]

AYES—211

Aderholt
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pence
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—207

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Wolf
Woolsey
Wu
Wynn

NOT VOTING—17

Akin
Bradley (NH)
Brown (OH)
Cannon
Case
English
Fletcher
Gephardt
Gutierrez
McCollum
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak
Waxman
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1857

Mr. HOUGHTON changed his vote from ''no'' to ''aye.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPUDIATING ANTI-SEMITIC SENTIMENTS EXPRESSED BY DR. MAHATHIR MOHAMAD, OUTGOING PRIME MINISTER OF MALAYSIA

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 409.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 409, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, answered ''present'' 1, not voting 22, as follows:

[Roll No. 593]

YEAS—411

Abercrombie
Ackerman
Aderholt
Alexander
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
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
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
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
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—22

Akin
Allen
Berman
Bradley (NH)
Brown (OH)
Cannon
Case
Fattah
Fletcher
Gephardt
Gutierrez
Hinchey

McCollum	Sanchez, Linda T.	Waxman
McCotter	Slaughter	Whitfield
Miller (NC)	Stupak	Young (AK)
Pearce		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1904

So (two-thirds having voted in favor thereof) the rules were suspended and the 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. BROWN of Ohio. Mr. Speaker, had I been present, I would have voted on rollcall Nos. 591 ''aye''; 592 ''no''; 593 ''aye''.

GENERAL LEAVE

Mr. MICA. 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 conference report for H.R. 2115.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

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

H.J. Res. 75. Joint resolution making further continuing appropriations for the fiscal year 2004, and for other purposes.

CONFERENCE REPORT ON H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. TAYLOR of North Carolina. Mr. Speaker, pursuant to House Resolution 418, I call up the conference report on the bill (H.R. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 418, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 28, 2003, at page H9898.)

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

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

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 2691, and that I may include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, we bring to the House the conference agreement on H.R. 2691, the Interior and Related Agencies Appropriations Act for fiscal year 2004.

Let me take a moment to thank the members of the Interior subcommittees for their support and guidance this year. I want to especially and personally thank the ranking minority member, the gentleman from Washington (Mr. DICKS), for the extraordinary assistance that he has given in helping us to shape this bill.

This conference report balances many competing needs and stays within the 302(b) allocation for budget authority and outlays. It is fiscally responsible, providing $19.6 billion for our public lands, Indian programs, and critical science and energy research programs, and for cultural institutions like the Smithsonian Institution. It also provides $400 million as requested by the administration to repay partial funds borrowed from the program accounts to pay fire suppression. Also, another $289 million for wild fires and I will talk about that again.

You may hear that we are not doing enough for conservation programs in this bill. I disagree. Given the constraints allocated, we have provided over $1 billion for programs in the conservation spending category. But more to the point, there are a number of critically important conservation programs in this bill that have never been included in the conservation spending category, but are equally important. We provide increases of $65 million for national parks, $47 million for national wildlife refuges, $27 million for forest health, $10 million for hazardous fuel reduction. And I would like to argue that most of the funding of this bill is for conservation activities.

Some Members will argue that we need to buy a lot more Federal land. What we really need to do is a better job of taking care of the lands we have, and this bill does that by providing additional operation increases and funds for critically backlogged maintenance activities.

Firefighting needs are addressed in this bill as I mentioned before, $400 million in the President's requested amount and another $289 million above the enacted level for suppressing the wild fires. That is almost $700 million for the fire programs. We continue to provide support for the national fire plan with the investment of $2.5 billion. We support preparedness activities so that we have the people and the equipment in place to handle wild fires. We provide funding increases for hazardous fuel reduction, State fire assistance and forest health programs. And with the passage of that bill, I think we can stop many of the fires that we will have to contend with this past year.

We have provided substantial new resources to handle the Southern pine beetle and mountain pine beetle outbreaks in the West. I am proud of the balance we have achieved in these critical programs that are important to all Americans.

The bill ensures that energy research programs are appropriately funded and that we maintain a proper mix between research on improvements to existing technologies and longer-term higher risk on new technologies. We need to keep all of our options open and not fall into the trap of picking winners and losers.

When it comes to energy resources, ultimately the consumer, not the government, will determine what energy technologies will be successful in the marketplace.

The bill provides for the continued crux of critically needed schools and hospitals for American Indians and Alaskan natives. It also includes a 1-year limitation of funds for historical accounting.

The September 25, 2003, court order would require the Department of the Interior to spend an estimated $9 billion for an accounting that benefits attorneys and accountants. This subcommittee has maintained that this lawsuit continues to divert scarce resources away from critical programs that benefit Indian people and other programs in the bill. If we were to fund this court-required historical accounting, we would have to shut down one-third of the U.S. Department of the Interior. We would critically underfund education for Indians and health care for Indians. This is not worth the recommendation of the accountants and lawyers.

Finally, the bill takes care of our cultural agencies and provides the funding needed to ensure that the Smithsonian Institute maintains its responsibility for providing quality visitor services and world-renowned research. It provides increases above the enacted level for the National Gallery of Art and for the National Endowment for the Arts and the Humanities. The conference agreement for the interior and related agencies appropriations bill for fiscal year 2004 strikes an appropriate balance among competing funds needs, and I ask for support for this bill.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2691)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference w/ .646% cut
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Management of lands and resources	820,344	828,079	834,088	847,091	850,321	844,828
Wildland fire management:						
Preparedness	275,411	282,725	302,725	282,725	277,725	275,931
Fire suppression operations	159,309	195,310	170,310	195,310	195,310	194,048
Supplemental appropriations (P.L. 108-83)	36,000	---	---	---	---	---
Borrowing repayment (emergency)	---	---	---	---	99,000	98,360
Other operations	215,433	220,690	225,690	220,690	220,690	219,264
Other appropriations (P.L. 108-7)	189,000	---	---	---	---	---
Subtotal	875,153	698,725	698,725	698,725	792,725	787,603
Central hazardous materials fund	9,913	9,978	9,978	9,978	9,978	9,914
Construction	11,898	10,976	10,976	12,476	13,976	13,886
Land acquisition	33,233	23,686	14,000	25,600	18,600	18,480
Oregon and California grant lands	104,947	106,672	106,672	106,672	106,672	105,983
Range improvements (indefinite)	10,000	10,000	10,000	10,000	10,000	10,000
Service charges, deposits, & forfeitures (indefinite)	7,900	20,490	20,490	18,657	18,657	18,536
Offsetting fee collections	-7,900	-20,490	-20,490	-18,657	-18,657	-18,536
Miscellaneous trust funds (indefinite)	12,405	12,405	12,405	12,405	12,405	12,405
Total, Bureau of Land Management	1,877,893	1,700,521	1,696,844	1,722,947	1,814,677	1,803,099
United States Fish and Wildlife Service						
Resource management	911,464	941,526	959,901	942,244	963,352	957,129
Supplemental appropriations (P.L. 108-83)	5,000	---	---	---	---	---
Construction	54,073	35,393	52,718	53,285	60,554	60,163
Land acquisition	72,893	40,737	23,058	64,689	43,628	43,346
Landowner incentive program	39,740	40,000	40,000	40,000	30,000	29,806
Rescission	-40,000	---	---	---	---	---
Subtotal	-260	40,000	40,000	40,000	30,000	29,806
Private stewardship grants	9,935	10,000	10,000	10,000	7,500	7,452
Rescission	-10,000	---	---	---	---	---
Subtotal	-65	10,000	10,000	10,000	7,500	7,452
Cooperative endangered species conservation fund	80,473	86,614	86,614	86,614	82,614	82,080
National wildlife refuge fund	14,320	14,414	14,414	14,414	14,414	14,321
North American wetlands conservation fund	38,309	49,560	24,560	42,982	38,000	37,755
Neotropical migratory birds conservation fund	2,981	---	5,000	3,000	4,000	3,974
Multinational species conservation fund	4,768	7,000	5,000	6,000	5,600	5,564
State wildlife grants	64,577	59,983	75,000	75,000	70,000	69,548
Total, United States Fish and Wildlife Service	1,248,533	1,285,227	1,296,265	1,338,228	1,319,662	1,311,138
Appropriations	(1,298,533)	(1,285,227)	(1,296,265)	(1,338,228)	(1,319,662)	(1,311,138)
Rescission	(-50,000)	---	---	---	---	---
National Park Service						
Operation of the national park system	1,564,331	1,631,882	1,630,882	1,636,299	1,629,641	1,619,114
United States Park Police	77,921	78,859	78,859	78,349	78,859	78,350
National recreation and preservation	61,268	47,936	54,924	60,154	62,544	62,140
Urban park and recreation fund	298	305	305	305	305	303
Historic preservation fund	68,552	67,000	71,000	75,750	74,500	74,019
Construction	325,712	327,257	303,199	342,131	333,995	331,837
Land and water conservation fund (rescission of contract authority)	-30,000	-30,000	-30,000	-30,000	-30,000	-30,000
Land acquisition and state assistance	171,348	238,634	131,154	158,473	142,350	141,430
Total, National Park Service (net)	2,239,430	2,361,873	2,240,323	2,321,461	2,292,194	2,277,193
Appropriations	(2,269,430)	(2,391,873)	(2,270,323)	(2,351,461)	(2,322,194)	(2,307,193)
Rescission	(-30,000)	(-30,000)	(-30,000)	(-30,000)	(-30,000)	(-30,000)
United States Geological Survey						
Surveys, investigations, and research	919,272	895,505	935,660	928,864	949,686	943,551
Minerals Management Service						
Royalty and offshore minerals management	264,477	264,446	264,446	266,246	265,546	263,831
Use of receipts	-100,230	-100,230	-100,230	-100,230	-100,230	-100,230
Oil spill research	6,065	7,105	7,105	7,105	7,105	7,059
Total, Minerals Management Service	170,312	171,321	171,321	173,121	172,421	170,660

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2691)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference w/ .646% cut
Office of Surface Mining Reclamation and Enforcement						
Regulation and technology	104,408	106,424	106,424	106,424	106,424	105,737
Receipts from performance bond forfeitures (indefinite)	273	275	275	275	275	273
Subtotal	104,681	106,699	106,699	106,699	106,699	106,010
Abandoned mine reclamation fund (definite, trust fund)	190,498	174,469	194,469	190,893	192,969	191,722
Total, Office of Surface Mining Reclamation and Enforcement	295,179	281,168	301,168	297,592	299,668	297,732
Bureau of Indian Affairs						
Operation of Indian programs	1,845,246	1,889,735	1,902,106	1,912,178	1,916,317	1,903,938
Construction	345,988	345,154	345,154	351,154	351,154	348,886
Indian land and water claim settlements and miscellaneous payments to Indians	60,552	51,375	55,583	50,583	55,583	55,224
Indian guaranteed loan program account	5,457	6,497	6,497	6,497	6,497	6,455
(Limitation on guaranteed loans)	---	(94,568)	(94,568)	---	---	---
Total, Bureau of Indian Affairs	2,257,243	2,292,761	2,309,340	2,320,412	2,329,551	2,314,503
Departmental Offices						
Insular Affairs:						
Assistance to Territories	48,183	43,623	46,623	43,623	48,623	48,309
Northern Marianas	27,720	27,720	27,720	27,720	27,720	27,720
Subtotal	75,903	71,343	74,343	71,343	76,343	76,029
Compact of Free Association	8,926	4,125	4,354	4,434	4,434	4,405
Mandatory payments	12,000	12,000	12,000	12,000	2,000	2,000
Subtotal	20,926	16,125	16,354	16,434	6,434	6,405
Total, Insular Affairs	96,829	87,468	90,697	87,777	82,777	82,434
Departmental management	71,957	97,140	76,027	77,033	77,533	77,032
Working capital fund (cancellation)	---	---	-20,000	-11,700	-20,000	-20,000
Financial management system migration project	---	---	---	11,700	11,700	11,624
Office of the Solicitor	47,462	50,374	50,374	50,179	50,374	50,049
Office of Inspector General	36,003	39,049	39,049	37,474	38,749	38,499
Office of Special Trustee for American Indians						
Federal trust programs	140,359	274,641	219,641	219,641	189,641	188,416
Indian land consolidation	7,928	20,980	20,980	22,980	21,980	21,838
Total, Office of Special Trustee for American Indians	148,287	295,621	240,621	242,621	211,621	210,254
Natural resource damage assessment fund	5,501	5,633	5,633	5,633	5,633	5,597
Payments in lieu of taxes	218,570	200,000	225,000	230,000	227,500	226,030
Total, Departmental Offices	624,609	775,285	707,401	730,717	685,887	681,519
Total, title I, Department of the Interior:						
New budget (obligational) authority (net)	9,632,471	9,763,661	9,658,322	9,833,342	9,863,746	9,799,395
Appropriations	(9,712,471)	(9,793,661)	(9,688,322)	(9,863,342)	(9,794,746)	(9,731,035)
Emergency appropriations	---	---	---	---	(99,000)	(98,360)
Rescissions	(-80,000)	(-30,000)	(-30,000)	(-30,000)	(-30,000)	(-30,000)
(Limitation on guaranteed loans)	---	(94,568)	(94,568)	---	---	---
TITLE II - RELATED AGENCIES						
DEPARTMENT OF AGRICULTURE						
Forest Service						
Forest and rangeland research	250,049	252,170	267,230	266,180	269,710	267,968
State and private forestry	284,712	315,823	290,758	295,349	308,140	306,149
National forest system	1,353,444	1,369,573	1,394,792	1,370,731	1,382,916	1,373,982

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2691)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference w/ .646% cut
Wildland fire management:						
Preparedness	677,996	609,747	698,000	700,000	680,000	675,607
Fire suppression operations	351,964	604,580	520,000	514,327	604,580	600,674
Supplemental appropriations (P.L. 108-83)	283,000	---	---	---	---	---
Borrowing repayment (emergency)	---	---	---	---	301,000	299,056
Other operations	341,008	327,448	406,632	328,745	358,632	356,315
Other appropriations (P.L. 108-7)	636,000	---	---	---	---	---
Subtotal	2,289,968	1,541,775	1,624,632	1,543,072	1,944,212	1,931,652
Capital improvement and maintenance	548,450	524,571	560,473	532,406	562,154	558,522
Land acquisition	132,945	44,130	29,288	76,440	67,191	66,757
Acquisition of lands for national forests, special acts	1,062	1,069	1,069	1,069	1,069	1,062
Acquisition of lands to complete land exchanges (indefinite)	232	234	234	234	234	232
Range betterment fund (indefinite)	3,380	3,000	3,000	3,000	3,000	2,981
Gifts, donations and bequests for forest and rangeland research	91	92	92	92	92	91
Management of national forest lands for subsistence uses	5,506	5,535	5,535	5,535	5,535	5,499
Total, Forest Service	4,869,839	4,057,972	4,177,103	4,094,108	4,544,253	4,514,895
DEPARTMENT OF ENERGY						
Clean coal technology:						
Deferral	-87,000	---	-86,000	-97,000	-97,000	-97,000
Rescission	---	---	---	---	-88,000	-88,000
Fossil energy research and development	620,837	514,305	609,290	593,514	681,163	676,763
SPR petroleum account (by transfer)	---	(5,000)	---	---	---	---
Naval petroleum and oil shale reserves	17,715	16,500	20,500	17,947	18,219	18,101
Elk Hills School lands fund	---	36,000	---	---	---	---
Advance appropriations, FY 2005	36,000	---	36,000	36,000	36,000	36,000
Energy conservation	891,769	875,793	879,487	861,645	888,937	883,194
Economic regulation	1,477	1,047	1,047	1,047	1,047	1,040
Strategic petroleum reserve	171,732	175,081	175,081	173,081	173,081	171,963
SPR petroleum account	6,954	---	---	---	---	---
Rescission	-5,000	---	---	---	---	---
(Transfer out)	---	(-5,000)	---	---	---	---
Subtotal	1,954	---	---	---	---	---
Northeast home heating oil reserve	5,961	5,000	5,000	5,000	5,000	4,968
Energy Information Administration	80,087	80,111	82,111	80,111	82,111	81,581
Total, Department of Energy:						
New budget (obligational) authority (net)	1,740,532	1,703,837	1,722,516	1,671,345	1,700,558	1,688,610
Appropriations	(1,796,532)	(1,703,837)	(1,772,516)	(1,732,345)	(1,849,558)	(1,837,610)
Advance appropriations	(36,000)	---	(36,000)	(36,000)	(36,000)	(36,000)
Rescissions	(-5,000)	---	---	---	(-88,000)	(-88,000)
Deferral	(-87,000)	---	(-86,000)	(-97,000)	(-97,000)	(-97,000)
(Transfer out)	---	(-5,000)	---	---	---	---
(By transfer)	---	(5,000)	---	---	---	---
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Indian Health Service						
Indian health services	2,475,916	2,502,393	2,556,082	2,546,524	2,561,932	2,545,382
Indian health facilities	373,745	387,269	392,560	391,188	396,232	393,672
Total, Indian Health Service	2,849,661	2,889,662	2,948,642	2,937,712	2,958,164	2,939,054
OTHER RELATED AGENCIES						
Office of Navajo and Hopi Indian Relocation						
Salaries and expenses	14,397	13,532	13,532	13,532	13,532	13,445
Institute of American Indian and Alaska Native Culture and Arts Development						
Payment to the Institute	5,454	5,250	5,250	6,250	6,250	6,210
Smithsonian Institution						
Salaries and expenses	460,196	476,553	489,748	487,989	494,748	491,552
Rescission	-14,100	---	---	---	---	---
Subtotal	446,096	476,553	489,748	487,989	494,748	491,552

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2691)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference w/ .646% cut
Repair, restoration and alteration of facilities	82,883	---	---	---	---	---
Construction	15,896	---	---	---	---	---
Facilities capital	---	89,970	93,970	89,970	108,970	108,266
Total, Smithsonian Institution	544,875	566,523	583,718	577,959	603,718	599,818
National Gallery of Art						
Salaries and expenses	76,717	88,849	88,849	85,650	87,849	87,281
Repair, restoration and renovation of buildings	16,125	11,600	11,600	11,600	11,600	11,525
Total, National Gallery of Art	92,842	100,449	100,449	97,250	99,449	98,806
John F. Kennedy Center for the Performing Arts						
Operations and maintenance	16,204	16,560	16,560	16,560	16,560	16,453
Construction	17,486	16,000	16,000	16,000	16,000	15,897
Total, John F. Kennedy Center for the Performing Arts	33,690	32,560	32,560	32,560	32,560	32,350
Woodrow Wilson International Center for Scholars						
Salaries and expenses	8,433	8,604	8,604	8,604	8,604	8,548
National Foundation on the Arts and the Humanities						
National Endowment for the Arts						
Grants and administration 1/	115,732	117,480	127,480	117,480	122,480	121,689
National Endowment for the Humanities						
Grants and administration	108,919	135,878	125,878	125,878	120,878	120,097
Matching grants	16,017	16,122	16,122	16,122	16,122	16,018
Total, National Endowment for the Humanities	124,936	152,000	142,000	142,000	137,000	136,115
Total, National Foundation on the Arts and the Humanities	240,668	269,480	269,480	259,480	259,480	257,804
Commission of Fine Arts						
Salaries and expenses	1,216	1,422	1,422	1,422	1,422	1,413
National Capital Arts and Cultural Affairs						
Grants	6,954	5,000	7,000	6,000	7,000	6,955
Advisory Council on Historic Preservation						
Salaries and expenses	3,643	4,100	4,100	4,000	4,000	3,974
National Capital Planning Commission						
Salaries and expenses	7,206	8,230	7,730	8,030	7,730	7,680
United States Holocaust Memorial Museum						
Holocaust Memorial Museum	38,412	39,997	39,997	39,997	39,997	39,739
Presidio Trust						
Presidio trust fund	21,188	20,700	20,700	20,700	20,700	20,566
Total, title II, related agencies:						
New budget (obligational) authority (net)	10,479,010	9,727,318	9,942,803	9,778,949	10,307,417	10,239,867
Appropriations	(10,549,110)	(9,727,318)	(9,992,803)	(9,839,949)	(10,155,417)	(10,089,811)
Emergency appropriations	---	---	---	---	(301,000)	(299,056)
Advance appropriations	(36,000)	---	(36,000)	(36,000)	(36,000)	(36,000)
Rescissions	(-19,100)	---	---	---	(-88,000)	(-88,000)
Deferral	(-87,000)	---	(-86,000)	(-97,000)	(-97,000)	(-97,000)
(Transfer out)	---	(-5,000)	---	---	---	---
(By transfer)	---	(5,000)	---	---	---	---

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2691)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference w/ .646% cut
TITLE IV - WILDLAND FIRE SUPPLEMENTAL						
DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Wildland fire management (contingent emergency appropriation)	---	99,000	---	75,000	---	---
DEPARTMENT OF AGRICULTURE						
Forest Service						
Wildland fire management (contingent emergency appropriation)	---	301,000	---	325,000	---	---
Total, title IV, Wildland Fire Supplemental:						
New budget (obligational) authority	---	400,000	---	400,000	---	---
Grand total:						
New budget (obligational) authority (net)	20,111,481	19,890,979	19,601,125	20,012,291	20,171,163	20,039,262
Appropriations	(20,261,581)	(19,520,979)	(19,681,125)	(19,703,291)	(19,950,163)	(19,820,846)
Emergency appropriations	---	---	---	---	(400,000)	(397,416)
Contingent emergency appropriations	---	(400,000)	---	(400,000)	---	---
Advance appropriations	(36,000)	---	(36,000)	(36,000)	(36,000)	(36,000)
Rescissions	(-99,100)	(-30,000)	(-30,000)	(-30,000)	(-118,000)	(-118,000)
Deferral	(-87,000)	---	(-86,000)	(-97,000)	(-97,000)	(-97,000)
(Transfer out)	---	(-5,000)	---	---	---	---
(By transfer)	---	(5,000)	---	---	---	---
(Limitation on guaranteed loans)	---	(94,568)	(94,568)	---	---	---

1/ Challenge America Arts Fund was requested by the President as a separate account.

Mr. DICKS. Mr. Speaker, I yield myself 3 minutes.

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

Mr. DICKS. Mr. Speaker, I want to commend the chairman and his staff. We had a very cooperative working relationship on this conference committee. I am pleased that we have very substantial funding in this bill for firefighting. I see my colleague, the gentleman from California (Mr. LEWIS), whose district has been ravaged by these forest fires recently; and I know he has been working hard to make sure that the forest service and the BLM have adequate resources to deal with these issues.

I want to also mention that we had a nice vote here on the House floor to increase funding for the National Endowment for the Arts and Humanities. Both of those increased this year, $6.7 million for the National Endowment for the Arts; and I want to thank the chairman for his efforts on that in our conference committee.

We have had questions on privatization studies, as we have been debating all afternoon. I think the provision that we worked out in this bill is a good one and will protect government workers.

As was mentioned by the chairman, we had a very low figure in the House bill for lands and water conservation for acquisition of Federal lands for our Federal agencies. That number came up in conference committee. I, of course, with the gentleman from Wisconsin (Mr. OBEY), we were two of the authors, along with the gentleman from Ohio (Mr. REGULA) of the conservation spending amendment, we are disappointed that we have not been able to keep that funding level where it should have been under the agreement that was reached in 2000. But one of our problems is with the budget resolution; our committee has gotten a very low allocation; and the strategy of the majority has been to try to take care of the Forest Service, the Park Service the Fish and Wildlife Service, the major agencies and that is understandable, though I regret that we cannot do more on the Conservation Trust Fund.

□ 1915

So I think all in all this is a good bill. We are going to have a little debate here on other matters.

Mr. Speaker, I yield 12 minutes to the gentleman from West Virginia (Mr. RAHALL), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

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

Mr. RAHALL. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the Interior appropriations conference report contains language which represents nothing less than a gag order on some 500,000 American Indians who have waited over 100 years for an accounting of their trust funds accounts by the Federal Government.

On two occasions, we have fought similar provisions. Last year, I offered an amendment on the House floor to strip language with a similar intent from the Interior appropriations bill and it prevailed overwhelmingly. This year, our chairman, the gentleman from California (Mr. POMBO) took the same action and he was also successful.

Yet this language keeps rising from the dead in this conference report. In effect, it would destroy a Federal court's order to the Interior Department to fully account for amounts derived from royalties and other receipts from lands in Indian country. Going even further, this provision appears to shield officials of the Interior Department from judicial actions requiring compliance, such as contempt of court citations.

This is, simply put, appalling. It is an affront to the American system of government, especially our judiciary system, and it undermines the long-standing trust responsibility we have for Indian Nations and individuals. It is, in my view, unconstitutional and will most assuredly cause more litigation and more mistrust of Congress throughout Indian country.

The Committee on Resources is in the middle of hearings on a settlement process of the Cobell litigation, and this sneak attack only makes it harder for us to conduct our business with the trust of those involved.

How long will it take for the Interior Department to quit with the gimmicks and sleight of hand and legislative riders that are snuck into appropriation bills without any consultation with Indian tribes or representatives of the individual account holders or even the chairman of the appropriate committee? How long will it take for the Interior Department to step up to the plate and accept responsibility and act responsibly in fulfilling its commitment, statutory and moral commitment I might add, to these aggrieved parties? Apparently, we should not hold our breath waiting for that to happen.

I urge a vote for the motion to recommit so that this matter can be addressed, and that will be offered by the gentleman from New York (Mr. HINCHEY), and pending that, I urge defeat of the conference report.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Speaker, I just want to express my strong support for the appropriations conference report. I think the committee's done a great job.

They have dealt with backlog maintenance which is extremely important in terms of maintaining our parks and giving the public the quality experience they expect.

I was also pleased to see they extended the fee program. We are working to pass permanent legislation authorizing the direct fee program, but I would point out that this program has produced over $1 billion in the past years. It has gone into improving the quality of the visitor experience, and the money has stayed largely in the park that has produced it. I believe the public, generally, has been very supportive because they recognize that they are the beneficiaries of the small fees for using the public lands.

Also, I was pleased to see that the Committee restored cuts in the USGS budget, restored the cuts made in the President's budget. This is an extremely important agency because it allows us to understand the science of the earth and to better manage the resources of our programs that are their responsibility.

Everglades, again, this bill continues our strong support for the restoration of the Everglades, provides $68 million toward the historic initiative, and it does have the assurance from the State of Florida that it will meet its obligations.

Energy programs, extremely important to our Nation's economy. We are a Nation of large consumers of energy, and this is essential to the quality of life that we enjoy. I am particularly interested in developing programs to develop vehicles that will use natural gas. I think this is one of the ways to save our petroleum reserves and make us less dependent on imports. It is something that we are moving toward. A lot of buses, if my colleagues notice, around the city are powered by natural gas. The technology is clearly workable. It is a matter of getting infrastructure, and I would hope that the committee that does the reform of the transportation bill will recognize that there should be some funds to develop infrastructure for the fueling of natural gas vehicles.

On balance this is a very good bill, given the limited resources available.

Mr. DICKS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY), the ranking Democratic member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I think this bill is a mixed bag. There is much in it to commend it, and I especially want to express my appreciation to the gentleman from North Carolina (Mr. TAYLOR) for the way that he has fairly involved the majority and minority in the fashioning of this bill, and also for the fact that he has treated Members with great fairness in my judgment.

There are two problems that I see with the bill that I find troublesome. First, there are a number of what I consider to be antienvironmental riders involving Alaska and other areas. I would say, frankly, that these are not the worst antienvironmental riders I

have seen in an Interior bill, but I guess that is damning, by faint praise, from my perspective.

I think the basic problem is that the bill falls $447 million short of measuring up to the agreement that this committee signed on to 3 years ago. At that time, a majority of the House had signed on to what was known as the CARA bill which would have created land acquisition programs and land conservation programs as an entitlement. Those of us on the Committee on Appropriations thought institutionally that was the wrong thing to do, and so we tried to work out an alternative. And we did. That alternative said that funds for those programs would be first in line in this bill for the next 6 years, and we spelled out a specific funding schedule that was supposed to be met over that time period.

Unfortunately, the committee has now, in essence, walked away from that agreement. At the time that we entered into that agreement, because I was one of the parties to it, I pledged that if the committee at any time walked away from that agreement that I would vote against any legislation that was at variance with that agreement. And so I feel constrained to have to vote against the bill today. I am sorry about that, but I believe that we are making a long-term mistake, institutionally, by not living up to that agreement.

I recognize the committee is short of resources. I think that the House should have corrected that by making more resources available so we would have not been in this jackpot. Nonetheless we are, and so that is why I, despite many of the good things in the bill, feel constrained to vote against it when the rollcall is called.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my colleague yielding me this time.

The gentleman from Washington (Mr. DICKS), the distinguished ranking member, has referred to the fact that I am facing a rather tremendous challenge in California with the devastation that is impacting my District directly. In talking early this morning with one of my very dear friends that has great expertise in this arena of professional work, it was from him that I first heard the reality that there are two kinds of money that involve fire money. When we are talking about protecting the forest and trying to get the dollars that are necessary to clear the brushes, make sure we do not have too many trees go through, et cetera, et cetera, that kind of money is very, very difficult to come by, and then suddenly we have a disaster, a fire, and a green light goes on. The difference is red money, green money. A green light goes on, and whatever is available or required suddenly comes forth.

The deal with the challenges in my forest in recent years was we worked very hard to try to get some money to lay the foundation for a better management of the forests. Just in the last couple of years, we have finally gotten as much as $30 million. This evening, later, we will be considering the supplemental. After the fires had begun in the West, and within that package, there is a $500 million addition to the process that will help us deal with these problems in the West now, after the fire occurred.

So I have great empathy for the challenges of the people on this committee who struggle to get adequate dollars up front to make sure we are managing our forests well, and it takes the kind of challenge we are facing at this moment to really bring the point home.

I would have my colleagues know that I am very sensitive about my following remarks, and I would have the Chair be very careful with me, for it is a very unusual thing for me to do. Each of us has two U.S. Senators in each of our States. And in my case, there are two U.S. Senators and they are speaking about this general subject area, and I find great confusion here. I am going to be very careful as I refer to the other body and even Members in the other body to only use quotations from those individuals, but it makes it a very significant point as it relates to this bill.

So in an attempt to do that, I would speak of one of my Senators first. The gentlewoman speaking on the Senate floor about the healthy forest legislation currently under consideration has said, ''We have an open invitation to destroy our forests without getting anything back for it. There are no limits on old growth forest logging. Timber companies will pick the trees they want with no veto from the forest service and a complete change from what we have had before.''

My other colleague, another Senator from California, has been heard to say about this same proposal, speaking on the Senate floor and saying, ''This legislation is not a logging bill, as some would typify it, I think, falsely. This legislation would allow the brush to be cleared out, and it would also provide the first statutory protection for old growth stands and large trees ever in the history of this Nation. I want to be very clear. This is pro-environment legislation, and it seeks to reverse some of the damage we have done to our forests and restore their healthy condition.''

Two contrasting points of view that are difficult for me to understand from two Senators from the same State, but they make the point that unless we are able to recognize that there are very serious challenges here and recognize that this bill attempts to begin to deal with some of those challenges, we will never overcome the kind of tragedy that we are now experiencing in the West.

There are some 18 people who have died in southern California. Over 2,600 homes have been burned. Three-quarters of a million acres have been burned. At this very moment in regions in my District, literally thousands of families are trying to figure out what to do with the rest of their life because I think we have not in the past been able to give the kind of broadly-based support that we need to give to this subcommittee.

I think the report we have before us tonight is a reflection of very fine work between the ranking member and the chairman of our subcommittee. I very much appreciate their effort, but I want them to know from this Member's perspective, tonight's work is just another down payment. We will be making a down payment as it relates to the supplemental later. Indeed this down payment is very, very significant, and I want my colleagues to know that I appreciate the work they have done.

Mr. DICKS. Mr. Speaker, I yield myself 1 minute.

I wanted to say something to the distinguished chairman of the Subcommittee on Defense. The gentleman served as a chairman of the Subcommittee on VA, HUD and Independent Agencies, and FEMA was under my colleague's jurisdiction. When FEMA has an expenditure it gets reimbursed.

□ 1930

In our situation, with the Forest Service and the BLM, they take money from all of the accounts of the agency, go spend it fighting the fires, and then we do not reimburse it completely. It is not automatic. It has to be appropriated, and we do not do it as completely as we should. I think the FEMA example is a better way to go.

Mr. LEWIS of California. If the gentleman will continue to yield, I would like to respond that in the recent reorganization, we shifted FEMA from VA–HUD to the Subcommittee on Homeland Security. So there has been that change. And we have appropriated additional money there because in the middle of last year FEMA was running out of money. They were at least talking about the shortage. Suddenly we are going to add some money to that pool that they can draw from, and certainly that is a reflection of the challenges throughout the West.

Colorado, just today, has another new problem. But before another 6 months goes by, even FEMA is going to be stretched to the wall again, and that is why what the gentleman did last night was very important, and I appreciate my colleague's support.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a very valued member of the Committee on Resources and one of the strongest fighters for Native Americans in this body.

Mr. KILDEE. Mr. Speaker, I rise in strong support of the motion that will be made by the gentleman from New York (Mr. HINCHEY) to recommit, because of the provision that keeps the Department of the Interior from performing its legal responsibility and

further delays justice to a half million account holders who have been waiting for an accounting of the individual Indian trust for more than 100 years.

This so-called time-out provision is objectionable because it would require that the 1994 American Indian Trust Management Reform Act not be interpreted to require the Department of the Interior to conduct a full historical accounting. This is a way to avoid an order by a Federal judge in the Cobell v. Norton case, who just last month ordered the Department of the Interior to perform a complete accounting of the individual Indian trust.

This provision provides zero incentive for the Department of the Interior to mediate or negotiate a settlement of the Cobell case; and it sends a terrible message to the Indians that when they finally get their day in court, Congress will pull the rug out from under them.

Mr. Speaker, just last year this House overwhelmingly voted to strike a similar provision from the 2003 interior appropriation bill. Furthermore, Mr. Speaker, this provision violates the House rule against legislating on appropriation bills. It also violates the House scope rule because it was not included in either the House or the Senate fiscal year 2004 interior appropriation bill.

The authorizing committee has started an important dialogue about the options to settle the Cobell case. It is critical that the committee of jurisdiction, the Committee on Resources, be permitted to continue its work without interruption. I urge my colleagues to support the motion to recommit; and if that fails, to vote against the conference report.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I first want to commend the chairman and the staff on both sides for working on what I think is a good bill and one that I think meets the needs of firefighting, an issue that has not always been treated appropriately.

I guess what a lot of people do not realize is that when we have these fires and do not fund them, the money is taken from all the other accounts. Now, think of running your business and the money for the new building you are halfway through building, money for other forest projects you are on, is suddenly snatched away from you and you just have to stop until the money comes back when it is restored. I do not think anybody realizes how we have had the bureaus managing our land working with these forest issues that have been hitting us year after year after year. So I am pleased that there has been a major effort this year, $3.2 billion, in different ways; some repayment of funds used, but money to prevent fires, money to fight fires, and money to replenish accounts.

I am also pleased to see some progress on PILT. But I want to challenge the body. Payment in lieu of taxes has been an undervalued account here. When we take millions of acres, we own a third of the country and we only spent $227 million. It is still a pittance nationwide for our payment of taxes. Because when we take all of this acreage out of the economy, it does not pay taxes. But those people living in those regions have to have roads and schools and services, and we need to continue to improve there.

I was pleased that we had a $61 million increase for national parks, $24 million for the National Wildlife Refuge, $30 million for geological survey, $29 million for the national forests, and $6 million for weatherization.

And I was really pleased to see that that fossil energy research was increased by $60 million. Now, there has been a lot of money here, not wanting to put money into fossil research, because we all want to use renewables. I want to use renewables. But the renewables have not taken the place of fossil fuels.

One final statement I would like to make. When we add up the energy used in the world today, geothermal, wind and solar are .56 of 1 percent. My colleagues, we have to have fossil fuel research.

Mr. RAHALL. Mr. Speaker, I am very happy to yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH), who is cochair of the Native American Caucus.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from West Virginia for yielding me this time. At the outset, let me say my affection and admiration for my colleague from North Carolina, the chairman of this Subcommittee on Interior of the Committee on Appropriations, knows no bounds. There is much to praise in this bill; and yet as this legislation came together in conference, an indignity has been thrust upon this body and the legislative branch of government.

What we witness tonight, my colleagues, is the triumph of the unelected, where legislative staffers, along with staffers from the executive branch, presume to know more than the duly elected officials of this body. And so in a closed conference, in 15 minutes' time, a provision is added to this bill which passed neither the House nor the other body and is thrust upon us at the last nanoseconds of the 11th hour in a cynical attempt to say, Come on, we dare you. There is needed firefighting money in here. We dare you to vote against it.

Mr. Speaker, there may be some who interpret this as a turf battle. That would be a serious mistake. This is not a turf battle. This cuts to the core of our legislative branch and our system of coequal and separate branches of government.

We cannot allow the First Americans to remain the Forgotten Americans. This House has taken action time and again to reaffirm the rights of Native Americans on the trust fund accounts. I will grant every Member of this body it is a difficult issue. But, Mr. Speaker, the fact remains those of us on the Committee on Resources that have the jurisdiction, many of us will meet in my home State of Arizona Monday as I will chair a field hearing on this very topic. And now what we are seeing happen, if passage of this legislation takes place tonight, it renders those hearings a moot point. It silences the First Americans. It assures they remain the Forgotten Americans.

Vote ''no'' on this bill. It is the wrong thing to do.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman's time has expired.

If we are to keep on time, the Chair requests that Members stay within their allotted times.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Speaker, I urge my colleagues to adopt this conference report on the interior appropriation bill. It is a reasonable and responsible measure to meet the natural resources, recreational, energy, and cultural needs of our citizens.

The gentleman from North Carolina (Mr. TAYLOR), chairman of this subcommittee, has done an excellent job in working with the Senate to provide a balanced conference report that sets the right priorities, is fiscally responsible, and reflects the values of the majority in the House. One of these priorities, of course, is more money and resources to combat and control wildfires. The bill includes $2.5 billion for the national fire plan, as well as an additional $400 million to repay wildfire suppression expenses from last year.

In addition to providing these historic levels for firefighting, the bill recognizes that we must do more than fight fires once they have started. It takes an integrated fire plan approach which funds wildfire suppression and preparedness, hazardous fuels reduction, and forest health and rehabilitation activities.

I am very pleased that it includes money for new forest pest management in the initiatives, including funds for the wooly hemlock adelgids in the East and the Southern pine beetle and Western mountain bark beetles.

I think we need to address the Indian issue. No one wants, more than the members of this committee, to address this issue. But it does not make any common sense to spend between $9 billion and $12 billion over a 3-year period without a single dime going to the Indians. This gives us a cooling-off period that we can get this thing done, because if we spend $9 billion to $12 billion for an accounting system that gets us no result, there will not be money for wildland fire funding, Indian education and health care, national parks, PILT, and so on.

This bill should be passed. I commend Chairman TAYLOR and the ranking minority member, the gentleman from Washington (Mr. DICKS), for the outstanding job they did under tight budget constraints in meeting the stewardship responsibilities of the Congress. I urge adoption of the conference report.

Mr. RAHALL. Mr. Speaker, I am happy to yield 1 minute to the gentleman from New Jersey (Mr. PALLONE), another valued member of our Committee on Resources and truly a strong fighter for Native Americans in this body.

Mr. DICKS. Mr. Speaker, I yield the gentleman from New Jersey (Mr. PALLONE) 30 seconds.

Mr. PALLONE. Mr. Speaker, for centuries, American Indians were forced to give up their ancestral lands by this country's early settlers. It was one of the most shameful episodes in American history.

The U.S. Government subsequently placed the Indian lands in trust. But the Department of the Interior has not met its trust responsibility and American Indians were forced to sue in court to protect their rights. Now, the court has made a decision in favor of the American Indians, and this conference report would essentially delay or reverse that court's decision.

I think it is wrong for this Congress to deny justice to over 500,000 of America's first citizens. Mr. Speaker, instead, we should reaffirm our commitment to Native Americans. That process begins here and now with this vote. By voting to recommit the interior appropriation bill, the antitrust reform language has a chance to be removed from the bill and a proper solution can be reached involving the Indian tribes.

Keep in mind, the tribes were not consulted in this process. This is something that is coming from the Department of the Interior to reverse a court decision. There is no input from the Indian nations.

Mr. Speaker, justice delayed is justice denied. Let us begin to rebuild the trust relationship with American Indians so that we can put this ugly stain on American history behind us. We cannot do that by unilaterally doing this in the interior appropriation bill conference report. The only way it can be done is through the hearings that the Committee on Resources is now having. They are having them around the country, and they are allowing the Indian tribes to be involved in whatever solution we come up with.

Now, I know that the authors here are well intentioned with this provision, but the bottom line is it delays or reverses the court's decision. What kind of signal does that send to Indian country? The wrong decision. Vote to recommit. And then if it does not pass, vote to turn this bill down. Vote against the bill.

□ 1945

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

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Speaker, I rise with reluctance to oppose this bill. I have not opposed an appropriations bill for many years. I appreciate the difficulty the subcommittee chairman and the gentleman from Florida have with the Senate, with the budget, and with all of the demands from Members, but I stand with the chairman of the Committee on Resources. I believe the administration committed an egregious process, a mistake, in going around the authorizing committee at the last minute without even telling the authorizing committee, and we cannot do business that way.

I have a second problem with the bill, but it would not have caused me to vote against the bill. I believe the provision by the gentleman from North Carolina (Mr. TAYLOR) on the National Park Service should have been left in the bill. It is the most successful outsourcing organization in the country, and instead of attacking the most successful and highly-rated government organization in the country, even with the guidelines of the gentleman from North Carolina (Mr. TAYLOR) which are very well written, basically guarantee that this money will be wasted.

This is the type of thing that when President Bush has made national parks a centerpiece, his staff did him a disservice by having this in the bill that is aggressively focused at the park service when they are already over a majority, one of the only organizations in the government that is over a majority already outsourced, it is not only wrong, wasteful, but it is politically stupid. I hope we can get this fixed with the administration as we work through. I know the committee understands my concerns, and we will continue to work with them, but we have to have some kind of process where the authorizing committees are respected, and I stand with the gentleman from California (Mr. POMBO).

It is with great reluctance that I rise to oppose this appropriations bill. I rarely vote against appropriations bills because I know how hard it is to reach the compromises necessary to pass these bills.

I rise partly in opposition to the imposed language, with no participation from the authorizing committee on the Tribal funds issue. We have clear conference guidelines to protect against this very thing and this was a blatant violation that threatens the committee system.

Secondly, I deeply believe that the provisions on outsourcing in the National Park Service is a terrible policy mistake. I have been a consistent supporter of competitive bidding, outsourcing and/or privatization. But the way OMB is approaching this issue endangers the process as a whole.

Employee work in our national parks is already under 50 percent. It is a serious story. Some outsourcing has been pulled back because, for example, private contractors found that it was hard to remove waste from remote mountain ranges. Or they only wanted to do it when economic times were hard. In other cases, bids were sought and none arrived.

In other words, the National Park Service is a success model. But if OMB won't distinguish between success and failure, if money must be wasted in a never-ending hunt, not only will organizations like the National Park Service become demoralized, there will be no voluntary efforts, even more resistance and bitterness, and eventually a revolt against all outsourcing.

Relatively mindless "cookie-cutter" approaches are an abdication of responsible government. The National Park Service rangers have among the highest, if not the highest, public approval ratings of any government or private sector employee. Even if the Park Service wasn't already 50 percent contracted out, why fix something that is not broken? We have enough problem areas on which to focus.

Furthermore, President George W. Bush fully understands the importance of our national parks, to our nation, and from his personal comments, to his family.

While the President favors outsourcing, as I do, it is poor staff work to further attack the National Park Service and waste more funds on outsourcing. Instead, the funds should be used to help eliminate the national parks maintenance backlog. Or it could be used to reduce the $30 million this bill is overbudget. Instead of staff attacking the National Park Service, the President should be told of its successes, and bragging about it.

The original House language exempted the National Park Service. By friends and colleagues, Congressman TOM DAVIS and PETE SESSIONS were going to introduce an amendment to remove the provision. After discussions, during which it was apparent the amendment would likely overwhelmingly lose, they withdrew their amendment. Later in the bill, Congressman BEREUTER offered a specific exclusion amendment for the archaeological centers. He won overwhelmingly. Repeatedly this House has made it clear that the National Park Service is not like other agencies.

I do want to thank the Committee for definitive language forcing detailed guidelines on such studies. It means that, most likely, most of the outsourcing dollars being spent will be wasted money but at least it will be reasonably fair. As chairman of a subcommittee with National Parks oversight and as a member of the Resources full committee and National Parks subcommittee, I will be closely monitoring every threat to dangering our Park Service.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. COLE).

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

Mr. COLE. Mr. Speaker, I rise in opposition to the conference report on H.R. 2691. I am generally supportive of the bill's thrust and appreciate the good work of both the Committee on Appropriations chairman and subcommittee chairman. However, the provision inserted into this legislation relating to the Indian trust issue makes it personally unacceptable for a variety of reasons.

It is unacceptable, first, because it amounts to legislating in an appropriation bill, and I find that unfortunate.

Second, it was not included in either the original House or Senate bill, and consequently did not receive the scrutiny and debate that it deserved.

Finally, it is an effort, I think, inappropriately, to derail a judicial process that is already in progress. It is unfortunate that we are at this particular moment, and I regret having to vote against this bill. But I think had we operated through the Committee on Resources, let the processes in place work out, we could have arrived at a solution to the problem that was fair and equitable and trusted by all sides. It is with great reluctance that I rise in opposition.

Mr. Speaker, I rise today in opposition to the Conference Report on H.R. 2691, the Department of the Interior and Related Agencies Appropriations Act for fiscal year 2004. I am supportive of the general thrust of this bill, particularly the emergency funds to help fight the wildfires in the West. Moreover, I recognize the need to finish appropriation bills on a timely basis.

I respect the Appropriations Committee chairman and subcommittee chairman who laid out the broad framework for this generally laudable appropriations measure. I want to be clear that my criticisms of the substance of one part of this bill in no way are intended to reflect on the fine work and integrity of the chairman and the members of the committee.

However, I feel compelled to vote against H.R. 2691 because of one provision in the bill concerning the Indian Trust issue. This provision was inserted in language funding the Office of the Special Trustee for American Indians and would dictate the manner in which the Department of the Interior undertakes a complete historical accounting of individual Indian Trust accounts. It is clearly the first step in a process designed to impose rather than negotiate a settlement of Indian Trust account claims and to do so for as little money as possible regardless of the merits of individual cases or the historical culpability of the Federal Government in the mismanagement and theft of Native American assets held in trust.

This provision clearly violates the House Rule against legislating in an appropriations bill. Moreover, it undermines the excellent work of the Resources Committee, which has held two hearings on the Indian Trust issue and has been in the process of building a bipartisan framework to settle the Indian Trust issue in wake of the questions arising out of the so-called Corbel litigation. If this conference report is approved in its present form it will hinder the efforts of the Resources Committee to resolve this issue fairly and honorably for all concerned.

In addition to being legislatively and procedurally unsound, the provision in question is clearly designed to limit the ability of Native Americans to pursue their legitimate claims in court. Frankly, I predict that this effort will fail. However, it will cost the litigants and the Federal Government more rather than less money in the long run. Moreover, it will further poison the historically poor relations between Indian tribes and the Federal Government.

Frankly, I am appalled that this language was included in the conference report on H.R. 2691 since it was not part of either the original House of Senate Interior appropriation bills. It was added in the dead of night in order to avoid legislative scrutiny and open debate. This is a clear violation of the spirit if not the letter of the normal rules that govern the legislative process. It discredits the legislative process and should embarrass and disappoint every member of this body regardless of their position on the issue.

In my opinion, this language delays justice for half a million individual Indian Trust beneficiaries who have waited over 100 years for a full and fair accounting of the property which the Federal Government holds in trust for them. This is both reprehensible and unacceptable. I intend to work within the framework of this institution to see that the mischief done in this appropriations bill is ultimately undone.

Mr. Speaker, it is tragic that this provision was added to this otherwise praiseworthy and essential piece of legislation. Its inclusion makes it impossible for me or any other member who cares about the rights of Native Americans to support this bill. However, I take comfort in the fact that this issue will be dealt with again, both in the courts and in the halls of the Congress of this great republic.

Mr. RAHALL. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources who I have had the pleasure to work with, and who is very capable and fair.

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

It is with regret and a certain reluctance that I come to the floor tonight in opposition to the Interior appropriations bill. I think that the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) have done an excellent job with this bill, and it is probably one of the best Interior appropriation bills that I have seen during my time in Congress.

But having said that, the addition of language dealing with the Indian trust issue, the Cobell v. Norton decision has forced me to rise in opposition to the bill. I will say to my friends, my colleagues, this is the wrong thing to do. It is wrong to put this into an Interior appropriations bill. When the Interior appropriations was moving through the House of Representatives, there was a provision that dealt with Cobell. It was a different provision, very different than what is in this bill, and I want to make that clear. However, that provision was struck and part of the debate, part of the discussion that went on on this floor was that the authorizing committee would have the opportunity to sit down and work our way through a hundred year old problem, and we are doing it.

We have held a number of hearings in our committee. We have held a number of field hearings. As the gentleman from Arizona (Mr. HAYWORTH) said, he is holding a hearing on Monday dealing with this issue. The only way we are going to solve this problem is if we have the opportunity to sit down, to consult, to negotiate, and to ultimately reach a settlement. We are not going to do it by some rider put on in an appropriations bill. The only way we are going to solve this problem is if the authorizing committee, if the gentleman from West Virginia (Mr. RAHALL), myself, the members of my committee, have the opportunity to sit down with those that are impacted by this and do what is the best thing possible for the American taxpayer and for the Native American community in this country. That is how we are going to solve this problem.

We are not going to do it on a rider. This is the wrong way to settle this problem. I appreciate that this is only good for a year and it is a cooling-off period as some of my colleagues have said. I am sorry, we do not do it on an appropriations bill, and I do not care who wants it. The only way we can solve this problem is to sit down and consult, negotiate, and ultimately lead to a settlement. That is what we are in the middle of doing, and I will pledge along with the ranking member, the gentleman from West Virginia (Mr. RAHALL), that we will continue to work on that and we will get it done. But, Mr. Speaker, do not do it on an appropriations bill.

Mr. RAHALL. Mr. Speaker, I yield the remainder of my time to a member of the Cherokee Indian Nation, the gentleman from Oklahoma (Mr. CARSON).

(Mr. CARSON of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. CARSON of Oklahoma. Mr. Speaker, I am here to voice my strong objections to the language included in the fiscal year 2004 Interior appropriations bill. This language, as has been discussed, delays justice to over 500,000 individual Indian money account holders.

I represent a district with the most heavily Native American population in the entire country. And as a member of the Committee on Resources, the committee with jurisdiction over this important matter, I had no opportunity nor ability to participate in discussion on this language's effect on my constituents.

For this reason, although I am a strong supporter of a number of provisions in this bill, I cannot in good conscience vote for it. I respectfully request that my colleagues vote yes on the motion to recommit and no on final passage.

Mr. DICKS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY), a distinguished member of the subcommittee.

Mr. HINCHEY. Mr. Speaker, I want to express my appreciation to the gentleman from North Carolina (Mr. TAYLOR), and I also want to express my respect for the work the gentleman has done on this bill and the way it has been done. But unfortunately, for reasons that are largely beyond his control, there are serious defects and deficiencies in this bill, so at the appropriate time I intend to offer a motion to recommit.

This conference report breaks the promise to maintain the fully funded Interior portion of the Conservation Trust Fund, and that would be at $1.56 billion. The Conservation Trust Fund was groundbreaking, bipartisan conservation legislation designed to protect the Nation's threatened natural resources. To abandon it after only a few years violates a commitment that this House and this Congress made to the American people. Instead of the promised $1.56 billion, the bill contains just over $1 billion, $447 million below the authorized level and $87 million even below that appropriated last year.

This funding level is an assault on the ability of the Nation to conserve lands and protect sensitive forests and parks. This funding is important because the American people value the programs in the Conservation Trust Fund for protecting open space and historic sites, conserving wildlife and wildlands, and creating opportunities for recreation for both body and soul. Because of these cuts, some threatened lands that would have otherwise been protected will now be lost forever.

Within the Conservation Trust Fund, the Land and Water Conservation Fund which funds land acquisition is especially hard hit with deep cuts. Land acquisition is funded at only $176 million, that is $137 million below last year. It is a 60 percent cut below 2002. So this conference report willfully walks away from our responsibilities to protect and conserve our precious land. And if we approve it, I predict next year we will be fighting even deeper cuts than we are experiencing this year.

And then there are a series of antienvironmental riders. This conference report includes damaging riders. Some of them, for example, would strike at the heart of the protection of the coastal lands. One Senate rider, for example, removes Alaska's Bristol Bay from protection, even though the House bill and the President's budget renewed the moratorium that put that protection in place.

Mr. Speaker, it could be our coastline next. Another Senate rider sets a dangerous precedent for interfering with the independence of the Federal judiciary by severely limiting the amount of time that the public has to challenge harmful logging projects in the Tongass National Forest in Alaska, and limiting the amount of time a Federal district court has to rule on those cases. People will be denied their time in court. There are a host of our damaging antienvironmental riders in this bill, and for those and other reasons, I will offer a motion to recommit.

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

I want to end the debate on our side by saying I strongly support the conference agreement, and I hope Members will vote for the conference agreement. I appreciate the comments made here tonight. We are going to work hard to resolve the problems on the trust account issues. We will work with the authorizers. The chairman and Mr. RAHALL are acting in very good faith. I know there has been a hearing, and they are going to have another hearing.

We need a solution to this problem, and I pledge tonight to my constituents back in the State of Washington that I will work tirelessly for a solution to this problem, so we can do justice to the holders of these accounts.

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

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I rise first to support this conference report, but I also want to address another issue, especially to my fiscally conservative friends. They received in their offices today a publication that would appear to be coming from the Committee on Appropriations because it says Appropriations Update in the big headline. The actual author of the paper is shown in small print, which indicates that the author is the Committee on the Budget. It says that this bill exceeds by $30 million the 302(b) suballocation issued by the Committee on Appropriations.

The problem is, at least I guess what it is, the Committee on the Budget has one budget resolution to pass in the House, then that resolution goes to Senate, and then the House and Senate go to conference on that one resolution. Then they bring a conference agreement back, and we barely pass the budget resolution.

The Committee on Appropriations has 13 regular fiscal year bills and, this year, three supplementals. So when we start to go to conference with the other body on all these bills, we have got to have the ability to negotiate the 302(b) allocations with the other body so we end up with the same 302(b)s in the House and in the Senate for each bill.

In fact, if Members are concerned about this publication that was distributed today, let me say there should be no confusion. The Interior conference report is within the 302(b) allocation that was agreed to by myself and Senator STEVENS. We provided this 302(b) allocation for the conference.

□ 2000

So, in fact, this bill is within the 302(b) allocations set for the conference, and, in fact, is below last year's level. For those who might be misled by this publication, understand our process of 302(b) allocations as we go to conference, and understand that we are within the bill's 302(b) allocation. We are not over it, despite what this report says.

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

I share the frustration of many of those who have spoken on the Indian trust issue. I represent the eastern band of the Cherokee Indians. I have been taught and seen it over and over again, the old adage that government will mess up a one-car funeral.

The committee spent $20 million of the taxpayers' money to do a transaction-by-transaction accounting of five named plaintiffs in the Cobell v. Norton litigation and found that one check for $60 went to the wrong person; $20 million to find a $60 error. Can anyone argue that this is a good use of the American taxpayers' money? A Federal court ruling on September 25, 2003, in the class action lawsuit ordered an expanded transaction-by-transaction historical accounting from 1887 to the present. Initial estimates indicate that the accounting ordered by the court would cost between $9 billion and $12 billion. Nobody ever envisioned that we would be spending $12 billion on an accounting that does not provide one dollar to Indian country. We have included language that limits funds available to the Department of the Interior for historical accounting to those activities that need to be accomplished and can be accomplished in the short term. Beyond the funding limitation, language has been included protecting the Department from further court action during this 1-year time-out period. This gives the authorizing committees time to address the issue. The appropriations committee is not addressing this. We are putting this with the authorizing committee.

Without this language in our bill, the court would likely hold the Secretary in contempt and find for the plaintiffs' accounting that the government owes $176 billion in this matter without any further negotiation or findings. For the past 3 fiscal years, the Committee on Appropriations has stated that it will not appropriate hundreds of millions of dollars, now billions of dollars, for a historical accounting. There was no other option but to include the time-out provision in this bill. There is only one source of money available to the committee; and an accounting of this magnitude, $12 billion, would require that vast sums be diverted away from other programs in the bill. Without the time-out language, we would have to divert vast amounts of money from Indian education, health care, the National Park Service, as well as critical fire fighting funding; and that is just to name a few. There will be further court proceedings in this case based upon the government's appeal of this court ruling. We should not expend hundreds of millions of dollars while this case is under appeal.

We fully agree with the gentleman from California (Mr. POMBO) that the authorizing committees should address this issue, and we are not trying to do that. All the interior bill does is provide for a 1-year time-out, basically the remaining term of this Congress, to allow the Congress to provide, hopefully, a comprehensive solution to the Indian trust issue, or at least address

the scope of the historical accounting so the Congress will not be put in the position of cutting programs in this bill to fund a $12 billion accounting. If the language is struck from the bill without providing full funding for the court-mandated accounting, some $3 billion in 2004, the court will likely hold the Secretary of the Interior in contempt and find summary judgment for the plaintiffs' accounting which purports to show that the government owes $176 billion.

The gentleman from Wisconsin (Mr. OBEY) pointed out that we were $400 million short in this bill. If we have to pay $3 billion just for an accounting next year or we are asked to pay $176 billion in the next year, or $12 billion maybe in a short period of time, imagine what will happen to this bill and the Department of the Interior, Forest Service, Energy and the critical funds that we provide for Indian health, education and other needs.

Mr. Speaker, I urge the adoption of this conference report.

Mr. ISSA. Mr. Speaker, I rise this evening to speak on the FY 2004 Interior appropriations bill. I wish to thank the House Appropriations Committee for providing the much needed increases in funding for the fire-fighting and fire prevention accounts within the Department of Interior. As my constituents and the constituents of my other colleagues representing the counties of San Diego, San Bernardino, Los Angeles, Riverside and Ventura have discovered first hand over the last week, it is imperative that Congress fund the necessary resources needed to prevent fires and fight fires.

Though I do plan on voting in support of this bill because of this funding and the funding of other important programs, I am concerned about the inclusion of a provision in this bill to halt a historical accounting of errors in the Indian trust fund accounts. While I recognize the need to address this issue quickly, the Interior appropriations bill is not the appropriate vehicle. An issue of this magnitude is better addressed through the normal legislative process. The House Resources Committee, chaired by Representative RICHARD POMBO, has already held numerous hearings on this issue, developing the necessary legislative history. Mr. POMBO is committed in working towards a more complete solution. I strongly disagree with the decision to include language in this bill that preempts the Resources Committee's thoughtful work on the trust fund issue.

Mr. UDALL of Colorado. Mr. Speaker, I regret that I cannot vote for this conference report.

The annual appropriations bill for the Interior Department and related agencies is important for the whole country, but particularly for Colorado and other states that include extensive tracts of Federal lands.

It benefits all Coloradans for the Interior Department and the Forest Service to have the funding they need to do their jobs. I also support many other things that are funded in this bill, such as energy conservation programs of the Department of Energy, the Smithsonian Institution, and the National Endowments for the Arts and the Humanities.

However, when the House first considered this bill, I found it so flawed that I could not support it. I voted against it in hopes that after the Senate acted and the bill came back to the House from conference it would be improved enough so that I could vote to send it to the President for signing into law.

To a degree, that hope has been realized. The conference report does include some definite improvements on the House-passed bill.

Perhaps most importantly, the bill would provide $400 million to repay the accounts from which the Forest Service, Bureau of Land Management, and other agencies had to take funds in order to fight forest fires. This is a very great improvement over the House-passed bill, as is the fact that the conference report restores $70 million for Forest Service wildfire preparedness to keep firefighter readiness at the 2003 level, and also would provide $2.5 billion for the National Fire Plan—$1.8 billion for the Forest Service and $694 million for the Department of the Interior—which is $126 million above the President's request and includes an increase of $289 million for wildfire suppression, $11 million for hazardous fuels reduction, and $9 million for State and community fire assistance.

Those are good provisions that deserve support. And, in addition the conference report also includes some items of special value to Colorado.

For example, I am particularly glad that the conference report—unlike the House-passed bill—includes $2.5 million to enable the Forest Service to continue its acquisition of lands in the Beaver Brook watershed, in Clear Creek County, now owned by the city of Golden. Together with others in the Colorado delegation, I have been working to complete this multi-year project, and am pleased that the conference report would enable it to go forward.

Similarly, the conference report improves on the House-passed bill by providing $9 million for the acquisition of lands in the San Luis Valley—$7 million for the portion of the lands that will become a new National Wildlife Refuge and $2 million to round out the Great Sand Dunes National Park.

I strongly support this, as I also do the provisions of the conference report that would provide the Forest Service with $1 million for acquiring lands in an elk corridor in the White River National Forest and the same amount of needed work on the Continental Divide Trail, the National Park Service with funds for planning for a new curatorial facility at Mesa Verde cultural center, and the Bureau of Land Management with money for acquisitions in the Canyon of the Ancients National Monument.

But in other respects the conference report not only fails to improve on the House-passed bill, but actually is even more flawed—so flawed that I think it deserves to be rejected.

Two aspects of the conference report are particularly bad, in my opinion—one involving language that is included, and one involving a provision of the House bill that has been dropped.

The conference report includes a remarkable legislative rider that says—

nothing in the American Indian Trust Management Reform Act of 1994, Public Law 103–412, or in any other statute, and no principle of common law, shall be construed or applied to require the Department of Interior to commence or continue historical accounting activities with respect to the individual Indian Money Trust until the earlier of the following shall have occurred:

(a) Congress shall have amended the American Indian Trust Management Reform Act of 1994 to delineate the specific historical accounting obligations of the Department of the Interior with respect to the Individual Indian Money Trust; or

(b) December 31, 2004.

I am not a lawyer, but it seems clear that this provision is intended to at least temporarily allow the Department of the Interior to refuse to comply with a recent decision in the pending Cobell v. Norton litigation dealing with the management of Indian trust accounts.

Whatever might be said in its favor, it is not the kind of thing that should be included in an appropriations bill. In fact, it would be subject to a point of order under the rules of the House except for the decision of the Republican leadership to waive the normal rules.

The subject matter of this provision is squarely within the jurisdiction of the Resources Committee. As a member of that committee, I share the view of Chairman POMBO that the inclusion of this language—which was not in either the House or Senate bill—in the conference report is ''an affront'' to our committee. I also share the Chairman's view that its enactment could make it even harder for our committee to play a constructive role in trying to resolve a situation that is a serious problem for both Native Americans and the Interior Department as well.

And at the same time this was being put into the conference report, section 337 of the House-passed bill was being deleted. That section was added when the House adopted a revised version of an amendment I had offered to protect not just Federal lands but also private property and the public interest.

It would have done that by preventing the Interior Department from going ahead with secret negotiations leading to back-room land deals under which the Interior Department would issue ''disclaimers of interest'' that would give away the government's claim to an interest in land.

For decades, the Interior Department issued such disclaimers to people who were on record as owning the lands involved. It was a legal technicality—important for the people involved but not a tool for changing the management of sensitive Federal lands or creating problems for private land owners. But that has changed because the Interior Department has changed its regulations. It has adopted new rules to claim broad authority to issue ''disclaimers'' to parties that wouldn't have been eligible under the old rules—and it has announced it is ready to give those ''disclaimers'' to parties seeking them in order to clear the way for building roads.

This involves the lingering ghost of the Mining Law of 1866. That was one of the 19th-century laws to promote settlement and development in the West. Among other things, it granted rights-of-way ''for the construction of highways'' on Federal lands. That provision later became section 2477 of the Revised Statutes—or RS 2477.

In 1976, RS 2477 was repealed. But the repealing law did not affect existing rights under RS 2477, and did not set a deadline for claiming those rights. So, there is no way of telling how many claims might be made or exactly what lands are affected.

But we do know that RS 2477 claims can involve not just Federal lands—lands that currently belong to the American people—but also lands that once were Federal but that now belong to other owners. That includes the

lands that were homesteaded, as well as patented mining claims and the lands that the Federal government gave to the states, the railroad companies, and other entities during the 19th and 20th Centuries.

Millions of acres of those lands now are ranches or farms, or residential subdivisions, or single-family homes, or private cabins in the mountains like ones owned by some of my constituents. And millions of acres of those lands now belong to the Native Corporations established under the Alaska Native Claims Settlement Act.

Also at risk are millions of acres that are still owned by the American people—including National Parks, National Forests, National Wildlife Refuges, National Monuments, Wild and Scenic Rivers, as well as wilderness areas and areas that deserve protection as wilderness areas. This problem is not new, but it is very serious. It needs to be resolved—but not the way the Interior Department wants to resolve it. What the Interior Department wants is to negotiate in secret and then issue ''disclaimers.'' They have already started that process with the State of Utah. And other parties—including the current state Administration in Colorado—are starting to ask for deals of their own. These backroom talks need to stop. Instead of making deals, the Bush administration needs to come to Congress for new legislation.

That was what Congress told the Clinton administration when Secretary Bruce Babbitt moved to change the Interior Department's RS 2477 regulations. To make sure that Secretary Babbitt got the message, Congress passed a law that says any new RS 2477 rules must be authorized by Congress. That law is still on the books. But the Bush administration says that is irrelevant because the new ''disclaimer'' regulations are not covered, even though they intend to use their new rules for RS 2477 claims. It's an interesting argument—but, frankly, it reminds me of the argument about defining the meaning of the word ''is.'' In other words, it may be clever, but it fails the test of common sense.

Of course, the administration also says they will only make deals that are in the public interest, so Congress doesn't need to get involved. But the best way to promote the public interest is to involve the public—not to make secret deals. And the best way to resolve this issue is by enacting new legislation, after public hearings and open debate. That's why I have introduced a bill—H.R. 1639—to do just that. My bill would set a deadline—four more years—for filing RS 2477 claims. It would establish a fair, open administrative process for handling those claims and would set another deadline for any lawsuit challenging the result of that administrative process. Maybe my bill could be improved, and some of our colleagues may want to propose their own ideas—that is the legislative process. And that is how this issue should be resolved, not by backroom deals or clever maneuvers to try to side-step Congress.

That is why I offered my amendment—to block the administration from trying to circumvent Congress. And while my original amendment was not adopted, the House did adopt a narrower version proposed by Chairman TAYLOR himself.

That part of the House bill would have barred implementation of the new ''disclaimer'' regulations with regard to any lands within a designated National Monument, Wilderness Study Area, National Park System unit, National Wildlife Refuge System unit, or lands within the National Wilderness Preservation System.

This did not go nearly far enough, in my opinion. It did not address and would not protect all lands that could be affected by the new regulations. However, it would have protected some of the most sensitive parts of America's public lands.

That was why last week more than 100 of our colleagues joined the gentleman from Michigan, Mr. EHLERS, and me in sending a letter urging the conferees to at least include the House language in the conference report. We thought that was a very reasonable request, especially since that part of the House bill had been written by the chairman of the relevant appropriations subcommittee and that the administration had not expressed any opposition to it during the debate on the House floor.

However, our request was not granted, and the House's provision on this subject was omitted from the conference report. As a result, nothing in the conference report will restrain the Interior Department from implementing its new ''disclaimer'' regulations in ways that could have serious consequences for the National Parks, National Monuments, National Wildlife Refuges, or the wilderness and wilderness-study areas.

Of course, I hope that won't happen. I hope that the administration will recognize that proceeding in that way will yield only unnecessary controversy and protracted litigation. I do have hope—but, frankly, I have little confidence. The administration seems determined to press ahead, and I expect that they are headed straight for the courts.

There are other things I dislike about this conference report—for example, the fact that it includes a provision to extend the recreation fee demonstration program for 15 months, which is another instance of a violation of the House's rule against including legislation in an appropriations measure. Even so, if the Indian trust provisions had been omitted and the House-passed restrictions on the new ''disclaimer'' rules had been included, I might still have been able to support it. However, I have concluded that I cannot vote for the conference report as it now stands.

Mr. SHAYS. Mr. Speaker, protecting our environment is one of the most important jobs I have as a Congressman. Unfortunately, the conference report before us today weakens several significant land and water protections.

Language in this conference report will roll back our moratorium on offshore drilling by allowing new oil and gas drilling in Bristol Bay. It will reduce judicial review on Tongass timber sales by placing a 30-day statute of limitations on challenging those sales in court. It will remove language included in the House bill that would have reduced the scope of an environmentally-destructive rights-of-way rule published by the Department of the Interior in January.

In addition, the conference report waives National Environmental Policy Act (NEPA) review for expiring grazing permits, which will further discourage agencies from complying with environmental laws and could lead to continued degradation of sensitive public lands.

Finally, H.R. 2691 reduces funding for valuable Land and Water Conservation Fund acquisition programs by $142 million.

I urge my colleagues to oppose this legislation. Congress can and must do a better job protecting our environment. We simply will not have a world to live in if we continue our neglectful ways.

Mr. DINGELL. Mr. Speaker, Ranking Member DICKS, I would like to draw the managers' attention to the Detroit River International Wildlife Refuge.

In Fiscal year 2003, the Committee appropriated $3.5 million for land acquisition in the Detroit Rive Refuge. For this I was grateful.

Mr. Speaker, the Trust for Public Land, recently acquired an ecologically significant tract of land known as Humbug Marsh and Island. This is a tract I have been working to acquire for many years. This funding in FY 03 made this acquisition possible. And this year I was seeking addition funds to complete this acquisition. The Humbug project is wired and ready to go.

Unfortunately, the conference report includes language, inserted by the other body, indicating that further appropriations for the Refuge have been delayed because additional funds could not be obligated in 2004. It also states that there are outstanding issues related to contaminants. In point of fact, Mr. Speaker, neither of these statements has any basis in fact.

I would ask, at this time, for unanimous consent to insert into the RECORD a letter from Mr. Eric Alvarez, Chief of the Reality Division of the Fish and Wildlife Service. Mr. Alverez writes to me, ''With adequate funding and no unforeseen problems...we anticipate a February or March 2004 closing date 'for the Humbug property.''

I would also note to the Chairman and the committee that Secretary of the Interior Gale Norton was at the Detroit River Refuge for a centennial celbration event in September. I would like unanimous consent to insert into the RECORD a letter I have just received from Secretary Norton demonstrating her commitment to the conservation values of the Detroit River Rufuge.

Mr. Speaker, I would hope that we can work together to address this issue as the process moves forward.

DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, DC.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, DC.

DEAR MR. DINGELL: The Fish and Wildlife Service's Division of Realty has been working on the Detroit River International Wildlife Refuge since December 2001. Since that time we have been evaluating a number of properties for inclusion into the refuge while developing our land protection plan. Recently, a key tract, known as the Humbug Marsh tract, was acquired by the Trust for Public Lands. Until this acquisition the Service did not have many viable tracts where the existing funds would have been obligated.

Preliminary information indicates that the tract may be worth around $4.9 million. The Service is currently working on the contaminant survey and the appraisal that will indicate the actual purchase price.

The contaminant survey has yet to be completed, therefore we do not want to speculate on the presence or absence of contaminants. conversations with TPL representatives indicate that they believe that there

should not be significant contaminant issues.

An appraisal will indicate the purchase price and the service has $3.4 million available for the acquisition. The difference between the remaining amount and the original appropriation ($3.5 million) has been used to pay for the contaminant survey and the appraisal.

With adequate funding and no unforeseen problems, with title or contaminants issues, we would anticipate a February or March, 2004 closing date.

Please feel free to contact me at 703–358–1713 if you or your staff require more information.

Sincerely,

ERIC ALVAREZ,
Chief, Division of Realty.

Hon. JOHN DINGELL,
House of Representatives,
Washington, DC.

DEAR MR. DINGELL: Thank you very much for including me in the celebration of the Detroit River International Wildlife Refuge. It was a pleasure to be on hand with you to celebrate the Refuge System Centennial.

I also appreciated the opportunity to hear more about the spirit of cooperation and partnerships that made the Detroit River Refuge possible. An unprecedented partnership between Federal, State, Canadian, county and local governments, private industry, conservation groups, and local citizens resulted in a unique home for waterfowl, fish, and migratory birds. This refuge is truly something of which you can be very proud.

Again, many thanks for your kind and generous hospitality. Please pass on my best to Debbie. I had a wonderful time with the two of you at lunch afterwards.

Sincerely,

GALE A. NORTON.

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

The SPEAKER pro tempore (Mr. GILLMOR). Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. HINCHEY

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

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. HINCHEY. In its present form, I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. HINCHEY moves to recommit the conference report on the bill H.R. 2691 to the committee of conference.

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. HINCHEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The Chair announces that this vote will be followed by votes on the adoption of the conference report and on the motion to suspend the rules and agree to House Concurrent Resolution 302. Both of those votes will be 5-minute votes.

The vote was taken by electronic device, and there were—yeas 190, nays 229, not voting 15, as follows:

[Roll No. 594]

YEAS—190

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boswell
Boucher
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley (CA)
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hayworth
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—229

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

NOT VOTING—15

Akin
Blumenauer
Bradley (NH)
Case
Emerson
Fletcher
Gephardt
Gutierrez
McCollum
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Smith (TX)
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR) (during the vote). Members are advised there are 2 minutes remaining to vote.

□ 2028

Mr. BOOZMAN changed his vote from ''yea'' to ''nay.''

Mr. HINOJOSA changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5 minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 205, not voting 13, as follows:

[Roll No. 595]

YEAS—216

Aderholt
Alexander
Allen
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bereuter
Berkley
Biggert
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Clyburn
Coble
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Emerson
English
Everett
Fattah
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Manzullo
Marshall
McCarthy (NY)
McCrery
McHugh
McKeon
Meehan
Mica
Michaud
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Neal (MA)
Nethercutt
Ney
Northup
Norwood
Ose
Otter
Oxley
Pastor
Pence
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Regula
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Royce
Ryan (OH)
Ryun (KS)
Sandlin
Saxton
Schrock
Serrano
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (TX)
Spratt
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—205

Abercrombie
Ackerman
Andrews
Baca
Bachus
Baird
Baldwin
Ballance
Beauprez
Becerra
Bell
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Boswell
Boucher
Brown (OH)
Brown, Corrine
Buyer
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Chabot
Chocola
Clay
Cole
Conyers
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Duncan
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Feeney
Ferguson
Filner
Flake
Ford
Frank (MA)
Franks (AZ)
Frost
Gibbons
Gonzalez
Graves
Green (TX)
Green (WI)
Grijalva
Harman
Hastings (FL)
Hayworth
Hefley
Hensarling
Hinchey
Hoeffel
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jones (NC)
Jones (OH)
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kline
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (OK)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McDermott
McGovern
McInnis
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Musgrave
Nadler
Napolitano
Neugebauer
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pitts
Pombo
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Rodriguez
Rohrabacher
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Sabo
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Stark
Stearns
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Walden (OR)
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Akin
Blumenauer
Bradley (NH)
Case
Fletcher
Gephardt
Gutierrez
McCollum
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2037

Mr. GALLEGLY changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WELCOMING PRESIDENT CHEN SHUI-BIAN OF TAIWAN TO THE UNITED STATES

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 302.

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. CHABOT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 302, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 596]

YEAS—416

Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
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
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
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
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
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
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer

Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
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—18

Abercrombie
Akin
Bachus
Blumenauer
Boehlert
Bradley (NH)
Capps
Case
Fletcher
Gephardt
Gutierrez
McCollum
McCotter
Miller (NC)
Pearce
Renzi
Sanchez, Linda T.
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2046

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.

□ 2046

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 421 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 421

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of October 30, 2003, providing for consideration or disposition of a conference report to accompany the bill (H.R. 3289) 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.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, our resolution would waive clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules against certain resolutions reported from the Committee on Rules.

This resolution applies the waiver to any special rule reported on the legislative day of October 30, 2003, providing for the consideration or disposition of a conference report to accompany the bill, H.R. 3289, 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.

Mr. Speaker, given the urgent need to move the Iraqi supplemental to the President's desk without further delay, the Committee on Rules has acted to expedite consideration of this critically important conference agreement filed in the House just a short while ago. Members will have ample opportunity to debate the merits of that conference agreement once we move to its consideration here in the House.

Accordingly, Mr. Speaker, I urge my colleagues to adopt this resolution so that we may begin this important debate.

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

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

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

Mr. FROST. Mr. Speaker, I voted for the U.S. military action to remove Saddam Hussein from power. I support the American troops and civilians who are now in Iraq doing the dangerous job of rebuilding that nation. And I expect to vote for President Bush's $87 billion supplemental for the supplemental foreign aid package for Iraq even though it still does too little for the U.S. troops and asks too much of U.S. taxpayers.

But this martial law rule is the perfect example of what is wrong with the approach the Bush administration and the Republican leadership of this Congress have taken to rebuilding Iraq. Instead of being honest with the American people about the dangers and difficulties of nation-building in Iraq, they keep trying to sweep it all under the rug.

Earlier this week we had the literally unbelievable scene of President Bush trying to spin the public into believing that sophisticated and deadly terrorist attacks in Iraq actually demonstrate ''progress'' in Iraq. A similar thing is happening on the House floor today, Mr. Speaker. Instead of being open with the public, the President and the Members of this House, Republican leaders, want to waive the House rules so that no one has time to actually read the text of this $87 billion foreign aid package.

Make no mistake, this is exactly what this ''martial law'' rule does. It is simply a procedural way to get around the House rule that would otherwise guarantee everyone one legislative day to examine this massive expenditure of American taxpayers' money.

Of course, Republican leaders long ago made secrecy a key component of this strategy for running the House of Representatives. This martial law is the 8th time this year that Republicans have waived the House rules to rush legislation through the House. In the last Congress they did it 27 times. But their secretive approach to this $87 billion foreign aid package poses an even greater danger.

That is because President Bush and his administration have already developed a dangerous credibility problem on Iraq, a credibility gap that threatens to undermine our ability to win the peace.

For too long they have treated nation-building in Iraq as some sort of political campaign, relying on spin, sophistry, and stagecraft to hide from the public the true magnitude of the dangerous and difficult job before us.

Mr. Speaker, the American people are smarter than that. They cannot be spun by President Bush and they cannot be kept in the dark by this Republican Congress. They know that more than 120 Americans have died in Iraq since President Bush's carefully choreographed PR event to declare victory on an aircraft carrier. They know that they have already spent billions of dollars on Iraq, and the United States already has a massive debt of its own, one that will raise the debt tax on every American. They remember being told before the war that Iraq is an oil-rich Nation that could pay for its own reconstruction.

That is why the process surrounding this supplemental spending bill has been so controversial and why so many Members who support President Bush's nation-building project may refuse to vote for it until he finally presents to the American people a credible plan to

win the peace in Iraq. It is also a big part of the reason that we have been losing the relatively meager international assistance we have had so far, with the Red Cross and the United Nations scaling back their presence in Iraq. And it is where so many Americans have such sincere doubts about this effort with nearly a majority of Republicans wanting to pull U.S. troops out of Iraq, according to a Gallup Poll this week.

Mr. Speaker, more secrecy from the Republican Congress will only make the Bush administration's credibility gap worse. It will only make it more difficult to maintain public support for the important job of winning the peace in Iraq. Take, for example, the issue of accountability. American taxpayers have already given the Bush administration $79 billion to spend on Iraq. So when the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG) came before the Committee on Rules, the gentleman from Florida (Mr. HASTINGS) asked him whether he knew what had become of the previous $79 billion. He answered, ''I would like to tell you that I do, but if I did I would not be telling the truth.'' If the chairman of the Committee on Appropriations does not know, then presumedly no other Member of Congress has any idea where that $79 billion has gone.

So during the conference an amendment was adopted to create an office of the inspector general to find out where the money is going in Iraq. Now, however, we find out that the conference report has been changed to give President Bush the power to muzzle the inspector general whenever he might have some bad news to report, which very likely means that the public will never see a report from the new inspector general that contradicts the Bush administration's PR campaign. So this $87 billion package may disappear into the same black hole that swallowed up the first $79 billion.

Mr. Speaker, we should be giving the public more time to examine this massive $87 billion package, not rushing it through before anyone can read it. That is why I urge Members to oppose this martial law rule. That way the Congress can try to begin repairing President Bush's credibility problem on Iraq.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE.)

Mr. ROYCE. Mr. Speaker, this rule is important so that we can bring up the supplemental conference report tonight to fund our troops. The need is very urgent. This past weekend I had the privilege of traveling to Iraq where I led a Congressional delegation. And I say ''privileged'' because it was a privilege to spend time with our brave servicemen and women on the ground in Iraq who are doing a tremendous job under difficult conditions. They deserve our greatest support.

And, Mr. Speaker, that is what this bill does. It supports our servicemen and women with the resources that they need. And I would like to commend the gentleman from California (Mr. LEWIS) and the ranking member, the gentleman from Pennsylvania (Mr. MURTHA), and all the Members involved in working out this bill with the other body.

I would like to bring attention to one program in particular contained in this bill: The Commanders Emergency Response Program, which, fortunately, was agreed to by the conferees. Having seen this program at work on the ground in Iraq, I would like to report to my colleagues that it is effective and it is very efficient. This program allows our military commanders in Iraq to respond to urgent humanitarian relief and reconstruction needs. And with this program, we have repaired roads, water treatment facilities, police stations, and schools. We had an opportunity to see this work. And this is done hand in hand with Iraqi labor and it is done very cost effectively.

To date, the program has been carried out with the funds seized from Saddam's regime, including funds taken from overseas accounts and taken out of the walls of Saddam Hussein's palaces in some cases. And these funds are running out. And our troops are fighting to show the Iraqi people that their best future lies with democracy and with the rule of law. These projects give the Iraqi people hope for that future, emboldening them to fight the Baathists and emboldening them to fight the terrorists. And they also make our troops safer.

Our top commanders in the field see these projects as security for our troops. They see these projects as winning friends and weakening our enemies. One commander told me that this program was the most important ammunition he had. It is my hope that this program continues to be carried out in a streamlined and flexible way, taking the greatest advantage of the ingenuity of the Americans and Iraqis working together. It is not too much to say that this modest effort is a key to our success in Iraq.

And that is why, Mr. Speaker, I support this rule because of the urgency. And I support the next rule and the underlying bill to fund our troops which will come up before this body tonight.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY.)

Mr. OBEY. Mr. Speaker, this is the largest supplemental appropriation bill ever voted on by the Congress of the United States. And I think that it is a shame that it is being debated under these circumstances at this time of night. The only reason for the martial law rule is so that Members will not be given the courtesy of having this bill lay over one day so that they can examine what the details of the bill are.

□ 2100

We are going to be held accountable for this vote for a long time. Our constituents are going to ask us every time we are home how we voted, what it contained. They are going to be asking us about the loans. They will be asking us whether or not there is adequate protection for taxpayers' money. And I venture to say that 90 percent of the Members of this Congress have not had an opportunity to dig deeply enough into this in order to be able to answer these questions.

There were a few of us on the conference committee, and so we have been able to form our judgments. But I have to tell you that conference committee in which we participated the last 2 days is one of the most chaotic, and at some moments the most laughable, conference that I have ever participated in. And I think that in terms of the details of this bill, that will be demonstrated over time, because over time, regardless of whether or not the average Member in this House knows what is in this bill tonight, over time there will be a lot of good reporters who dig deeply enough into it to discover what is in this bill. They will be able to form a judgment about whether or not, for instance, the Inspector General provision is something with teeth or something that is nothing short of a sham.

I happen to think that there are loopholes in the Inspector General provision of this bill big enough to drive a 65-foot truck through.

I also would point out that that provision was adopted as a way to sandbag the GAO accounting procedures that Senator BYRD wanted attached in the conference. So I think there are a lot of detailed questions that Members ought to know the answers to. They will not by the time they vote, and that is the purpose of this rule. Our constituents will learn over time what is in this bill even if a lot of Members have not learned tonight, and that is why if I were a Member who feels any responsibility at all to my constituents, I would not vote for this martial law rule regardless of how you vote on the final bill.

The Members owe it to the country to have taken the time to review this. This proposal will provide per capita aid to the citizens of Iraq that is more than 10 times as large as the per capita aid that was provided during the Marshall Plan to all of Western Europe. Under those circumstances, we ought to take a bit more time than this rule will allow us to take tonight.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, the Iraq supplemental conference report will continue a failed policy. This bill is not about supporting the troops. This bill supports the continued occupation of Iraq by the United States. If we truly want to support the troops, we should bring them home.

We need to acknowledge that the continued U.S. presence in Iraq is counterproductive. Every day that we are inside Iraq the situation gets progressively worse as evidenced by the frequent and more sophisticated attacks on our troops. More U.S. troops have died occupying Iraq than died in the war for Iraq. We need to recognize that at this point continuing the U.S. occupation is counterproductive and contributes to instability. That is why we need to get the U.S. out and the U.N. in. And to do that we will need a new resolution articulating a new policy from this administration.

To approve a budget-busting $87 billion for the reconstruction of Iraq would be to throw good money after bad, to throw good money at a failed policy. I am not suggesting that we cut and run. But we must begin the process of getting the U.N. in and the U.S. out. The U.S. must pay for the rebuilding of all that we have damaged in the invasion. We must compensate the Iraqi victims and contributed to future U.N. efforts. The U.S. must bring our troops home. End the occupation of Iraq.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, we all want to vote to support the troops. This bill, however, contains provisions for $18 billion as gifts, and none as loans, to Iraq. We ought to have a separate vote on that provision. But what they have done is link the two provisions in this rule, so that you cannot oppose the way they have structured the aid to Iraq without, in the view of some, ''voting against the troops.'' But that diabolical connection was insufficient, so they added one more; and while homes are burning by the hundreds in California, they decide to load into this bill additional money for FEMA: $500 million for FEMA at a time when FEMA needs the money. It is outrageous to try to take a bad policy towards aid to Iraq and use it as a pass on our natural concern for the thousands who have lost their homes in California.

This is a martial law rule. So as the gentleman has pointed out, we do not get a chance to read the bill and understand it before we vote on it. Forty-seven Republicans voted for my amendment (on October 16), along with all Democrats, to say that we have to have competitive bidding on all the oil contracts in Iraq. As far as I know, that has been stripped out of this bill so we will not have competitive bidding. The 47 Republicans, who along with Democrats, realized we could not trust this administration with no-bid contracts will not be able to have that provision in the bill—or maybe they will because we are still looking—because it is martial law, which means do not read the bill, just vote on it.

Finally and most importantly, we just had a donors conference. The vast majority of donors gave the vast majority of their aid in the form of loans. We will not put in a single penny as loans. Why do the American taxpayers not get paid back? Because these other people need to be paid back; $116 billion of Saddam Hussein's debts are all on Iraq's balance sheet. They should be renounced, but instead they will be paid, and we will not.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in reluctant opposition to this martial rule. I do not understand why we cannot follow regular process around here to give this body a chance to actually look at the supplemental, $87 billion, the largest in our Nation's history, so we know the details that are contained in it.

Just a couple of weeks ago, I had the opportunity to visit Iraq and visit our troops in the field. They are doing an incredible job under very difficult and dangerous circumstances. And, of course, this body is going to do everything we can to make sure they have the tools and the resources they need so they can do their mission safely and return home soon. But this process is out of order, and we are derelict in our duty in regard to the accountability to the American taxpayer.

We do need accountability, and that is why earlier the gentleman from Maryland (Mr. CARDIN) and I offered an amendment with this bill that would have slashed the reconstruction funds in half, requiring the administration to come back to account for how the money is being used and to justify the need for more.

Instead, we are giving them $20 billion when the World Bank just released a report indicating that Iraq cannot absorb more than $6 billion in the next year anyway for reconstruction.

But I am also concerned that these conference committees are becoming the black hole of the democratic process. The will of the House and the will of the Senate go in, but it never comes out. Specifically, in both the House and the Senate with wide bipartisan majorities, it was determined that we wanted to provide half the reconstruction funds in grants and the other half in loans, recognizing Iraq is sitting on the second largest oil reserve in the world, but also it would give us some bargaining position with the rest of the nations holding debt over Iraq to hopefully get them to forgive the debt. But any loan in this has been vanished in the conference committee; and, instead, the administration wants to just gift outright the $20 billion, requiring our children and grandchildren to pick up the tab for many years to come.

We want to do right in Iraq. We do not have the luxury of cutting and running. We must succeed, but this process is not the way to do it.

Mr. FROST. Mr. Speaker, I yield 4½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished ranking member of the Committee on Rules.

Mr. Speaker, I had hoped that with such a serious step being made by this body that we would have an opportunity to give Members the time to deliberate over, as what you have heard my colleagues say is the largest supplemental in the history of this Congress.

I hope that my colleagues can understand the context in which we speak. That means that World War I, World War II, Korea, Vietnam, Kosovo, Bosnia, Somalia and other places, this is the largest amount, in essence, this is a blank check to the administration. And on top of this, Mr. Speaker, the American people do not feel any safer after the war in Iraq with respect to the war against terrorism.

Right now, as my colleagues know, it seems as if we are facing an enormous apocalypse, if you will, on the west coast and my sympathies go to those families and those who have lost their lives.

I believe this Congress wants to do the right thing and would stand up and debate the question of the resources that we need to be able to deliver to our friends in California. But in the dark of night we now have this martial rule where we understand that FEMA has been increasing its funding somewhere cushioned inside this $87 billion so that Members will feel hamstrung, if you will, to vote for something that is reckless and irresponsible.

First of all, let me say that, being the largest one, it does not make sense. In the Madrid donor conference, $13 billion was given; but there were thousands, or at least thousands or let me say a large number, of countries that were there and all we got was $13 billion to aid us in Iraq; and most of that, Mr. Speaker, was in loans.

It is interesting that the administration could not even decipher for Members of Congress how much were loans and how much were not. Then we find embedded in the provisions of this supplemental a weak Inspector General provision which is necessary in order not to give anyone a blank check.

The three branches of government are just that by the Founding Fathers. Congress provides oversight to the administration and to the executive. It is a tragedy that we went to war without a constitutional vote under section 1, article 8. It is a tragedy as well that we continue to lose lives in Iraq and that the statement by the administration says simply, It is to be expected. I do not think we expect 40 deaths in 48 hours.

I have spoken to those troops who are bravely on the front lines and, Mr. Speaker, they get it. They know our dissent is not against them. They fully understand that we want them home. We do not want to run. We want a real

democracy in Iraq, but we also want them to have the resources that they need to have when they come home from Iraq such as veterans care, hospital care, such as educational opportunities.

I see my colleague on the floor of the House, the gentlewoman from California (Ms. WATSON), who has been a leader on this issue. We want people like Shoshanna Johnson to be able to come and get the right kind of benefits that they deserve having suffered as a POW. But yet with this midnight rule, the martial rule, what we are facing are questions left unanswered. Why can the United Nations not participate in the aftermath and more of our allies be in place? Why have we not answered the question of where are the weapons of mass destruction? And why have we not answered the question of who did provide the leak of the CIA agent and why is there not a special counsel being appointed?

Let me simply say that as we go into the dark night with a martial rule, we have a Bush economic record where long-term unemployment has tripled, and we have a Bush economic record where the median household income has gone down $1,439; as well, jobs, long-term unemployment has tripled from .66 to 2.10.

Mr. Speaker, I am not prepared to vote in the dark on something that is as serious as this on behalf of the American people. I support the troops. I want them to be paid on time.

□ 2115

I want them to have body armor. I want them to be able to come home safely. I want a democracy in Iraq, but I am not prepared to support a reckless expenditure of money.

My final point, we are already going to spend $178 billion in the effort in Iraq. If we stay there over a 10-year period and the operations and the aftermath, we are going to be spending between $237 billion, and it could reach $418 billion, as analyzed by our colleagues. This is a reckless decision.

I ask my colleagues to defeat the martial law and defeat the rule and defeat the appropriations.

Mr. FROST. Mr. Speaker, I would ask the gentleman if he has any additional speakers.

Mr. HASTINGS of Washington. Mr. Speaker, we have no additional speakers.

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

At this point I am prepared to yield back the balance of my time. Before I do so, I urge my colleagues to vote no on martial law, no matter how they may vote on the supplemental, and I personally intend to vote in favor of the supplemental, but I am objecting to this procedure under which it is brought to the floor tonight.

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

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This vote will be followed by two 5-minute votes on motions to instruct conferees on H.R. 1 and on H.R. 6 postponed from yesterday.

The vote was taken by electronic device, and there were—yeas 217, nays 197, not voting 20, as follows:

[Roll No. 597]

YEAS—217

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

NAYS—197

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—20

Akin
Ballance
Blumenauer
Boehlert
Bradley (NH)
Case
Doolittle
Fletcher
Gephardt
Goss
Gutierrez
McCollum
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak
Visclosky
Weldon (PA)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE) (during the vote). There are 2 minutes remaining in this vote.

□ 2137

Mr. KILDEE and Mr. DAVIS of Florida changed their vote from ''yea'' to ''nay.''

Mr. SESSIONS changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on the bill, H.R. 6.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 182, nays 232, not voting 20, as follows:

[Roll No. 598]

YEAS—182

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Bishop (NY)
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Castle
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frost
Gerlach
Gilchrest
Gordon
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu

NAYS—232

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

NOT VOTING—20

Akin
Ballance
Blumenauer
Boehlert
Boucher
Bradley (NH)
Case
Doolittle
Fletcher
Gephardt
Goss
Gutierrez
McCollum
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak
Visclosky
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 2146

Mr. BERRY and Mr. KLECZKA changed their vote from ''yea'' to ''nay.''

Ms. MAJETTE changed her vote from ''nay'' to ''yea.''

Mr. BAIRD changed his vote from ''present'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore (Mr. OSE). The unfinished business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Florida (Mr. DAVIS), on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 195, nays 217, not voting 22, as follows:

[Roll No. 599]

YEAS—195

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes

Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—217

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

NOT VOTING—22

Akin
Ballance
Blumenauer
Boehlert
Bradley (NH)
Brown-Waite, Ginny
Case
Doolittle
Fletcher
Gephardt
Goss
Gutierrez
Knollenberg
McCollum
McCotter
Miller (NC)
Pearce
Pryce (OH)
Sanchez, Linda T.
Stupak
Visclosky
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2152

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 424 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 424

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3289) 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. All points of order against the conference report and against its consideration is waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 424 is a rule providing for the consideration of a conference report to accompany H.R. 3289, a bill making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for fiscal year 2004, and for other purposes. The rule waives all points of order against the conference report and its consideration. The rule also provides that the conference report shall be considered as read.

Mr. Speaker, I am pleased to report that in its particulars, the conference agreement is largely consistent with the House passed version of the supplemental. In the aggregate, the agreement provides a total of $87.5 billion, which is $500 million above the President's request. Of that sum, $18.6 billion is provided for Iraq relief and reconstruction, which is $1.7 billion below the President's request.

Mr. Speaker, now that the House and Senate conferees have reached agreement on this emergency supplemental, it is imperative that we move without delay to make these funds available both to our troops in the field and for the vitally important work of rebuilding Iraq.

Accordingly, I urge my colleagues to support both the rule and the conference report.

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

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

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

Mr. FROST. Mr. Speaker, I rise today as a supporter of our efforts to replace Saddam Hussein's dangerous dictatorship with a stable and democratic Iraq. But I am deeply concerned that the Bush administration's stubborn refusal to be honest about Iraq has made the reconstruction process more difficult, more expensive and more dangerous.

Mr. Speaker, President Bush said it best earlier this week at a press conference in the Rose Garden. In talking about the United Nations, he said, ''Credibility comes when you say something is going to happen and then it does happen. You are not credible if you issue resolutions and then nothing happens.''

Well, that is exactly the situation President Bush has created for himself, a growing credibility gap that could threaten our ability to win the peace in Iraq.

Before the war, the Bush administration refused to prepare the American people for the costly and deadly reconstruction effort they are now witnessing. And whenever people like General Eric Shinseki let slip the truth, that it would be very expensive and require lots of troops, the administration publicly rebuked them, and then relieved them of duty.

On May 1 of this year, President Bush dressed up in a flight suit and had a pilot land him on an aircraft carrier so that he could declare victory in Iraq. Since then, nearly 120 American troops have been killed in action, more than before the President's May 1 victory speech, and nearly 1,200 have been wounded.

In recent days, however, the Bush administration has reached a new low in its well-documented PR campaign to spin Americans into believing that the bad news coming out of Iraq these days is actually good news.

On Tuesday, President Bush defended his May 1 ''victory'' pep rally by blaming the whole affair on the sailors of the USS *Abraham Lincoln,* as if he had somehow been the victim of the Navy's public relations stunt. That is not only an outrageous charge, especially coming from the man who runs the slickest White house PR machine ever, it is utterly unbelievable. After all, back in

May, the Bush White House bragged to reporters that the President himself helped devise the event, and the New York Times reported that his aides ''had choreographed every aspect of the event.''

Perhaps most disturbing, however, was the President's response to the series of sophisticated and deadly attacks against U.S. soldiers and our allies earlier this week. Sitting in the White House with Ambassador Bremer on Monday, President Bush tried to convince Americans that this was actually a sign of progress, that it proved how ''desperate'' these Iraqi insurgents have become.

This is what he told reporters who asked about the bombings, ''Again, I will repeat myself, that the more progress we make on the ground, the more desperate these killers become.''

□ 2200

That statement, Mr. Speaker, was literally incredible. When terrorists can coordinate multiple, separate attacks to kill 35 people and wound more than 230 people in just 45 minutes, it is a horrible tragedy, one that indicates a very real security problem on the ground in Iraq. And trying to spin it as good news simply undermines the President's credibility and harms our effort to win the peace in Iraq.

Mr. Speaker, President Bush's credibility problem is such a serious concern because America cannot afford to fail in Iraq. That is why so many people took notice earlier this week, when Senator JOHN MCCAIN, a Republican, who supports our efforts in Iraq and who knows as well as anyone the lessons of Vietnam, said, ''This is the first time that I have seen a parallel to Vietnam in terms of information that the administration is putting out versus the actual situation on the ground.'' It makes it harder to convince our allies around the world to shoulder some of the burden for rebuilding Iraq. That forces American taxpayers and American soldiers to bear the lion's share of the cost. And that makes it harder to maintain public support for this expensive and dangerous effort.

Mr. Speaker, that is why Democrats, and a few conscientious Republicans, have tried to force the Bush administration to account for the hundreds of billions of dollars it is spending in Iraq. And it is why we have tried to force the Bush administration to stop making American taxpayers pay the entire tab for this latest foreign aid package. After all, before war, the American people were told that Iraq was an oil-rich country that could fund its own reconstruction. Obviously, Iraq's proven oil reserves have not disappeared and America still has its own unmet priorities, like homeland security, education and health care. But now the Bush administration insists that Iraqi oil money can only be used to repay the debts that Saddam Hussein ran up to build his war machine and that U.S. taxpayers have to foot the bill for rebuilding Iraq. So Republican leaders have stripped out of this conference report the Senate's loan language.

Mr. Speaker, U.S. taxpayers are already struggling under the mountain of debt the Bush administration has run up. And there is no good reason to force U.S. taxpayers to pay for President Bush's failure to convince our allies to help. That is why majorities in both Houses of Congress voted in favor of turning about half of the reconstruction grants into loans. But sometimes, Mr. Speaker, it seems like President Bush does not understand how seriously his credibility on Iraq has been damaged. Unfortunately, as long as the Bush administration refuses to treat the American people with more respect, it will become increasingly difficult to achieve a goal we all share, winning the peace in Iraq.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), a valuable member of the Committee on Rules.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, there are moments in history where we know the decisions we are making will affect the world in the future. Today we stand at such a moment, charged with the enormous task of helping to rebuild Iraq. Our own history offers us guidance about how to best rebuild a wartime adversary.

After World War I, Germany was soundly defeated and the parties gathered in Versailles to negotiate the terms of surrender. The talks came to a question of who was responsible for the aftermath. Was Germany responsible? Should a country with a new government be burdened by the debts of a defeated regime? Should they be responsible for reconstruction or for reparations? We all realize how the reparations inflicted upon Germany at that time created an atmosphere of despair. We are also aware of how that atmosphere was exploited by the evil monster Adolf Hitler. Mr. Speaker, we know how that story ended in Germany, and it could end up that way in Iraq.

But after World War II, an alliance, once again scarred by battle, sat across from debt-heavy and defeated nations, and the alliance did not make the same mistake of 1918. The United States eventually formulated a systematic recovery program that became known as the Marshall Plan. The Marshall Plan was not entirely made up of U.S. aid. It also called upon the European nations to eventually contribute to their own recovery. Yet the first installment of $4 billion in aid required great political will. At that time, $4 billion represented 13 percent of the entire budget. That act of congressional courage helped to make Western Europe into a subcontinent of strong economies, strong democracies and, thus, strong allies.

It is my belief that this assistance may allow a free and democratic Iraq to become a beacon of hope in the Middle East. It will show the people of that region that democracy is possible, that the United States does not impose its will, only the ability for people to decide their own destiny.

That is why I applaud President Bush for setting the course of reconstruction in Iraq. Encouraging progress is already happening. Schools are opening. Electricity is turning on. New currency is being distributed. As the Iraqi people see continued progress in rebuilding, we help keep Americans safe at home. In a section of the world that has already imperiled too many lives, in a country whose previous savage regime caused too much suffering and too many deaths, we in Congress should be inspired by the lessons of our history to support an emerging Iraqi democracy with our wisdom, our experience, and our resources.

The vote we are about to cast will have enormous repercussions. If this assistance has the same effect that the Marshall Plan funding had in Western Europe, it will help toward the creation of a stable, democratic Iraqi government and a lifelong ally of the United States. It is with that hope, Mr. Speaker, that I will support this supplemental appropriation.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank the ranking member of the Committee on Rules for yielding me this time.

Mr. Speaker, tomorrow is Halloween and scary costumes are the order of the day. What is going to be the scariest costume of them all? The schoolteacher outfit with 60 children to teach? The small business suit with the bankruptcy notice? Or the elderly costume with its inadequate health care? Without a doubt, the desert camouflage uniform of the U.S. military is the scariest costume of all. Without flak jackets, traveling in nonarmored Humvees and without jammers to block incoming bombs, United States soldiers were sent to battle unprepared for the postwar hostilities they encountered and ill equipped to defend themselves. And all of us have a responsibility to all of them. But they are living a nightmare.

This is the consequence of rushing to war. Congress has been begging the administration for a comprehensive plan to stabilize Iraq and an exit strategy to bring our troops home. There has been no response. Instead, President Bush has presented us a bill that we are voting on soon demanding $87 billion, having not accounted in full for the $66 billion that was granted previously. The billions of dollars in this supplemental are not intended to get us out of Iraq. They are intended, in some respects, to keep us there, perhaps indefinitely.

Realize what $87 billion could buy. To get some perspective here or some real-life comparisons about $87 billion and

how it could benefit the American taxpayer:

$87 billion is more than the combined total of all State budget deficits in the United States. $87 billion is approximately the total of 2 years' worth of all U.S. unemployment benefits. $87 billion is more than double the total amount the government spends on homeland security. $87 billion is 87 times the amount the Federal Government spends on after-school programs.

The priorities of the President were those that in many respects were stripped out; but to add further insult to financial injury, billions of taxpayer dollars have been spent already on no-bid contracts for major U.S. corporations. In yet another tall tale from the administration, we were told that the funds for rebuilding Iraq must be in the form of grants to encourage other nations in the donor conference in Madrid the other day in rebuilding Iraq. Yet a total of $18 billion was pledged at the Madrid donors conference last week and $14 billion of that amount was in the form of loans. Therefore, there is no overarching reason for providing this money only in the form of grants.

It is fundamentally flawed logic to expect the American taxpayer to incur a debt for problems America has not created. We are not rebuilding an Iraq that we destroyed. We are rebuilding an infrastructure decimated by Iraq's former dictator. What we owe the Iraqi people is an opportunity for a democratic way of life, and it is not unreasonable to expect them to shoulder the cost. Freedom and democracy never come cheap. They are exorbitantly expensive in terms of money and sacrifice. The continuing propaganda from the White House regarding Iraq is distracting our attention from Afghanistan and other countries.

In my view, everyone should vote against this measure.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

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

Mr. Speaker, I rise in opposition to the conference report that this rule seeks to bring to the House floor. During House consideration of this bill, I pledged that I would not write the Bush administration a blank check of the taxpayers' money for the $18.6 billion in reconstruction funds for Iraq. I pledged not to write a blank check for a plan with no exit strategy, no clear link to this supplemental, and no details for after January of this coming year. I pledged not to hand over $18.6 billion of the taxpayers' money to build Iraq's electricity infrastructure when ours is not functioning here at home. I pledged not to sanction the use of American money to modernize Iraq's medical facilities and medical equipment when millions of Americans here at home are living without health care. And I pledged not to spend the American people's money to pay for that which we did not damage and that which did not previously exist in Iraq. I pledged not to send $18.6 billion in grants to a country that has the second largest oil reserves in the world, worth approximately $7 trillion. Why should Iraq not be expected to pay back this money? And I pledged not to add another $18.6 billion to this year's deficit, estimated already at over $480 billion.

Each of us in this Chamber has a responsibility to the American people to demand an Iraq package that will not bankrupt future generations. That is why the American people still support creating a loan package for Iraq, not a grant. Iraq can and should pay back the money for reconstruction with their future oil reserves. Period. Evidently, I reached the same conclusion many of the nations and organizations at the Madrid donors conference reached themselves. That conference only produced $4 billion in grants and roughly $13 billion in loans and trade credits, that amount toward a total estimated Iraqi need of $56 billion over the next 4 years. So, Mr. Speaker, this is not the last time that we will see moneys being brought by the administration for Iraq. And why should the American taxpayer not be paid back if the taxpayer in other countries, countries that did not support this effort, will be paid back?

The consequence of this grant approach is that the American taxpayer will pay more than he or she should, will pay more for Halliburton to make more. The President's suggestion that bombings in Iraq are a result of our success is outrageous. The bombings are a failure of our postintervention planning, not a symbol of success. And though I strongly support our American servicemembers and the money that is going to them in this bill, made much better because of Democratic efforts, I cannot in good conscience support this legislation.

I urge my colleagues to vote against the conference report.

□ 2215

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

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I stand here outraged because I am asked to vote for a bill that would give $87 billion as a grant to a country that has billions of barrels of oil buried underground in reserve. At the same time, we have cut veterans services. I am outraged.

I am hurt, because our POW Shoshanna Johnson, the first African American female ever to be a prisoner of war, was disregarded and given 30 percent disability benefit. Oh, yes, Jessica Lynch got 80 percent.

We should be ashamed. This young woman spent 22 days as a captive. She told me that twice a week they would bring her a little bowl of water to wash with. She is going to leave the Service, and what does she have to look forward to? She was shot through both of her ankles, and they are only going to award her 30 percent disability.

Is that the way we treat our service personnel as veterans? Is that why we said to them, go into the Service, be all that you can be? We sent them over there in harm's way, and they served us well. And now they are coming home, and we are not serving them well, we are not serving her well. But we can give a country thousands of miles away our hard-earned tax dollars. There is something incredibly wrong with that.

I do not care what you snuck into the bill at the eleventh hour. I understand the money for California's fires, how cynical, is in this bill. You ought to be ashamed of yourselves.

So I am voting no. My veterans know I support them, my military people know I support them. I have been over to Walter Reed, I have let them see my face and know my support. So I do not have to play a game and vote for this bill, when we have problems right here in our own country.

We had an incident in Cannon, it was a failed system, because none of us were notified as to what was going on over there.

I just want to say to my colleagues, let us be truthful and let us be trustworthy, and let us treat the people of America right, and particularly those that we sent into harm's way, by choice. We were not attacked by Iraq. We chose to invade Iraq. Now, we are trying to rebuild a country at the expense of our own domestic needs.

I cannot do it, and I hope you will not do it. Let us honor America. Let us honor our own fighting forces. Let us take that money and put it to their welfare after they leave that country and go home. Let us welcome them in an American way, and treat them fairly. Let us vote no on this rule.

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

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I rise as one who voted for this supplemental last week because of our troops. Our troops need this help. We made the decision to send them into harm's way. They need the bulletproof vests to save their lives. That is in this request. They need the hydration systems to purify their water, so many of them are having dysentery from the water over there not being purified. There is so much, so we cannot turn our backs on our troops.

But we have a dilemma. The American people have a dilemma. The American people are asking some questions of this administration and each and

every one of us up here, Democrat and Republican, and that is this question: Where is the accountability for this money, these funds, to build Iraq?

I wish we could have set aside, and I worked hard to see if we could, the money for our troops, the $67 billion, because that is another question. I do not think there is anybody in this House that would not vote to help our troops. But this House is in a convoluted state, just like this whole country is in a convoluted state, because there is a lack of accountability on this administration and this President for the monies that go to rebuild Iraq.

There are serious questions. If we do not raise those questions, if we do not answer those questions, it is not going to be so easy to come back and get money the next time, because the American people, I am here to tell you, have had it about up to here.

We are working with a country over there that is sitting on the world's second largest oil reserves, which arguably could be one of the richest countries in the world, and yet in this administration and in this supplemental there is not one timetable, there is not one direct amount of money that is going to get the oil wells producing, to get the oil production up and running at capacity. That should be the first business. Where is the money for that?

Why is there a cloud over the handling of this noncompetitive business? The American people are asking these questions. Halliburton and Bechtel, two companies, fine companies though they may be, but should they have nonbidding rights to get the taxpayers' money?

The American people are asking these questions. We owe it to them to ask these questions and get some answers. We have got to do it together, not as Democrats and Republicans, but together. We as a body must ask this administration to give the American people the accountability and the transparency on where this $20 billion is going and how it is going to be spent, or else we all will lose our credibility, and that is something we must not do. The American people are counting on us to ask the questions of this administration on this money and get the answers.

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

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

Mr. Speaker, as I have mentioned previously, I have been a supporter of our action against Iraq, I voted for the supplemental, and I will vote for this conference report. I will tell you that there are serious questions that have been raised by Members on this side of the aisle, and even some Members on the other side of the aisle, particularly on the issue of whether all of this money, all of this $20 billion, should be a grant, or whether at least a portion of it should be a loan.

These are serious questions. The House went on record and the Senate went on record in favor of some of this money being a loan, but, unfortunately, the conference committee did not see the wisdom in taking that position.

Members have indicated and have served notice, and I believe Members on the other side of the aisle should listen carefully, Members have served notice that it will be much more difficult for the administration next time they come to this body seeking more funds for reconstruction.

Members have been willing to give the administration the benefit of the doubt, even though they have very serious reservations, but I would hope that this administration and the Members on the other side of the aisle, before they return to this Congress asking for additional billions of dollars, will take a long and hard look at this issue of loans versus grants and take a long and hard look at the opinions of the American people who are very concerned about unmet needs here in the United States.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Speaker, I did not intend to speak on this. In listening and thinking this through, I feel compelled to take the well.

I am one of the few on this side of the aisle that voted with President Bush the first time, as well as this President Bush, because I thought it was important, the right thing to do, that those of us who have said ''never again'' to tyrants must protect not just ourselves, but other people as well, and step up to the plate, and that it would be sinful not to do what we have to do in ridding the world of a tyrant. I am not sorry that I participated in that, because, indeed, it was the right thing to do, and remains so.

But things have happened and things have changed as we watch what has evolved, as we watch an administration that ran for office and continually talked about bringing morality back to government and taking personal responsibility, and suddenly seeing the evolving of what has happened here, which is truly mind-boggling.

Personal responsibility. Who knew what in the White House and when? Personal responsibility. Things starting to go wrong.

Where is the plan? Those of us who supported the action always said we were going to win the war. There was no doubt about it. You could not find an oddsmaker in Las Vegas to say that Saddam Hussein was going to win the war. The day, the amount of time, the casualties, that was always a question.

But the question that we pressed in the Committee on International Relations was, can you win the peace? What we have here is a Secretary of War who has now become the Secretary of Peace, and he does not know how to do it.

The President stood here in this House and said to us Members of both bodies assembled, ''British intelligence tells us this.'' I think it is what Nixon called ''plausible deniability.''

I never heard a President say someone else's intelligence told us this. He was warned. He was warned by the CIA Director that that intelligence was wrong. Blame the British. Blame the CIA Director. Blame the brave men in the Navy on the *Abraham Lincoln*.

What happened to personal responsibility? Where is the plan? We have been deceived; we have been lied to, we in the Congress and the American people as well, and that is intolerable. People took the oath of office to tell the truth. Where is the truth?

Indeed, this is a dilemma. We have so many American lives on the line in that country, but the President owes us a plan. A company declares bankruptcy for a half a million dollars, they have to have a plan. For $87 billion, there should be a plan. What is the plan? Nobody knows the plan.

''Trust us.'' Well, I have run out of trust in this administration. I do not mind that the emperor has no clothes; I mind that the emperor does not have a plan, because lives are at stake.

We want to protect our troops. Bring back a bill that would protect the troops. We are not going to leave them hanging out there. But to spend $87 billion, and nobody knows how, nobody knows why, nobody knows where, nobody knows when, is something that is absolutely unconscionable, and something in which I can no longer participate.

I will be voting no.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to vote for this rule so we can get on to fund the very important operation that we have in the Mideast. I just remind my colleagues that more than 75 percent of this bill goes to make sure that our troops are secure in this theater.

□ 2230

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report accompanying H.R. 3289 and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 424, I call up the conference report on the bill (H.R. 3289) 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 424, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the conference report on the supplemental to pay for our military forces, equipment, their salaries, and their medical care. A speaker who just left the well a few minutes ago said that nobody knows where the money is going, and I want to tell my colleagues that we do know where it is going. It is going to take me a little bit more time than I had anticipated using, but let me tell my colleagues this: $65 billion of this money goes to the American troops, the American forces in Afghanistan and in Iraq. I will take the time to provide details of that funding:

Military personnel expenses: $17,800,000; The operation and maintenance for our services involved in Iraq and Afghanistan, $39,231,000; for procurement for the Army, for missiles, and WTCV for the Army, other procurement Army, aircraft procurement Army and Navy, other procurement Navy, procurement for the Marine Corps, Air Force procurement defense-wide $5,534,000. These pages that I will provide for the record are full of details on spending in this bill. And for someone to stand here and say no one knows where the money is going, is just not accurate. I really do not mind the political comments that are made here, but do not distort the facts.

We know where this money is going. Do we know where every penny is going? No. And for some of the programs that my colleagues support, we do not know where all that money is going, either. But we do the best we can. We know this money is going for our troops. In fact, all of this money is going for our troops.

Why did I say that? Because clearly $20 billion is for construction and recovery in Afghanistan and Iraq. But our troops are there. And this House overwhelmingly voted to send them there, and so did the other body. And so they are there. And they are not coming home until they have created a secure Afghanistan and a secure Iraq.

Now, another speaker said, it is not working. The heck it is not. You talk to anybody who has gone from this Congress to Iraq and they will tell you that it is working. Is it working overnight? No. Of course not. It took 30 years for Saddam Hussein to destroy the lifestyle of people in Iraq. And our President decided to fix that. He was tired of Iraq threatening his neighbors. He was tired of Iraq supporting terrorists. And we voted to support him. Our troops are going to come home after we have been able to help the Iraqis create their own government and create their own security forces, so that they can have some quality of life in Iraq.

So this money is going for our troops, and $65 billion of it is going directly to our troops.

There are other things in this bill. We had a good conference with the Senate. It took us a couple of days after pre-working this conference for a couple of weeks, and we have done some good things in this bill.

Remember the outrage that we all expressed when we found out that soldiers, wounded in battle, in a military hospital, were charged $8.10 a day for the food that they consumed while in the hospital? This bill fixed that. We had fixed it temporarily in an appropriations bill. This bill fixes it permanently. And it not only fixes it permanently, but it makes it retroactive, so anybody who was billed for their food while recovering from battle wounds will get their money back if they paid those charges. This bill does that.

We provide additional benefits for our National Guardsmen and our Reservists who are serving in our Nation's military in Iraq and Afghanistan.

Mr. Speaker, it has been said that there is no exit strategy, and that there is no plan. The fact is, there is an exit strategy, and that is to stabilize Iraq and Afghanistan so that our troops can exit and exit safely, and so that the people of Iraq can have a quality of life. They did not have a quality of life prior to the United States liberating that nation from the tentacles of Saddam Hussein, who had destroyed millions of his own people in one way or another, who had gone to war with his neighbor in Iran, who has invaded Kuwait, and who threatened Saudi Arabia. This was a bad guy.

I had the opportunity at the request of the Administration to attend the donors conference in Madrid last week, and I listened to speakers from many countries saying how bad Saddam Hussein was and how important it was to liberate the people of Iraq. They did not give the United States any credit for having made this happen, but at least they acknowledged that it had to happen, and that the United States, led by the President of the United States, George Bush, had the courage and the gumption to do something about it. I think we will find in the long range that this is going to be beneficial to the world. And this House obviously believed that, because we voted overwhelmingly to send those forces to Afghanistan and to Iraq.

Mr. Speaker, there are a lot of other things that I want to bring to the discussion this evening; but at this point I am going to reserve the balance of my time, and then we will have our exchanges and then have a final vote here very shortly.

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
(Amounts in thousands)

	FY 2004 Request	House	Senate	Conference	Conference vs. Request
TITLE I - NATIONAL SECURITY					
CHAPTER 1					
DEPARTMENT OF DEFENSE					
Military Personnel					
Military Personnel, Army (emergency)	12,858,870	12,188,870	12,858,870	12,858,870	---
Military Personnel, Navy (emergency)	816,100	816,100	816,100	816,100	---
Military Personnel, Marine Corps (emergency)	753,190	753,190	753,190	753,190	---
Military Personnel, Air Force (emergency)	3,384,700	3,384,700	3,384,700	3,384,700	---
Total, Military Personnel	17,812,860	17,142,860	17,812,860	17,812,860	---
Operation and Maintenance					
Operation and Maintenance, Army (emergency)	24,190,464	24,257,664	---	23,997,064	-193,400
(Contingent emergency appropriations)	---	---	24,946,464	---	---
Operation and Maintenance, Navy (emergency)	2,106,258	1,934,058	1,976,258	1,956,258	-150,000
(Transfer out) (emergency)	(-80,000)	(-80,000)	(-80,000)	(-80,000)	---
Coast Guard Operations (by transfer) (emergency)	(80,000)	(80,000)	(80,000)	(-80,000)	(-160,000)
Operation and Maintenance, Marine Corps (emergency)	1,198,981	1,198,981	1,198,981	1,198,981	---
Operation and Maintenance, Air Force (emergency)	5,948,368	5,598,368	5,516,368	5,416,368	-532,000
Operation and Maintenance, Defense-Wide (emergency)	4,618,452	4,485,452	4,218,452	4,355,452	-263,000
Operation and Maintenance, Marine Corps Reserve (emergency)	16,000	16,000	16,000	16,000	---
Operation and Maintenance, Air Force Reserve (emergency)	53,000	53,000	53,000	53,000	---
Operation and Maintenance, Air National Guard (emergency)	214,000	214,000	214,000	214,000	---
Overseas Humanitarian, Disaster, and Civic Aid (emergency)	35,500	35,500	35,500	35,500	---
Iraq Freedom Fund (emergency)	1,988,600	2,086,600	1,988,600	1,988,600	---
(Transfer out) (emergency)	---	---	(-4,000)	---	---
Inspector General (by transfer) (emergency)	---	---	(4,000)	---	---
Total, Operation and Maintenance	40,369,623	39,879,623	40,163,623	39,231,223	-1,138,400
Procurement					
Missile Procurement, Army (emergency)	6,200	---	6,200	---	-6,200
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	46,000	101,600	---	101,600	+55,600
(Contingent emergency appropriations)	---	---	104,000	---	---
Other Procurement, Army (emergency)	930,687	1,250,287	---	1,143,687	+213,000
(Contingent emergency appropriations)	---	---	1,078,687	---	---
Aircraft Procurement, Navy (emergency)	128,600	158,600	128,600	158,600	+30,000
Other Procurement, Navy (emergency)	76,357	76,357	76,357	76,357	---
Procurement, Marine Corps (emergency)	123,397	123,397	123,397	123,397	---
Aircraft Procurement, Air Force (emergency)	40,972	53,972	40,972	53,972	+13,000
Missile Procurement, Air Force (emergency)	20,450	20,450	20,450	20,450	---
Other Procurement, Air Force (emergency)	3,441,006	3,418,006	3,441,006	3,438,006	-3,000
Procurement, Defense-Wide (emergency)	435,635	418,635	435,635	418,635	-17,000
Total, Procurement	5,249,304	5,621,304	5,455,304	5,534,704	+285,400
Research, Development, Test and Evaluation					
Research, Development, Test and Evaluation, Navy (emergency)	34,000	34,000	34,000	34,000	---
Research, Development, Test and Evaluation, Air Force (emergency)	39,070	39,070	39,070	39,070	---
Research, Development, Test and Evaluation, Defense-Wide (emergency)	265,817	195,817	265,817	260,817	-5,000
Total, Research, Development, Test and Evaluation	338,887	268,887	338,887	333,887	-5,000

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
(Amounts in thousands)

	FY 2004 Request	House	Senate	Conference	Conference vs. Request
Revolving and Management Funds					
Defense Working Capital Funds (emergency)	600,000	600,000	600,000	600,000	---
National Defense Sealift Fund (emergency)	24,000	24,000	24,000	24,000	---
Total, Revolving and Management Funds	624,000	624,000	624,000	624,000	---
Other Department of Defense Programs					
Defense Health Program (emergency)	658,380	658,380	658,380	658,380	---
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	73,000	73,000	73,000	73,000	---
Total, Other Department of Defense Programs	731,380	731,380	731,380	731,380	---
Related Agencies					
Intelligence Community Management Account (emergency)	21,500	21,500	21,500	21,500	---
Transfer to Department of Energy	(3,000)	(3,000)	(3,000)	(3,000)	---
Transfer to Department of Justice	(15,500)	(15,500)	(15,500)	(15,500)	---
GENERAL PROVISIONS					
Transfer Authority (sec. 1101) (emergency)	(5,000,000)	(3,000,000)	(5,000,000)	(3,000,000)	(-2,000,000)
Storm Damage (sec. 1109) (emergency)	---	413,300	---	313,000	+313,000
Munitions security and destruction (sec. 1121) (emergency)	---	---	---	100,000	+100,000
Total, Chapter 1	65,147,554	64,702,854	65,147,554	64,702,554	-445,000
Emergency appropriations	(65,147,554)	(64,702,854)	(39,018,403)	(64,702,554)	(-445,000)
Contingent emergency appropriations	---	---	(26,129,151)	---	---
CHAPTER 2					
DEPARTMENT OF HOMELAND SECURITY					
United States Coast Guard					
Operating expenses (emergency)	---	23,183	---	23,183	+23,183
Emergency Preparedness and Response					
Disaster Relief (emergency)	---	---	---	500,000	+500,000
Total, Chapter 2	---	23,183	---	523,183	+523,183
CHAPTER 3					
MILITARY CONSTRUCTION					
Military construction, Army (emergency)	119,900	185,100	119,900	162,100	+42,200
Militay construction, Navy (emergency)	---	45,530	---	45,530	+45,530
Military construction, Air Force (emergency)	292,550	292,550	292,550	292,550	---
Family housing operations and maintenance, Army (emergency)	---	8,151	---	11,420	+11,420
Family housing operation and maintenance, Navy and Marine Corps (emergency)	---	6,280	---	6,280	+6,280
Family housing operation and maintenance, Air Force (emergency)	---	6,981	---	6,981	+6,981
Total, Chapter 3	412,450	544,592	412,450	524,861	+112,411
Total, TITLE I	65,560,004	65,270,629	65,560,004	65,750,598	+190,594
Emergency appropriations	(65,560,004)	(65,270,629)	(39,430,853)	(65,750,598)	(+190,594)
Contingent emergency appropriations	---	---	(26,129,151)	---	---
TITLE II - IRAQ AND AFGHANISTAN RECONSTRUCTION AND INTERNATIONAL ASSISTANCE					
CHAPTER 1					
DEPARTMENT OF JUSTICE					
General Legal Activities (emergency)	---	15,000	---	15,000	+15,000

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
(Amounts in thousands)

	FY 2004 Request	House	Senate	Conference	Conference vs. Request
DEPARTMENT OF STATE AND RELATED AGENCY					
Administration of Foreign Affairs					
Diplomatic and Consular programs (emergency)	40,500	156,300	35,800	156,300	+115,800
Reappropriation	35,800	---	---	---	-35,800
Rescission (emergency)	---	-35,800	-35,800	-35,800	-35,800
Embassy Security, Construction and Maintenance (emergency)	60,500	43,900	---	43,900	-16,600
Emergencies in the Diplomatic and Consular service (emergency)	50,000	50,000	---	115,500	+65,500
(Contingent emergency appropriations)	---	---	90,500	---	---
Total, Administration of Foreign Affairs	186,800	214,400	90,500	279,900	+93,100
International Organizations					
Contributions for International Peacekeeping Activities (emergency)	---	245,000	---	245,000	+245,000
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations (emergency)	---	40,000	---	40,000	+40,000
Total, Chapter 1	186,800	514,400	90,500	579,900	+393,100
Emergency appropriations	(186,800)	(550,200)	(35,800)	(615,700)	(+428,900)
Contingent emergency appropriations	---	---	(90,500)	---	---
Emergency rescissions	---	(-35,800)	(-35,800)	(-35,800)	(-35,800)
CHAPTER 2					
BILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
United States Agency for International Development					
Operating expenses of the United States Agency for International Development (emergency)	40,000	40,000	40,000	40,000	---
(Transfer out) (emergency)	---	---	(-4,000)	(-1,900)	(-1,900)
U.S AID Office of Inspector General (by transfer) (emergency)	---	---	(4,000)	(1,900)	(+1,900)
Capital Investment Fund					
Capital Investment Fund (contingent emergency appropriations)	---	---	60,500	16,600	+16,600
OTHER BILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
Iraq relief and reconstruction fund (emergency)	20,304,000	18,649,000	18,449,000	18,649,000	-1,655,000
(Transfer out) (emergency)	---	---	(100,000)	(210,000)	(+210,000)
Operating Expenses of the Coalition Provisional Authority (emergency)	---	858,000	---	983,000	+983,000
Economic support fund (emergency)	422,000	872,000	422,000	872,000	+450,000
(by transfer) (emergency)	---	---	---	(100,000)	(+100,000)
International disaster and famine assistance (emergency)	---	100,000	---	110,000	+110,000
(by transfer) (emergency)	---	---	---	(110,000)	(+110,000)
United States Emergency Fund for Complex Foreign Crises (emergency)	100,000	---	100,000	---	-100,000
(By transfer) (emergency)	---	---	(100,000)	---	---
DEPARTMENT OF STATE					
International narcotics control and law enforcement (emergency)	120,000	170,000	120,000	170,000	+50,000
Nonproliferation, antiterrorism, demining and related programs (emergency)	35,000	35,000	35,000	35,000	---

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
(Amounts in thousands)

	FY 2004 Request	House	Senate	Conference	Conference vs. Request
MILITARY ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
Foreign Military Financing Program (emergency)	222,000	297,000	222,000	287,000	+65,000
Peacekeeping operations (emergency)	50,000	50,000	50,000	50,000	---
Total, Chapter 2	21,293,000	21,071,000	19,498,500	21,212,600	-80,400
Emergency appropriations	(21,293,000)	(21,071,000)	(19,438,000)	(21,196,000)	(-97,000)
Contingent emergency appropriations	---	---	(60,500)	(16,600)	(+16,600)
(By transfer) (emergency)	---	---	(104,000)	(211,900)	(+211,900)
Total, TITLE II	21,479,800	21,585,400	19,589,000	21,792,500	+312,700
Emergency appropriations	(21,479,800)	(21,621,200)	(19,473,800)	(21,811,700)	(+331,900)
Contingent emergency appropriations	---	---	(151,000)	(16,600)	(+16,600)
Emergency rescissions	---	(-35,800)	(-35,800)	(-35,800)	(-35,800)
(By transfer) (emergency)	---	---	(104,000)	(211,900)	(+211,900)
TITLE III					
CHAPTER 1					
DEPARTMENT OF VETERANS AFFAIRS					
Veteran Health Administration					
Medical care (emergency)	---	---	1,300,000	---	---
GRAND TOTAL (net)	87,039,804	86,856,029	86,449,004	87,543,098	+503,294
Emergency appropriations	(87,039,804)	(86,891,829)	(60,204,653)	(87,562,298)	(+522,494)
Contingent emergency appropriations	---	---	(26,280,151)	(16,600)	(+16,600)
Emergency rescissions	---	(-35,800)	(-35,800)	(-35,800)	(-35,800)
Transfer authority (emergency)	(5,000,000)	(3,000,000)	(5,000,000)	(3,000,000)	(-2,000,000)
(Transfer out) (emergency)	(-77,000)	(-77,000)	(15,000)	(131,100)	(+208,100)
(By transfer) (emergency)	(95,500)	(95,500)	(203,500)	(147,400)	(+51,900)

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the ranking Democrat on the Subcommittee on Defense.

Mr. MURTHA. Mr. Speaker, the first trip I took to Kuwait, it was right before the war started and the gentlewoman from California (Ms. PELOSI) had asked me to accompany her, because for her first foreign trip she wanted to go, even though she was not for the war resolution, she wanted to make sure that the troops understood she supported them wholeheartedly. The next trip I went on was to Iraq, and I found a number of shortages which a lot of people have talked about. But the shortages were not because the Committee on Appropriations did not put the money in; the shortages were because the bureaucrats back here saved the money for some other purpose. They did not want to spend this money. In the meantime, we had troops without inserts for their battle gear, we had troops without jammers, we had Bradleys without tracks, a lot of different problems. We called back from there, and we got the Defense Department moving. And this supplemental has every one of the shortages, the money for every one of the shortages in this bill.

I am pleased to say that we have the companies working 24 hours a day to make sure that the troops have the type of equipment they need to protect their lives. I am hopeful that the President shifts some of these intelligence people, because what I have always learned is intelligence is probably the most important element in fighting a war; shifts the intelligence people from trying to find these weapons of mass destruction to trying to protect our troops.

I get a lot of complaints from the Reserves. I hear all kinds of optimistic talk about this war. But let me say this. The Iraqis supposedly were for us when we went in. I see polls that say 60 percent of the people are for what we are doing.

Well, when they fire our PGs into our troops and they take their legs off; we went out to the hospital, a number of us have been out there, the chairman has been out there, his wife has been out there over and over again, and we see them with their legs blown off and their arms blown off, and then they disappear after they have been firing these weapons into the crowd, that means the Iraqis are not with us. I do not care what the polls show; they are not with us. Now, they may be with us in heart, but they are afraid to talk about it and when they are afraid to talk about it, we have to win the hearts and minds of the people. That is what this reconstruction money is all about.

We took care of the money for the troops, but if you do not get the electricity back, if you do not get the water running right, if you do not get the people who are unemployed; there is 60 percent unemployment, I just got a briefing yesterday and they told me there is still 60 percent unemployment. If we have 60 percent unemployment in this country, we are not going to be able to solve the problem.

So we have to get the Iraqis back to work, and the reconstruction money is as important as anything that we can do in order to help solve this problem. I said when I came back, we have to get Iraqis out in the field and we have to get the international community involved in this, and we have to energize Iraq. If we do not do that, we are going to lose this war.

I believe the key to winning this war is to win the hearts and minds of the people, and we have to overcome the X factor of the enemy. If we do not overcome the X factor of the enemy, we will lose this war. I think it is on the edge now. I am not as optimistic as a lot of people are. I know an awful lot of people who were optimistic initially are much more realistic than they used to be. But I tell my colleagues one thing, if we were to let this legislation not pass, we sure would not win this war.

So I would urge the Members of this House to vote for this $65 billion for the troops and the $20 billion for the reconstruction effort in order to get our troops back home as quickly as we can.

Mr. YOUNG of Florida. Mr. Speaker, I yield 5 minutes to the very distinguished gentleman from California (Mr. LEWIS), the chairman of our Subcommittee on Defense of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the gentleman yielding me this time.

Mr. Speaker, I must say, at the beginning of my remarks I want the House to know that I deeply appreciate the comments of my colleague, the gentleman from Pennsylvania (Mr. MURTHA), who is my partner on this subcommittee; and I also want to say to the House that I am rising this evening with no small amount of serious concern about the problems that are facing my constituents in my own district where literally the whole district is on fire. It is an incredible time.

But a few weeks ago, I had the opportunity to take perhaps the largest delegation that has traveled to Iraq since we have been involved there, a group of Members numbering some 17 of us, a fabulous cross-section of the House: Democrats and Republicans, liberals, conservatives, Members who had voted against the war, Members who supported the war. But we saw many things in a relatively short trip, but one thing was absolutely certain. We all became convinced that Saddam Hussein absolutely is one of the most outrageous tyrants of modern time, rivaling Hitler's Germany, certainly rivaling that which the Russian leadership was all about.

While we were there, we visited circumstances that reflect the worst of what this tyrant has done to his people, a people who have had no opportunity for freedom in their lifetime, a people who have been oppressed if they dared oppose him, and people who were killed in the tens and tens of thousands. Visiting the killing fields was an amazing experience where in one location, tens of thousands had been killed on that spot, and similar locations across the country. This person did not hesitate to wipe out huge portions of his own population, ranging between 500,000 and maybe 1.5 million people.

In turn, that delegation was amazed to see what had been done to the children of Iraq, suggesting that he was even willing to see that children were fed formula that was mixed with sewage water, caring nothing about the future of those children and those families.

So America is there to make a commitment to the future of these people in hopes that they really will experience freedom.

□ 2245

General Petraeus, who was one of the key commanders that we dealt with, said that the money that was most important to his success was that money that was going to reconstruction. That, the General told us, the security of his troops was very much connected to the sense that America was about creating new opportunities there and laying the foundation for freedom. And, indeed, he felt it deeply, that was the way to make sure that our people, our troops come home as soon as possible.

Let me just make one more point. That is there is no doubt that if we are successful in our efforts in Iraq, we are about to play a role in creating a model in the Middle East that could change the future of that entire region.

There is absolutely no question that this success could take us down a pathway that could lead to a new kind of peaceful opportunity, a new roadway in the entire region. I truly believe that we have a chance at this moment to make a difference about the entire future of the Middle East. And it is a Democrat and Republican effort. The gentleman from Pennsylvania (Mr. MURTHA) has been fundamental in helping me be successful in the military side of this, but both of us recognize just how important the reconstruction effort is as well.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member on the Committee on Appropriations, for yielding and for his leadership. I appreciate the Obey alternative that was not able to be offered but that he put forth. And I will speak to that in just a moment.

I rise in opposition to the supplemental. And, in doing so, I want to acknowledge the extraordinary commitment of our distinguished chairman to

our troops. For him it is a family matter. His wife has been, as all have said over and over, an angel to the young men and women that have come back from combat and are at the Bethesda Naval Medical Center and the Walter Reed Hospital. And all of us who have visited them salute their courage, their patriotism, the sacrifice they are willing to make for our country. I had the privilege of doing that on a number of occasions with the gentleman from Pennsylvania (Mr. MURTHA), as well as visiting the troops in Kuwait.

Mr. Speaker, it is not a question as to whether we support the troops. Of, course, we all do. So I thank you, Mr. Chairman, for your extraordinary commitment there, and, as well, the gentleman from Wisconsin (Mr. OBEY.) In fact, in the Obey substitute there was $4.6 billion more for the troops. Unfortunately, the rules prevented us from taking up the alternative simply because it was paid for. Funny rules, but there they are.

I commend the gentleman from California (Mr. LEWIS) for working with the gentleman from Pennsylvania (Mr. MURTHA), where we finally were able to get some of the equipment that the troops need to protect themselves as they fight this fight in Iraq. They are precious to us. Again, we salute them. But we cannot send them into battle unless they are adequately equipped.

May I offer my condolences and sympathy to the gentleman from California (Mr. LEWIS) for the losses in his district and that of many in our great State of California. I salute the firefighters who also are taking risks for us in our Golden State. Because, quite frankly, one of my dismays with the administration on their proposals are that with the $63 billion that we gave them last spring and the summer with a practically unanimous vote, it was not even an issue, of course, the money would be sent. When the President asked for the $87 billion, we later learned that the troops still did not have the kevlar lining in their vests, in their flak jackets, at least 44,000 of them did not. They still did not have jammers to prevent the improvised explosive devices from taking their lives. They still did not have the tracks for the Bradleys. They still did not have the spare parts for nearly half of their equipment.

The gentleman from Pennsylvania (Mr. MURTHA) visited there, raised a ruckus, but still they did not have it in the $63 billion package in the summer; they still do not have it, this the $87 billion request from the President. I thank the gentleman from Pennsylvania (Mr. MURTHA) for his extraordinary leadership on behalf of the troops. We salute them here on this floor; he works for them every day. And without his raising the ruckus, they still would not have it in this bill, but he and the gentleman from California (Mr. LEWIS) made that possible. And we are all in their debt, all of us who care about the troops. And I know that that includes every single person here.

As respectful as I am of our distinguished chairman, I beg to differ on the exit strategy. What he stated is something that we all share: A goal that we will successfully accomplish our mission in restoring stability to Iraq. We all agree that that must be done. That is a goal. It is an exit strategy. The administration did not have one, nor did they have a plan. That is a very sad thing. They did not have a plan for postwar Iraq.

Whatever one's view was going into the war, that is history. That was then. Now, we know we have to accomplish the mission, we have to support our troops, and we have to have them come home safely and hopefully soon.

General Zinni's words just resonate with me. They challenge the conscience of our country. General Zinni, retired Marine Corps General Anthony Zinni said, and I quote, ''America's men and women in uniform should never be put on the battlefield without a strategic plan not only for the fighting, our generals will take care of that, but for the aftermath and winning that war. Where are we, the American people, if we accept this level of sacrifice without that level of planning?''

So not only does the administration not have an exit strategy, they do not have a plan. The level of sacrifice has not been met with the level of planning. Because President Bush lacked an adequate plan for postwar Iraq, American soldiers are taking virtually all of the risks and American taxpayers are paying virtually all of the bills.

As I said, Democrats offered an alternative that would have spent an additional $4.6 billion to protect U.S. forces and converted half of the reconstruction loans to loans through the World Bank, thereby costing U.S. taxpayers less, avoiding an increase in the deficit, and encouraging greater international participation. Unfortunately, House Republicans prevented a vote on that proposal. And last week 84 Republicans joined Democrats in favoring loans showing that this is not a partisan issue.

Threats of a Presidential veto if the loans were included in the final bill ignore, really, bipartisan majorities in both Houses of Congress and the opinion of most Americans.

Last night the conferees turned a deaf ear to the American people and the will of both Houses by stripping the loan provision from the conference report. And so tonight we are being asked to vote on a conference report that hands the President another blank check for postwar Iraq.

This conference report reflects no change in the administration's failing postwar Iraq policy. The $63 billion for Iraq approved last spring has not been adequately accounted for. We do not have any accountability for the policy and, yet, here we are poised to approve $87 billion for more.

I certainly agree with what has been said on both sides of the aisle; the gentleman from Pennsylvania (Mr. MURTHA) said it most recently when he talked about the need for the reconstruction, and the gentleman from California (Mr. LEWIS) referenced it too. Certainly, we know that reconstruction funds are necessary in Iraq. We know that that is important to the safety and the security of our troops. And I think we are blessed in this body to have the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Ms. Lowey) as the Chair and ranking member of the Committee on Appropriations subcommittee that will deal with that. They are internationalists, they understand the importance of that. But I do not think we should have a gold-plated, no-bid-contract kind of a way to approach these.

And that was the beauty of the proposal of the gentleman from Wisconsin (Mr. OBEY). It gave them $7 billion to use immediately, which was what the World Bank said their absorptive capacity was now, and sends the rest of the money on to the World Bank to be capitalized 4 to 1, $28 billion for this important reconstruction.

The gentleman from California (Mr. LEWIS) referenced General Petraeus. Anyone who has visited the theater knows what a hero he is, 101st Airborne, great, great, great troops that we are very proud of. General Petraeus pointed out an incident where the U.S. engineers called for $15 million to turn a cement factory into a state-of-the-art cement factory. Our troops working with the Iraqis, this is one of General Petraeus's projects, our troops working with the Iraqis got it up and running not for $15 million, but for $80,000. For $80,000.

So that is why when we are not having loans but we are having grants, and our grandchildren and children have to pay for all of this without any thought of getting any reduction of our deficit from the gushing oil fields of Iraq, should they ever gush forth, it just does not seem right.

Mr. Speaker, what is really sad about all of this in terms of the cost, when the administration came to the Congress and to the Committee on Appropriations, Secretary Wolfowitz said we are dealing with a country that can really finance its own reconstruction and relatively soon. He said that shortly after we went into full combat with Iraq. Mr. WOLFOWITZ said we are dealing with a country that can really finance its own reconstruction and relatively soon. He miscalculated the cost, that is for sure. Ignoring the advice of our own State Department, indeed the Bush administration's own State Department about what to expect in postwar Iraq, and that is a matter of record, it has been published in the assessment that was made after the war, Center for Army's Lessons Learned at Fort Leavenworth, Kansas, we know that we did not really even supply our troops with the intelligence, the actionable intelligence they needed to protect themselves and to accomplish the mission.

So we miscalculated the cost, we misunderstood the risks, we do not have the intelligence. And the administration, again, ignored its own report from the State Department about what some of the challenges would be.

Miscalculation, misrepresentation of the cost, misunderstanding of the challenge. Where is the accountability? We need to get that intelligence for our troops just as surely we need to get the kevlar lining for their flak jackets. They are not going to be protected, unless we have the intelligence that is needed to protect them.

So that is why when this blank check of $87 billion comes to the floor, it begs some questions about what we really are doing for our troops. Our intentions are all very, very positive. We know that. But the military is telling us they do not have the intelligence to protect the troops. The military is telling us that.

The State Department told the administration what to expect and that was ignored.

So in any event, I think I have made my point about I think there was a better way. Let us do this right. We know this is not the last request we are going to receive. The administration told us the day the President made the request for $87 billion. They called my chief of staff and said it is going to cost $50 to $75 billion more. So this is just an installment, an installment that is going to be paid for by our grandchildren. I think there is a better way to do it. I am sorry we do not have that opportunity tonight. And that is why I will be voting against the supplemental.

Mr. YOUNG of Florida. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Arizona (Mr. KOLBE), the chairman of our Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. KOLBE. Mr. Speaker, I want to begin by commending the work of our chairman and ranking member and all the other subcommittee chairmen that worked so hard to bring this bill together. I think it has been truly a work that has brought about an outstanding piece of legislation.

I am going to describe some of the elements of the legislation in just its bare outline, so people do know what is actually in this bill. The amount as we have already heard is the total amount of the appropriation bill, $87½ billion. The foreign operations chapter is $21.21 billion, which is just a bit less than the President had requested.

Let me begin, Mr. Speaker, by saying that I strongly support the objectives President Bush and our leadership seek to achieve with this supplemental request for Iraq and Afghanistan. The supplemental bill supports our men and women in uniform, and it provides the reconstruction resources to stabilize and improve conditions in those countries.

□ 2300

These resources are essential to achieving victory and to enabling our troops to come home. Let me cover a few of those highlights.

First, there is $18.6 billion for the Iraq relief and reconstruction account. That is $1.7 billion below the request, but $200 million more than the Senate-passed bill. It includes $3.24 billion for security and law enforcement, $1.32 billion for justice and civil society, $5.5 billion for the electric sector, almost $1.9 billion for the oil infrastructure, $4.3 billion for water resources and sanitation, and $793 million for health care, among many of the other things that are included in there.

The point is that I think these, Mr. Speaker, are the right types of investments. They comprehensively support both the Iraqi people and the physical infrastructure to modernize that country and put it on the path to economic development, security, and stability. These funds are essential investments in the welfare of our troops.

The conference agreement does not provide funds for trash trucks, for $50,000-per-bed prisons, or for ZIP code systems and what we regard as other low projects. The House took the lead on these issues, and we were pleased to see the Senate's support for this approach. On the other hand, we have added funding for a few programs where we saw gaps in the strategy. For example, there is $100 million included for the development of an Iraqi constitution, building democratic institutions and to prepare for holding free and open elections. It is important to note that this conference agreement also makes a number of management improvements, including the submission of financial plans projecting project by project details on this Iraq reconstruction account.

The gentlewoman from California (Ms. PELOSI), the distinguished minority leader, talked about where is the plan. We have a plan and we specifically require a spending plan to be submitted by the administrator and OMB so that we have an opportunity to see that and have that updated every 3 months.

The conferees agreed with the House position to create a new appropriation account entitled ''Operating Expenses of the Coalition Provisional Authority'' rather than leave this activity buried within the Army's $24 billion operation maintenance appropriations account. The CPA will have an operating budget of some $983 million, and we have agreed with the Senate to provide an Inspector General for this organization.

Further, we have included language requiring the Office of Management and Budget to transmit to Congress real financial budget and personnel data on the CPA.

I am pleased we were able to work out an agreement on competition and contracting. The agreement strongly supports full and open competition. We require Ambassador Bremer and the head of any Federal agency providing contracting service for Iraq reconstruction to jointly certify to Congress if other than full and open competition is being pursued.

Mr. Speaker, this agreement is not about Iraq alone. The conference agreement does provide almost $1.2 billion for our reconstruction efforts in Afghanistan, and that is $350 million above the President's request.

The agreement provides an additional $287 million to support the training, equipping, and operations of the new Afghan Army. Also included is $60 million to improve economic opportunity and the standard of living of women in Afghanistan. These resources support technical and vocational education and will fight against abuse of women. They support education for young women who have been denied all of these decades the opportunity to even learn to read.

The conference report includes $181 million to repair and reconstruct roads in Afghanistan and to provide that nation with transportation infrastructure linking its cities as well as its rural areas.

Mr. Speaker, I have sought to briefly provide a few of the highlights of this conference agreement. Any conference means compromise, and there are clearly issues which we would have wanted to come out differently; but on the whole, this conference agreement resembles closely the bill that was overwhelmingly supported here in the House a couple of weeks ago. Let me say that this bill supports our President, our men and women in uniform, and our Nation. This agreement is about American foreign policy objectives, and it is about our leadership in the world.

This conference agreement is about completing the job, not just destroying the tyrannical regime of Saddam Hussein, but also building a stable Iraq at peace with its neighbors in the Middle East. This conference is about remembering that much needs to be done to build a new Afghanistan, one secure and free from the Taliban.

This conference agreement is about continuing the war on terrorism and not giving in to the vicious and cowardly attacks against not only our Armed Forces but against the Iraqi, the Afghan and, yes, the American people. This conference agreement is about maintaining our national security. It is a good conference agreement. I urge its adoption.

Mr. OBEY. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from Wisconsin (Mr. OBEY) has 23 minutes remaining. The gentleman from Florida (Mr. YOUNG) has 13½ minutes remaining.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY),

the ranking Democrat on the Subcommittee on Foreign Operations, Export Financing, and Related Programs.

Mrs. LOWEY. Mr. Speaker, in the last few days we have witnessed another tragic string of attacks in Iraq. Our troops, our allies, and our mission are under constant fire. I feel very strongly that we must pass this package to protect our troops and to provide the funds to stabilize Iraq. For me that is the most efficient way to bring our troops home as soon as possible and bring some normalcy to that region.

There were problems with the initial $87 billion request, and I do believe that the House with the gentleman from Florida (Mr. YOUNG) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), in the lead modified it appropriately. The prudent cuts made in the House survived conference which is good, and important additions were made.

Our continued efforts in Afghanistan, formerly the headquarters of al Qaeda, have received the funding needed to make sure that the gains we have made do not slip away. We cannot allow that country to again be a haven to groups that would attack us. We did not forget the victims of the Taliban regime either; $60 million were included for women's empowerment and participation programs. If anyone doubts the importance of women in the development of stable and prosperous states, let them read the remarkable ''Arab Human Developments Reports.'' Written by Arab scholars, the reports name three causes for the underdevelopment in some Arab nations: lack of freedom, lack of knowledge, and lack of women's empowerment. As its 2002 report says, ''Society as a whole suffers when half of its productive potential is stifled.''

The women of this House and Senate know that and are determined that the United States will aggressively and directly provide for opportunities for the women of Afghanistan and Iraq and to help their countries grow strong; and so $10 million was similarly set aside for women's programs in Iraq.

We also directed $90 million in Iraq for education, an essential building block of a free society, and an area for which insufficient funds had been originally requested by the administration. The explanation for me seemed to be that education was a ''soft area,'' soft meaning secondary, I believe popular with international donors. Let us leave it to them to fund education.

I vigorously disagree with this reasoning, and I am very glad that our chairman, the gentleman from Arizona (Mr. KOLBE), worked with me to get these dollars in this bill.

One need only consider the effect that this soft area has in places like Saudi Arabia and Pakistan where children are sent to madrassas and are taught intolerance and hate and breed the terrorists. Education is not a secondary matter. It is a direct security interest to the United States, and, again, I want to thank the conferees for endorsing this priority.

Concerns about competitive contracting and obtaining timely and accurate reports from the administration on Iraq were addressed, unfortunately, in my judgment, with broad waivers that weaken them substantially. An Inspector General was created for the CPA, but the other body insisted on the waiver which gives the President the ability to withhold any information in the name of national security. A similar waiver applies to the disclosure of noncompetitive contracting. And I do fear that these waivers will leads to more sole-source contracts awarded behind closed doors. The House must monitor this very closely.

Finally, there was the question of loans versus grants. A constituent asked a very simple question: Why can we not lend money to Iraq? Iraq has such a wealth of oil.

It is a reasonable question; and in my judgment, we should have given them a reasonable and prudent compromise. It is unfortunate that this was not accomplished in conference.

I truly believe that failure in Iraq would create a dangerous vacuum in the heart of the Middle East. It would be a place where hatred of the United States and violence against us would thrive, but the gravity of the situation should not lower our standards for planning and execution; it should raise them. There are lives on the line in Iraq and Afghanistan, and our actions will impact the future of all Americans, especially our children and our grandchildren. We owe them caution, honesty, and realism as we face these next stages in Iraq and Afghanistan.

I strongly support the supplemental. I believe the appropriations for our troops and for reconstruction are equally important and essential to our mission.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, it is the constitutional job of the Congress of the United States to maintain and support the armed services of our country. I stand here in support of this resolution tonight because of that constitutional duty. And I know there have been many bits of discussion about the pros and cons of the line items in this bill. And I know that there are clouds that hang over the question of intelligence as to our initial decision going into Iraq. And I know there are clouds that hang over the decision-making process as to our going in.

But the American troops are there. It is our duty to support them so that they may be victorious in this very arduous and difficult, unique and never-seen-before challenge that Americans in uniform have had.

I had the opportunity about a month ago to visit with young folks in uniform, actually of all services, in and around Iraq, to look at their faces and know that each one of them whether they came from small towns or inner cities or some from suburbs of America, that they knew their duty, that they were good soldiers, that they wore the American uniform proudly, and that they had a mission to accomplish.

For us tonight, we have a mission to accomplish and that mission is to support this resolution. We have no other choice.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, the entire Persian Gulf War 12 years ago cost the United States less than $8 billion. The total cost of the war was over $60 billion, but because allies were participating our share was only 12 percent of the cost. Now we have already spent $79 billion on the present war in Iraq. We are asked to spend $87 billion more for a total of $166 billion so far.

□ 2315

To put the $166 billion in perspective, Mr. Speaker, the total appropriation for this fiscal year for the U.S. Department of Homeland Security and the U.S. Department of Transportation and the U.S. Department of Education and Department of Labor and Department of State was less than $166 billion. On a per capita basis, $166 billion is more for each person in Iraq than the total annual government spending in the United States for each of our American citizens for everything other than Social Security and defense.

Although this is a huge expenditure, the administration does not even give lip service to explain how the bill will be paid, no outline of spending cuts or increased taxes. The administration says we cannot lend the money to Iraq because they are too far in debt, and yet the national debt in Iraq is approximately $4,000 a person. The national debt of the United States, $20,000 per person.

A vote on this bill represents the only opportunity Congress has to consider the President's policies in Iraq since October of last year, and the President's decision to invade unilaterally without allies has meant that we are paying 100 percent of the costs of the war in cash and in casualties, and a yes vote on this bill will mean that no significant attempt will be made to get international participation.

Mr. Speaker, we have had widespread reports of contracting fraud, and a vote on this bill means that we will get more of the same.

During the campaign, the President frequently insisted that no troops would ever be deployed without an exit strategy, and not only do we not have an exit strategy, we do not even have a good entry strategy. The President has acknowledged that Iraq had nothing to do with 9/11. No weapons of mass destruction have been found. Iraq was never an imminent threat to the

United States, and so we cannot get an exit strategy, if we cannot explain why we are there in the first place. A yes vote on the bill forfeits any congressional opportunity to require a meaningful exit strategy.

Now whatever, there are a lot of reasons to vote no, but if this passage of the bill would make us safer, we might want to vote yes. Unfortunately, even before the war, the CIA concluded that Iraq posed very little threat to the United States at that time, but would pose a threat if we attacked them. This policy, which includes the expenditure of $166 billion and the loss of many courageous lives, has failed to make us safer.

Mr. Speaker, because this bill represents such a huge expenditure and validates failed policies, I would ask that we defeat the legislation.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from California (Mr. CUNNINGHAM) who as a Naval fighter pilot became the first Ace in the war in Vietnam.

Mr. CUNNINGHAM. Mr. Speaker, the young lady from San Francisco said that she is not going to vote for this bill. That did not surprise me a bit. When a person has a 35 percent defense rating, the highest ever in a career, it does not surprise me that this young lady would vote against this bill. The troops know, they know each and every one of us and what we do. I became a Republican, I was a Democrat, because of the folks in this body that turned their backs on us, many of us in Vietnam, some of those Republicans, too.

To say, well, I am not going to vote for a bill that gives me the tools to do my job and survive, all these kids want to do is to be able to complete their mission, do their job and get home safely, and to deny them these funds that will do that, they know, and they know what their mission is every single day.

Mr. Speaker, I think to deny the many, many positive things that are going on, the gentleman from California (Mr. LEWIS) took a whole group, as he said, Republicans, Democrats, conservatives, liberals and others, to Iraq and you know what, even those that were opposed to Iraq when they got there and saw what was going on there, the positive things, the men and the women that were walking down the streets free. Now, there are some bad areas, Tikrit and Baghdad, but if my colleagues go to the south and go to the north, we have got young girls going to school now. They could not do that before.

That is the plan, and these kids that are over there know that. They know it every single day. To deny that is a slap in the face to them, and all they want to do is do their job, and that is why it is important that those people that say, well, we should not be there, we are going to deny this money to these kids, that is wrong, because part of the mission is to build up Iraq so that we only ask one thing of them, that is, to give us a free and stable democracy, not ours, not Britain's, but their own. And you know what, the folks in Israel appreciate that.

I flew in Israel and I know a stable Iraq, a stable Afghanistan, a stable Saudi Arabia. Do my colleagues know that Saudi Arabia since May, when the al Qaeda bombed them, they found over 20 tons of explosives from Saddam Hussein to al Qaeda? Saudi Arabia's arrested them. They would have not done that before. My colleagues want to know what our plan is? They found SA–7 stingers that were coming to the United States. My colleagues know what our plan is? I would rather fight them there than here and give our kids the tools.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, once again, we failed to provide for our veterans. If today is like many other days since Operation Iraqi Freedom began, wounded troops will continue to arrive at Walter Reed Army Hospital or other military treatment facilities. About 10 each day have continued to arrive.

The military lists thousands. In fact, a couple of weeks ago it is over 1,500 that have been wounded in action or disabled, nonbattle injuries since the conflict in Iraq began. Thousands more may have come to our veterans hospitals in search of the medical care for conditions that may become evident the days and months after their military service has ended.

This summer, this House broke that promise with our veterans. Our budget resolution promised to add $1.8 billion for veterans. Yet the appropriations we approved for the VA added nothing. I had an opportunity and I went before the Committee on Rules and you had an opportunity to correct that, and at the same time I mentioned to you that you have provided $2 million for health care for Iraqis but you could not allow the opportunity for us to provide that $1.8 billion as an opportunity for our own veterans as they come back.

We have had another chance to add these funds, and we have continued to fail. This supplemental rightly addresses the needs of our troops, but it also allows the military to provide better equipment and supplies, but we have to continue to remember that we also have an obligation to those veterans after they come back and as we just this week on Tuesday, we had a chance to visit Walter Reed, and we saw those veterans, where they have lost some of their limbs.

So I ask and appeal to my colleagues that right now, just to be able to complete and continue to provide the services that we provide now, we need $1.8 billion for our veterans health care to be able to do that, not to mention the fact that we need additional resources.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KIRK), who actually flew extremely important missions over Iraq as part of Northern Watch.

Mr. KIRK. Mr. Speaker, let me read a quote. ''Americans are losing the victory. The troops returning home are worried. 'We've lost the peace,' men tell you. Before the landings, liberation meant to be freed of tyranny. Now it stands in the minds of civilians for one thing, looting. Never has American prestige been lower. 'Have you no statesmen in America?' they ask.''

This sounds like a report from Iraq. It is not. These words were written 57 years ago about the American occupation of Germany. Appearing in the January 7, 1946, edition of Life magazine, John Dos Passos wrote, ''We have swept away Hitlerism but Europeans now feel that the cure has been worse than the disease.''

Under subtitles like ''U.S. administration a poor third'' and ''the skeptical French press,'' Life magazine warned that the U.S. occupation in Europe had failed.

Luckily, President Truman did not listen. He knew the failed peace after World War I doomed a second generation of Americans to fight in Europe's killing fields. Truman did not do popular things. He ordered the U.S. Army to remain in Europe, and despite George Washington's advice against alliances, he signed our first military alliance with NATO. He also launched the most expensive foreign aid program in our history, $105 billion for the Marshall Plan. He did this to avoid sending a third generation of Americans to fight in Europe, and he succeeded.

We now have fought two wars in Iraq. How many more should we fight? The failed peace of Desert Storm guaranteed a second Iraqi war. We have already now sent two generations of Americans to Iraq. I think we should make sure that we do not send a third. We need to finish this job so that young Americans a decade from now do not have to refight this war.

Despite the current media reports that sound just like the 1946 Life magazine report, we need to follow the example of Harry Truman. We need to do this job right so that our sons and daughters are not condemned to a third Persian Gulf War.

How much would my colleagues pay to avoid a third war in Iraq? Avoiding such a war is worth our effort tonight as we pass this bill to finish the job.

Let me say one note of personal privilege. No one knows more about the defense and foreign policy of our country than the gentleman from Pennsylvania (Mr. MURTHA) and the gentlewoman from New York (Mrs. LOWEY) and the gentleman from Missouri (Mr. SKELTON), and I really want to highlight their leadership and personally thank them for following the maxim, ''partisanship should end at the water's edge.''

Mr. YOUNG of Florida. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Tennessee (Mr. WAMP), a member of the committee.

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

Mr. WAMP. Mr. Speaker, we are at the end of a 6-week process, and I am proud of the work that the House has accomplished. We cannot afford to fail in Iraq.

The best and brightest in this House have scrubbed the proposal sent from the White House. We have done our best work, and now it is time to vote. Those who say this is a blank check from the White House are just not telling it like it is. This is a world changing paradigm shift on the other side of the world.

I think back to the bipartisan retreat early this year. I was there. Thomas Friedman came from the New York Times, spoke to a large group and said, maybe we are not going about this right, but we need to do this. He really said this needs to happen, an experiment in the 22 Arab countries to promote democracy and make this investment.

We were all hit with sticker shock. Eighty-seven billion dollars is a huge number. It shocked me but we now realize how important it is. It is going to be incalculable the benefits of this investment.

The big debate came down to loans versus grants. When I looked the President eye to eye, he said we believe we are going to get U.N. support. We did, unanimous, for a U.S.-led peacekeeping force in Iraq. We are making progress. Frankly, I was disappointed with Madrid. I say to the White House tonight, prove us wrong on the loans; work until we get more global support. I believe we need to.

The bottom line is this is an unprecedented situation in the history of the world, and we have got to step up. It is easy to demagogue an $87 billion request. It is easy to critique it, but tonight we have got to vote. I think it is difficult, difficult to vote no. If my colleagues have to hold their nose and vote yes tonight, do it. I am going to grit my teeth and vote yes tonight and say that we cannot afford to fail in Iraq.

□ 2330

Mr. YOUNG of Florida. Mr. Speaker, may I inquire of the Chair how much time I have remaining.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from Florida (Mr. YOUNG) has 5½ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 11½ minutes remaining.

Mr. OBEY. Mr. Speaker, if the gentleman needs it, I will be happy to yield him 1½ minutes.

Mr. YOUNG OF Florida. That would be very appreciated.

Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I neglected earlier to express my deep appreciation to the conferees for their responding to the challenge in our district that involved some $500 million that is now going to go through the process here to FEMA to help those people who are presently out of their homes, people who suddenly have no place to live and the like.

And, Mr. Speaker, I thank the gentleman very much for yielding me this time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, I just wanted to note that many in the California delegation are distressed that the much-needed $500 million for relief for the fire funding is tied up with the $87 billion for Iraq that many of us oppose. Tonight we have introduced a stand-alone bill to provide the same $500 million in relief for California, and we would urge that that be used as a vehicle instead of this supplemental.

We think it is a problem to have the two mixed. It lends a political component to this that should never be present when we are dealing with victims of an awful tragedy such as this. So I wanted the whole House to know of the feeling of the 33 Democratic members of the California delegation that we ought to have a separate fire relief measure for California.

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

Mr. Speaker, I would like to read the following words from a very distinguished American statesman written 5 years ago: ''Trying to eliminate Saddam would have incurred incalculable human and political costs. We would have been forced to occupy Baghdad and, in effect, rule Iraq. There was no viable exit strategy we could see, violating another of our principles. Furthermore, we had been self-consciously trying to set a pattern for handling aggression in the post-Cold War world. Going in and occupying Iraq, thus unilaterally exceeding the United Nations mandate, would have destroyed the precedent of international response to aggression that we had hoped to achieve. Had we gone the invasion route, the United States could conceivably still be an occupying power in a bitterly hostile land.''

The man who said that was George Herbert Walker Bush 5 years ago. Now, his advice was not taken, and we now are facing the question of what to do next.

Frankly, how we voted on going to war in the first place is, in my view, in considering this legislation, irrelevant. The question, to me, is not whether we are going to vote for or against this package tonight. I think in many ways how we cast our individual votes on this package is secondary.

The issue is whether the policy which is now being followed in the war's aftermath is the right policy, whether it is wired together well enough in the details in order to achieve the success that every single Member of this body wants to see the President achieve. After all, he is our President, regardless of party. And after all, these are our sons and daughters and brothers and sisters and cousins and uncles and aunts wearing our uniform and representing our country in that very difficult circumstance tonight.

But the policy is the issue. If the policy is the right policy, then it probably will not matter whether we appropriate $20 billion more or less than we are appropriating tonight. We will have a good chance of succeeding. And if the policy is not wired together right, then all the money that we can provide will not produce a happy ending.

I want to explain why under these circumstances I will be voting ''no'' tonight. As the gentlewoman from California (Ms. PELOSI) said earlier, we have previously appropriated well over $60 billion, and we provided maximum flexibility to the Defense Department in spending that money. Yet with that flexibility we saw the shortages of inserts in the Kevlar vests, we saw the shortage of jammers, we saw the shortage of adequate protection for the unarmored Humvees, all of which have put our troops at risk. We have seen inadequate supplies of drinking water for our troops. And the very general in charge of the operation has told us in our hearings that he still does not know how it happened. And now we are being asked to provide $87 billion more.

The question is not whether the administration will get this money. They will get this money, and they will get a whole lot more because this is just the downpayment. The question is whether or not in the providing of this money we will use our leverage and use our power of the purse to force the agencies and the administration to think through more clearly how it is that they are going to accomplish the goals which they have stated. That, to me, is the detailed question.

Now, we do not have any idea, and the administration has given us no idea, of what their range of expectation is in terms of cost over the next 5 years. We should have some idea so that we can prepare our own constituents to support this over the long haul. We do not have that information. But we do know, at least I am convinced of the unpleasant truth, and I very much agree with Senator MCCAIN on this, I am convinced that if we are to accomplish this job, we do not have enough troops on the ground in Iraq right now. We either need more troops from our allies, or we need more help from the Iraqi remnants that can be reasonably relied upon; or we are going to need more U.S. troops, or our troops will unnecessarily suffer higher casualties than they would otherwise suffer.

Now, it is not pleasant to tell the American people that we may need more troops rather than less before this is over; but talking to the experts whom I trust, that is what I believe.

We also do know that the agencies involved in running this policy so far have managed to find the single most

expensive way to deliver this aid, because they are following a high-tech strategy that involves deep involvement by these huge multinational corporations, like Bechtel and Halliburton and a dozen others, instead of relying on a more indigenous low-tech approach that can put more Iraqis to work so they have something more productive to do than shoot Americans.

I also think that we do know that at this point the administration has given us not a clue about how or how soon they expect to repair the Army. We have equipment from over five divisions that at this point needs reconstitution; it needs refurbishing. We have been told by the Army that that alone is going to cost above $17 billion, and the administration has asked for less than $2 billion.

The American public needs to know the facts, and they need to know the costs; and they do not need to have it revealed to them on the installment plan. It should be provided up front so that we can take the case to our public.

We also have the other problem, that this package does not pay for itself. We borrow it all. And so that means that just the interest payments alone will amount to about $4 billion more than we would be paying if we paid for this cash on the barrel head. And that is $4 billion on interest payments that will shove out money that would otherwise be available for education, for health care, and for other needed domestic efforts, including infrastructure.

I will be offering a motion to recommit. It will not allow us, because of the restraint of the rules, to get at the basic problems in the policy; but it will allow us to at least try to improve it around the edges. First, we will try to restore the funding for veterans health care that was taken out of the bill. Because while we have been told that that will be taken care of in the VA HUD bill, we have been given no idea of how. So that has yet to become a reality.

Second, the recommittal motion would ask that we accept the Senate provision which would convert $10 billion of this reconstruction program to loans, with the proviso that if our allies in fact forgive prior loans to Iraq, then we will forgive this loan as well.

Now, there are those who say Iraq cannot afford that. Let me point out Iraq is a country of 23 million people. They are getting $20 billion in reconstruction. That is $872 per capita, 10 times as much as the annual per capita aid under the Marshall Plan to all of Europe.

Mr. Speaker, let me simply ask for an ''aye'' vote on the recommittal motion.

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

Mr. Speaker, it has been said that this bill is a blank check. I wish to provide for the RECORD at this point a table that shows that it is not a blank check, and that it is very specific in the money that it appropriates.

HIGHLIGHTS OF THE WAR SUPPLEMENTAL CONFERENCE REPORT

President's Request: $87 billion.
Conference report: $87.5 billion.

IRAQ RELIEF AND RECONSTRUCTION

President's Request: $20.3 billion.
Conference report: $18.6 billion.

Category and Description	Supplemental Request	Conference Agreement
Security and law enforcement:		
Police training and technical assistance	950	950
Traffic police	50	-
Border Enforcement	150	150
Facilities Protection Services	67	67
Subtotal, Law enforcement	1,217	1,167
Establishment of the New Iraqi Army (NIA)	2,000	2,000
(NIA Facilities)	(745)	(745)
(NIA Equipment)	(879)	(879)
(NIA Operations and Training)	(375)	(375)
Iraq Civil Defense Corps	76	76
(Operations and Personnel)	(58.4)	(58.4)
(Equipment)	(17.2)	(17.2)
Subtotal, National Security	2,076	2,076
Total, Security and Law Enforcement	3,293	3,293
Justice, Public Safety Infrastructure and Civil Society:		
Witness Protection Program	100	75
Other technical investigative methods	10	10
Penal facilities	400	100
Reconstruction and modernization of detention facilities	109	109
Facilities protection, mine removal, fire service, and public safety facility and equipment repairs	500	400
(Demining)	(61)	(61)
Public safety training and facilities	274	199
National Security Communications Network	150	100
Investigations of crimes against humanity	100	75
Judicial security and facilities	200	150
Democracy building activities	-	100
Total, Justice, Public Safety Infrastructure and Civil Society	1,843	1,318
Electric Sector:		
Generation	2,900	2,810
Transmission	1,550	1,550
Network infrastructure	1,000	1,000
Automated monitoring and control system	150	150
Institutional strengthening	25	-
Security	50	50
Total, Electric Sector	5,675	5,560
Oil Infrastructure:		
Infrastructure	1,200	1,200
Emergency supplies of refined petroleum products	900	690
Total, Oil Infrastructure	2,100	1,890
Water Resources and Sanitation:		
Potable water	2,830	2,830
Water conservation	30	30
Sewerage	697	675
Solid waste management/trash trucks	153	-
Other solid waste management	-	22
Subtotal, Public Works Projects	3,710	3,557
Pumping stations and generators	150	150
Irrigation and drainage systems	130	130
Major irrigation projects	130	130
Dam repair, rehab, and new construction	125	125
Umm Qasr to Basra water pipeline and treatment plant	200	200
Marsh projects	100	-
Basra Channel Flushing	40	40
Subtotal, Water Resources projects	875	775
Total, Water Resources and Sanitation	4,585	4,332
Transportation and Telecommunications Projects:		
Airports	165	165
Umm Qasr Port rehab	45	45
Railroad rehab and restoration	303	300
Iraqi Telecom and Postal Corporation	124	100
(Postal IT / ZIP Codes)	(9)	(-)
Iraqi Communications systems	109	95
(Business practices for Iraqi TV and radio)	(10)	(-)
(Numbering scheme/911 initiative)	(4)	(-)
Iraqi Communications operations	89	75
Undistributed reduction, transportation and telecommunications	-	−280
Total, Transportation and Telecommunications Projects	835	500
Roads, Bridges, and Construction:		
Housing construction	100	-
Public buildings construction and repair	130	130
Roads and bridges	240	240
Total, Roads, Bridges, and Construction	470	370
Heath care:		
Nationwide hospital and clinic improvements [1]	393	493
Equipment procurement and modernization	300	399
Initiate 700m Basrah hospital project	150	-
Health care partnerships	7	-
Total, Health Care	850	793
Private Sector Development:		
American-Iraqi Enterprise Fund	200	-
Expanded network of Employment Centers	8	8
Training	145	100
Micro-Small-Medium Enterprises	-	45
Total, Private Sector Development	353	153
Education, Refugees, Human Rights, Democracy, and Governance:		
Migration and Refugee Assistance	105	105
Local Information Centers	90	-
Property Claims Tribunal	30	30
Banking system modernizations	30	30
Business training courses	20	-
Human rights	15	15
Education	-	90
Civic programs	10	10
Total, Education, Refugees, Human Rights, and Governance	300	280
Transfer/financing	-	210
Total, Iraq Relief and Reconstruction Fund	20,304	18,649

[1] Includes $35 million for pediatric facility in Basra.

Operating Expenses of the Coalition Provisional Authority (CPA)—The mark provides a direct appropriation of $983 million to the Coalition Provisional Authority for their operating expenses instead of providing these funds in the U.S. Army, Operation and Maintenance accounts as requested.

Foreign Debt—The bill includes a prohibition on the use of any funds in this act to be used to pay Iraq's foreign debts.

Inspector General—The bill provides for the establishment of an Inspector General for the CPA.

AFGHANISTAN RELIEF AND RECONSTRUCTION

President's Request: $800 million.

Conference report: $1.2 billion.

These funds are provided generally for infrastructure improvements, in support of women's programs, security assistance and economic development. The additional funds are intended to show tangible improvement in the security and quality of life of most Afghans by the summer of 2004.

NATIONAL DEFENSE

President's Request: $65.1 billion.
Conference report: $64.7 billion.

SUMMARY TABLE

[In thousands of dollars]

	Request	House	Senate	Conference
Military Personnel:				
Military Personnel, Army	12,858,870	12,188,870	12,858,870	12,858,870

SUMMARY TABLE—Continued

[In thousands of dollars]

	Request	House	Senate	Conference
Military Personnel, Navy	816,100	816,100	816,100	816,100
Military Personnel, Marine Corps	753,190	753,190	753,190	753,190
Military Personnel, Air Force	3,384,700	3,384,700	3,384,700	3,384,700
Total Military Personnel	17,812,860	17,142,860	17,812,860	17,812,860
Operation and Maintenance:				
O&M, Army	24,190,464	24,257,664	24,946,464	23,997,064
O&M, Navy	2,106,258	1,934,058	1,976,258	1,956,258
O&M, Marine Corps	1,198,981	1,198,981	1,198,981	1,198,981
O&M, Air Force	5,948,368	5,598,368	5,516,368	5,416,368
O&M, Defense-Wide	4,618,452	4,485,452	4,218,452	4,355,452
O&M, Marine Corps Reserve	16,000	16,000	16,000	16,000
O&M, Air Force Reserve	53,000	53,000	53,000	53,000
O&M, Air National Guard	214,000	214,000	214,000	214,000
Overseas Humanitarian, Disaster and Civic Aid	35,000	35,000	35,000	35,000
Iraq Freedom Fund	1,988,600	2,086,000	1,988,600	1,988,600
Total Operation and Maintenance	40,369,623	39,879,623	40,163,623	39,231,223
Procurement:				
Missile Procurement, Army	6,200	.....	6,200	.....
Procurement of WTCV, Army	46,000	101,600	104,000	101,600
Other Procurement, Army	930,687	1,250,287	1,078,687	1,143,687
Aircraft Procurement, Navy	128,600	158,600	128,600	158,600
Other Procurement, Navy	76,357	76,357	76,357	76,357
Procurement, Marine Corps	123,397	123,397	123,397	123,397
Aircraft Procurement, Air Force	40,972	53,972	40,972	53,972
Missile Procurement, Air Force	20,450	20,450	20,450	20,450
Other Procurement, Air Force	3,441,006	3,418,006	3,441,006	3,438,006
Procurement, Defense-Wide	435,635	418,635	435,635	418,635
Total Procurement	5,249,304	5,621,304	5,455,304	5,534,704
Research, Development, Test and Evaluation:				
RDT&E, Navy	34,000	34,000	34,000	34,000
RDT&E, Air Force	39,070	39,070	39,070	39,070
RDT&E, Defense-Wide	265,817	195,817	265,817	260,817
Total RDT&E	338,887	268,887	338,887	333,887
Revolving and Management Funds:				
Defense Working Capital Funds	600,000	600,000	600,000	600,000
National Defense Sealift Fund	24,000	24,000	24,000	24,000
Total Revolving & Management Funds	624,000	624,000	624,000	624,000
Other Department of Defense Programs:				
Defense Health Program	658,380	658,380	658,380	658,380
Drug Interdiction & Counter-Drug Activities, Defense	73,000	73,000	73,000	73,000
Total Other	731,380	731,380	731,380	731,380
Related Agencies:				
Intelligence Community Management Account	21,500	21,500	21,500	21,500
General Provisions:				
Storm Damage (Sec. 1109)	.....	413,300	.....	313,000
Munitions Security and Destruction (Sec. 1121)	.....	.....	.....	100,000
Grand Total Chapter 1	65,147,554	64,702,854	65,147,554	64,702,554

HIGHLIGHTS OF THE DEFENSE PORTION OF CONFERENCE REPORT

Force Protection —The conference report increases funds to purchase body armor Special Armor Plate Insert, to clear unexploded ordnance and to increase production of other force protection measures such as armored HMMVV's and electronic jammers.

Tricare and Reservist Health Care Benefits—The conference report allows inactive reservist and their family members to become eligible for TRICARE health care coverage if they are receiving unemployment compensation or not eligible for any other health coverage. It also includes provisions that expands eligibility time periods for reservists and provides Medical and Dental Screening and Care coverage where appropriate.

Meal Allowances—Prohibits service members injured in combat or training from being billed for meals during their hospitalization. Makes this benefit retroactive to 9/11/2001 and provides reimbursement for those who have already paid meal charges.

Hazard Pay and Family Support—The mark includes a proposed provision which authorizes continued payment of per diem for travel of family members of military personnel who are ill or injured as result of active duty service and includes a provision to continue the increased monthly rate of Imminent Danger Pay and Family Separation Allowances through September 30, 2004.

Recovery of Natural Disasters—The conference report includes $313 million, not requested by the Administration, for recovery and repairs to damage to military facilities caused by Hurricane Isabel. $525 million is provided for military construction activities related to the war on terrorism and to make repairs to facilities damaged by recent natural disasters.

COMMERCE JUSTICE STATE PROGRAMS

President's Request: $187 million.

Conference Report: $580 million.

The following is a selected lists of items funded under the Commerce-Justice-State title of the bill: $245 million for peacekeeping activities in Liberia; $44 million for a secure embassy facility in Kabul, Afghanistan; $40 million for an Arabic broadcasting services to Iraq trough the Broadcasting Board of Governors; $50 million to provide rewards to individuals for information leading to the capture of Saddam Hussein and Osama Bin Laden.

OTHER ITEMS

FEMA Disaster Assistance—the Bill provides $500 million for FEMA disaster assistance to be available for recently declared disasters.

Mr. Speaker, it has been said there is no plan. I disagree. There was a plan. The plan is in operation. The first part of the plan was to eliminate Saddam Hussein and his tyrannical regime. That has happened. To defeat Saddam's armies and his military. That has happened. Now, the second part of the plan is to stabilize Iraq so that the people of Iraq can create their own government, and can create their own infrastructure and give people a quality of life. Where we are at risk today is from terrorists. Terrorism is raising its ugly head in Iraq. Our soldiers have been attacked; the United Nations headquarters has been attacked and the International Red Cross has been attacked.

Now, we did not start this war on terrorism. I think we ought to just for a minute review this. On February 26, 1993, the World Trade Center was bombed in New York. Six lives were lost. On June 25, 1996, Khobar Towers in Saudi Arabia was bombed. Nineteen Americans living there were killed. On August 7, 1998, American embassies in Kenya and Tanzania were bombed. There were 259 lives lost. On October 12, 2000, the USS *Cole* off the coast of Yemen was bombed and 17 sailors were killed, with many others injured.

These were acts of terrorism. Our response was rather tepid, and the terrorists became bolder and became more aggressive.

And on September 11 of 2001, a hijacked airplane crashed into the World Trade Center, tower number one. The second airplane hijacked crashed into the second tower of the World Trade Center, with nearly 3,000 lives lost or unaccounted for. On September 11, 2001, a hijacked plane crashed into the Pentagon, right across the river, with 189 lives lost. On September 11, 2001, a hijacked plane crashed in rural Pennsylvania, with 44 lives lost.

□ 2345

Mr. Speaker, we did not start this war on terrorism. These are examples of how terrorists started the war on terrorism, and thank God we finally responded because if we did not respond, the terrorists would become more bold and more aggressive and more of a threat. So what we are doing in Iraq, in Afghanistan, what we are doing with this appropriations bill tonight, we are investing in a future where our children and grandchildren and great grandchildren can live free from the fear of terrorists, free from the fear of airplanes flying into our buildings, free from the threat of losing lives and using loved ones to terrorists. It is important that we support the President of the United States as he leads this fight against international terrorism wherever it might be, and this bill is part of that effort, and I ask for a yes vote on this bill.

Ms. BROWN of Florida. Mr. Speaker, I am here tonight to say that I cannot believe that this supplemental bill is handing over billions and billions of dollars in reconstruction funding to Iraq through direct grants . . . let me repeat that—Direct Grants! And where do these direct grants come from? Directly from America taxpayers' pockets. That's where. Instead of following the Senate bill and giving Iraq loans to rebuild, we are flat out throwing money at them with no oversight. While here at home the Republican leadership continues with their only legislative agenda item: Tax cuts for their country club friends, and pushing our Treasury further into debt, our citizens are being forced to pay for building a country that was unnecessarily destroyed in the first place, because it has never been proven that there is a link between Iraq and September 11.

And while Congress hands over blank checks to this Administration, the media has given them a free ride. While the Republican-controlled Congress continues to send billions of dollars overseas without accountability, the media continues to cover up the facts. All the while the President continues to lie to the American public about the very reason our troops are over there. Mr. Speaker, our troops are doing their job, it is the Members of this body that are not doing theirs.

The Republicans keep telling us this bill is all about the soldiers, and everyone in this Congress supports our soldiers. But how can a bill for our soldiers not include money for basic protections like body armor, boots, camouflage, rucksacks, armored vehicles, tank tracks, Humvee tires, signal jammers, and chemical suits. We can't even provide these brave men and women with simple necessities like drinking water, showers, tennis shoes, and even toothpaste.

I am still working for accountability from the other side of the aisle. Yes, Mr. Speaker, I wholeheartedly support our troops, and I am still trying to figure out why, after Congress appropriated $79 billion for Iraq just 6 months ago, we are going to vote on yet another $87 billion appropriation today. Whatever happened to the first $79 billion? The American public deserves more from their elected representatives, and they deserve some accountability for this funding.

Mr. FILNER. Mr. Speaker, since the President first proposed his $87 billion supplemental appropriations package last month, I have worried that the President's plan for bringing stability to Iraq lacks fiscal accountability and a clear plan for bringing our troops home, and has relied on U.S. troops taking almost all the risks, and American taxpayers paying virtually all the bills.

I have been angered by the repeated stories of our troops in Iraq not being outfitted with state-of-the-art Kevler bulletproof vests and armored HMMVVs.

Equally troubling is the lack of parity for important funding at home. This bill sends direct aid to Iraq for infrastructure improvements that dwarf investments in our own country. The bill spends nearly twice as much per capita for border protection and public safety services in Iraq as we spend at home, and 10 times more per capita in Iraq for new hospital facilities than we spend in the United States. In addition, this bill spends 11 times more per capita for sewer and water services than we invest in our own cities, and 350 times more per capita on rehabilitating Iraq's electric power infrastructure than we are spending on fixing similar problems here at home.

During the House's debate on this bill 2 weeks ago, I offered an amendment to add emergency funding for eliminating the ''disabled veterans tax,'' toppling an unfair law that prevents service disabled veterans from receiving their full military retired pay and VA disability compensation. This amendment, ruled out of order by the Republican majority, drew attention to just one of the many infrastructure and social service spending shortfalls at home that are ignored in this emergency appropriations bill.

Two weeks ago, I voted ''no'' to giving the President a blank check for Iraq while falling behind in investing in our infrastructure and social service needs at home. Today, I will vote ''yes'' because of the terrible suffering and devastation endured by the citizens of San Diego County as a result of the firestorm still raging today; $500 million has been added for Federal Emergency Management Agency (FEMA) disaster assistance in California. Earlier this week, I contacted FEMA Director Michael Brown and President Bush, urging them to make a FEMA center operational immediately in San Diego, to help my constituents in processing the necessary paperwork to begin the process of rebuilding their lives. This important funding will allow FEMA to open one-stop clearinghouses for information and assistance in expediting the huge volume of disaster claims that will result from this tragedy.

In addition, this bill increases funds to purchase body armor Special Armor Plate Inserts, and to increase production of armored HMMVVs, which will give our soldiers the protections they should have had all along. I have joined a number of my colleagues in calling for a full congressional hearing to investigate the many reports of American men and women fighting in Iraq without adequate lifesaving body armor—an indication that our preparation for this war was inadequate.

Today, I vote ''yes'' because our soldiers serving in harm's way deserve the best protection and resources our Nation can provide. And because I know, in a very personal way, the suffering of San Diegans in the current firestorm and because I want to say ''thank you'' to the thousands of professional firefighters who exhibited so much bravery and courage in recent days.

Mrs. MALONEY. Mr. Speaker, I rise to voice my support for a provision included in this legislation that was offered by myself, Congresswoman BIGGERT, Congressman HYDE, and Congressman LANTOS, which devotes $60,000,000 to programs that will help Afghan women and girls, and $5,000,000 to the Afghan Independent Human Rights Commission.

This funding will go a long way toward making the lives of Afghan women better by providing critical services and by ensuring that they are not relegated to second-class status.

I would like to thank my colleagues Congressman YOUNG, Congressman KOLBE, Congresswoman BIGGERT, Congressman HYDE, and Congressman LANTOS for their help in securing this funding as well as our counterparts in the other body who care so deeply about this issue.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of this legislation and urge its prompt adoption this evening.

I want to commend the chairman of the committee and the chairmen of the Defense and Foreign Operations Subcommittees for their expeditious and effective handling of this emergency supplemental for Iraq and Afghanistan.

To our young soldiers in Iraq and Afghanistan: Help is on the way. Difficulties remain, especially in the ''Sunni triangle.'' It continues to be a dangerous place. But we're there to finish the job—terrorists, Saddam loyalists, and common criminals must be pursued and brought to justice.

This bill is more than just dollars and cents—this is direct support for the safety and security of our young troops standing in harm's way and for the reconstruction of Iraq. It's the resources our troops need: Better weapons, reliable intelligence, more ammunition, body armor, vehicles, better pay, and additional equipment to get the job done.

For example, the conference report increases funds to purchase body armor Special Armor Plate Insert, to clear unexploded ordnance and to increase production of other force protection measures such as armored HMMVV's and electronic jammers.

Quality of life for our troops and their families is also important.

The conference report includes a provision which authorizes continued payment of per diem for travel of family members of military personnel who are ill or injured as a result of active duty service and includes a provision to continue the increased monthly rate of Imminent Danger Pay and Family Separation Allowances through September 30, 2004.

In addition, the Conference report requires DOD to notify reservists in writing of their expected mobilization and deployment period—to help reduce the uncertainty many reservists have faced regarding call-up times, departure dates, and overseas deployment periods.

The conference report also provides $32 million for the Family Advocacy program, and $10 million for the National Guard Family Readiness Program—programs which provide support services to military families, especially those who have faced losses, or who have a family member deployed.

Finally, Mr. Speaker, the report prohibits service members injured in combat or training from being billed for meals during their hospitalization. Make this benefit retroactive to 9/11/2001 and provides reimbursement for those who have already paid meal charges.

Of course, we mourn the loss of any American soldier and pray for the early recovery of our wounded. We are forever in their debt and reject the mindless notion that their sacrifice is in vain.

Mr. Speaker, the Coalition Provincial Authority, working with our military and civilian officials of 131 nations, especially the United States Agency for International Development has been working hard to improve the quality of life and deliver needed assistance.

This Supplemental for Iraq and Afghanistan will go toward creating conditions on the ground in Iraq that will enable our troops to succeed in their mission—by providing the basic services and humanitarian relief that will make a big difference in stabilizing the country.

Mr. Speaker, the reconstruction package is critical to the military mission. I urge its adoption.

Mr. EVANS. Mr. Speaker, I am greatly disappointed that conferees have disregarded the House-approved motion to instruct and eliminated the provision to add $1.3 billion to veteran's health care. While I understand the need for additional funding may be addressed in VA–HUD appropriations, I am concerned that if we add funds to that bill contingent upon the President's designating them emergency spending the effort will be in vain. The Administration has already told Mr. YOUNG and Mr. OBEY it does not support additional funds for veterans' health care. Let's not break yet another commitment to our veterans by giving them this empty promise in exchange for funding that would have been real.

The cost of not adding significant funds for veterans' health care will be great. VA has been making progress with waiting times, but it is likely to regress under the administration-proposed budget. The Secretary is likely to propose more copayments for our veterans; more overblown ''management efficiencies''; more service restrictions; and, even more groups of veterans it will refuse to enroll. If we want to deal with these consequences, continue to support the President's budget as requested. If we don't, we'll add some real appropriated dollars for veterans' health care.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to H.R. 3289, the Iraq War Supplemental. In my opinion, this massive $87 billion spending bill is flawed and should be sent back to the White House to be redrafted.

There are three areas that if properly addressed would have made this a bill that would have served the interests of the American people, as well as the people of Iraq.

First, this appropriation is 100 percent financed by deficit spending. The Bush administration has handed out trillions of dollars in tax cuts to the wealthiest Americans and created record setting deficits for middle-class Americans and their children to pay off. In fiscal year 2004 alone, it is projected that almost $600 billion in deficit spending will occur in 2004 alone. This unprecedented extreme of fiscal irresponsibility must be stopped.

The ''emergency'' spending bill for Iraq should not be paid for by the next generation of Americans, but paid for today by rolling back the tax cuts on the wealthiest Americans making over $350,000 per year. Shared sacrifice does not mean that only our troops, their families, and the next generation of tax payers should shoulder the burden of the President's Iraq policy.

Second, the Pentagon's practice of sole-source contracting in Iraq worth billions of dollars for Halliburton and Bechtel with no accountability to Congress or the American people cannot be allowed to continue. I find this noncompetitive contracting to be absolutely unacceptable. Given Vice President CHENEY's on-going financial relationship with Halliburton, this situation is all the more troublesome. The emergency supplemental only perpetuates Halliburton's outrageous war pprofiteering at taxpayer expense.

Finally, as U.S. troops attempt to rebuild Iraq they are targets of constant guerrilla attacks—now averaging more than 30 attacks a day, euphemistically called ''events'' by the Pentagon. With $63 billion appropriated only last April to the Pentagon, our service men and women still have not been provided with adequate necessities to keep themselves safe. Reports indicate our troops are short more than 44,000 Kevlar vests, they lack the jamming technology that prevents remote radio detonated bombings and they do not have adequate access to purified water or sufficient food rations.

As tax dollars are appropriated for our military in Iraq, the needs of our troops must come first, not the neo-conservative political agenda of Secretary Rumsfeld or Deputy Secretary Wolfowitz. The Pentagon was provided more than $490,000 for each of the 130,000 soldiers in Iraq since April. Yet, today, U.S. troops are still without enough Kevlar vests or clean water—this is outrageous and more money is not the solution. Before billions more are simply handed over to bureaucrats in the Pentagon, Congress needs to ensure the needs of our troops on the frontlines are met and the Pentagon is held accountable.

Over the course of the past 18 months, the Bush administration's policy toward Iraq has been aggressive, obsessive and pre-emptive. The distortions, manipulations, and politicization of national security intelligence related to Iraq allowed this White House to sell the American people a war in which an imminent threat did not exist, but was apparently manufactured. Now our troops are risking their lives in a guerilla war and occupation with no end in sight, while America's most pressing priorities at home are being neglected.

Last year, I opposed the congressional resolution that gave President Bush a blank check to use our military and I have been very critical of the administration's policy actions since then. Nonetheless, as reality presents itself today, all of us—our troops, the American people, the Iraqi people and the international community—have a major stake in a stable, secure, and successful transition of control for United States occupation, to the international community and eventually complete Iraqi sovereignty.

We cannot withdraw our troops and walk away from Iraq, but we must demand a better performance than the failure of this White House to appropriately plan for the reality of the situation in Iraq or in its dealings with the international community. President Bush must do a better job.

This week, I will be traveling in the Middle East and inside Iraq. I hope to see the reality of the situation—the successes and the problems—faced by United States troops, civilians and the people of Iraq. But even before going to Iraq, I know it is time for this administration to tone down its harsh, unproductive rhetoric, work in a bipartisan fashion with Congress and work more positively with the international community for an accountable and sustainable plan for Iraq. Finally, even though the time has long past, it is never too late for President Bush to be honest with the American people about the extended commitment and sacrifice, both militarily and financial, all Americans will have to make to be successful in Iraq. This is an enormous challenge and the credibility and prestige of the United States is at stake.

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

The SPEAKER pro tempore (Mr. GOODLATTE). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

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

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. OBEY. Yes, I am, in its present form.

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

The Clerk read as follows:

Mr. OBEY moves to recommit the conference report on the bill H.R. 3289 to the committee of conference with instructions to the managers on the part of the House to—

(1) accept section 2319 of the Senate amendment (making $10,000,000,000 of the amounts provided under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' available to be used as loans), and

(2) accept Title IV of the Senate amendment (providing $1,300,000,000 for veterans medical care).

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for the electronic vote on the question of adoption of the conference report.

The vote was taken by electronic device, and there were—yeas 198, nays 221, not voting 15, as follows:

[Roll No. 600]

YEAS—198

Abercrombie	Baird	Berry
Ackerman	Baldwin	Bishop (GA)
Alexander	Becerra	Bishop (NY)
Allen	Bell	Boswell
Andrews	Berkley	Boucher
Baca	Berman	Boyd

Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Chabot
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Goode
Gordon
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—221

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

NOT VOTING—15

Akin
Ballance
Blumenauer
Boehlert
Bradley (NH)
Case
Fletcher
Gephardt
Gutierrez
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GOODLATTE) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 0006

Messrs. KUCINICH, NUSSLE, and BURTON of Indiana changed their vote from ''yea'' to ''nay.''

Mr. DAVIS of Florida changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 298, nays 121, not voting 15, as follows:

[Roll No. 601]

YEAS—298

Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Everett
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Maloney
Manzullo
Marshall
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—121

Abercrombie
Ackerman
Baird
Baldwin
Becerra
Bell
Berry
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Clay
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (AL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Duncan
Eshoo
Evans
Farr
Fattah
Frank (MA)
Grijalva
Harman
Hastings (FL)

Hinchey
Hoeffel
Holt
Honda
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kleczka
Kucinich
Larson (CT)
LaTourette
Lee
Lewis (GA)
Lofgren
Majette
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Moran (VA)
Nadler
Napolitano
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Petri
Rahall
Rangel
Roybal-Allard
Rush
Ryan (OH)
Sanders
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Stark
Strickland
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—15

Akin
Ballance
Blumenauer
Boehlert
Bradley (NH)
Case
Fletcher
Gephardt
Gutierrez
McCotter
Miller (NC)
Pearce
Sanchez, Linda T.
Stupak
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that they have 2 minutes remaining to vote.

□ 0012

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Texas for the purpose of inquiring about the schedule for the coming week.

Mr. DELAY. I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday and Thursday, the House will convene at 10 a.m. for legislative business. We plan to consider H.R. 1829, the Federal Prison Industries Competition in Contracting Act of 2003, as well as H.R. 2443, the Coast Guard and Maritime Transportation Act of 2003.

□ 0015

We also expect to appoint conferees on several measures and to have additional conference reports ready for the House's consideration.

Finally, I would like to note for all members that we do not plan to have votes next Friday, November 7.

I thank the gentleman for yielding, and will be happy to answer any questions that he may have.

Mr. HOYER. I thank the gentleman for the information. I would note that earlier today, of course, we passed a continuing resolution that will fund the government through November 7, next Friday. We are not going to meet next Friday. It is my presumption, therefore, that the gentleman or the gentleman from Florida (Mr. YOUNG), or both of you, contemplate an additional CR.

You have not mentioned anything about the week of November 10 either, Mr. Leader. As you know, November 11 is Veterans' Day.

Assuming, as I assume, that we will not finish our business by the close of business on November 6, and in light of the fact the gentleman announced we will not be here on the seventh, can the gentleman for scheduling purposes give Members an idea of what might be the schedule for the week of November 10, again in light of the fact that November 11 is a day that most Members will want to be home with their veterans and citizens.

I yield to the gentleman.

Mr. DELAY. I appreciate the gentleman yielding. As the gentleman knows, the CR we passed earlier today does go through next Friday, and, as we get closer to next Friday, we will sometime next week have to reassess the progress of the various appropriations conferences and determine what length of time a likely additional CR would have to run.

We are going to spend a lot of time this weekend and the first of next week trying to figure out what the future holds. I do not expect us to have votes on Monday, November 10, or on Tuesday, November 11, which is Veterans' Day, as the gentleman has said. But on Wednesday, if we come back Wednesday, we would not have votes before 6:30 p.m.

We do anticipate having votes that week, but I just cannot say how late into the week we would be considering legislation.

I can say that we had hoped to finish the first session of this Congress by the first week of October, but, since that time, with the exception of the supplemental that we just passed, we basically have been waiting for the other body to catch up with us.

I have repeatedly predicted that we will soon reach the end, but, since we have not, and I am very disappointed that it does not look like we will reach the end by November 7, maybe it is best I just stop guessing as to when we are going to end. But we will give Members as much advance notice as we can. For right now, I must say that Members should not make any pre-Thanksgiving plans.

Mr. HOYER. I thank the leader for that observation. I think it is helpful that Members can be confident they can schedule events for the eleventh, Veterans' Day. I think that will be very helpful for Members.

The gentleman did not mention the FSC bill, the Foreign Sales Corporation bill. Can the gentleman tell us when you might expect that bill to be on the floor?

I yield to the gentleman.

Mr. DELAY. It is very difficult to say. Unfortunately, as these things happen, a lot of work is coming out of our Committee on Ways and Means. As the gentleman knows, the Committee on Ways and Means is very wrapped up in negotiations on the Medicare bill. They are also heavily involved in the energy conference, and they are just having a tough time getting all of this done. So we would hope we could do that bill some time next week, but we cannot predict that at this particular time, because next week is going to be heavily involved in the energy bill and the Medicare bill.

Mr. HOYER. I thank you, Mr. Leader. That was going to be my question. Does the gentleman expect both the energy conference report and the Medicare conference report, the prescription drug report, to be on the floor next week?

Mr. DELAY. Well, if the gentleman will yield further, we still hope to finish both of these bills before we complete the first session. There have been various discussions between both bodies, even though these discussions have not been formal in nature. At this point, I just cannot give a specific time frame for when these discussions will produce a recommendation for the conferees to consider and when the House would consider these final conference reports.

There are very difficult discussions going on. We had hoped that we could vote on these two bills next week, but just the physical writing of the bill on Medicare would take 8 to 10 days. So that is why I say Members should not make pre-Thanksgiving plans.

Mr. HOYER. Reclaiming my time, I thank the leader for his observations.

The leader and I, as the leader knows, have been having a lot of discussions about these conferences that are being held, somewhere, sometime, with some people.

I do not know whether the leader was informed, but the gentleman from New York (Mr. RANGEL) took the gentleman literally and found where a meeting at least was going on with the gentleman from California (Mr. THOMAS) and Secretary Thompson, and the gentleman from New York (Mr. RANGEL) and the gentleman from Arkansas (Mr. BERRY), both conferees appointed by the Speaker, went, opened the door, and went through the door with a number of Committee on Ways and Means Members.

I must tell the gentleman with great sadness, the gentleman from California (Mr. THOMAS) was not overwhelmingly happy to see them, which surprised me to no end, after our discussions and my conversation with the gentleman from New York (Mr. RANGEL), telling him how these conferences were going on

and you wanted to see a bill go through.

The gentleman might want to talk to the gentleman from California (Mr. THOMAS), because essentially he asked the gentleman from New York (Mr. RANGEL) to leave. We were shocked and chagrined and surprised, of course, that he would do such a thing.

I say this somewhat jocularly, obviously, but the gentleman from New York (Mr. RANGEL) and the gentleman from Arkansas (Mr. BERRY) were not invited to this meeting, and, if these bills come to the floor next week, they are going to do so without having any Democrat participate in any substantive discussions on the prescription drug bill.

The leader is correct, it is a complicated bill, an incredibly important bill, and both sides have expressed strong support for adopting a prescription drug plan for our seniors. There are obviously differences on what ought to be in that plan.

But I would again say to the leader, notwithstanding your belief, I think the gentleman may be not informed as fully as he might be, because we continue to have great difficulty finding out where these conferences that the gentleman has been talking about and that the gentleman and I have been talking about, where they are going on, when they are being scheduled and who is supposed to participate. We have been talking about this, and, at some point in time, we really do expect that we will be invited to the conferences.

We had a serious bill and we had some disruption on the floor today, Mr. Leader, with reference to the FAA reauthorization bill. We recommitted the bill from this floor to conference. No conference occurred. No Democrats were invited to attend. As far as we know, no conference ever occurred. The bill reappeared, however, with a change.

Mr. Leader, we do not think that is in the best interests of this institution, we do not think it is in the best interests of the country, and we do not think it is in the best interests of passing legislation, conference reports, which have broad-based support.

I know, as the leader says, these are difficult, and I do not doubt that the leader is absolutely correct, that when an agreement is reached, it is going to take 7 or 8 days for the staff to put it together and in shape. I think the leader is probably correct on that.

I am hopeful that even if we are never invited, which seems to be the practice to date, that, at the very least, when somebody, somewhere, in some room, somehow makes a decision as to the bill that is going to be reported to the floor, that, at the very least, we get a copy of that bill in a timely fashion so, as complex a bill as you correctly observe it is, we have the time to analyze it, digest it and determine what we want to do on that bill.

I would hope that these comments would be taken in a constructive way, Mr. Leader, because I am very serious about the fact that I have participated, the gentleman has participated, we talked about this in conference committees where we sat down, we talked about it. I can remember the gentleman and I agreeing on some and disagreeing on some in conference, in HC–5 in particular, where we had large numbers of people participating in conferences. I thought those were positive, productive, and reflective of what our democratic legislative process ought to be.

We are very distressed on this side of the aisle that that does not appear to be happening. I would hope that you, Mr. Leader, as the majority leader, frankly, as the person most responsible for the schedule, but also one of the most significant leaders in this House, that you would try to work in a very positive way in bringing about conferences, which, again, include the conferees appointed by the Speaker of the House.

I yield to the gentleman if he would like to make any comments.

Mr. DELAY. I appreciate the gentleman yielding. The gentleman brings up many different issues, and I appreciate his concern.

Let me just try to answer in this way. On the FAA reauthorization conference report, as the gentleman knows, there were formal conferences held during the whole process of that bill. Many issues were discussed with all the conferees.

To be honest with the gentleman, I think it was unfortunate that a formal conference was not called on that bill this week, and I will work to make sure that we follow the rules of the House and formal conferences are held before those conference reports come back to the floor.

But I must say that the gentleman knows that it is not unusual to have discussion groups, meetings with all kinds of different people as conference recommendations are being put together for a formal conference meeting. I can assure the gentleman that on the Medicare bill and on the energy bill, formal conferences will be held before those bills come to the floor in the form of a conference report. But just to make this place work, there has to be a lot of meetings, and there is a lot of time spent together with a lot of people to get these big bills put together.

The gentleman said that no Democrats have been included in the discussions on the Medicare bill. There are Democrats being consulted in many different forums, including regular discussion groups, so there is Democrat input in the Medicare conference discussions.

Mr. HOYER. Reclaiming my time, I thank the leader for his observation. I must, however, say the information he has is different from the information I have on the conference.

On the FAA, for instance, there was a meeting on July 24 in which there was no paper, no markup notes, no chairman's mark, no suggested bill, and that was the last meeting, to which the gentleman from Minnesota (Mr. OBERSTAR), the ranking Democrat, who, as you well know, worked hand in glove with Mr. SHUSTER and with the gentleman from Alaska (Mr. YOUNG) over the years on those committees, simply did not participate. I agree with you, Mr. Leader, on that.

Mr. DELAY. If the gentleman will yield, that is consistent with what I said, in that formal conferences were held on that bill.

□ 0030

In fact, the major contentious issue that we debated this week on that bill was dealt with in the conference, as I am informed, as an amendment. So there was discussion and debate on the conference report.

What I was referring to was the process which was kind of an unusual process in its own right, of recommitting to a conference, making adjustments to the bill, and bringing it right back. Even with that and all of the discussion that has been going on about this bill, both in formal meetings and informal meetings, frankly, a formal conference should have been held before we brought that conference report to the floor.

Mr. HOYER. Mr. Speaker, reclaiming my time, I understand that, and I appreciate that. I appreciate the gentleman's observation. We agree: a formal conference should have been held. Because it was not, the majority had to waive the rule in the rule that was presented on the floor of the House.

With respect to the energy bill and Medicare, I would tell the gentleman in neither case, in the energy bill nor in the prescription drug bill, did the Democratic conferees believe there has been a conference in either instance, in either one of these very important issues on which there have been any kind of discussions regarding the substance of those bills. I simply observe that that is shutting out the representatives of 130 million Americans on our side of the aisle to give their perspective, in conference, with conferees appointed by the Speaker.

Now, we all understand that we have discussions with Democrats on our side and there are discussions with Republicans on your side, talking about strategy, talking about compromise, talking about how to work things out. That is understandable. That is necessary. It always and must occur. However, at some point in time, the conferees, we suggest to the gentleman respectfully, need to be included in discussions, not in a pro forma conference at the end of the process, being informed what the bill is. That, frankly, is all that has been happening.

Mr. DELAY. Mr. Speaker, if the gentleman will yield, I just have to correct the gentleman. There have been, I do not recall how many formal conferences have been called on the energy bill, but I know more than one has

been called on the energy bill. I am on the conference on the Medicare bill. I have attended two formal conferences on the Medicare bill, and the House Democrats that are conferees have attended both of those formal conferences on the Medicare bill.

As I have said many times on this floor when approached by the gentleman with his concerns, we are holding conferences with Democrats of this House, not conferences; we are holding discussions. I know the chairman of the Committee on Ways and Means and the chairman of the Committee on Energy and Commerce have informed me that there have been many discussions with the Democrats, including the ranking member. Not many, but there have been many discussions that include different groups of Democrats about what they would like to see in this bill, including the ranking member. I think, I could be corrected, but I think there was a meeting with the chairman of the Committee on Ways and Means and the ranking member and other Democrats on the Committee on Ways and Means about the Medicare bill just this week.

So whenever there is a formal conference, the conferees that have been appointed by the Speaker are invited to that conference, and there will be a formal conference before that Medicare bill comes to this floor, as in the form of a conference report.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the leader for his observation. We, I think, are getting different information from our principals. The gentleman from Michigan (Mr. DINGELL) and the gentleman from New York (Mr. RANGEL), I think, do not share that same view as to whether or not they have been included, two of our most senior Members of this House, two Members deeply concerned about both issues.

In any event, Mr. Leader, I appreciate the gentleman clarifying the schedule for next week and the week thereafter. That will be helpful to our Members.

ADJOURNMENT TO TUESDAY, NOVEMBER 4, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, November 4, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT AS MEMBER TO LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore. Pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154 note), and the order of the House of January 8, 2003, the Chair announces the Speaker's appointment of the following member on the part of the House to the Library of Congress Trust Fund Board for a 5-year term to fill the existing vacancy thereon:

Mrs. Elisabeth DeVos, Grand Rapids, Michigan.

UNITED STATES CONTINUES TO BREAK LAW

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

Mr. MCDERMOTT. Mr. Speaker, as the President announced that everything is fine in Iraq, the Red Cross is leaving, the Doctors Without Borders is leaving, and the United States continues to break the law. The problem there is we say we want to establish the rule of law, but we break it. The U.S. provisional authority in Iraq is breaking international law from the 1907 Hague Convention and the Geneva Convention.

On September 19, the viceroy, Mr. Bremer, said anybody will now be permitted to have full ownership of a wide range of state-owned Iraq assets. That violates the 1925 constitution which has been in effect and has not been changed by the people which bars private ownership of natural resources or the means of production. It prohibits the foreign ownership of real estate or the establishment of companies in Iraq by non-Arab foreigners.

We cannot bring democracy to a country and fail to bring the rule of law. The United States is talking out of both sides of its mouth.

Mr. Speaker, I include for the RECORD an article from the New York Times, dated October 29, titled, ''Iraq Business Deals May Be Invalid, Law Experts Warn.''

[From the New York Times, Oct. 29, 2003]

IRAQ BUSINESS DEALS MAY BE INVALID, LAW EXPERTS WARN

(by Thomas Catan)

The US-led provisional authority in Iraq may be breaking international law by selling state assets, experts have warned, raising the prospect that contracts signed now by foreign investors could be scrapped by a future Iraqi government.

International business people attending a conference in London this week heard that some orders issued by the US-led Coalition Provisional Authority (CPA) may be in breach of the 1907 Hague Regulations and the Fourth Geneva Convention.

''Is what they are doing legitimate, is it legal?'' asked Juliet Blanch, a partner at the London-based international law firm Norton Rose. ''Most [experts] believe that their actions are not legal'', she said. ''There would be no requirement for a new government to ratify their [actions].''

International law obliges occupying powers to respect laws already in force in a country ''unless absolutely prevented'' from doing so.

According to international law experts, that throws doubt on the legality of the CPA's September 19 order opening the Iraqi economy to foreign investment. In what amounted to a blueprint for transforming Iraq into a market economy, Order 39 permitted full foreign ownership of a wide range of state-owned Iraqi assets, barring natural resources such as oil.

However, such sweeping economic reform may not be legal, as the UK government was privately warned by its chief law officer in the first days of the war. In his private advice, later leaked to the press, Lord Goldsmith wrote that ''the imposition of major structural economic reforms would not be authorised by international law.''

The British government will not now comment on the attorney general's advice, which it maintains was confidential.

Questioned in parliament by Shirley Williams, the Liberal Democrat leader of the House of Lords, a minister argued that the government was ''confident that their policies and actions in Iraq are right and consistent with the UK's international obligations.''

However, international experts say foreign investors could face a wide range of legal problems in Iraq. Not least is the fact that Order 39 is ''strictly contrary to the Iraqi constitution,'' according to Stephen Nelson, a partner at Squire, Sanders & Dempsey, speaking before the conference on Monday.

Indeed, the Iraqi constitution—which cannot legally be altered without the consent of the Iraqi people—contains a wide range of other provisions that could be highly troublesome for foreign investors.

Iraqi law bans private ownership of ''national'' resources or ''the basic means of production''. It also prohibits foreign ownership of real estate or the establishment of companies in Iraq by non-Arab foreigners.

There is also the question of what will happen to existing contracts with foreign companies, signed with the government of Saddam Hussein.

The CPA has yet to announce what will become of pre-existing contracts, many of which are held by Russian, Chinese and French companies.

However, international law experts have said they could be enforced, raising the possibility that contracts with the ousted regime might be more enforceable than those signed with the CPA.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MILLER of North Carolina (at the request of Ms. PELOSI) for October 29 after 5:30 p.m. and the balance of the week on account of official business.

Ms. LINDA T. SÁNCHEZ of California (at the request of Ms. PELOSI) for today on account of a death in the family.

Mr. ISAKSON (at the request of Mr. DELAY) for today until 1:00 p.m. on account of addressing the Georgia Department of Adult and Technical Education in Savannah.

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. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, November 6.

Mr. MCCOTTER, for 5 minutes, November 5.

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. 1590. An act to redesignate the facility of the United States Postal Service, located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the ''James E. Davis Post Office Building''; to the Committee on Government Reform.

S. 1718. An act to designate the facility of the United States Postal Service, located at 3710 West 73rd Terrace in Prairie Village, Kansas, as the ''Senator James B. Pearson Post Office''; to the Committee on Government Reform.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1516. An act to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration.

H.R. 1610. An act 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. An act 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 Building''.

H.R. 1883. An act 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 Building''.

H.R. 2075. An act 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 Rogers Post Office Building''.

H.R. 2254. An act 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. An act 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. An act 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. An act 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 Building''.

H.R. 2452. An act 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. An act 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. An act 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. An act 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''.

H.J. Res 52. Joint resolution recognizing the Dr. Samuel D. Harris National Museum of Dentistry, an affiliate of the Smithsonian Institution in Baltimore, Maryland, as the official national museum of dentistry in the United States.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 470. An act to extend the authority for the construction of a memorial to Martin Luther King, Jr.

S. 926. An act to amend section 5379 of title 5, United States Code, to increase the annual and aggregate limits on student loan repayments by Federal agencies.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 37 minutes a.m., Friday, October 31, 2003), under its previous order, the House adjourned until Tuesday, November 4, 2003, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4986. A letter from the Regulatory Contact, GIPSA, Department of Agriculture, transmitting the Department's final rule — Official Performance Requirements for Grain Inspection Equipment (RIN: 0580-AA57) received October 22, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4987. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Imidacloprid; Pesticide Tolerances for Emergency Exemptions [OPP-2003-0327; FRL-7330-4] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4988. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Robert J. Natter, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

4989. A letter from the Staff Attorney, Tort Claims and Litigation Division, Air Force Legal Services Agency, Department of Defense, transmitting the Department's final rule — Tort Claims — received September 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4990. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Unique Item Indentification and Valuation [DFARS Case 2003-D081] received October 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4991. A letter from the Assistant General Counsel, Department of the Treasury, transmitting the Department's final rule — Terrorism Risk Insurance Program (RIN: 1505-AA98) received October 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4992. A letter from the Assistant General Counsel, Department of the Treasury, transmitting the Department's final rule — Terrorism Risk Insurance Program (RIN: 1505-AA99) received October 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4993. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-B-7438] received October 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4994. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Designation of Round III Urban Empowerment Zones and Renewal Communities [Docket No. FR-4663-F-07] (RIN: 2506-AC09) Receceived October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4995. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Loan Interest Rates — received October 20, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4996. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule — Labor Organization Annual Financial Reports (RIN: 1215-AB34) received October 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4997. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA284-0407a; FRL-7577-1] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4998. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans For Designated Facilities; Puerto Rico [Region 2 Docket No. PR11-267a; FRL-7581-1] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4999. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 196-1196a; FRL-7580-5] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5000. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Arizona [AZ

115-0058a; FRL-7573-9] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5001. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; States of Montana and Wyoming; Revisions to the Administrative Rules of Montana; New Source Performance Standards for Wyoming and Montana [SIP NO. MT-001-0047a, WY-001-0010a, WY-001-0011a, WY-001-0012a; FRL-7573-2] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5002. A letter from the Deputy Division Chief, WTB/POL, Federal Communication Commission, transmitting the Commission's final rule — Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones [WT Docket No. 01-309 RM-8658] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5003. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2, 25, and 97 of the Commission's Rules with Regard to the Mobile-Satellite Service Above 1 GHz [ET Docket No. 98-142] received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5004. A letter from the Associate Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Provision of Directory Listing Information under the Telecommunications Act of 1934, As Amended [CC-Docket No. 99-273] received October 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5005. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to the proliferation of weapons of mass destruction and their delivery systems is to continue in effect beyond November 14, 2003, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 108—138); to the Committee on International Relations and ordered to be printed.

5006. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to Sudan is to continue in effect beyond November 3, 2003, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 108—139); to the Committee on International Relations and ordered to be printed.

5007. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to the Pacific Ocean (international waters) (Transmittal No. DTC 101-03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5008. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5009. A letter from the Director, Executives, Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5010. A letter from the Director, Executives, Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5011. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule — Federal Acquisition Circular 2001-16; Introduction — received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5012. A letter from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting the Office's final rule — Federal Employee's Group Life Insurance Program: Removal of Premiums and Age Bands From Regulations (RIN: 3206-AJ46) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5013. A letter from the Director, Center for Employee and Family Support, Office of Personnel Management, transmitting the Office's final rule — Health Insurance Premium Conversion (RIN: 3206-AJ17) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5014. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassification of Lesquerella filiformis (Missouri Bladderpod) from Endangered to Threatened (RIN: 1018-AH59) received October 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5015. A letter from the Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department's final rule — Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities [Docket No. FR-4523-F-02] (RIN: 2501-AC83) received October 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5016. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 021212307-3037-02; I.D.100703C] received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

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. YOUNG of Florida: Committee of Conference. Conference report on H.R. 3289. A bill 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 (Rept. 108–337). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 424. Resolution waiving points of order against the conference report to accompany the bill (H.R. 3289) 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 (Rept. 108–338). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ISTOOK (for himself, Mr. LUCAS of Oklahoma, Mr. COLE, Mr. SULLIVAN, and Mr. CARSON of Oklahoma):

H.R. 3406. A bill to amend the Oklahoma City National Memorial Act of 1997 to transfer the Oklahoma City National Memorial to the Oklahoma City National Memorial Foundation, and for other purposes; to the Committee on Resources.

By Ms. LOFGREN (for herself, Mr. BACA, Mr. BERMAN, Mrs. CAPPS, Mr. CARDOZA, Mrs. DAVIS of California, Mr. DOOLEY of California, Ms. ESHOO, Mr. FARR, Mr. FILNER, Ms. HARMAN, Mr. HONDA, Mr. LANTOS, Ms. LEE, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. PELOSI, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, Mr. BECERRA, and Mr. STARK):

H.R. 3407. A bill making an emergency supplemental appropriation for disaster relief activities associated with the California wildfires; to the Committee on Appropriations.

By Mr. BISHOP of New York (for himself, Mr. GEORGE MILLER of California, Mr. PAYNE, Mr. HOLT, Mr. KILDEE, Mr. CASE, Mr. GRIJALVA, Mr. RYAN of Ohio, Mr. DAVIS of Illinois, Mr. ANDREWS, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. OWENS, Mr. KUCINICH, Mr. HINOJOSA, Ms. MAJETTE, Mrs. MCCARTHY of New York, and Mr. TIERNEY):

H.R. 3408. A bill to amend the Higher Education Act of 1965 to improve college access through experiential education; to the Committee on Education and the Workforce.

By Mr. BISHOP of New York (for himself, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, and Mr. ACKERMAN):

H.R. 3409. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 relating to the dumping of dredged material in certain areas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Florida (for himself, Mr. SHAW, Mr. ACEVEDO-VILA, Ms. GINNY BROWN-WAITE of Florida, and Mr. OTTER):

H.R. 3410. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for water and sewage facilities; to the Committee on Ways and Means.

By Mr. EMANUEL (for himself, Mr. SHAYS, Ms. DELAURO, Mr. FRANK of Massachusetts, Mrs. MCCARTHY of New York, Mr. MOORE, Ms. SLAUGHTER, Mr. CROWLEY, Mr. HOEFFEL, Mr. BLUMENAUER, Mr. VAN HOLLEN, Mrs. TAUSCHER, Mrs. MALONEY, Mr. GONZALEZ, Mrs. JONES of Ohio, Ms. CARSON of Indiana, Mr. MCGOVERN, Mr. WEXLER, Mr. PASTOR, Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Ms. ESHOO, Mr. CLAY, and Mr. KUCINICH):

H.R. 3411. A bill to prevent any adult who, as a juvenile, committed an offense that would be a crime of violence if committed by an adult, from possessing a firearm; to the Committee on the Judiciary.

By Mr. ENGLISH:

H.R. 3412. A bill to amend the Internal Revenue Code of 1986 to expand incentives for education; to the Committee on Ways and Means, and in addition to the Committee on 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. EVANS (for himself, Mr. TOM DAVIS of Virginia, and Mr. WAXMAN):

H.R. 3413. A bill to amend title 38, United States Code, to prohibit additional daily interest charges following prepayment in full of housing loans guaranteed by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. GONZALEZ (for himself and Mr. RODRIGUEZ):

H.R. 3414. A bill to prohibit offering homebuilding purchase contracts that contain in a single document both a mandatory arbitration agreement and other contract provisions, and to prohibit requiring purchasers to consent to a mandatory arbitration agreement as a condition precedent to entering into a homebuilding purchase contract; to the Committee on Financial Services.

By Mr. KING of Iowa (for himself, Mr. SHADEGG, Mr. SESSIONS, Mr. GUTKNECHT, Mrs. MUSGRAVE, Mr. PITTS, Mr. JONES of North Carolina, Mr. GOODE, Mr. BARTLETT of Maryland, Mr. AKIN, Mr. DOOLITTLE, Mr. FRANKS of Arizona, Mr. HOEKSTRA, Mr. BEAUPREZ, Mr. CHOCOLA, Mr. RYUN of Kansas, Mr. TERRY, Mr. CRANE, Mr. HENSARLING, Mr. MILLER of Florida, Mr. RYAN of Wisconsin, Mr. WILSON of South Carolina, Mr. HOSTETTLER, Mr. PENCE, Mr. TANCREDO, Mr. GARRETT of New Jersey, and Mr. BARRETT of South Carolina):

H.R. 3415. A bill to improve the program of temporary Federal fiscal assistance to States; to the Committee on Government Reform.

By Mr. GEORGE MILLER of California (for himself, Ms. WOOLSEY, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Mr. ANDREWS, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Mr. KUCINICH, Mr. WU, Mr. HOLT, Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. DAVIS of Illinois, Mr. CASE, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. RYAN of Ohio, and Mr. BISHOP of New York):

H.R. 3416. A bill to reauthorize and make improvements to child nutrition programs; to the Committee on Education and the Workforce.

By Mr. ROTHMAN:

H.R. 3417. A bill to amend title 49, United States Code, to prohibit the operation in certain metropolitan areas of civil subsonic turbojets that fail to comply with stage 3 noise levels; to the Committee on Transportation and Infrastructure.

By Mr. ROTHMAN:

H.R. 3418. A bill to improve the quality of life and safety of persons living and working near railroad tracks; to the Committee on Transportation and Infrastructure.

By Mr. ROTHMAN:

H.R. 3419. A bill to require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying airport bubbles as a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations and improving the overall quality of the environment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on 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 committee concerned.

By Ms. ROYBAL-ALLARD (for herself, Mrs. MALONEY, Mr. ABERCROMBIE, Mr. DAVIS of Illinois, Mr. FARR, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HINOJOSA, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KIND, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. MCNULTY, Mr. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. OWENS, Mr. PALLONE, Mr. REYES, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. STARK, Mrs. TAUSCHER, Ms. WATSON, Mr. WEINER, Mr. WU, Ms. BALDWIN, Ms. MCCOLLUM, Ms. WATERS, Ms. BERKLEY, and Mr. KUCINICH):

H.R. 3420. A bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Financial Services, 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. RUPPERSBERGER:

H.R. 3421. A bill to designate the facility of the United States Postal Service located at 30 West Bel Air Avenue in Aberdeen, Maryland, as the ''Ripken Post Office Building''; to the Committee on Government Reform.

By Mr. SERRANO (for himself, Mr. LEACH, Mr. ALLEN, Ms. BALDWIN, Mr. BISHOP of Georgia, Mr. CARSON of Oklahoma, Mr. CONYERS, Mr. DELAHUNT, Mr. EVANS, Mr. FARR, Mr. GONZALEZ, Mr. GRIJALVA, Mr. HINCHEY, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. KLECZKA, Mr. LAHOOD, Mr. LAMPSON, Ms. LEE, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. SABO, Mr. SANDERS, Mr. SHAYS, Mr. STARK, Mr. THOMPSON of California, Mr. TOWNS, Mr. TURNER of Texas, Ms. VELAZQUEZ, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 3422. A bill to provide the people of Cuba with access to food and medicines from the United States, to ease restrictions on travel to Cuba, to provide scholarships for certain Cuban nationals, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Agriculture, Financial Services, Government Reform, the Judiciary, and 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. SHADEGG:

H.R. 3423. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for health insurance costs, to allow employees who elect not to participate in employer subsidized health plans an exclusion from gross income for employer payments in lieu of such participation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and 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 Ms. SOLIS (for herself, Ms. SLAUGHTER, Mrs. CAPITO, Ms. GINNY BROWN-WAITE of Florida, Mrs. JONES of Ohio, Ms. MILLENDER-MCDONALD, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. MCNULTY, Mr. STARK, Ms. CARSON of Indiana, Ms. LINDA T. SANCHEZ of California, Ms. MAJETTE, Ms. ROYBAL-ALLARD, Ms. CORRINE BROWN of Florida, Ms. NORTON, Ms. KILPATRICK, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3424. A bill to authorize the establishment of domestic violence court systems from amounts available for grants to combat violence against women; to the Committee on the Judiciary.

By Ms. SOLIS (for herself, Ms. SLAUGHTER, Mrs. CAPITO, Ms. LEE, Ms. CARSON of Indiana, Mr. MEEKS of New York, Ms. CORRINE BROWN of Florida, Mr. FILNER, and Mr. GREEN of Texas):

H.R. 3425. A bill to provide grants for public information campaigns to educate racial and ethnic minority communities and immigrant communities about domestic violence; to the Committee on the Judiciary.

By Mr. WYNN (for himself, Mr. KANJORSKI, Ms. BALDWIN, Mr. BOSWELL, Mrs. CAPPS, Ms. CARSON of Indiana, Mr. COSTELLO, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. HOEFFEL, Mr. HOLDEN, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. KIND, Mr. KUCINICH, Mr. LAMPSON, Mr. LEACH, Mr. LEVIN, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCINTYRE, Mr. MICHAUD, Mr. MOORE, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. UDALL of Colorado, Ms. WATSON, Mr. WAXMAN, and Ms. ROYBAL-ALLARD):

H.R. 3426. A bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes; to the Committee on Government Reform.

By Mr. YOUNG of Alaska:

H.R. 3427. A bill to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes; to the Committee on Resources.

By Mr. CANNON (for himself, Mr. LANTOS, Mr. LATOURETTE, Mr. FROST, Mr. BELL, Mr. WEXLER, Mr. BERMAN, Mr. WAXMAN, Mr. CROWLEY, Ms. SCHAKOWSKY, Mr. ISRAEL, Ms. BERKLEY, Mr. NADLER, Ms. ROS-LEHTINEN, Mr. CANTOR, Mrs. LOWEY, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. DEUTSCH, and Mr. ACKERMAN):

H. Con. Res. 316. Concurrent resolution recognizing that November 2, 2003, shall be dedicated to ''A Tribute to Survivors''at the United States Holocaust Memorial Museum; to the Committee on Resources.

By Mr. HOEFFEL:

H. Con. Res. 317. Concurrent resolution expressing the sense of the Congress with respect to the form of cancer known as mesothelioma; to the Committee on Government Reform.

By Mr. KINGSTON (for himself, Mr. JONES of North Carolina, Mr. WICKER, Mr. ISTOOK, Mr. COX, Mr. PITTS, Mr. WILSON of South Carolina, Mr. DUNCAN, Mr. MCKEON, Mr. HERGER, Mr.

MARIO DIAZ-BALART of Florida, Mr. HAYWORTH, Mr. LEWIS of Kentucky, Mr. WELDON of Pennsylvania, Mr. GINGREY, Mr. BARTLETT of Maryland, Mr. OSBORNE, and Mr. POMBO):

H. Con. Res. 318. Concurrent resolution expressing the sense of the Congress that American colleges and universities should adopt an Academic Bill of Rights to secure the intellectual independence of faculty members and students and to protect the principle of intellectual diversity; to the Committee on Education and the Workforce.

By Ms. ROS-LEHTINEN (for herself, Mr. LANTOS, and Mr. SMITH of New Jersey):

H. Con. Res. 319. Concurrent resolution expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Baha i community by the Government of Iran; to the Committee on International Relations.

By Mrs. DAVIS of California (for herself, Mr. HUNTER, Mr. CUNNINGHAM, and Mr. FILNER):

H. Res. 425. A resolution recognizing and honoring the firefighters and other public servants who responded to the October, 2003, historically devastating, outbreak of wildfires in Southern California; to the Committee on Government Reform.

By Mr. HINCHEY (for himself, Mr. BOEHLERT, Mr. SERRANO, Mr. SMITH of Texas, Mrs. MALONEY, Mr. NADLER, Mr. FILNER, Mr. RANGEL, Mr. KIRK, Mr. OWENS, Mr. WALSH, and Mr. WEINER):

H. Res. 426. A resolution congratulating Jeffrey Sean Lehman on his appointment to the presidency of Cornell University; to the Committee on Education and the Workforce.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. SMITH of New Jersey, Ms. LOFGREN, Mr. TOM DAVIS of Virginia, and Mr. ROYCE):

H. Res. 427. A resolution expressing the sense of the House of Representatives regarding the courageous leadership of the Unified Buddhist Church of Vietnam and the urgent need for religious freedom and related human rights in the Socialist Republic of Vietnam; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. BRADLEY of New Hampshire.
H.R. 276: Mr. PETRI.
H.R. 290: Ms. CARSON of Indiana.
H.R. 296: Mr. KIND.
H.R. 333: Mrs. JONES of Ohio and Mr. CUMMINGS.
H.R. 450: Mr. LARSEN of Washington.
H.R. 476: Mr. ALEXANDER.
H.R. 548: Mr. MCCOTTER and Mr. NORWOOD.
H.R. 693: Mr. MOORE.
H.R. 713: Mr. CASE, Mr. SIMMONS and Mr. HOEKSTRA.
H.R. 776: Ms. LEE.
H.R. 785: Mr. SHAYS.
H.R. 832: Mr. MEEK of Florida.
H.R. 852: Mr. COOPER.
H.R. 876: Mr. BLUNT, Mr. GARRETT of New Jersey, Mr. MURTHA, Mrs. KELLY, and Ms. KAPTUR.
H.R. 880: Mr. MICHAUD.
H.R. 898: Mr. PLATTS.
H.R. 936: Mr. DAVIS of Alabama.
H.R. 979: Mr. TIERNEY.
H.R. 992: Mr. KING of Iowa.
H.R. 993: Mr. KING of Iowa.
H.R. 994: Mr. KING of Iowa.
H.R. 997: Mr. ADERHOLT, Mr. CULBERSON, Mr. ROHRABACHER, and Mr. BURNS.
H.R. 1097: Mr. EMANUEL and Mr. CROWLEY.
H.R. 1215: Mr. CASE, Mr. GRIJALVA, and Mr. NADLER.
H.R. 1216: Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. NADLER.
H.R. 1217: Ms. KILPATRICK, Mr. GRIJALVA, and Mr. NADLER.
H.R. 1218: Mr. GRIJALVA.
H.R. 1243: Mr. ALEXANDER.
H.R. 1258: Mr. WYNN and Mrs. LOWEY.
H.R. 1285: Mr. HONDA and Mr. PASCRELL.
H.R. 1322: Mr. BRADY of Pennsylvania and Mr. DOYLE.
H.R. 1345: Ms. WATERS and Mr. MOORE.
H.R. 1349: Mr. MURTHA.
H.R. 1372: Mr. BOUCHER, Mr. WICKER, and Ms. CARSON of Indiana.
H.R. 1411: Mr. CONYERS, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, and Mrs. JONES of Ohio.
H.R. 1414: Mr. LEACH.
H.R. 1600: Mr. MEEKS of New York, Mrs. CHRISTENSEN, and Mr. WEXLER.
H.R. 1639: Mr. PRICE of North Carolina.
H.R. 1680: Mr. DEFAZIO, Mr. HINCHEY, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1684: Mr. KUCINICH, Mrs. DAVIS of California, Mr. MATSUI, and Mrs. MALONEY.
H.R. 1689: Mr. GRIJALVA.
H.R. 1722: Mr. FROST.
H.R. 1737: Mr. DAVIS of Florida.
H.R. 1746: Ms. KAPTUR, Mr. SABO, and Ms. SOLIS.
H.R. 1749: Mr. POMEROY.
H.R. 1783: Mr. TERRY and Mr. MILLER of Florida.
H.R. 1787: Mr. OWENS, Ms. DELAURO, and Mr. BRADY of Pennsylvania.
H.R. 1800: Mr. DAVIS of Illinois.
H.R. 1811: Mr. MCHUGH, Ms. CARSON of Indiana, Mr. MATHESON, Mr. BURTON of Indiana, and Mr. LANGEVIN.
H.R. 1895: Mrs. JONES of Ohio and Ms. LEE.
H.R. 1902: Mrs. LOWEY.
H.R. 1919: Mr. RYAN of Ohio and Ms. LEE.
H.R. 1933: Mr. PETERSON of Minnesota.
H.R. 1993: Mr. GRIJALVA and Mr. WYNN.
H.R. 2238: Mr. DOGGETT.
H.R. 2239: Mr. FROST, Ms. CARSON of Indiana, Ms. WATSON, and Mr. JACKSON of Illinois.
H.R. 2258: Mr. DOGGETT.
H.R. 2316: Mr. GREEN of Texas, Mr. JENKINS, Mr. BOUCHER, Ms. DEGETTE, Ms. LOFGREN, and Ms. SCHAKOWSKY.
H.R. 2318: Mr. BLUMENAUER and Mrs. CAPPS.
H.R. 2356: Mr. EHLERS, Mr. GREEN of Texas, and Mr. KINGSTON.
H.R. 2366: Mr. ISRAEL, Mr. MEEKS of New York, and Mr. WEXLER.
H.R. 2394: Mr. BACA and Mr. CLAY.
H.R. 2402: Mr. OLVER.
H.R. 2434: Ms. LOFGREN.
H.R. 2442: Mr. BACA, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. MEEHAN, Mr. ACEVEDO-VILA, Mrs. CAPPS, and Mr. HINOJOSA.
H.R. 2491: Ms. SCHAKOWSKY.
H.R. 2492: Mr. LOBIONDO, Ms. HARRIS, Mr. PAUL, and Mr. MCINTYRE.
H.R. 2527: Mr. BELL.
H.R. 2626: Ms. MCCOLLUM and Mr. BRADY of Pennsylvania.
H.R. 2628: Mr. ISRAEL, Mr. SERRANO, Mr. ALLEN, and Mr. SANDERS.
H.R. 2670: Mr. OWENS.
H.R. 2695: Mr. SHUSTER.
H.R. 2719: Ms. ROS-LEHTINEN, Mr. BAKER, and Mr. TAYLOR of North Carolina.
H.R. 2768: Mr. MCNULTY, Mr. GONZALEZ, Mr. VAN HOLLEN, and Mr. VISCLOSKY.
H.R. 2843: Mr. KENNEDY of Rhode Island, and Mr. CANNON.
H.R. 2894: Mr. TAYLOR of Mississippi, Mr. PICKERING, and Mr. WICKER.
H.R. 2905: Mr. PRICE of North Carolina and Mr. OLVER.
H.R. 2944: Mr. WYNN and Mr. SNYDER.
H.R. 2945: Mr. MEEK of Florida.
H.R. 2948: Mr. FROST.
H.R. 3022: Ms. LOFGREN.
H.R. 3063: Ms. BERKLEY.
H.R. 3078: Mr. ACKERMAN, Mr. RAHALL, Ms. LINDA T. SANCHEZ of California, and Mr. LYNCH.
H.R. 3085: Mr. DOGGETT.
H.R. 3104: Mr. EHLERS and Ms. HARMAN.
H.R. 3111: Mr. MEEHAN.
H.R. 3120: Ms. LOFGREN.
H.R. 3123: Ms. DELAURO and Ms. SOLIS.
H.R. 3125: Mr. ISAKSON, Mr. GIBBONS, and Mr. HOEKSTRA.
H.R. 3133: Mr. MICHAUD and Ms. WOOLSEY.
H.R. 3134: Ms. HART and Ms. SLAUGHTER.
H.R. 3139: Mr. HOLT.
H.R. 3142: Mrs. BONO, Ms. ROS-LEHTINEN, Ms. CORRINE BROWN of Florida, Mr. WYNN, Mr. GARRETT of New Jersey, and Mr. SCHIFF.
H.R. 3173: Mr. OWENS.
H.R. 3178: Ms. MCCARTHY of Missouri, Mr. CASE, Ms. WOOLSEY, Mr. PRICE of North Carolina, Mr. JEFFERSON, Mr. BROWN of Ohio, Mr. SESSIONS, Mr. GOODE, Ms. DELAURO, and Mr. CUMMINGS.
H.R. 3190: Mr. SOUDER, Mr. FRANKS of Arizona, and Mr. MCHUGH.
H.R. 3193: Mr. FORBES, Mr. MURTHA, Mr. BONILLA, Mr. PETRI, Ms. HART, Mr. RODRIGUEZ, Mr. TAUZIN, Mr. BUYER, Ms. PRYCE of Ohio, Mr. UPTON, Mr. REYNOLDS, and Mr. JENKINS.
H.R. 3194: Mr. HINOJOSA.
H.R. 3204: Mr. GREENWOOD, Ms. HART, and Mr. ENGLISH.
H.R. 3215: Mr. CANNON, Mr. NEUGEBAUER, and Mr. BAKER.
H.R. 3220: Mr. COLE, Mr. DEMINT, and Ms. HART.
H.R. 3244: Mr. BRADY of Pennsylvania.
H.R. 3259: Mr. ENGLISH, Ms. LOFGREN, and Mr. OWENS.
H.R. 3274: Mr. BARTLETT of Maryland, Mr. BOYD, and Mr. MEEHAN.
H.R. 3276: Mr. ALLEN.
H.R. 3277: Mr. WILSON of South Carolina, Mr. DICKS, Mr. BARTLETT of Maryland, Mr. SCHROCK, Mrs. DAVIS of California, and Mr. HUNTER.
H.R. 3294: Mr. KING of New York and Mr. SESSIONS.
H.R. 3313: Mr. TERRY.
H.R. 3323: Mr. SOUDER.
H.R. 3344: Ms. HART, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Mr. RANGEL, Mr. FROST, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 3349: Mr. BERMAN and Mr. CONYERS.
H.R. 3350: Mr. ACEVEDO-VILA.
H.R. 3352: Mr. PASTOR.
H.R. 3353: Mr. KUCINICH and Mr. CLAY.
H.R. 3358: Mr. BRADY of Texas and Mr. GINGREY.
H.R. 3364: Mr. GOODLATTE, Mr. OTTER, and Mr. BARRETT of South Carolina.
H.R. 3386: Mr. BALLANCE, Mr. RUSH, Ms. NORTON, Mr. JACKSON of Illinois, and Ms SCHAKOWSKY.
H.R. 3387: Mr. FILNER.
H.R. 3402: Mr. ROSS.
H.J. Res. 22: Ms. HART, and Mr. GARY G. MILLER of California.
H. Con. Res. 37: Mr. BAKER.
H. Con. Res. 86: Ms. NORTON.
H. Con. Res. 94: Mr. SANDERS, Mr. ROGERS of Kentucky, Mr. ALLEN, and Mr. MATHESON.
H. Con. Res. 186: Mr. HINOJOSA.
H. Con. Res. 242: Mr. ACKERMAN, Mr. LANTOS, Ms. ROS-LEHTINEN, Mrs. TAUSCHER, Mr. EVANS, and Mr. TERRY.
H. Con. Res. 247: Mr. LEVIN and Mr. LIPINSKI.
H. Con. Res. 269: Mr. DAVIS of Illinois.
H. Con. Res. 276: Mr. TIERNEY.
H. Con. Res. 304: Mr. PALLONE and Mr. CLAY.

H. Con. Res. 306: Mr. COLE.

H. Con. Res. 307: Mr. CARDOZA, Mr. JONES of North Carolina, Mr. SOUDER, Mr. WAXMAN, Mr. SAXTON, and Mr. DEUTSCH.

H.R. 38: Ms. WOOLSEY and Mr. GONZALEZ.

H. Res. 42: Mr. KING of Iowa.

H. Res. 307: Mr. ROTHMAN and Mr. STARK.

H. Res. 313: Mr. ALEXANDER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. STRICKLAND.

H. Res. 354: Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. CASE, Mr. GREEN of Texas, Ms. LOFGREN, Mr. CUMMINGS, and Mr. OWENS.

H. Res. 371: Mr. WEXLER, Mr. BELL, Mr. TOM DAVIS of Virginia, Mr. BURTON of Indiana, Mr. BERMAN, Mr. BALLENGER, Mr. ROYCE, Mr. ISSA, Mr. CHABOT, Mr. CROWLEY, and Mr. MCCOTTER.

H. Res. 385: Mr. CONYERS and Mr. WEXLER.

H. Res. 387: Mr. WOLF, Mr. GOSS, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. MILLER of North Carolina, Mr. RUPPERSBERGER, Mr. BOUCHER, Ms. CORRINE BROWN of Florida.

H. Res. 393: Mr. KING of New York, Ms. HOOLEY of Oregon, Ms. CORRINE BROWN of Florida, Mr. GILCHREST, Mr. BEREUTER, Mr. BALLENGER, Mr. CHABOT, Mr. HOUGHTON, Mr. PITTS, Mr. GREEN of Wisconsin, Mr. PENCE, Mr. HOEFFEL, Ms. BERKLEY, Ms. MCCOLLUM, Mr. KIRK, Mr. CANTOR, Mr. HALL, Ms. GINNY BROWN-WAITE of Florida, Mr. DELAHUNT, Mr. FLAKE, Mr. ENGLISH, Ms. LOFGREN, and Mr. FROST.

H. Res. 402: Mr. WOLF.

H. Res. 408: Mr. PENCE and Mrs. MYRICK.

H. Res. 410: Mr. UDALL of New Mexico.

H. Res. 423: Mr. BERMAN and Mr. WALSH.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2510: Mr. DOOLITTLE.

DISCHARGE PETITIONS

Under clause of rule XV, the following discharge petition was filed:

Petition 4. October 29, 2003, by Ms. HOOLEY on (H. Res. 398), was signed by the following Members: Darlene Hooley, Nancy Pelosi, Steny H. Hoyer, Robert Menendez, Barbara Lee, Lucille Roybal-Allard, Lois Capps, Stephanie Tubbs Jones, Susan A. Davis, Shelley Berkley, Timothy H. Bishop, Michael H. Michaud, Joseph Crowley, Tammy Baldwin, Rahm Emanuel, Peter A. DeFazio, Denise L. Majette, Linda T. Sanchez, Michael M. Honda, Hilda L. Solis, Dennis Moore, Chet Edwards, Sheila Jackson-Lee, Diane E. Watson, Alcee L. Hastings, John W. Olver, Zoe Lofgren, Diana DeGette, Bill Pascrell, Jr., Gene Green, Michael F. Doyle, Artur Davis, Gregory W. Meeks, Baron P. Hill, Ron Kind, Martin Olav Sabo, Martin Frost, Lincoln Davis, Jim Cooper, Vic Snyder, Xavier Becerra, Lynn C. Woolsey, Joe Baca, Raul M. Grijalva, Tom Udall, James P. McGovern, Rosa L. DeLauro, Frank W. Ballance, Jr., Ed Case, Eddie Bernice Johnson, Charles A. Gonzalez, Charles B. Rangel, Major R. Owens, Benjamin L. Cardin, Juanita Millender-McDonald, Danny K. Davis, Grace F. Napolitano, Rush D. Holt, Sanford D. Bishop, Jr., Rodney Alexander, Barney Frank, John F. Tierney, Donald M. Payne, David Scott, Albert Russell Wynn, Loretta Sanchez, Sherrod Brown, Thomas H. Allen, Maurice D. Hinchey, James P. Moran, Jane Harman, Jim Davis, John Lewis, Nick J. Rahall II, Karen McCarthy, Earl Blumenauer, Michael R. McNulty, Rick Larsen, Bart Gordon, Bob Etheridge, Martin T. Meehan, John M. Spratt, Jr., Patrick J. Kennedy, Michael E. Capuano, Ken Lucas, Jim McDermott, Brad Sherman, Brian Baird, Leonard L. Boswell, Carolyn McCarthy, Timothy J. Ryan, James R. Langevin, Mike Ross, Adam B. Schiff, Steve Israel, William J. Jefferson, Dennis A. Cardoza, Betty McCollum, Ted Strickland, Sam Farr, Julia Carson, Sander M. Levin, Nydia M. Velazquez, Janice D. Schakowsky, Anna G. Eshoo, Edolphus Towns, David Wu, Bennie G. Thompson, Earl Pomeroy, Louise McIntosh Slaughter, Kendrick B. Meek, Dale E. Kildee, Marcy Kaptur, Fortney Pete Stark, Jim Marshall, Carolyn C. Kilpatrick, Lloyd Doggett, Henry A. Waxman, William D. Delahunt, Stephen F. Lynch, Robert C. Scott, Chris Van Hollen, David E. Price, Jim Turner, Jose E. Serrano, Ciro D. Rodriguez, Joseph M. Hoeffel, Tim Holden, Robert E. Andrews, James E. Clyburn, Howard L. Berman, Jerrold Nadler, Gary L. Ackerman, Jay Inslee, Solomon P. Ortiz, Silvestre Reyes, Melvin L. Watt, Chris Bell, Tom Lantos, Carolyn B. Maloney, Robert A. Brady, Ed Pastor, Anthony D. Weiner, Paul E. Kanjorski, Ellen O. Tauscher, Ruben Hinojosa, Robert Wexler, C.A. Dutch Ruppersberger, Steven R. Rothman, Mark Udall, Mike McIntyre, John Conyers, Jr., Marion Berry, Ike Skelton, Frank Pallone, Jr., Calvin M. Dooley, Eliot L. Engel, Maxine Waters, Dennis J. Kucinich, Robert T. Matsui, Nick Lampson, Mike Thompson, Bob Filner, Norman D. Dicks, Jim Matheson, Peter Deutsch, John Dingell, Edward J. Markey, Chaka Fattah, Elijah Cummings, Robert E. Bud Cramer, Jr., James L. Oberstar, William O. Lipinski, Lane Evans, John B. Larson, Jerry F. Costello, Bernard Sanders, Gene Taylor, David R. Obey, Nita M. Lowey, Corrine Brown, Max Sandlin, Christopher John, John S. Tanner, Adam Smith, Allen Boyd, George Miller, William Lacy Clay, Brad Carson, Jesse L. Jackson, Jr., Neil Abercrombie, and Bobby L. Rush.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3, by Mr. TAYLOR of Mississippi on House Resolution 275: Lincoln Davis, John B. Larson, Jerry F. Costello, Harold E. Ford, Jr., Bill Pascrell, Jr., Steny H. Hoyer, and Louise McIntosh Slaughter.