EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003—Continued

I would say that I support having Turkey as an ally in the future and giving them the additional dollars. I have fought along side Turks in Vietnam, side by side. But if someone at the moment causes a loss of one of your friends, they should not be rewarded for that, regardless of how much they have supported you in the past.

The gentleman from Georgia (Mr. KINGSTON) mentioned that we have 49 allies in this fight. Only 22 of them are being given aid, and yet we are going to give a billion dollars to someone who did not support us. Again, logic says that that is wrong. That will be a billion dollars back into the general fund. Some of you want it for homeland defense, domestic, first-line responders, or even domestic issues.

I understand the issues on the other side of this particular issue. I am torn myself. It is not even important. This is the first time I have ever come to the well with an amendment that I do not care if it wins or loses. I do feel the debate is very important, because Turkey needs to know, and other nations that do us harm, that cause the life loss of Americans, not to tread on me.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the remaining minute.

I would like also for the Members to consider the remarks of the gentleman from California (Mr. CUNNINGHAM). I agree with everything he said. All I disagree with is we should not adopt his amendment for a lot of reasons.

A letter from the President’s National Security Adviser has been referred to several times. A copy of that letter is as follows:


Hon. BILL YOUNG, Chairman, Committee on Appropriations, House of Representatives, Washington, DC.

Dear Mr. Chairman: Thank you for supporting the President’s request for aid to Turkey in the Emergency Supplemental legislation. Despite recent difficulties, the President is devoted to maintaining the strategic partnership that has existed between the United States and Turkey for almost 60 years.

Secretary Powell addressed important military, political, and economic issues when he met this week with President Sezer, Prime Minister Erodogan, Foreign Minister Gul, and General Staff Chief Ozok. Both sides agreed to an unimpeded flow of humanitarian aid to Northern Iraq and access by American forces to supplies sent through Turkey. Turkey continues to grant overflight rights and has committed to enhanced cooperation on terrorist threats and possible refugee flows in the region, without moving additional Turkish military forces into Iraq. These are very positive steps.

American and Turkish soldiers stood side by side during the Cold War and on battlefields from Korea to Afghanistan. The President’s supplemental request recognizes and reflects that past and his desire to strengthen the relationship further. This assistance, coupled with Turkey’s continued adherence to sound economic policies supported by international financial institutions, could play a significant role in bolstering the U.S.-Turkey partnership. I ask your assistance in advancing these goals on the floor and in conference.

Sincerely,

CONDOLEZZA RICE, Assistant to the President for National Security Affairs.

I would like also for the Members to consider the remarks of the gentleman from Florida (Mr. YOUNG), who did not support us. Again, logic says that that is wrong. We did not slap Turkey upside the head when they invaded northern Cypress and took it illegally against the law, or the mass murder of Kurds, or the violations against Greece, or even the deaths of American soldiers.

Friendships are going. The President of the United States needs the flexibility to deal with those extremely important changes. And as far as who asked for the money, the Turkish delegation visited the President to discuss a program of $6 billion. The gentleman from Illinois (Mr. HASTERT) and I had the privilege of meeting with that delegation. They certainly asked for the help.

Mr. FEFF MILLER of Florida. Mr. Chairman, Turkey has been our friend and I assume still desires to be an ally of the United States. I have visited Turkey. It is a beautiful country and they have fought side by side with many of our soldiers. Yes, they supported our efforts with Operation Northern Watch. Yes, we support their immersing democracy, but it is important for them to understand that there are consequences to their actions.

Mr. Chairman, when we as Members of Congress cast a vote there are consequences. Earlier this year we asked for their help and they voted “no”. Well not they want our help and I’m voting “no”. I think we spend too much money in foreign aid, money that could be used for tax relief, building a strong defense, and paying down the debt.

This week, Turkey agreed to help with re-supply and humanitarian aid and assumes that...
Mr. BARRETT of South Carolina, Ms. CARSON of Indiana, Mr. HERGER and Ms. GRIJALVA changed their vote from "aye" to "no."
President vetoed $39 million to inspect the millions of container ships that dock in U.S. ports every year. The reality is that the administration and the Republicans have no funding for this program in the fiscal 2004 budget or in any other legislation.

With our Nation at the second-highest level of terrorist alert, the Republicans are shortchanging homeland security. The American people deserve better. We must do everything we can every day to protect the homes that people live in, the places where they work, the bridges and roads they use to get there, and the communities where they live.

I commend my colleague, the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, for his outstanding leadership on this issue and for his efforts to give our States and communities the resources they need to protect themselves.

America needs to know that Democrats voted this week to boost homeland security by $2.5 billion, including an additional $1 billion for unfunded firefighters, police and medical personnel. The Oney amendment, had it been allowed to be brought to the floor, would have gone even further than that, and I thank the gentleman for his leadership.

Americans need to know that the Republicans voted no. The President and the Republicans owe the American people an explanation. Why are they shortchanging our men and women on the front lines in our homeland who protect our communities, while are they giving massive tax cuts that overwhelmingly benefit the wealthiest in our country, those who need it least? This would be unwise at any time. In this time of war, with our Nation on high alert, it is downright reckless.

Democrats support this supplemental because it funds our men and women in uniform in Iraq as well as other critical needs. At the same time, it does not do enough for our men and women in uniform domestically who are trying to keep our communities safe. Democrats will continue fighting to give them the funding, the training, and the equipment they need to protect America. We owe these men and women and the Americans they protect nothing less.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to respond to the distinguished chairman of the Committee on Appropriations.

As I review the number of amendments pending, I see 39 remaining amendments on the Democratic side of the aisle and 6 on the Republican side of the aisle. As I calculate the clock, that this will not all of those amendments are only debated for 5 minutes per side, without counting the time for roll calls, that we would be here until midnight. If we then have actual votes on those amendments, I calculate that that would take us til at least 2 a.m. or 3 a.m. If we have an additional 5 minutes per side or debate on half of those amendments, that would take us until about 5 o’clock in the morning.

And if we have no time agreements on these amendments, we will be here at 10 a.m. tomorrow morning. That is the reality of the clock that faces us.

So I want Members to understand why it is that we are going to be seeking time agreements if we do not, and the leadership has said we were not going to be here tomorrow, which means we may not start a session tomorrow but we are certainly going to be here tomorrow approaching noon unless we get time agreements on these amendments. So I just wanted to put the House on notice that the gentleman and I are trying to reach an understanding on time limits and we need those time limits to be as tight as is reasonable. Else Members are going to be spending an awful lot of time tonight with each other when they would rather be spending that time with somebody else.

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

Mr. OBEY. I yield to the gentleman from Florida for whatever comments he may wish to make.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman, and I double-checked his math and he is exactly right about the time it would take us to conclude these amendments.

I noticed where there are three or four, sometimes five amendments with the exact same title, I am not sure why that is, but that could be a big time delay. But here is where we are. We have to finish this bill today, whether this legislative day runs over until tomorrow or Saturday or whatever. The reason is very simple. We have to have the weekend to prepare for a conference with the other body early next week.

Now, if we do not have that conference with the other body early next week, we do not get a conference report back to the House before the end of next Friday. And if Members recall, the following week is scheduled to be a district work period. So if we extend this bill beyond today, in effect, we cannot get to the conference until next week sometime, and we cannot have a conference report by the end of the next week.

So what I would hope is that we could look at some of these amendments, and if there are redundancies and duplications, why bother with them? Why do we not just do one on a subject rather than three or four? I am trying tonight to let us prepare the conference over the weekend, give the membership a conference report next week, and then do what it is that everyone plans to do back in their districts during the district work period. So the gentleman is exactly right.

And if we spend a lot of time hassling over the time limits, that actually eats into the clock as well. So we really want to try to expedite this. We need to get this bill out of here. This is a wartime bill, and our troops are on the field, and I appreciate the gentleman calling this to our attention, because he did exactly that right.

Mr. OBEY. Mr. Chairman, reclaiming my time, I thank the gentleman, and I would just ask Members to be understanding of the time problem that we face and to recognize that we have to ask them to agree to tight time limits because we are going to be here until the cows come home.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is well known that I am against this war. All my actions have pointed toward my opposition to the utilization of war as an option. But I believe it is important to again restate the support that we have for the troops, and to acknowledge that some have characterized our actions as unwise and that those of us who support the troops are actually undermining them.

As we proceed through this debate, I think it is important to request Members who have different perspectives and, as well, to allow their amendments to be presented that will characterize the diversity in this Congress.

There was a different vote on the Turkey issue. My vote was to vote not to penalize a sovereign Nation, a democratic Nation who disagrees with us. I believe in restoring diplomatic relations with Germany and France and others who have been our friends in the past.

I also believe that, as my leadership believes, that we should do more for homeland defense and homeland security. I also believe that there is not enough in this supplemental that deals with creating the peace, beginning peace discussions and stopping to discuss peace. And I will look forward to debating an amendment that deals with beginning peace talks as we speak, for it is important to note that we do have a difference of opinion but we do want our troops home and we want them to be safe.

I think if we proceed under these auspices, or this umbrella, then this will truly be a democracy reflective of all of us that we can stand proudly in support of our flag and our Nation, because many of us agree that there are other options, and certainly peace should be one.

I look forward, Mr. Chairman, to supporting efforts to restore the diplomacy that we have had with other nations, to ensure that we look to rebuild Iraq, to be sure we begin the discussion of peace and, as well, that we support our troops.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that during consideration of H.R. 1559 in the Committee of the Whole pursuant to House Resolution 172 no further amendment to the bill may be offered except:
Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; amendments numbered 2, 7, 8 and 9 in the CONGRESSIONAL RECORD.

The CHAIRMAN. If the chairman will suspend. The request being offered by the chairman must be made in the whole House. It cannot be acted upon in the Committee of the Whole.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DAVIS of Virginia) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, with Mr. THORNBERY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from California (Mr. CUNNINGHAM) had been disposed of, and the bill was open from page 3 line 3 through page 9 line 13.

Pursuant to the previous order of the House, no further amendment to the bill may be offered except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; amendments numbered 2, 7, 8, and 9 in the CONGRESSIONAL RECORD; and amendments specified in the list placed at the desk. Each such amendment may be offered only by the Member designated in this request as chairman or ranking minority member of the Committee on Appropriations or their designees, or the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment, except pro forma amendments for the purpose of debate, and shall not be subject to a demand for a division of the question.

The Clerk will read.

The Clerk read as follows:

The funds appropriated under this heading, and in addition, such sums as may be transferred, or are otherwise available, from current and future balances in the Defense Cooperation Account and the Natural Resources Risk Remediation Fund (only to the extent said funds are available pursuant to the authorities and limitations in current law and those further enumerated in chapter 3 of this Act), and only for expenses, not otherwise provided for, necessary to finance the estimated partial costs of operations associated with Operation Iraqi Freedom and other operations and related activities in support of the global war on terrorism (including Operations Enduring Freedom and Noble Eagle), there is hereby made available a total amount of not to exceed $59,682,500,000, only for transfer to the following accounts in not to exceed the following amounts:

- MILITARY PERSONNEL (TRANSFER OF FUNDS)
- MILITARY PERSONNEL, ARMY
  For an additional amount for "Military Personnel, Army", $6,974,500,000.
- MILITARY PERSONNEL, NAVY
  For an additional amount for "Military Personnel, Navy", $1,260,600,000.
- MILITARY PERSONNEL, MARINE CORPS
  For an additional amount for "Military Personnel, Marine Corps", $1,204,900,000.
- MILITARY PERSONNEL, AIR FORCE
  For an additional amount for "Military Personnel, Air Force", $1,834,800,000.
- MILITARY PERSONNEL, AIR NATIONAL GUARD
  For an additional amount for "Military Personnel, Air National Guard", $953,000,000.
- RESERVE PERSONNEL, ARMY
  For an additional amount for "Reserve Personnel, Army", $3,000,000.
- NATIONAL GUARD PERSONNEL, ARMY
  For an additional amount for "National Guard Personnel, Army", $3,000,000.
- OPERATION AND MAINTENANCE (TRANSFER OF FUNDS)
- OPERATION AND MAINTENANCE, ARMY
  For an additional amount for "Operation and Maintenance, Army", $10,481,500,000.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, with Mr. THORNBERY in the chair.

The Clerk read the title of the bill.
which $874,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $3,940,300,000, of which $1,100,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, $1,363,700,000, of which $786,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, $3,668,200,000, of which $901,900,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, $901,900,000, of which not less than $874,000,000 shall remain available for obligation until September 30, 2004.

DEPARTMENT OF THE NAVY

For an additional amount for “Military Health Program”, $301,700,000.

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program (INCLUDING TRANSFER OF FUNDS)”, $301,700,000.

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, $4,100,000.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, $5,300,000.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, $53,300,000.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, $447,500,000.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, $241,800,000.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, $113,600,000.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, $451,000,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

(TRANSFER OF FUNDS)

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, $11,500,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, $90,000,000, to remain available for obligation until September 30, 2004.

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Page 34, line 11, after the dollar amount in-

COMBAT, STABILITY OPERATIONS, AND RECONSTITUTION COSTS

(TRANSFER OF FUNDS)

For additional expenses, to be derived from the “Operation Iraqi Freedom Response Fund”, not otherwise provided for, necessary to defray the estimated partial costs of combat, stability operations (including natural resource risk remediation activi ties), force reconstitution and munitions/equipment replacement, and other related costs, an amount not to exceed $25,436,400,000, of which not less than $8,000,000,000 shall remain available for obligation until after July 1, 2003, as a reserve for any additional incremental fiscal year 2003 Military Personnel and “Defense Health Pro gram” costs that may be incurred above the amounts provided elsewhere in this chapter or previously enacted defense appropriations: Provided, That the Secretary of De fense shall reallocate any transfer from the “Operation Iraqi Freedom Response Fund”, the “Defense Cooperation Account”, or the “Natural Resources Risk Remediation Fund” to the “Drug Interdiction and Counter-Drug Activities, Defense (INCLUDING TRANSFER OF FUNDS)” as distributed by this bill by the State Department and the United Nations. This fund may be used to defray the costs of: (a) War on terrorism; (b) Other military activities in connection with Operation Iraqi Freedom and the global war on terrorism; (c) Counter-drug activities in the Western Hemisphere and the inter se waste domain; and (d) Support for foreign partners and other cooperative front line states to promote stabilization activities in postconflict Iraq. Frankly, we do not want all of the peacekeeping funds to be used to support American forces. The United States is contributing up to $68 million and we wish to see that money support the Colombia military fund, not the peacekeeping funds.

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

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) reserves a point of order on the amendment.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

Mr. HOEFFEL. Mr. Chairman, I offer an amendment today, and I will not ask for a vote, that will increase the amount of money that we are providing to peacekeeping in this supplemental bill to an additional $68 million, and we would take that money from the Colombia military fund.

Mr. Chairman, I think it is critical for this House to understand the importance of internationalizing our peacekeeping. The peacekeeping funds as distributed by this bill by the State Department may be used to assist coalition partners and other cooperative front line states to promote stabilization activities in postconflict Iraq. Frankly, we do not want all of the peacekeeping to be done by American military forces. It is not the bipartisan forces currently fighting with us in Iraq.

It is necessary, certainly, for us to have some initial burden; but we want
to quickly move in terms of long-term security presence to peacekeepers from our allies in Europe, from other partners, from organizations of international stature, such as the United Nations, or more likely perhaps NATO; and understanding the need to move toward that. We need to establish the rule of law in Iraq as part of peacekeeping, and we will need an international team of legal experts and judges and prosecutors to form a transitional justice team and a civilian police force. The United Nations have made that organization probably incapable of the kind of robust peacekeeping that we are going to need.

I would suggest to the House that we look at NATO. That is the kind of organization that can lift a great part of the burden from American taxpayers and yet deliver robust and effective peacekeeping in Iraq after our victory. It is time now to understand the need to internationalize our burdens, not to try to do this all ourselves, to plan ahead and to make sure we call upon international agencies like NATO to help us in the tasks to come after our military victory.

For a variety of reasons, Mr. Chairman, I am going to withdraw this amendment. I thank the gentleman from Florida (Mr. Young) and the ranking member (Mr. Obey) of the Committee on Appropriations for their cooperation.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

THE CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 2 OFFERED BY MR. MCGOVERN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. McGovern:

In chapter 3 of title I, in the item relating to “Drug Interdiction and Counter-Drug Activities, Defense”, after the aggregate dollar amount, insert the following: “(increased by $34,000,000).”

In chapter 4 of title I, in the item relating to “Andean Counterdrug Initiative”, after the aggregate dollar amount, insert the following: “(reduced by $27,000,000).”

In chapter 5 of title I, in the item relating to “Office for Domestic Preparedness”, after the first and second dollar amounts, insert the following: “(increased by $34,000,000).”

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Florida for a time request.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Massachusetts (Mr. McGovern) and any amendments thereto be limited to 40 minutes, to be equally divided and controlled by the proponent and myself as the ranking member of the subcommittee.

Mr. OBEY. Reserving the right to object, as I said earlier, we have over 40 amendments left to go. I understand this is an important amendment. We just had an hour on an amendment from the gentleman from California (Mr.Sessions) that was considered important. If we provide 40 minutes’ time for this amendment, I do not want the expectation to be that we will do that for every other amendment. I would hope that we understand that this is the last amendment we would ask significant time for, and Members can expect us to ask unanimous consent in order to hold each future amendment to considerably less time than this.

Mr. YOUNG of Florida. Mr. Chairman, if under his reservation the gentleman would continue to yield, I will do my best to make that work on my side.

If the gentleman would continue to yield, as to our Members so they can make some plans for the evening, while we will still continue and intend to complete this bill sometime tonight, I would ask the Chair that we not have any votes prior to 8 p.m., roll votes until 8, so Members can have time for dinner or whatever.

Mr. OBEY. I thank the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts (Mr. McGovern) and a Member opposed each will control 20 minutes.

The gentleman from Massachusetts (Mr. McGovern) is recognized.

Mr. MCGOVERN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise today to offer an amendment on behalf of the gentleman from Missouri (Mr. Skelton) and the gentleman from Connecticut (Ms. DeLauro) to add $34 million to the Office of Domestic Preparedness for assistance to State and local first responders. I would have preferred to increase those funds by $61 million, but the Committee on Rules last night would not allow even that modest sum to go to our first responders.

This amendment is very simple. It adds $34 million for our first responders, and it strikes $61 million in military and security assistance for Colombia to pay for the increase. This supplemental contains more military aid for Colombia, in total $105 million, than the amount for first responders in 49 of the 50 States. At a time when our country faces an increased risk of terrorism attack, at a time when every dollar is needed to support the men and women who daily protect our communities from terrorism and other threats, this bill makes it clear they would be better off as a military or police officer in Bogota, Colombia, than Worcester, Massachusetts, Miami, Florida, or even New York City.

President Bush asked this Congress to fight international terrorism. I think it is important to make sure this Congress does its part. I think it is important for Members to do their part.

I just returned from 1 week in Colombia, and I saw firsthand what the United Nations High Commissioner for Human Rights in Bogota just reported to the Human Rights Commission in Geneva. Violence and human rights crimes by the paramilitary guerillas are on the increase. Human rights
abuses and crimes by official government military and security forces are on the increase, and the links between the Colombian armed forces and the paramilitaries remain unchanged.

Mr. Chairman, the U.S. has more troops fighting rebels in Colombia than ever before, and Americans are dying in Colombia and our involvement is becoming increasingly directed in counterinsurgency efforts. These are serious matters. They deserve serious and full debate before we further escalate engagement.

I know that the chairman of the Committee on Appropriations is concerned that terrorist groups like al Qaeda rely in part on drug money to finance their operations. Every Member of this House is concerned about that. But al Qaeda’s drug money comes from South Asian poppy fields, not Colombia. In Colombia, drug money permeates all sectors of society. It helps finance Colombia’s 40-year-old civil war. And let me suggest that one of the best ways to deal with the drug problem in America is by making certain that we have enough law enforcement officers on our own city streets.

So I would urge my colleagues to support this amendment, support our police, our firefighters and our public safety officers at home, to pass this amendment for their own hometown.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Arizona (Mr. KOlbe).

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

Mr. KOlBE. Mr. Chairman, I thank the gentleman for yielding me this time.

I want to talk about this amendment which does affect both the defense chapter of this supplemental as well as the foreign assistance chapter. The supplemental bill before the House today has the same level as the President’s request for funding for Colombia in the Foreign Assistance Chapter. It includes $37 million foreign military financing and $34 million from the Andean Counterdrug Initiative. The McGovern amendment would cut $27 million from the Andean Counterdrug Initiative and $94 million from the funds in the Department of Defense Chapter. It leaves in the foreign military financing assistance and $7 million of the Andean Counterdrug Initiative.

Let me begin by saying about my opposition to the amendment that the funding in supplemental legislation for Colombia is subject to all of the restrictions and conditions that exist under current law. These funds are not exempt from those conditions. The funds are subject to human rights certification. They are subject to spraying conditions, conditions on the use of U.S. helicopters, the rules of engagement, and there is more. In fact, let me emphasize to my colleagues that there is no provision in the foreign assistance legislation that is subject to more conditions than these funds, with the possible exception of those funds provided for the West Bank and Gaza.

I apparently do not need to remind the gentleman that Colombia is South America’s oldest democracy, but it is a country that is torn by decades of civil strife. It has endemic violence, corruption, deep socioeconomic inequities, weak institutions, and a serious economic recession, all exacerbated by the ill effects of drug production and trafficking. Drug profits play the motivating factor in inciting the terrorism that is killing 3,500 Colombian citizens every year. It is in the national interest of the United States to promote better stability in Colombia by helping it address these longstanding problems and confronting the socially corrosive drug industry.

But for the first time since becoming chairman of the Subcommittee on Foreign Operations, Related Programs, and for this supplemental, I have some good news to share with my colleagues. Our eradication efforts with President Uribe’s administration and with his assistance are making a difference in Colombia.

The last half of 2002 and the first half of 2003 marks a turning point in the struggle by the United States and Colombia against narcotrafficking and terrorism. We have made significant progress; but as a result, the narcoterrorist groups have become desperate.

President Uribe and his senior administration officials, in office only since August of 2002, have demonstrated the will and the ability to fight narcotrafficking and terrorism at their roots. Therefore, the terrorists are now targeting him and other officials for assassination. Funding in this supplemental will provide much-needed security upgrades for official facilities and training for Colombian security personnel to reduce the threat of assassinations.

I would urge my colleagues to recognize the situation in Colombia, to recognize that U.S. national interest in a stable Colombia is important, to recognize that we are making a difference. Reducing U.S. support at this time would send the wrong message to the American people.

Mr. Chairman, I urge my colleagues to support the McGovern amendment.

Mrs. LOWEY was given permission to include a statement at this point in the RECORD.

Mrs. LOWEY. Mr. Chairman, I yield in support of this amendment.

The additional funding requested for Colombia has no place in this bill. More importantly, it adds funding in support of a policy that is essentially flawed. President Uribe’s election gave us some initial hope that he would engage all the disparate elements of the conflict with new ideas and a real commitment to bring lasting peace.

Unfortunately, what we have seen is an escalation of activity from guerrilla organizations, increasing influence and control by paramilitary organizations, no reduction in coca cultivation, and a slippage in the commitment to prosecute human rights abuses.

I have no illusion about the complexity of the problems of Colombia, but I do not think the U.S. should be adding funds to expand our commitment there at this point. Make no mistake: we are headed toward the direct involvement of U.S. troops in that conflict. I regret the fact that there are U.S. hostages in FARC camps, and I support all efforts to rescue them, but this funding goes beyond that and would send the wrong message to the Colombian people on the ground.

If the policy were balanced and we had a real commitment on the part of the Colombian government to deal with all aspects of the problem—including the rapidly expanding drug trafficking by paramilitary organizations—it might be different. Unfortunately we don’t, and the influence of these organizations and their cooperation with the Colombian military increases daily. The Colombian military has succeeded in decreasing the control that rebel groups have enjoyed in certain parts of the country. But these successful military operations have been followed up by paramilitary units moving in to these same areas and taking control. This has occurred in the Buena Ventura port area on the Pacific Coast of Colombia, which is a primary drug transshipment port near the town of Cali. And we also have seen no action by the Colombians to arrest indicted members of the Paramilitaries.

Until we have a balanced policy with a real commitment by the Colombian government to deal with all aspects of the problem, our funding for eradication and military training only serves to inflame, not to stop, the conflict. I urge my colleagues to move funding away from these purposes, and instead invest it in homeland security—where it can make a positive difference in the lives of the American people.

Mr. McGOVERN. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. SKELTON), the distinguished ranking member on the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise to support this amendment offered by the gentleman from Massachusetts (Mr. McGOVERN), my friend and co-sponsor.

The previous speaker spoke about national interest. This amendment provides at least some critical assistance to national interest, and that is of deal with all aspects of the problem, our fund our supplemental bill that we are debating today is about the war in Iraq. It is about the crucial ongoing operations in the region of Afghanistan, and it is about protecting the American people from future acts of terrorism. This war is expensive, and its aftermath will be more expensive still. And I must tell the Members, Mr. Chairman, I have deep concerns and I am troubled so very much about the aftermath after we have a victory in Iraq because that of course will be the proof in the pudding as to whether the young men and young women’s sacrifices have been in vain.
I commend the Committee on Appropriations for providing the funding to give our troops everything they need to win the war, and I commend them too for making a downpayment on the costs of reconstruction in Iraq. We in Congress have an obligation to rebuild this nation that has become a war zone. Our States remain underfunded for critical needs. The State of Missouri alone requires some $500 million to do the defense work concerning our first responders. And while this supplemental provides some funding for the States, it needs to do more.

This amendment would provide more funding for the first responders by decreasing the amount of military and counterdrug assistance going to Colombia. I am concerned about our nation’s involvement in the ongoing conflict there, but today my larger concern is about how we face a bigger danger, and that is right here in the United States of America. The justifies emergency spending.

This amendment, Mr. Chairman, allows funds for unforeseen needs in Colombia, notably search and rescue operations for the Americans held hostage, and increased security for President Uribe who is trying so hard to bring peace to his nation. But, Mr. Chairman, on the other hand, Colombia’s request can be and should be handled in regular order. There is simply no emergency that warrants funding for these other items and programs in this bill. Money is more urgently needed and it would be more appropriately spent in the supplemental supporting our first responders right here in the United States just as we support our troops.

I urge my colleagues to support this amendment, and I thank the gentleman from Massachusetts (Mr. McGovern) for his leadership.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I thank the gentleman for yielding me this time.

I believe this amendment would be a huge mistake for this House; so I rise in strong opposition to this amendment which proposes cutting vitally needed assistance to Colombia and the Andean region. Quite simply, now is not the time to turn our backs on the progress we are making against narcoterrorism in Colombia.

General James Hill, the commander of the U.S. Southern Command, said recently that the so-called narcoterrorist terrorizing in Colombia and throughout Latin America fuel and fund worldwide terrorist organizations such as Hamas and Hezbollah. Our counternarcotics and counterterror initiatives in Colombia are finally beginning to bear fruit. For example, last month John Walters, the director of the Office of National Drug Policy, announced promising new estimates of coca eradication in Colombia, and these statistics account for the intensified spraying that has occurred since President Uribe took office in 2002. It would be foolish for us to send this message to the Colombian Government and for us to derail this program just as it is beginning to succeed.

The 2003 funding was developed prior to President Uribe’s taking office, and it is not sufficient to appropriately and effectively fund the current pace of our counternarcotics operations. Supplemental funding would provide Colombia with several essential tools and resources, including equipment to detect threats against U.S. and Colombian officials and increase capabilities to enhance existing eradication efforts.

A recent visit with President Uribe in Bogota, I can tell the Members that the Colombian Government’s commitment is strong. President Uribe’s administration is working to enhance state presence in vast areas of the country that have lacked it for decades. They have the popular support of a vast majority of Colombians to beef up and spray eradication efforts, impose new taxes, to strengthen their police, fire, and emergency medical personnel that there is a serious need in our cities and towns to provide funding for first responders in our fight against terrorism. Our localities have already spent in excess of $3 billion to meet their homeland security needs; and with this economy, with States in the single worst fiscal crisis since World War II, we cannot expect them to shoulder the full burden. Any bill to fund the war must also provide these cities and towns with the funds they need to safeguard their communities.

This bill includes provisions that have nothing to do with meeting our homeland security needs or funding the war in Iraq. In particular, I am talking about the substantial military aid for Colombia. In fact, this bill contains more military and security assistance for Colombia, $105 million, than the amount that nearly every State will receive for first responders. And what is so urgent at this particular moment about our objectives in Colombia that could not be addressed in the annual appropriations process? Why is this funding in an emergency bill meant to address Iraq?

I am concerned that this funding for Colombia may signal an escalation of our military involvement there. If this is true, then we have an obligation to have a full debate here in the Congress and reconsider our objectives there rather than simply approve additional funding without any debate at all.

No matter how we feel about our involvement in Colombia, this bill is not the vehicle by which we should be making serious policy decisions regarding the escalation of our involvement.
April 3, 2003

I urge my colleagues, do right by their cities, their towns, police, fire, emergency medical personnel. Support this amendment. Give first responders the resources they need to keep their communities safe.

Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. BALLenger).

Mr. BALLenger. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts (Mr. McGovern) that would cut $34 million in Colombian assistance provided by the Defense Department and $27 million earmarked for the Andean Counterdrug Initiative to be added to the Office of Domestic Preparedness.

Mr. Chairman, it really makes no sense at this time to direct additional funds to the Office of Domestic Preparedness when $331 million remains unspent from a previous allocation of $404 million.

President Uribe of Colombia is showing real leadership in the face of drug-financed terrorism. His life is always in danger. Our drug czar, John Walters, recently testified before the subcommittee about Colombia's record progress in eliminating illegal drugs. The governor of a leading drug-producing area in Colombia, Putamayo, was in my office just this week telling me of additional successful efforts in his Putamayo district. In fact, drug production in Putamayo has already been reduced from 66 million hectares to 13 million hectares. That is a reduction of 80 percent over 2 years.

Cutting aid to Colombia would also remove search and rescue funding, even as we work to return three Americans who are being held by the FARC.

Mr. Chairman, the drug war continues. Our homeland security compels every effort to fight the drug scourge that continues to kill our children, up to 30,000 a year. Compare that to Iraq. We have an ally in Colombia who is fighting this war for us. Let us not re-duce our efforts when we are finally winning.

I urge a “no” vote on the McGovern amendment.

Mr. McGovern. Mr. Chairman, I need to repeat this, because I think we need to deal with facts here. Not one dime of search and rescue money touches by my amendment. So we can disagree on policy, but we should stick to the facts.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LORETTA SANCHEZ). Ms. SANCHEZ of California. Mr. Chairman, thank the gentleman from Massachusetts for yielding to me this time.

I rise today to join my colleagues in expressing my frustration and my disappointment that our first responders are being neglected in this effort to supplement the cost of the war. I am disappointed on behalf of the first responders in our district in Orange County, California. I am disappointed because the police in Anaheim, California are being forced to spend an additional $20,640 a day to maintain their readiness under the orange threat level. Mr. Chairman, $20,640 per day. Think of the dangers these local officers at what level they must remain alert and yet adequate funding is not being provided. This mirrors what is going on all across our Nation.

All of our first responders are responding every single day to the threat that still exists against this country. This is and will be funded with money from the American people. They are responding with additional officers, with additional sergeants, and with the additional overtime necessary to keep their forces alert. Our first responders are fighting the war, and we should be funding them.

Mr. McGovern. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. Souders).

Mr. Souders. Mr. Chairman, first I think it is important that we review why we are in Colombia. Colombia is in our backyard, and I think our hemisphere let it be overtaken by the narcoterrorists.

Violence there in Colombia is primarily because of U.S. and European drug addiction. Violence in the U.S., 25,000 deaths a year, far exceeds the terrorist deaths we have in the United States.

Colombia is an important trading partner. Colombia is a model of democracy, the oldest in South America. Colombia is an energy supplier to the U.S. A supply that has been basically blocked by the narcoterrorists.

Now, the fundamental question. If we have all of these compelling reasons to be in Colombia, more than probably any other Nation where we have troops at this point, the question comes, why are we cutting it and what are we cutting? The gentleman from Massachusetts, who I consider a friend, we do not agree on this subject, but I know he has been down there as I have many times. We have looked at it. We do not agree on some fundamental facts. He sees the glass half empty, I see it half full. We have been making progress on human rights, we have been making progress on controlling the terrorism, and we need to make more aggressive progress and keep it up.

His amendment proposes to cut the funding that provides the intelligence base with which to do the rest of the operations. He did not cut the funding to protect President Uribe, which is critical. The man is under daily attack. They are trying to kill him like they killed his father, like they threatened his family. But we are going to cut the intelligence in this bill to protect Uribe.

We say that we want the Colombian units to go out and eradicate the drugs, but we want to cut with this amendment the money that would enable us to identify where the drugs are. We say we want to help the Colombians tackle the problem, but we are cutting with this amendment the military assistance from SOUTHCOM to help train those Colombian units. That is the $34 million he has in particular targeted, the money that goes to SOUTHCOM.

Now, General Hill from SOUTHCOM said that the terrorist threat coming from Colombia through the narcoterrorists is greater than the other terrorist threats. What does he mean precisely by that? Did he mean al Qaeda? Yes, he did mean al Qaeda. There may be future ties to the money, as the gentleman from Massachusetts said, that the greatest funding of the al Qaeda has come from Asian heroin. However, Hamas, the Russian Mafia, and others have started to interconnect with the narcoterrorists.

Let us be blunt here. I have spent the last 2 years doing hearings on our north and south border. We have better control over Middle Eastern illegal immigrants right now, with the possible exception of at Buffalo, than we do of our south border. We are completely vulnerable right now to terrorist attacks coming from Hispanic attacks, coming from the south, particularly the FARC and Mexican Mafia-type groups who are directed at us. As we are more effective in Colombia, as we cut off this multibillion-dollar industry of selling narcotics to the United States, these groups are going to fight back. As they have developed with our money, with our drug users' money in the United States money, as they have developed the shoulder packs with which to attack, as they have had the ability to shoot down our helicopters to go off and take down military forces in Colombia, as they bring that to our soil, we better be focused on Colombia.

We better be going after those terrorist groups as well.

I strongly oppose this amendment which would cripple our operations.

The following is a letter to other Members of Congress sent online today by Chairman Tom Davis and me: APRIL 3, 2003.

Dear Colleague: We strongly encourage you to oppose the McGovern Amendment to cut vitally needed assistance to Colombia and the Andean region. In a time of war, withdrawing America's aid to help end political instability and conflict in our own hemisphere is shortsighted and against our national interests for several reasons:

Colombian Instability Directly Threatens U.S. National Security: Political violence and instability in Colombia threatens the security of the United States as much as the instability in Iraq. The United States is now engaged in war. Three Americans have been held hostage in Colombia since January by the FARC, which the State Department has designated as a foreign terrorist organization. Other major groups fighting against the democratically elected Government of Colombia have also been designated as terrorist organizations. Most recently revealed is that Osama bin Laden has visited the tri-border region in South America to...
meet with terrorists. The supplemental funding is directed to a serious and proven national security threat in America’s own hemisphere.

Drug Eradication Efforts Are Succeeding: Nearly 20,000 Americans die each year of drug-induced causes—substantially more than the toll terrorism has taken in the United States. Last month, the Director of National Intelligence reported that official estimates from both the CIA and the United Nations indicated that the coca crop in Colombia had declined substantially for the first time in years—a direct result of U.S.-funded drug control programs. Our efforts have finally reached a turning point, and it would be foolhardy to cut off the program just as it is beginning to succeed.

Domestic Preparedness Funding is Currently Available: Currently appropriated funds to help the first responders is not even in the pipeline yet. In the supplemental, we do not touch $44 million. The President has requested an additional $700 million in mostly military aid. We are throwing more money at Colombia than Colombia can absorb. But in my city of Worcester, Massachusetts, they are laying off 20 police officers and 20 firefighters, and that is happening all over my State and all over this country. That means more drugs and more crime, and that is unacceptable.

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

Mr. Chairman, I yield myself such time as I may consume. We have only one remaining speaker to close, so I will reserve the balance of my time until the gentleman has concluded his time.

Mr. MCGRANE. Mr. Chairman, I support the McGovern amendment because Los Angeles is a very likely target for a terrorist attack. Our city is known worldwide for its famous landmarks and notable economic assets.

Local transportation hubs, such as the port of Los Angeles and Los Angeles International Airport, are the transit points each day for thousands and millions of people and millions of dollars’ worth of goods. Los Angeles is a center of international tourism, not just for the Southern California area but for the Nation as a whole, accommodating more than 60 million passengers from 28 different countries. LAX handles more than 2 million tons of airborne cargo each year.

I have chaired the Subcommittee on Criminal Justice and Drug Policy, and I can tell my colleagues that we finally have the opportunity, the glimmer of hope of bringing under control some of the devastation that is being wrought by the illegal narcotics that are being produced in Colombia. Today, Colombia produces 90 percent of the cocaine and 60 percent of the heroin sold or seized on America’s streets. To put this in perspective for my colleagues, drug-related deaths in the United States now exceed homicides. Fifty American lives are lost every day. Before this day ends, 50 Americans will die in the streets and communities across our Nation, most of them young people, and most of the deaths are caused by drugs and narcotics coming from Colombia.

So this is a bad amendment and bad timing, because we have a President now who is supportive of our efforts to curb terrorism, to curb narcoterrorism, and to curb the narcotics that are coming into our streets and communities and killing countless Americans.

So I ask for my colleagues’ careful consideration and defeat of the McGovern amendment. I know it is well-intended, but it is inappropriate at this time.

Mr. YOUNG of Florida. Mr. Chairman, I advise the Chair that I have only one remaining speaker to close, so I will reserve the balance of my time until the gentleman has concluded his time.

Mr. MCGOVERN. Mr. Chairman, I support the McGovern–Skelton–DeLauro amendment. I know it is well-intended, but it is inappropriate at this time.

Mr. YOUNG of Florida. Mr. Chairman, I advise the Chair that I have only one remaining speaker to close, so I will reserve the balance of my time until the gentleman has concluded his time.

Mr. YOUNG of Florida. Mr. Chairman, I advise the Chair that I have only one remaining speaker to close, so I will reserve the balance of my time until the gentleman has concluded his time.

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Mr. YOUNG of Florida. Mr. Chairman, I advise the Chair that I have only one remaining speaker to close, so I will reserve the balance of my time until the gentleman has concluded his time.
This is the time to do it. This is a good amendment, this is a reasonable amendment, and I would urge all of my colleagues on both sides of the aisle to support the McGovern-Skelton-Delauro amendment.

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

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, there is perhaps no free people and democratic government in the world that faces a more serious threat from terrorism, and specifically narcoterrorism, than the government of Colombia.

The narcoterrorists in Colombia, because of the fact that they are engaged in the drug traffic, have hundreds of millions, indeed, billions of dollars at their disposal to purchase the most deadly weapons available from rogue states and terrorist groups from throughout the world to cause the most serious damage conceivable.

Those billions of dollars available to the narcoterrorists in Colombia have made it possible for them to engage in a sustained campaign of extraordinary violence and the most horrible conceivable crimes against the Colombian people. Day in and day out the Colombian people and their democratically elected government are fighting the narcoterrorists in an extraordinary way, a valiant way, an admirable way.

What we are doing in this Congress, with the support of the President of the United States, and, indeed, his orientation and his leadership, is we are saying to the Colombian people and their democratically elected government that we support them in their effort against narcoterrorists who have billions of dollars for death and destruction at their service, at their disposal.

These tens of millions of dollars that we are discussing today may be able to be categorized, as they were by the sponsor of this amendment, as a modest proposal. But the challenge before us is not a modest challenge, the challenge posed by the tens of thousands of murderers who engage in thousands of kidnappings each year, including, and I have the latest travel warning from the United States State Department, 26 Americans who are reported as kidnapped in recent months in Colombia.

Those terrorists have, as I said before, billions of dollars at their disposal. Yes, we are, in the words of the sponsor of this amendment, dealing with a modest, a modest amount, tens of millions of dollars in aid, for a democratically elected government that is fighting against the most violent terrorists perhaps on the face of the Earth today, terrorists that attack not only military personnel but civilians, and engage in systematic violence against a people who live in a democracy.

I urge my colleagues to reject, to vote down this ill-timed and ill-conceived amendment and to support our leadership, to support the President, to support the efforts against narcoterrorism that are embodied in our support for the democratically elected government of Colombia.

The question is on the amendment offered by the gentleman from Massachusetts (Mr. McGovern).

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

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

Sec. 1304. Title II of the Department of Defense Appropriations Act, 2003 (Public Law 107–248), is amended—

(1) by striking the second proviso, as added by section 1307 of the Defense Appropriations Act, 2003 (Public Law 107–248), and inserting "$34,500,000": Provided, That the additional funds for the CINC Initiative Fund made available by this Act are subject to the same terms and conditions, as the amounts appropriated or otherwise made available in the Department of Defense Appropriations Act, 2003 (Public Law 107–248), and for Other Purposes (Public Law 107–96); and

(2) by striking "$25,000,000" and inserting "$50,000,000": Provided, That the additional funds for the CINC Initiative Fund made available by this Act are subject to the same terms and conditions, as the amounts appropriated or otherwise made available in the Department of Defense Appropriations Act, 2003 (Public Law 107–248), and for Other Purposes (Public Law 107–96); and

(3) by striking "$34,500,000": Provided, That the additional funds for the CINC Initiative Fund made available by this Act are subject to the same terms and conditions, as the amounts appropriated or otherwise made available in the Department of Defense Appropriations Act, 2003 (Public Law 107–248), and for Other Purposes (Public Law 107–96); and
value of drawdown support provided by the Department of Defense under the Afghanistan Freedom Support Act of 2002: Provided, That this appropriation shall not increase the limitation set forth in section 2608, chapter 155 of title 10, United States Code.

(b) During fiscal years 2003 and 2004, the use of money or real or personal property contributed to the "Defense Cooperation Account" and the "Natural Resources Risk Remediation Fund" shall be subject to the prior approval of the Committees on Appropriations.

SEC. 1312. The Secretary of Defense shall notify the congressional defense committees, in writing, not later than 15 days prior to the obligation of funds appropriated in this chapter for military construction activities or minor construction in excess of $7,500,000.

SEC. 1332. As of October 31, 2003, all balances of funds remaining in the "Defense Emergency Response Fund" shall be transferred to, and merged with, the Operation Iraqi Freedom Response Fund in this chapter.

AMENDMENT OFFERED BY MRS. TAUSCHER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. Tauscher:

After chapter 3 of title I (relating to Department of Defense), insert the following new chapter (to be known as chapter 3a) and the following new section:

CHAPTER 3A

DEPARTMENT OF DEFENSE

GENERAL PROVISION

SEC. 1351. (a) Expanded Use of Cooperative Threat Reduction Funds.—(1) Notwithstanding any other provision of law, during fiscal year 2003 the President may use Cooperative Threat Reduction funds for projects and activities outside the states of the former Soviet Union if the President determines that such projects and activities will—

(A) assist the United States in the resolution of critical emerging proliferation threats; or

(B) permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals.

(2) The amount that may be obligated under paragraph (1) for projects and activities described in that paragraph may not exceed 500,000,000.

(b) Authorized Use of Funds.—The authorized use of funds under subsection (a) to use Cooperative Threat Reduction Funds for a project or activity shall be subject to section 1206 of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 2804) and includes authority to provide equipment, goods, and services for the project or activity.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for "Defense Nuclear Nonproliferation", $55,000,000: Provided, That, of the funds made available in this paragraph, $55,000,000 may be made available for the Second Line of Defense program to install radiation detection equipment at key transit points outside the former Soviet Union: Provided further, That, of the funds made available in this paragraph, not more than $35,000,000 shall be made available for the conversion of existing or new weapons that could be used for weapons of mass destruction or weapons of mass destruction or weapons materials, either directly or indirectly, to related activities in regions of concern outside the former Soviet Union, including Iraq or other countries that are engaged in efforts to develop or change capabilities to produce nuclear weapons.

Mrs. Tauscher. Mr. Chairman, I would like to register my strong support for ensuring that the supplemental appropriations legislation before us gives the President the critical ability to defend the United States and to prevent the threat of weapons of mass destruction.

Two of the most effective ways to do that are to give the President the authority to use the Department of Defense funds to dismantle nuclear and chemical weapons facilities around the world, and to support efforts by the Department of Energy to prevent smuggling of weapons of mass destruction throughout the Middle East and central Asia.

The gentleman from South Carolina (Mr. Spratt), the gentleman from Texas (Mr. Edwards), and I have an amendment that would do just that. It provides the President with the authority that he has requested from Congress to expand the use of cooperative threat-reduction funds for projects and activities in countries outside the former Soviet Union.

My amendment also adds $5 million for Department of Energy nonproliferation programs; of that, $20 million for the Second Line of Defense Program to install radiation detection equipment at key transit points outside the former Soviet Union, and $35 million for materials protection control and accounting activities in regions of concern, including Iraq, where any dangerous agents be discovered.

Both these provisions were contained in the Senate version of the supplemental approved by the Appropriations Committee just this past Tuesday. Additionally, CTR authority outside the former Soviet Union is urgently needed for the Defense Department to apply its unique knowledge and capabilities in places like Iraq and if and when weapons of mass destruction are discovered.

The additional funds for the Department of Energy would allow for some of the same capability while also enhancing domestic security through radiation detection at transit points overseas.

Two years ago, former Senator Howard Baker and White House counsel Lloyd Cutler concluded, "The most urgent unmet national security threat to the United States is the danger that weapons of mass destruction or weapons-usable material in Russia could be stolen and sold to terrorists or hostile nations and used against American troops abroad or citizens at home.''

Today, it could not be any clearer that our homeland is at risk and that our troops are getting ever closer to potential weapons of mass destruction.
Congress has the duty to let the President use DOD and DOE nonproliferation programs to protect our homeland and our troops.

I understand that my amendment is subject to a point of order and I will withdraw it; but I deeply urge my colleagues who are conferees to please re-insert this language and support it in the conference.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

CHAPTER 4

BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for "Child Survival and Health Programs Fund", $200,000,000.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance Fund", $160,000,000:

Provided, That amounts made available pursuant to section 492(b) of the Foreign Assistance Act of 1961 for the purpose of addressing relief and rehabilitation needs in Iraq, prior to enactment of this Act, shall be in addition to the amount that may be obligated in any fiscal year under that section: Provided further, That the United States Agency for International Development, in fiscal year 2003, may utilize the authority referenced in the preceding proviso until written notice has been provided to the Committees on Appropriations not less than five days prior to the proposed obligation.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for "Operating Expenses of the United States Agency for International Development", $23,000,000, of which not less than $2,000,000 may be transferred to and merged with "Operating Expenses of the United States Agency for International Development Office of Inspector General" for financial and program audits of the Iraq Relief and Reconstruction Fund and other assistance for Iraq.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECOLOGICAL SUPPORT FUND

For an additional amount for "Ecological Support Fund", $2,342,000,000, of which:

(1) not $1,000,000 shall be made available for assistance for Jordan;

(2) $300,000,000, to remain available until September 30, 2005, shall be made available only for grants for Egypt: Provided, That during the period beginning March 1, 2003, and ending September 30, 2005, loan guarantees may be made to Egypt, the principal amount of direct loans or loans, any part of which is to be guaranteed, shall not exceed $2,000,000,000: Provided further, That the Government of Egypt will incur all the costs, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, associated with these loan guarantees, including any non-repayment exposure risk: Provided further, That all fees associated with these loan guarantees, including subsidy and administrative costs, shall be paid by the Government of Egypt to the Government of the United States: Provided further, That funds made available under this paragraph and other funds appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, and available for assistance for Egypt may be used by the Government of Egypt to pay such fees to the United States Government: Provided further, That the President shall determine the terms and conditions for issuing the economic assistance authorized by this paragraph and should take into consideration the terms and conditions under which the assistance undertaken by Egypt: Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate any part of such economic assistance not yet obligated under this paragraph;

(3) not to exceed $1,000,000,000, to remain available until September 30, 2005, for grants for Turkey: Provided, That during the period beginning March 1, 2003, and ending September 30, 2005, direct loans or loan guarantees may be made to Turkey, the principal amount of direct loans or loans, any part of which is to be guaranteed, shall not exceed $8,500,000,000: Provided further, That the Government of Turkey shall determine the terms and conditions for issuing the economic assistance authorized by this paragraph, and should take into consideration the terms and conditions under which the assistance undertaken by Turkey: Provided further, That none of the funds made available by this paragraph may be made available for assistance for Turkey until the Secretary of the Treasury, and should take into consideration the terms and conditions under which the assistance undertaken by Turkey: Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate any part of such economic assistance not yet obligated under this paragraph;

(4) not to exceed $5,000,000,000 may be available for administrative expenses of the Islamic Partnership and Outreach program; and

(5) funds made available pursuant to this heading for the Islamic Partnership and Outreach program and other regional programs are subject to the regular notification procedures of the Committees on Appropriations.

IRAQ RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the purposes of the Foreign Assistance Act of 1961, and available for assistance in and around Iraq and for rehabilitation and reconstruction in Iraq, $2,483,300,000, to remain available until September 30, 2004, for: (1) water/sanitation infrastructure; (2) feeding and food distribution; (3) supporting relief efforts related to refugees, internally displaced persons, and vulnerable individuals; (4) humanitarian demining; (5) healthcare; (6) education; (7) electricity; (8) transportation; (9) telecommunications; (10) economic and financial policy; and (11) agriculture: Provided, That these funds shall be appropriated only to the Department of State, the United States Agency for International Development, the Department of the Treasury, and the Department of Health and Human Services, as appropriate, for expenditures related to the responsibilities for policy decisions and justifications for the use of such funds shall be the responsibility of the Secretary of State and the Secretary of Health and Human Services and this responsibility shall not be delegated: Provided further, That funds appropriated under this heading shall be used to fully reimburse accounts administered by the Department of State and the United States Agency for International Development, not otherwise reimbursed from funds appropriated by this Act, for obligations incurred prior to enactment of this Act from funds appropriated for foreign operations, export financing, and related programs:

Provided further, That the United States may accept from any person, foreign government, or international organization, and credit to this Fund, any contribution of money for such purposes:

Provided further, That funds appropriated under this heading shall be available notwithstanding any provision of law, including section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1966: Provided further, That funds appropriated under this heading that are made available for assistance for Iraq shall be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of the obligations of funds.

LOAN GUARANTEES TO ISRAEL

During the period beginning April 14, 2003, and ending September 30, 2005, loan guarantees may be made available to Israel, guaranteeing 100 percent of the principal and interest on any part of which is to be guaranteed, not to exceed $9,000,000,000, of which up to $3,000,000,000 may be issued prior to October 1, 2003, or thereafter and of which $3,000,000,000 may be issued subsequent to September 30, 2004: Provided, That such guarantees shall constitute obligations, in accordance with the terms of such guarantees, of the United States of America and the full faith and credit of the United States of America is hereby pledged for the full payment and performance of such obligations: Provided further, That if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2005, the authorities related to the issuance of such guarantees shall extend to the subsequent fiscal year: Provided further, That guarantees may be issued under this section only to support activities in the geographic areas which were subject to the administration of the Government of Israel before June 5, 1967: Provided further, That the amount of guarantees that may be issued shall be reduced by an amount equal to the amount extended or estimated to have been extended in the previous fiscal period from March 1, 2003, to the date of issue of the guarantee, for activities which the President determines are inconsistent with United States policy: Provided further, That the responsibility of the President regarding the implementation between the United States and the Government of Israel regarding the implementation
of the loan guarantee program: Provided further, That the President shall submit a report to Congress no later than September 30 of each fiscal year during the pendency of the program, amount or amounts calculated under the preceding proviso and that will be deducted from the amount of guarantees authorized to be issued in the next fiscal year. That no loan guarantees under this heading are available for the subsidy costs for these loan guarantees: Provided further, That the Government of Israel will pay the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, including any non-payment exposure risk, associated with the loan guarantees issued under this heading. Provided further, That the President shall determine the terms and conditions for issuing guarantees, taking into consideration the budgetary and economic implications to be taken by Israel: Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of the loan guarantees not yet issued under this heading.

DEPARTMENT OF STATE
INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", $25,000,000, to remain available until September 30, 2004.

ANDean COUNTERDRUG INITIATIVE

For an additional amount for the "Andean Counterdrug Initiative", $34,000,000, to remain available until September 30, 2004.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", $80,000,000, to remain until expended, notwithstanding section 212(c)(2) of the Migration and Refugee Assistance Act of 1966, as amended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING, AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-Terrorism, Demining, and Related Programs", $28,000,000. Provided, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91-762 and section 15 of the State Department Basic Authorities Act of 1996.

MILITARY ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for the "Foreign Military Financing Program", $2,050,100,000. Provided, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91-762 and section 15 of the State Department Basic Authorities Act of 1996: Provided further, That the funds appropriated under this heading, not less than $406,000,000 shall be made available for Jordan and $1,000,000,000 shall be available for grants only for Israel: Provided further, That the funds appropriated by this paragraph shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for special purposes, grants made available for Israel by this paragraph shall, as agreed to by the United States and Israel, be available for advanced weapons systems, and which not less than $263,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

.operations

For an additional amount for "Peacekeeping Operations", $115,000,000.

GENERAL PROVISIONS—THIS TITLE

Sec. 1401. Assistance or other financing under this chapter provided for Iraq, notwithstanding any other provision of law: Provided, That funds made available for Iraq pursuant to this chapter shall be subject to the regular reprogramming procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except that notification shall be transmitted at least 5 days in advance of obligation: Provided further, That the notification requirements of this section may be waived if failure to do so would pose a substantial risk to the national interest by the President: Provided further, That in case of any such waiver, notification to the appropriate congressional committees, shall be provided as early as practicable, but in no case later than 3 business days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

SEC. 1402. The President may suspend the application of any provision of the Iraq Sanctions Act of 1990: Provided, That nothing in this section shall apply to any provisions of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102-484) except as it applies to humanitarian assistance and supplies: Provided further, That the President may make inapplicable with respect to Iraq section 620A of the Foreign Assistance Act of 1961 or any other provision of law that applies to the President's supported terror: Provided further, That military equipment shall not be exported under the authority of this section: Provided further, That section 620A of the Foreign Assistance Act of 1961 shall not apply with respect to programs of international organizations for Iraq: Provided further, That provisions of law that direct the United States Government to vote against or oppose loans or other uses of funds, including for financial or technical assistance, in international financial institutions shall be inapplicable to Iraq: Provided further, That the President shall submit a notification 5 days prior to exercising any of the authorities described in this section: Provided further, That the Committees on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives, the export of such nonlethal military equipment controlled under the International Traffic in Arms Regulations on the United States Munitions List established pursuant to section 38 of the Arms Export Control Act, (22 U.S.C. 2778), if the President determines and notifies within 5 days after the Committees of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives that the export of such nonlethal military equipment is in the national interest of the United States: Provided, That the authorities contained in this section shall expire on September 30, 2004, or on the date of enactment of a subsequent Act authorizing assistance for Iraq and that specifically amends, repeals or otherwise makes inapplicable the authorities of this section, whichever occurs first.

CHAPTER 5
DEPARTMENT OF HOMELAND SECURITY
CITIZENSHIP AND IMMIGRATION SERVICES
OPERATING EXPENSES

For necessary expenses for "Operating Expenses" related to conducting Operation Liberty Shield, $3,000,000, to remain available until December 31, 2003.

UNITED STATES SECRET SERVICE
OPERATING EXPENSES

For an additional amount for "Operating Expenses" for necessary expenses related to conducting Operation Liberty Shield, $30,000,000, to remain available until December 31, 2003.

BORDER AND TRANSPORTATION SECURITY
CUSTOMS AND BORDER PROTECTION

For necessary expenses for "Customs and Border Protection" related to conducting Operation Liberty Shield and other purposes, $428,000,000, of which $235,000,000 shall remain available until December 31, 2003, and of which not less than $128,000,000 shall be available until expended for the acquisition and deployment of portal radiation detectors and non-intrusive inspection technology at U.S. ports of entry.

IMMIGRATION AND CUSTOMS ENFORCEMENT

For necessary expenses for "Immigration and Customs Enforcement" related to conducting Operation Liberty Shield and other purposes, $300,000,000, to remain available until December 31, 2003.

TRANSPORTATION SECURITY ADMINISTRATION

For necessary expenses for "Transportation Security Administration" related to conducting Operation Liberty Shield and other purposes, $285,000,000, to remain available until December 31, 2003.
(4) surface transportation security initiatives, $30,000,000.

In addition, for expenses related to aviation security, $3,178,300,000, to remain available until December 31, 2003: Provided, That such appropriation shall be remitted to U.S. flag air carriers for expenses incurred related to aviation security based on the pro-rata share each such carrier is expected to pay or collect to the Transportation Security Administration for the remainder of the fiscal year: Provided further, That payments made under this heading may be used by an air carrier for such purposes as each carrier determines appropriate: Provided further, That payments made under this heading shall be made within thirty days of enactment of this Act: Provided further, That no airline receiving funding under this heading may provide compensation (pay, benefits and stock options) to senior executives that exceeds the base pay and benefits that such executives received in 2002.

Federal Law Enforcement Training Center Operating Expenses

For necessary expenses for "Federal Law Enforcement Training Center Operating Expenses" related to conducting Operation Liberty Shield, $2,000,000, to remain available until December 31, 2003.

Office for Domestic Preparedness

For an additional amount for "Office for Domestic Preparedness", $2,000,000,000, to remain available until December 31, 2003, for grants authorized by section 1014 of the USA PATRIOT Act of 2003 (Public Law 107-56) and for other programs, of which $1,500,000,000 shall be for formula-based grants, and of which $700,000,000 shall be for discretionary grants for use in high-density urban areas, in high-threat areas, and for protection of critical infrastructure: Provided, That 80 percent of the funds provided under this heading to any State shall be allocated to the State to units of local government within the State and shall be distributed by the State within 45 days of the receipt of such funds: Provided further, That any of the funds provided under this heading may be used for construction or renovation of facilities: Provided further, That subsection (c)(3) of such section 1014 shall not apply to disaster preparedness grants under this heading: Provided further, That the Secretary of Homeland Security shall notify the Committees on Appropriations at least 15 days prior to the obligation of any amount of the funds provided under this heading.

United States Coast Guard Operating Expenses

For an additional amount for "Operating Expenses" related to conducting Operation Liberty Shield, $10,000,000, to remain available until December 31, 2003: Provided, That the Secretary of Homeland Security shall notify the Committees on Appropriations at least 15 days prior to the obligation of any amount of the funds provided under this heading.

General Provisions

Department of Homeland Security Reprogramming and Transfer Guidelines (including transfer of funds)

SEC. 1501. (a) None of the funds provided in this Act, or provided in previous Appropriations Acts to the agencies of the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2003, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by Congress; (4) deviates significantly from a program, project, or activity described in the Department's budget justification as presented to or approved by Congress, including those justifications submitted to Congress prior to the enactment of Public Law 109–296; or (3) proposes to use funds directed for a particular activity by either the House or Senate Committees on Appropriations for a different purpose, unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided in this Act, or provided in previous Appropriations Acts to the agencies of the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2003, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the agencies of the Department of Homeland Security in this Act or provided in previous Appropriations Acts may be transferred between Appropriations Acts, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out construction projects not otherwise authorized by law.

Chapter 6

Department of Health and Human Services

Centers for Disease Control and Prevention

Disease Control, Research, and Training

For an additional amount for "Centers for Disease Control and Prevention, Disease Control, Research, and Training", $16,000,000.

Office of the Secretary

Public Health and Social Services Emergency Fund

For an additional amount for "Public Health and Social Services Emergency Fund", for the Centers for Disease Control and Prevention, $94,000,000.

For an additional amount for "Public Health and Social Services Emergency Fund", for costs associated with compensating individuals with injuries resulting from smallpox vaccination, $50,000,000 to remain available until expended: Provided, That such amount shall become available only upon the enactment of legislation authorizing a smallpox vaccination compensation program.

Chapter 7

Legislative Branch

House of Representatives

Salaries and Expenses

For an additional amount for salaries and expenses of the House of Representatives, $11,000,000, as follows:

Committee Employees

Standing Committees, Special and Select Committees

For an additional amount for salaries and expenses of standing committees, special and select, authorized by House resolutions, $3,100,000. Provided, That such amount shall remain available until December 31, 2004.

Chapter 8

Military Construction

Military Construction, Navy

For an additional amount for "Military Construction, Navy", $49,100,000, to remain available until September 30, 2004.

Chapter 9

General Accounting Office

Salaries and Expenses

For an additional amount for necessary expenses of the General Accounting Office, $4,900,000, to remain available until September 30, 2004.
expended to carry out planning and design and military construction projects not otherwise authorized by law.

**Family Housing Operation and Maintenance Funds**

For an additional amount for “Family Housing Operation and Maintenance, Air Force”, $1,800,000.

**GENERAL PROVISIONS—THIS CHAPTER**

SEC. 1801. None of the funds in the Defense Emergency Response Fund for any fiscal year may be used to carry out new military construction projects at a military installation outside the United States to reimburse other appropriations or funds of the Department of Defense used to carry out such construction. For purposes of this section, the terms “military construction” and “military installation” have the meanings given such terms in section 2801 of title 10, United States Code, except that, with respect to military construction in a foreign country, the term “military installation” includes, not only buildings, structures, and other improvements to real property under the operational control of the Secretary of a military department or the Secretary of Defense, but also any building, structure, or other improvement to real property to be used by the Armed Forces, regardless of whether such use is anticipated to be temporary or of longer duration.

SEC. 1802. **CONGRESSIONAL NOTIFICATION OF CONSTRUCTION USING OPERATION AND MAINTENANCE FUNDS.**—Amounts appropriated or otherwise made available for any fiscal year for the operation and maintenance of the Armed Forces (including reserve components) or for activities and agencies of the Department of Defense may not be used for military construction at a military installation outside the United States unless the Secretary of a military department or the Secretary of Defense, as the case may be—

(1) in the case of military construction covered by chapter 169 of title 10, United States Code, complies with the requirements contained in such chapter applicable to the use of operation and maintenance funds for military construction; or

(2) in the case of military construction not otherwise covered by such chapter, submits written notice to the appropriate committees of Congress, not later than 15 days before obligating funds for the construction, containing a detailed explanation of the need to use operation and maintenance funds to carry out the construction and the estimated cost of the construction.

**DEFINITIONS**

For purposes of this section, the terms “appropriate committees of Congress”, “military construction”, and “military installation” have the meanings given such terms in section 2801 of title 10, United States Code, except that, with respect to military construction in a foreign country, the term “military installation” includes buildings, structures, and other improvements to real property under the operational control of the Secretary of a military department or the Secretary of Defense, regardless of whether such use is anticipated to be temporary or of longer duration.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

**AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD.**

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MILLENDER-MCDONALD: Page 99, line 34, before the period insert “, of which $8,000,000 shall be available for transit security”.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I respectfully offer this amendment that calls for $8 of the $30 million provided for surface transportation security included in the supplemental bill to be used for transit security. This germane amendment provides $8 million which will provide our transit agencies and transit work force the much needed resources to support our Nation’s increased transit security needs. This $8 million in transit security funding will do three important things: first, the Secretary of Homeland Security the percentage of frontline transit employees who are in need of receiving training in emergency preparedness and response training.

Secondly, to provide funding for training programs for frontline transit employees, ensuring that these employees, who are the eyes and ears of our transportation systems are prepared to respond to emergency situations.

Thirdly, to provide funding for ongoing vulnerability assessments which will continuously build on information collected, allowing for easier implementation of new technologies that will assist in averting terrorist attacks on all modes of public transportation. It will also provide for transit agencies to purchase security enhancement equipment. In addition, this funding will be used for the development and implementation of local and regional emergency preparedness plans that will fully utilize localities’ transportation resources.

For year, governments around the world have recognized that public transportation is a major terrorist target. Until 9/11 the United States has been largely spared the kind of terrorist campaigns waged against public surface transportation. However, we cannot wait for another tragedy to happen to prompt us to address our vulnerabilities. We must act now.

An October 2001 study released by the Mineta Institute, “Protecting Public Surface Transportation Against Terrorism and Serious Crime,” an executive overview cites that between 1920 and 2000 there have been approximately 900 terrorist attacks and other significant criminal incidents involving public surface transportation systems. However, all but 14 of these attacks occurred after 1970, the year that marks the beginning of modern terrorism. Attacks against transportation and transportation infrastructures accounted for 42 percent of all international terrorist attacks, according to the most recent statistics provided by the US DOT Office of Intelligence and Security of 1998.

Mr. Chairman, we must provide resources to our transit work force and our transit agencies to help prepare them and ensure that they are able to protect the communities in which they serve.

Mr. YOUNG of Florida. Mr. Chairman, I will yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, we have reviewed this amendment and find that it is constructive and we are prepared to accept it.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, we will accept this amendment and find that it is constructive and we are prepared to accept it.

Ms. MILLENDER-MCDONALD. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD). The amendment was agreed to.

**AMENDMENT OFFERED BY MR. NADLER**

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER: in chapter 5 of title I, under the heading “BOARDER AND TRANSPORTATION SECURITY”, insert the following:

PORT SECURITY

For necessary expenses for inspection by a United States inspection team in foreign shipper’s yard or other port, to be available for inspection by a United States inspection team in foreign ports of call for vessels destined therefrom for the United States, and to conduct port security

Ms. MILLENDER-MCDONALD. Mr. Chairman, I will not take all of my time.

Mr. Chairman, Islamic terrorist groups served loud notice on 9/11 that they intend to kill as many Americans as possible. Yet the administration and this Congress is ignoring the most likely modes of attack. We are spending upwards of $100 billion on an antiballistic missile system supposedly to protect ourselves against a rogue nation like Iraq or Iran or North Korea that might want to launch a nuclear weapon or other ballistic missile system. We are not taking all of my time.

Mr. NADLER. Mr. Chairman, will the gentlewoman yield?

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?
Mr. WU. Mr. Chairman, I yield to the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the amendment which we have introduced jointly.

The airlines are facing financial difficulties. Bankruptcies, layoffs, increased costs of fuel, and the war with Iraq have led the Republicans to propose a $32 billion bailout of the passenger airline industry in the supplemental war appropriations bill. I believe it is time to have a more focused approach.

The real problem is that every day airlines fly with thousands of empty seats. A recent New York Times article referred to the airlines problem and estimated that, on average, 25 percent of the seats on airlines were left unsold, even though the number of flights have been reduced. The reduction in flights means cuts in the number of pilots, airline flight attendants, baggage handlers, and additional travel industry jobs. So instead of just writing a check for $32 billion to the airlines, we should be considering a way to encourage American air travel and fill those empty seats in a way that will preserve and create jobs.

As a result of this amendment, air travel will naturally increase because the cost of consumer air travel will be cut in half. The plan will benefit not just the airlines but the traveling public. It will stimulate business for hotels, restaurants, rental car companies, travel agencies and other travel-related industries.

This is better than a subsidy. A subsidy will not create new passengers, it will not preserve jobs. Over the past week, the airlines have laid off 10,000 workers; and a subsidy will not stem the tide of additional layoffs. Jobs in the airline industry will be no more secure after the subsidy than before.

On the other hand, the proposed program will result in increased airline business and increased demand for workers. This will fill the empty seats, making them more affordable, increase revenues for the airlines, preserve jobs and generate additional revenues for others involved in travel commerce.

We hope, Mr. Chairman, that this amendment will be adopted. I thank the gentleman for yielding to me.

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

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Wu:

In chapter 2 of title I, in the item relating to "BORDER AND TRANSPORTATION SECURITY—TRANSPORTATION SECURITY ADMINISTRATION", strike the paragraph beginning "In addition, the Secretary shall permit individuals purchasing tickets for air transportation by an air carrier (as such terms are defined by section 40102 of title 49, United States Code) to receive a 50 percent discount on the price of such tickets, if such air transportation will be completed on or before March 31, 2004."

The CHAIRMAN. The gentleman from Florida (Mr. WU) asked and was given permission to revise and extend his remarks.

Mr. WU. Mr. Chairman, I am proud to offer this amendment with my colleagues from Virginia (Mr. Scott). This bill contains $3.178 billion as further assistance to our airlines. There is no doubt that our airlines are in dire financial circumstances. Passenger numbers have never recovered from September 11. Orange terror alerts, other factors have kept passengers away.

By point of illustration, the first Gulf War more than a decade ago. During that time period, four commercial airlines went into insolvency, never to emerge. I believe that this direct hand-out to the airlines of almost $3.2 billion is not the correct way to proceed.

Our amendment, the freedom to fly amendment, would put this money into the hands of passengers. It would stimulate more passenger traffic, put more people on more airplanes, and in so doing also stimulate the ancillary travel industry; that is, all the other components of the travel industry, whether it is hotels, restaurants, car rental, all the businesses that are at airports. And this would also help airline employees in a market-oriented commonsense approach.

Right now approximately 25 percent of airline seats are going unfilled and we know that a lot of flights have already been cut. The freedom to fly amendment would fill these empty seats and I believe stimulates the airlines to bring more flights on line, preserving jobs and generating additional revenues for businesses, and for all the affiliated travel businesses.

Mr. SCOTT of Virginia. Mr. Chairman, will the gentleman yield?
law. The amendment, therefore, violates clause 2 of rule XXI; and I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Oregon wish to be heard on the point of order?

PARLIAMENTARY INQUIRY

Mr. WU. Mr. Chairman, as a matter of parliamentary inquiry, I would inquire of the Chair, is it either required or customary for a point of order to be raised before discussion of the amendment?

The CHAIRMAN. Under the order of the House previously adopted today, points of order against amendments are considered reserved on each amendment.

Mr. WU. Mr. Chairman, is that within the rule that we passed for this particular bill, or is that always a rule of the House?

The CHAIRMAN. It was pursuant to the unanimous consent request agreed to earlier today in the full House. Does the gentleman wish to be heard further on the point of order offered by the gentleman from Florida?

Does the gentleman from Virginia (Mr. SCOTT) wish to be heard on the point of order?

Mr. SCOTT of Virginia. Yes, Mr. Chairman. I think the plan that we have is a much better use of the taxpayers' money than in the underlying bill, and we would hope that the Chair would rule that it is in order to appropriately spend the money.

The CHAIRMAN. The Chair is prepared to rule. The proponent of an item of appropriation carries the burden of persuasion on the question of whether it is supported by an authorization in law, and whether it constitutes a change in law.

Having reviewed the amendment and entertained argument on the point of order, the Chair is unable to conclude that the item of appropriation or the rebate mechanism in question is authorized under the rules. The Chair, therefore, is constrained to sustain the point of order under clause 2 of rule XXI. The amendment is not in order.

Are there further amendments to this title of the bill?

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment following the gentleman from Missouri.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

Page 39, line 17, strike "That" and all that follows through "Provided further," on line 22.

Page 40, line 4, strike "Provided" and all that follows before the period on line 10.

Mr. FLAKE. Mr. Chairman, my amendment today, the reason that I come to the floor today is that I object to the airline provisions being added to this bill because it is a supplemental appropriation bill; and within an appropriation bill, we simply cannot do the things that we need to do long term for the airlines. All we do is ensure that they will be back 6 months later for a similar appropriation.

On an appropriation bill we cannot deal with tax relief, for example, and 90% for the gentleman from Arizona and fees to the Federal Government. We cannot deal with that on an appropriation bill.

We cannot deal with regulatory relief as well. There are higher antitrust standards that apply to airlines that do not to other industries. We need to look at that. There are limits as far as access to equity capital that apply to the airlines that do not to other industries. Those we cannot deal with in a supplemental appropriation bill.

The reason for bringing this forward is to ensure that we simply do not appropriate an amount that ensures that we have the airlines come back and simply need the same thing 6 months, 8 months, a year from now; and that is surely what we will have if we go through with this.

We are turning the airlines into folks that want to compete under a regular business model into folks that simply will hire more lobbyists and rely on the generosity of taxpayers and appropriators forevermore. We are creating, unless we change this process, an Amtrak in the air where we simply, through appropriation, keep an industry going.

We cannot do that and for that purpose, I have agreed to enter into a colloquy with the gentleman from Missouri (Mr. BLUNT) to talk about what we might do in the future.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word. Mr. BLUNT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Missouri, the very distinguished majority whip.

Mr. BLUNT. Mr. Chairman, I thank the gentleman from Arizona for yielding, and I would be pleased to have a discussion with my friend from Arizona. Is that allowed, Mr. Chairman, under this arrangement?

I certainly think the gentleman from Arizona (Mr. FLAKE) is right that we need to look for a long-term settlement to this issue. To continue to handle it as we have, in a crisis moment, is not the right way to do it. To look at the long term, some tax relief is an option to look at new obligations that the Federal Government has, in my view, to review our long-term sense of airline security.

Until September 11, 2001, there was a widely held and generally defensible view that the fees that passengers paid for airline security were being paid for the purpose of protecting the passengers; and so it was a pure user fee, and it seemed to be defensible in that regard. We now know that we use our security system to secure people who are not on the plane; and it was a pure user fee, but who may never be on the plane; and I think the gentleman senses that we need to review that structure to re-

view the additional costs that airlines have assumed because of the new demands of airline security. To look for a more permanent solution to this is absolutely the direction we should take, and I certainly will commit to work with the gentleman from Arizona and others to try to solve them legislatively for the long term rather than to continue to have to deal with these short-term ways to deal with this issue.

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

Mr. YOUNG of Florida. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding to me. I thank the gentleman for this colloquy and discussion.

We simply cannot deal with the tremendous issues that we have to deal with in terms of tax relief, regulatory reform and to decide, as the gentleman from Missouri appropriately put it, what obligations the airlines actually have and what obligations should we, as general taxpayers or society, bear in terms of security costs; but we cannot have those discussions on appropriations measures.

We cannot wait in between bailouts every year or so to decide how much each airline gets to enact a formula. That is why we need to enter into these discussions in between, when the crisis is not right at hand; and with that understanding, I will agree to withdraw the amendment.

Mr. BACA. Mr. Chairman, I rise today to adamantly oppose the Flake Amendment. This amendment would eliminate $2.0 billion dollars in desperately needed funding for struggling US airlines. It is unconscionable to consider doing this while our economy suffers, and it is even more unconscionable to do so during wartime.

We are witnessing the collapse of the airline industry as we know it? US Air and United have already been forced into bankruptcy, and other major airlines are contemplating the same option. Northwest Airlines alone has lost $1.2 billion over the past year. Air travel is falling at a rapid rate and will continue to fall until this war is over, the economy improves, and passengers are assured that they are safe in the friendly skies. This month alone, the air travel is down 11% and it is speculated that another terrorism attack occurs, it will fall an additional 25 percent domestically 43 percent internationally.

Since September 11, 2001, we have placed many needed safety requirements on the airline industry. Eliminating the funding for compliance puts an unnecessary burden on an already frazzled industry and does little to promote security. Passengers will not fly if they don't feel safe.

The airline industry is paramount to the economic vitality of this nation. It is critical to virtually every industry around the globe. Tourism, goods movement, and business travel affect virtually every locality in this nation. We must prevent another terrorist attack on those issues. We must move in an expedited and inexpensive manner and that air travel does not suffer more than it already has.
We must also take into consideration that the airline industry employs a sizable workforce globally. United, which employs thousands in the state of California alone, employs 85,000 worldwide! If we do not help the airlines during these uncertain times, many jobs will be lost, and the economy as a whole will be further compromised.

I oppose the Flake Amendment and stand behind the fact that we must do all that we can to keep the industry flying.

Mr. FLAKE. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The amendment is withdrawn.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in light of the recent coloquy, let me simply say that I am getting whiplash from trying to follow the lead of the majority party and the White House on the issue that was just under discussion.

We had before us earlier in the week this bill to essentially pay for the first downpayment on the Iraq war. We were trying to get additional money in the bill for homeland security so that we could protect ourselves at home from the retaliation that was likely to come from that event.

The House Republican leadership would not see its way fit to allow us to even debate that amendment and come to a vote on the House floor; and yet they arbitrarily ordered the Committee on Appropriations to include the $35 billion bailout for the airline industry that was just discussed a moment ago. Then, after that happened, then the White House issued a statement saying that, in fact, the package before the House for airline bailout was too generous.

I am having a little difficulty following the lead of the majority and the lead of the White House because they seem to be working at cross purposes, and I am further confused by the fact that this House is willing to consider a huge expenditure of funds like this with no hearings and to have it dealt with by a committee that has no special understanding of the problem; and it seems to me that a much better way, well, it just seems to me that we ought to be asking a fundamental question.

It seems to me we ought to be asking the question of whether or not we have a viable airline industry in this country. We have a bunch of let’s-pretend capitalists who have come to the government for a bailout every time something happens in the economy.

Now, they are essential to our national welfare and to our economic well-being. So I think we obviously need to keep the airline industry functioning, but I do not know how many times an airline has to go bankrupt before it is bankrupt. I do not know how many times they have to come to the taxpayers for additional money before we decide that a better way is to simply regulate them as a necessary public utility or as a public utility providing necessary service to the country, and that is what I really believe in the long term we ought to do.

But I also must protest the slapdash way that this issue has wound up on the appropriation bill because I find it quite remarkable that the Republican leadership would demand the House go one way while the White House seems to indicate it wants to go another way. It is pretty hard to follow that kind of leadership, and I admire the gentleman from Florida for being a good soldier and responding to the instructions of his leadership; but I would have a difficult time trying to explain this to any taxpayer, any of my constituents.

I would just hope that in the future we can do a better job of managing a problem like this, and I wish we could get to discuss the fundamentals on this issue rather than simply throwing more money at the problem.

We were told that we cannot throw money at homeland security, and yet we are plowing billions of dollars to the airline industry without doing one whit to help the employees of those airlines.

I find that quaint. It is always the corporate part of the industry that gets the billions of billions of dollars to the airline industry without doing one whit to help the employees of those airlines.

Mr. ROGERS of Kentucky. Mr. Chairman, I offer an amendment. The CHAIRMAN. Mr. Rogers, you are out of order. The amendment is not in order.

Mr. ROGERS of Kentucky. Mr. Chairman, I withdraw the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment. The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. Jackson-Lee of Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, could we have the amendment read for us, please?

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk reads the amendment. The CHAIRMAN. The Clerk will report the entire amendment.

The Clerk reads the entire amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, we have not had a chance to discuss this amendment with the gentleman, and I wonder if we might be able to delay the consideration of it for a few minutes while we do that. I do not want her to lose her opportunity to offer it in case our conversation is fruitless.

Mr. Chairman, I ask unanimous consent that this amendment be delayed until after whatever is next on the agenda, and that the right of the gentleman to offer the amendment would be preserved.

The CHAIRMAN. Under the rule, the gentleman is entitled to withdraw her amendment, and the gentleman from Kentucky may seek unanimous consent to have it reoffered at another point in this title.

Mr. ROGERS of Kentucky. Mr. Chairman, I am told this is the last amendment in this title, other than this amendment.

Mr. Chairman, I withdraw the unanimous consent request.

The CHAIRMAN. The gentleman withdraws his request, and the gentleman from Texas (Ms. Jackson-Lee) is recognized for 5 minutes on her amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the subcommittee chairman, and as well I thank the chairman of the full committee and the ranking member of the full committee, as well as the ranking member of the subcommittee.

Mr. Chairman, this amendment will hopefully address the question that all of us have as a key element of our work here today, and that is the securing of the homeland in the fight raging war in Iraq. One of the key issues of 911, though we know that only one of the visas was a student visa, it highlighted the difficulty we have in balancing our desire to open the doors of opportunity to our allies and friends to educate their students in our institutions of higher learning. We have developed friendships through that process. We have developed allies through that process.

The exchange student program has been a key part of the foreign policy of the United States. Yet we have a broken system where we have a structure that allows exchange students to come and not follow through on either the promise for which they have come or allowed us to track them while they are here.

In a statement by the inspector general on April 2 before the Committee on the Judiciary, his report noted that we found that the INS failed to properly train the contract investigators, test the checklist for usefulness and completeness, and monitor the quality of contract investigators’ onsite reviews. It means that as we have the tracking program in place, we do not have the proper training of our new Bureau for Citizens Affairs to oversee the contractors and, as well, to help the universities do their job.

The universities have asked us to be responsive and sensitive to the hard problems that they have. All of us can call the names of our respected universities. They want to do the right thing, Mr. Chairman, but they cannot do it without the right training.

The amendment. I am very gratified that the chairman of the committee, the gentleman from Kentucky (Mr. Rogers), has allowed this debate to go forward, this will allow resources
to provide training, and it is already authorized, specifically on how to over-
see the SEVIS tracking system. It is new technology. We will be reviewing it in the Homeland Security Com-
mmittee, I know.

We know that technology in terms of homefront defense is important, the ability to communicate with each other. But certainly as we promote the idea that immigration does not equate to terrorism, would it not be better to have a tracking system for students that we can say, that helps our universities and helps the Homeland Security Department with something that can monitor without the threat of suggesting that every student is a ter-
rorist? Because that is not the case, Mr. Chairman.

So I offer this amendment to give re-
sources where they are needed, to focus the resources on this gaping hole with overseers and training these contrac-
tors. These contractors may be well-in-
tentioned but, in fact, they are not im-
plementing this system as best as it
could be. I hope in the discussions with this new Homeland Security Depart-
ment we will also get a diversification of these contractors and an expertise that is developed so they can do the job right.

So this amendment, Mr. Chairman, is simply to allow authorized dollars to be focused on improving the SEVIS system, that is the student tracking system. The Inspector General's report, with special reference to the

funding to correct the implementation prob-
lems. The Inspector General's report indicates that the immigration service needs additional re-

sources to overcome problems in imple-
menting SEVIS, which is a complex system that requires storage of a huge amount of data. We need money available to implement this system properly.

We can create an effective tracking system that will facilitate bringing talented men and women from different countries to the United States to study and exchange creative thought and ideas. I urge my colleagues to support this amendment.

Mr. ROGERS of Kentucky. Mr. Chair-
man, I move to strike the last word, and I would ask the gentlewoman a question. Should this amendment be accepted, would the other amendments, the five other amendments the gentle-
woman has tendered, be withdrawn?

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, I would hope in that ques-
tion would be the opportunity to present them. I would like to present those amendments and then I would offer. I also realize that those amendments would be subject to a point of order, so I would be willing at that point to withdraw them, yes. That is what I would like to do, Mr. Chairman.

Mr. ROGERS of Kentucky. Well, Mr. Chair-
man, reclaiming my time, I was prepared to accept the amendment, but if we are not going to save any time by it, I do not see any point in accepting it. So I have no choice but to oppose it.

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, if the gentleman would con-
tinue to yield, if I am not mistaken I think we had the discussion, because we never have an agreement, but I un-
derstood that we would present this one. I was prepared to discuss the other amendments in the discussion; but that we would move past this one and we would discuss those other amendments and then withdraw them.

Mr. ROGERS of Kentucky. Well, I do not see any point in moving further on this. I was prepared to accept this one on condition that the gentlewoman would just simply withdraw the others. They are subject to a point of order anyway, and we could save a lot of time if I can get the lady in that the gentle-
woman is unwilling to do that, then I have no choice but to oppose this amendment and all of the others.

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, if the gentleman will con-
tinue to yield, I think when we were discussing this, because the gentleman knows how important these issues are, and one of the amendments deals with domestic preparedness, another with the hazardous materials funding which I think is equally important.

Mr. ROGERS of Kentucky. If the gentle-
woman would like to discuss the other five in a 5-minute period, I would have no problem with that.

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, that is exactly what I be-
lieve we had discussed earlier, is that I would discuss the others in the 5-
minute period and then, and I hope the gentlewoman does not mind a colleague saying this, that I would then reluc-

tantly withdraw them. But I would do so, Mr. Chairman.

Mr. ROGERS of Kentucky. So my un-
derstanding is if we accept this amend-
ment, the gentlewoman would spend 5 minutes talking about all five of the others.

Ms. JACKSON-LEE of Texas. That is correct, Mr. Chairman.

Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

Mr. YOUNG of Florida. Mr. Chair-
man, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I wish, Mr. Chairman, that that was the case, but I believe we have agreed, because of the procedural point of order, that it will be 5 minutes in total. That means I talk very quickly with this very rau-
tsome voice.

Mr. ROGERS of Kentucky. Reclaim-
ing my time, Mr. Chairman, it is my understanding that the gentlewoman would speak 5 minutes for all of the five all at once, 5 minutes total?

Ms. JACKSON-LEE of Texas. That is correct, Mr. Chairman.

Mr. ROGERS of Kentucky. In that case, Mr. Chairman, I accept this amend-
ment.

The CHAIRMAN. The question is on the amendment offered by the gentle-
woman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, I offer several amendments, which are at the desk; Jackson-Lee 002, 004, 003, and 005, Mr. Chairman.

Mr. ROGERS of Kentucky. The CHAIRMAN. Does the gentle-
woman ask unanimous consent to con-
sider those amendments en bloc?

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, I ask unanimous consent to consider these amendments en bloc.

The CHAIRMAN. The question is on the amendment offered by the gentle-
woman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

Ms. JACKSON-LEE of Texas. Mr. Chair-
man, I offer several amendments, which are at the desk; Jackson-Lee 002, 004, 003, and 005, Mr. Chairman.

Mr. YOUNG of Florida. I wish to talk about this amendment.

Ms. JACKSON-LEE of Texas. I wish, Mr. Chairman, that that was the case, but I believe we have agreed, because of the procedural point of order, that it will be 5 minutes in total. That means I talk very quickly with this very rau-
tsome voice.

Mr. ROGERS of Kentucky. Reclaim-
ing my time, Mr. Chairman, it is my understanding that the gentlewoman would speak 5 minutes for all of the five all at once, 5 minutes total?

Ms. JACKSON-LEE of Texas. That is correct, Mr. Chairman.

Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

Mr. YOUNG of Florida. Mr. Chair-
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Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

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Ms. JACKSON-LEE of Texas. That is correct, Mr. Chairman.

Mr. ROGERS of Kentucky. In that case, Mr. Chairman, I accept this amend-
ment.

The CHAIRMAN. The question is on the amendment offered by the gentle-
woman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

Ms. JACKSON-LEE of Texas. Mr. Chair-
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tsome voice.

Mr. ROGERS of Kentucky. Reclaim-
ing my time, Mr. Chairman, it is my understanding that the gentlewoman would speak 5 minutes for all of the five all at once, 5 minutes total?
In chapter 5 of title I, in the item relating to “OFFICE FOR DOMESTIC PREPAREDNESS”, after the first and second dollar amounts, insert the following: (increased by $2,000,000,000). 

In chapter 5 of title I, in the item relating to “OFFICE FOR DOMESTIC PREPAREDNESS”, insert before the period at the end the following:

...insert before the period at the end the following:

In chapter 5 of title I, in the item relating to “OFFICE FOR DOMESTIC PREPAREDNESS”, insert before the period at the end the following:

In chapter 5 of title I, before the general provisions under the heading “DEPARTMENT OF HEALTH AND HUMAN SERVICES”, insert the following:

In chapter 5 of title I, before the general provisions under the heading “DEPARTMENT OF HEALTH AND HUMAN SERVICES”, insert the following:

For an additional amount for “Substance Abuse and Mental Health Services” for mental health services, $7,000,000, to remain available until expended.

In chapter 5 of title I, before the general provisions under the heading “DEPARTMENT OF HEALTH AND HUMAN SERVICES”, insert the following:

For an additional amount for “Substance Abuse and Mental Health Services” for the Harris County, Texas Mental Health and Retardation Authority, $1,200,000, to remain available until expended.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas to consider the amendments en bloc?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of these amendments, and let me say first of all that sometimes it is very difficult for our colleagues to follow this debate, and I want to start by thanking the leaders of the Committee on Appropriations. Many Members have points and perspectives that sometimes are lost in the procedural aspects of this debate. Let me make it very clear that all of my amendments, unfortunately, will be subject to a point of order, the ones that I am intending to discuss at this point.

I am not conceding and giving up adequate debate on them, but obviously if they are not to be subject to a point of order, I believe it is extremely important that I move forward on the legislation that will improve the INS services with the $10 million that has just passed, focus on the training issues, and work with my colleagues respectively on elements that I think are very important that are missing in this legislation.

My amendments before us today deal with additional funds in domestic preparedness, because I believe that we do not have enough money for homeland security. Additionally, I would say that we have a problem in our respective fire departments in the hazardous materials team. They can offer $2 million to fire departments, and we can also be part of our hazardous materials team. That will allow additional funds to be given to these teams which will be facing the worst of any biological attack.

I think it is important to recognize that preparedness is key to what we are doing. Let me correct the record and say that domestic preparedness was $2 billion, and the hazardous material is $3 million, on the cities over a million, and rural communities under 200,000.

The reason I offer these amendments is I believe we do not have enough dollars dealing with homeland security. Frankly, I join and I was hoping that the Obey amendment would be made in order because the emergency supplemental does not comply with the Budget Act nor do ours; but it is interesting that these were not made in order but the emergency appropriation was.

I have brought these amendments to the attention of this floor because I come from local communities that are suffering, not having enough overtime, not having enough dollars to ensure that we can provide the fire departments with the kind of staffing that they need in case these communities are subjected to biological attacks.

I am disappointed that a point of order will be subjected to them. Let me also say that my other amendments that I would like to propose extra funding for SAMHSA because of the stress that individuals are under with respect to mental health services. I thought it was important to add $7 million because in this wartime, we are all facing the kind of stress that requires enhanced mental health services.

Additionally, I asked for additional funding for Harris County Mental Health Services because they too are suffering by closing clinics and having close to 1,500 clients not being able to be served. I know that a number of Members are not offering personal remarks and so I am withdrawing that along with these other amendments because I understand we are not being allowed that in fairness to the process.

Let me close by saying this. I started out by saying that I was against the war. I maintain that the war has not been officially declared by this body. This body has never debated the question of war. I believe we have the responsibility of supporting our troops. I am disappointed that we have not fully discussed the question of peace on this floor today, and that there are no specific funds designated to begin the discussion of peace.

I have an amendment which discusses that, and I hope in striking the last word towards the end of the bill, we can have an open amendment. It is to discuss peace. I believe we can help our troops as they are waging war, brave as they are, and those that have lost their lives, and the POWs and their families, by recognizing that as they fight for peace, that they fight for the freedom of this Nation.

Mr. Chairman, I support the troops deployed in Iraq. However, I am against this war because I believe war should have been the last option. We are spending $74.7 billion to fund the troops, to rebuild Iraq, to provide aid to our allies, and to fund drug control efforts—which is one of the largest supplemental bills this Congress has considered. Most of the funds in this bill are for the Department of Defense, $62.4 billion. Only $3.5 billion has been allocated for homeland security. While our troops are on the frontlines in Iraq, our first responders here at home—our firefighters, our police officers—in our states and localities are woefully underfunded. Many first responders do not have the equipment, training, funding to meet national security needs. While we plan to construct schools in Iraq, schools in our nation are crumbling. While we provide humanitarian aid to many countries, our citizens at home lack affordable health care. And, while we plan to rebuild the nation of Iraq and assist our allies, we continue to neglect our nation’s veterans.

We provide $700 million for Jordan; $300 million for Egypt; up to $1 billion for Turkey; and $140 million for Afghanistan through the Bilateral Economic Assistance account. In the Foreign Military Assistance account we provide $1 billion for Israel; $406 million for Jordan; $170 million to train the Afghan National Army; $175 million to assist Pakistan in counter-terrorism activities; and $115 million for peacekeeping operations.

The Chairman’s Mark provides $2.8 billion for a new Iraq Relief and Reconstruction Fund. There are funds for the relief and reconstruction: for water/sanitation infrastructure, for education and food distribution services, and other humanitarian activities. Yet the Chairman’s Mark only provides $2.2 billion for grants to First Responders through the Office of Domestic Preparedness. I strongly support our troops, but I also believe that we must protect the troops right here at home—the first responders, who will be called on in any emergency and national security threat.

This bill does not do enough for Homeland Security. We are underfunding the national security here at home. Our cities and ports need protection. I offered an amendment in the Rule Committee to increase funding for Homeland Security.

My amendment would have increased by $2 billion funding to the Office for Domestic Preparedness. The US Conference of Mayors estimates that if the war and/or threat alert levels continue for six months, cities would incur nearly $2 billion in additional costs. These costs are on top of existing homeland security spending already underway or planned since September 11.

State and local governments have undertaken unprecedented new, expensive, and expanded responsibilities in our national efforts...
against terrorism. State and local governments have developed and adopted budgets reflecting these increased responsibilities in difficult fiscal times with very little federal assistance. I offered an amendment to provide funds in the amount of $3 million to be set aside as grants to cities with populations under 200,000 for fire department hazardous materials response teams.

Adequate federal resources must be available to assist our urban and rural areas to maintain a heightened level of alert and to assist our first responders during this time of crisis.

First responders have been called upon to identify and to plan for potential threats peculiar to their particular location; these threats include chemical, biological, nuclear, radiation, and explosives.

Additional funding specifically for firefighters in urban and rural areas would help fire departments meet the challenges of responding to threats of terrorism. Firefighters have emergency needs for clothing, equipment, and interoperable communications. I am troubled that we are in a position today where we are spending money we don’t have, on a war we didn’t need. Of course, I will cast my vote in support of this bill because this predicament is not the fault of our soldiers. U.S. troops are fighting valiantly in Iraq and they will be victorious. I want them to have all the resources they need to get the job done efficiently and effectively, so that we can bring them home safely to their families and loved ones. I don’t support this war, but I support our men and women in uniform—100 percent.

Mr. Chairman, I believe sometimes one must stand for what they believe. I know that there are times when a great nation must answer the call of war to defend itself and its people. Sometimes we must defend our values so that many more can be saved. This is not one of those situations.

Even before the dust had started to settle at the site of the Twin Towers, this war plan seemingly was being devised. From mid-September 2001, this Administration seemed to be resolved to launch a war into Baghdad. The plan was forged before we knew that Saddam Hussein had no known connection to the attacks of 9/11; before we knew that far more insidious dangers lurked in North Korea; before we realized that backed with a true diplomatic and military effort, inspections could work to disarm Iraq. Even as the true nature of the picture in Iraq came to light, the Administration held its resolve to go to war. But resolve does not equate with reason.

I, and many of my colleagues, and millions of people throughout the world, have been trying to inject reason into this debate for over a year now. I started by voting against the use of force resolution last Congress. There were two reasons: (1) I did not feel that force was yet justified in the case of Iraq, and (2) I believe that it is unconstitutional for Congress to give the President the power to start a war without a true Declaration from the Congress. Whereas the President controls the military and our nation’s intelligence gathering services, before the President takes our soldiers into war he must come to Congress. I believe the duty of Congress according to Article I, Section 8 of the Constitution to make the decision of whether it is in the best interest of the people we represent to make the Declaration of War. That was never done. I, and 154 of my colleagues, supported the Spratt amendment to the Use of Force Resolution, which would have required the President to come back to Congress before marching to war. But we did not vote for this.

Therefore, I have continued to call for a debate here on the Floor of the House to make that decision—between war and peace, and between life and death. Early this year, I offered a bill, H. Con. Res. 2, a bill to revisit and debate the question of going to war in Iraq. Although I questioned the war in Iraq, I have always been in full support of our troops in the region. Indeed I have argued that keeping a force in the region to support weapons inspectors—50,000 soldiers strong—was absolutely appropriate and prudent. That is because I believe that the threat of force can prevent violence, however, the use of force is violence. The use of force must always be the very last resort. However, we must be realistic in these times to recognize the threat both here and abroad. The threat is real in our local communities—state and city governments.

We must support our military. They are men and women who risk their lives for our civil liberties, but we cannot give the President a blank check with which to reward our allies and to neglect domestic priorities. Many argued that going to war was preferable to doing nothing in Iraq. Perhaps, I agree. But I have never argued that we should do nothing, nor have any of my colleagues on the left, against the threat of terrorism. When I voted against the resolution authorizing the use of force, I was pointing out a lack of clarity as to what the resolution meant. I still remain firmly against the proposition that war was the only option for disarming Iraq. In fact I believe there are still options to carrying this war to a violent conclusion in the streets of the ancient city of Baghdad. I hope to be able to strengthen the amendment I offered to bring us back to the negotiating table. We can force a peaceful resolution to this conflict and satisfy our national security goals without further bloodshed. I feel that such restraint would earn back some of the lost respect and moral authority we had in the eyes of the world community, and improve our homeland security.

For we are living in a glass house these days, and are throwing stones left and right. We are making enemies around the world and under-funding the domestic forces who would protect us from them. I have offered several amendments to today’s supplemental bill, to make sure that in addition to supporting our troops overseas, we also take care of security issues here at home.

Mr. Chairman, I am offering this amendment to the fiscal year 2003 supplemental appropriations bill to help our Nation’s security and to provide funds to the people on the frontlines in our own homelands—first responders. I believe that our domestic priorities and our first responders must not be overlooked. As we continue to provide supplemental appropriations bill, I know my amendments violate the Budget Act, but the supplemental appropriations bill itself violates the Budget Act. My amendment would provide additional funds for first responders in our nation’s cities and rural communities.

My amendment would increase by $2 billion funding to the Office for Domestic Preparedness. The U.S. Conference of Mayors estimates that if the war and/or threat alert levels continue for six months, cities would incur nearly $2 billion in additional costs. These costs are on top of existing homeland security spending already underway or planned since September 11. While the Chairman’s Mark provides $2.2 billion, $200 million over the President’s request, for grants to local and state governments, this amount is still not adequate to fund the domestic security needs of our Nation’s states and localities.

As you know, state and local governments have undertaken unprecedented new, expensive, and expanded responsibilities in our national efforts against terrorism. State and local governments have developed and adopted budgets reflecting these increased responsibilities in difficult fiscal times with very little federal assistance. Adequate federal resources must be available to assist our urban and rural areas to maintain a heightened level of alert and to assist our first responders during this time of crisis.

First responders have been called upon to identify and to plan for potential threats peculiar to their particular location; these threats include chemical, biological, nuclear, radiation, and explosives.

Additional funding specifically for firefighters in urban and rural areas would help fire departments meet the challenges of responding to threats of terrorism. Firefighters have emergency needs for clothing, equipment, and interoperable communications. Firefighters have emergency needs for clothing, equipment, and interoperable communications.
If not, the Clerk will read. The Clerk read as follows:

TITILE II—TECHNICAL CORRECTIONS

SEC. 2001. Division F of Public Law 108-7 is hereby amended under the heading “United States Fish and Wildlife Service, State and Tribal Grants” by striking “$3,000,000” and inserting “$5,000,000.”

SEC. 2002. The matter under the heading “Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services,” in Public Law 108-7 is amended—

(1) by striking “Beat, New Bloomfield, PA” and inserting “Heart Beat, Millerstown, PA” in lieu thereof;

(2) by striking “Tressler Lutheran Serv-

ices” and inserting “DIAKON Lutheran Social Ministries, Allen-
town, PA, for abstinence education and related

services in Berks County, Ft. Worth, TX, to provide school-

based mental health education to schools in

Tarrant County, $200,000 is available for the

Mental Health Association of Tarrant County, Ft. Worth, TX, to provide school-based mental health education to schools in Tarrant County,” $200,000 is available for the AIDS Research Institute at the University of California, San Francisco for a Developing Countries AIDS Partnership to facilitate U.S.-Eu-

ropean exchange between the United States and developing countries,” $1,000,000 is available for the Giesinger Health System, Harrisburg, PA, to establish centers of excellence for the treatment of autism.”

SEC. 2003. The matter under the heading “Office of the Secretary, Public Health and Human Services Emergency Fund”, in title II of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003, (Public Law 108–7) is amended by striking “$255,000”, and inserting “$296,638,000” in the first proviso; and


If not, the Clerk will read. The Clerk read as follows: “Golden Gate National Parks Association, San Francisco, CA, for environmental education programs in the City of Upland, CA, for after-school programs, $1,500,000;”

SEC. 2005. (a) The matter under the heading “Department of Education, School Improve-
mant Programs”, in Public Law 108-7 is amended—

(1) by striking “$508,100,000” and inserting “$537,300,000”; and

(2) by striking “$1,432,167,000” and inserting “$4,233,167,000.”

(b) In the statement of the managers of the House of the conference accompanying H.J. Res. 2 (Public Law 108-7, House Report 108-10), in the matter in title III of Division G, relating to the Fund for the Improvement of Education under the heading “School Improvement Programs”—

(1) the provision specifying $150,000 for Illi-

nois State Board of Education, Springfield, IL, for drug prevention and after school programs for the implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #18 shall be deemed to read as fol-

lows: “Illinois State Board of Education, Springfield, IL, for implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and for improving mathematics achievement in Peo-

grovia School District #190 and Jacksonville School District #117, $150,000”;

(2) the provision specifying $2,000,000 for Pinellas County Florida School District, St. Petersburg, FL, for technology shall be deemed to read as follows: “St. Petersburg College, St. Petersburg, FL, for the Pinellas County EpiCenter, $2,000,000”; and

(3) the provision specifying $500,000 for the St. Louis Children’s Museum, MO, for a collaboratory project with the St. Louis Public Library to create interactive exhibits and educational programs for children shall be deleted;

SEC. 2006. (a) The matter under the heading “Department of Education, School Improve-
mant Programs”, in Public Law 108-7 is amended—

(1) by striking “$508,100,000” and inserting “$537,300,000”; and

(2) by striking “$1,432,167,000” and inserting “$4,233,167,000.”

(b) In the statement of the managers of the House of the conference accompanying H.J. Res. 2 (Public Law 108-7, House Report 108-10), in the matter in title III of Division G, relating to the Fund for the Improvement of Education under the heading “School Improvement Programs”—

(1) the provision specifying $150,000 for Illi-

nois State Board of Education, Springfield, IL, for drug prevention and after school programs for the implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #18 shall be deemed to read as fol-

lows: “Illinois State Board of Education, Springfield, IL, for implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and for improving mathematics achievement in Peo-

grovia School District #190 and Jacksonville School District #117, $150,000”;

(2) the provision specifying $2,000,000 for Pinellas County Florida School District, St. Petersburg, FL, for technology shall be deemed to read as follows: “St. Petersburg College, St. Petersburg, FL, for the Pinellas County EpiCenter, $2,000,000”; and

(3) the provision specifying $500,000 for the St. Louis Children’s Museum, MO, for a collaboratory project with the St. Louis Public Library to create interactive exhibits and educational programs for children shall be deleted;


SEC. 2008. Section 207 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003 (Public Law 108-7, div. G) is amended by inserting after the

SEC. 2009. Amounts made available to carry out sections 1212(k) and 5117(b)(6) of 112 Stat. 107 et seq. shall be used to carry out item number 1278 of the table contained in section 1602 of such Act (112 Stat. 263).
the National Service Trust of the Corporation for National and Community Service: Provided, That the second proviso under the heading "Corporation for National and Community Service" in Division K of Public Law 108-7 is deemed to be amended by inserting after "section 501(a)(4)" the following: "with not less than $2,500,000 for the Office of the Chief Financial Officer to restructure the financial form in the Corporation, notwithstanding the provisions of section 501(a)(4)(B) of the Act";

SEC. 12. Section 115 under the heading "Department of Veterans Affairs, Administrative Provisions" in Public Law 108-7 is amended by striking "2 and";

TITLE III—GENERAL PROVISIONS—THIS ACT

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

AMENDMENT OFFERED BY MR. CROWLEY

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

The CHAIRMAN. The gentleman from New York (Mr. CROWLEY) and the gentleman from Florida (Mr. YOUNG) will control 10 minutes.

Mr. CROWLEY. Mr. Chairman, I offer the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CROWLEY:
At the end of the bill (before the short title), insert the following:
SEC. . . Of the amount provided in chapter 4 of title I, in the item relating to "Foreign Military Financing Program", not more than $100,000,000 may be made available to Pakistan.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that debate on the pending amendment offered by the gentleman from New York (Mr. CROWLEY) be limited to 20 minutes, to be equally divided and controlled by the gentleman from New York (Mr. CROWLEY) as the proponent and myself as the opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from New York (Mr. CROWLEY) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

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

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

I rise today in strong support of the amendment at the desk put forth by myself and the gentleman from New Jersey (Mr. PALLONE).

India has been a strong ally in the war on terrorism, and has also felt the pain of terrorist attacks, as we have felt those same pains here in the United States. The most recent attack on India was last weekend, resulting in the brutal murder of 24 Hindus known as Pandits. The 24 murdered included women and children. This act of terrorism occurred in the Indian state of Jammu-Kashmir.

As we all know, last year Pakistani Islamic militants entered the Indian Parliament and opened fire, killing some of our colleagues in the Indian Parliament. I happened to be in India only 2 weeks after this horrific attack, and I can tell Members that I saw the bullet holes and blood-stained ground where militants killed our colleagues.

Even in the face of these facts, within the supplemental, Pakistan will receive $175 million for border security for the fiscal year 1999, $75 million for the international war against terrorism. They support the United States in our war against terrorism in Afghanistan and Central Asia, but they are supporting the militias and terrorists who are crossing into India territory in Jammu-Kashmir everyday day, carrying out attacks on Indian civilians.

One hundred seventy-five million dollars for Pakistan is an award of support, when the true record shows that in spite of our substantial assistance to Pakistan, if President Bush and Prime Minister Blair pushed for a vote at the U.N. Security Council for the war on Iraq, the best we could have hoped for from Pakistan is they would have abstained.

While Pakistan has worked with the United States of late, they have continually also served as a destabilizing force in central Asia, including testing nuclear weaponry, threatening her neighbors, and funding and supporting terrorist organizations from Pakistan into India to perpetrate terrorist acts against Indian citizens.

Pakistan has made efforts to combat al Qaeda, and some members of that organization have been apprehended with their assistance. But other terrorist organizations allowed to operate within Pakistan's borders continue to spread extremism ideology and a visceral hatred of the United States.

Today I am asking that we limit foreign military financing aid to Pakistan to $100 million, in large part due to the failure of Pakistan to meet its commitments to combat terrorism. Last June General Musharraf pledged that he would halt all movement of Islamic militants into Kashmir and crack down on Pakistani supporters of militant organizations in Kashmir region. While the general appeared to keep his word initially, last week's brutal attack on women and children demonstrates that his pledge has been forgotten.

Leaders of Pakistani terrorist organizations, organizations which have been designated as foreign terrorist organizations by our State Department, and which I support, have been detained because of their terrorist activities, have since been released. The United States should not have two definitions of terrorism.

Terrorist organizations operating freely inside Pakistan, often with the tacit support of elements of the Pakistani Government, are focused on harming the United States and represent a grave threat to our national security interests.

I ask Members, is this the type of partner we want fighting with us in the war on terrorism, a country that is not attacking the United States yet. Is this the message that we want to send to the world?

Today I have the opportunity to show the world that we will not look the other way while one nation allows terrorist acts to be committed on another sovereign nation.

Congress has a crucial responsibility to play in ensuring that U.S. funding is provided to countries fully committed to the war on terror. If we provide Pakistan with hundreds of millions of dollars, we must demand accountability and concrete actions that the country is doing all it can to eradicate terrorist organizations within its borders. We are providing $175 million for a partner that has been at best less than helpful and a destabilizing force in South Asia. I urge Members to limit Pakistan's foreign military assistance aid to $100 million from this account until we see real reforms in Pakistan, and pass these savings on to the homeland security account.

I thank the gentleman from New Jersey (Mr. PALLONE) for sponsoring this.

Mr. Chairman, I reserve the balance of my time.
under waiver authority that was grant-
ed to President Bush by Congress, he
waived this coup-related sanction to
allow $50 million in military assistance
to Pakistan for their antiterrorism
measures. Given the current military
dictatorship that has just been
re-established, a package of this size
just weeks ago received a significant
sum of money in military aid, I support
striking $75 million in military assistance
in this bill and perhaps either re-
turning it to the FMF fund or to re-
allocating this amendment to first pro-
viders or towards other priority home-
land security needs.

In addition, it is encouraging that the
Bush administration is starting to
publicly acknowledge Pakistan’s role
in transferring nuclear equipment to
North Korea. I would like to thank the
Bush administration for imposing both
contracting and licensing sanctions on
the Khan Research Laboratories
nu-clear firm in Pakistan. They are no
longer authorized to export to the
United States. And I am encouraged by
this first step on the part of the admin-
istration to both publicly recognize
Pakistan’s role in supporting North
Korea’s covert nuclear weapons pro-
gram and to impose punitive sanctions
accordingly.

Normally, because of Pakistan’s nu-
clear transfer to North Korea, Syming-
ton sanctions barring U.S. military as-
sistance to Pakistan would be auto-
matically triggered. However, these
sanctions have been waived by the President, and
military assistance continues to flow
to Pakistan. I am disappointed that
the administration continues to sup-
morty assistance to Pakistan when it is clear that Pakistan ex-
changed equipment with North Korea most likely for missiles to challenge
India.

Again, Mr. Chairman, I cannot argue
against the fact that Pakistan has been
a friend of the U.S. in fighting against
global terrorism. However, the case is
much different when we look at Paki-
stan’s own backyard of Kashmir. Ter-
rorism and violence by Islamic mili-
tants in Kashmir have escalated to a
devastating degree, and I am very con-
cerned that military assistance to
Pakistan will be used to perpetuate the
terrorist acts in Kashmir and else-
where throughout India.

Mr. Chairman, based on the history
of our laws in place that prevent the U.S.
from providing military assistance to
Pakistan in certain situations, such as
military dictatorship or transfer of
nu-clear equipment to other countries,
and for all the related reasons that I
have just detailed, as has the gen-
tleman from New York (Mr. CROWLEY),
striking $75 million in military assis-
tance to Pakistan from this bill today is
more than justified; and most impor-
tantly, it is important to recognize
that any dollars that would be cut can
be redirected to our own homeland se-
curity or to our own first responders
and that really should be a priority rather than giving this money to Paki-
stan.

I support the amendment, and I want
to thank the gentleman from New
York (Mr. CROWLEY); and I would hope
that the administration would pay
more heed to these issues of Pakistan’s
anti-democratic policies and its trans-
fer of nuclear equipment to other
nations. Mr. YOUNG of Florida. Mr. Chair-
man, I yield the balance of my time to
the gentleman from Arizona (Mr.
KOLBE).

Mr. KOLBE. Mr. Chairman, I thank
the gentleman for yielding me this
time, the distinguished chairman of
the full committee.

I understand that the gentleman
from New York (Mr. CROWLEY) does in-
tend to withdraw this amendment at
the conclusion of this debate, but I do
not think the remarks that were made
with regard to Pakistan should stand
without some comment, without some
kind of rebuttal. I do understand and I
do desire, as the gentleman from New
Jersey (Mr. PALLONE) and the gentle-
man from New York (Mr. CROWLEY) have
spoken so eloquently about the conflict
in South Asia between Paki-
stan and India, I desire as much as they
do to have a satisfactory resolution to
this conflict. And Kashmir no longer
divides these two countries and
provides a source of conflict of two nu-
clear superpowers on the Asian sub-
continent.

But this is not about an amendment
about the future of Pakistan over India.
This is an amendment about Pakistan,
and Pakistan is one of the most crit-
ical front-line states in this global war
against terrorism. It has paid a very
high price, including the lives of its
soldiers because of its decision to side
with the United States in the fight
against the al Qaeda and terrorism.
Their cooperation on terrorism has
been excellent. Our nations have co-
ordinated to apprehend nearly 500 sus-
ppected al Qaeda and Taliban oper-
atives, including the operational
commander, Khalid Sheikh Moham-
med, and the September 11 conspirator,
Ramzi bin al-Sheibh.

Mr. Chairman, this is not blood
money. Some have talked about that
with relation to some of the other
countries for which money is being pro-
vided. This is not money to get their
support in the war against Iraq. This is
funds to help Pakistan help us pros-
cure the war against terrorism. The $75
million in this amendment will not only
financ-
ing in the committee’s recommenda-
tions is going to increase Pakistan’s
capability to apprehend and disable
terrorists hiding and operating on its
own territory. In the regular 2003 ap-
propriation bill, we included money for
fixed and rotary wing transport, in-
cluding C-130s and Cobra/Huey heli-
copters. This supplemental provides ur-
gent items needed to counter al Qaeda
and Taliban pockets in the border area
with Afghanistan. Key equipment iden-
tified for counterterrorism operations
during the most recent bilateral defense consultation discussions last fall in-
clude ground radars and communica-
tions equipment. Surveillance systems
are needed for the border, and commu-
nications can improve with interoper-
ability between our forces and those of
Pakistan. The supplemental will also
provide for procurement of 10 OH-58 D
copter reconnaissance systems to interdict the terrorists and to provide
for drug interdiction.

Mr. Chairman, let me just conclude
by repeating what I said a moment ago.
This is not about giving something to
Pakistan because they have been sup-
porting us. It is about giving them the
to help prosecute the war against
terrorism. That is our war, and Paki-
stan is deeply engaged in that war, as
has been evidenced by the seizures of
people that we have made along the
border. We need their continued in-
volvement, and we need their support;
and this amendment ought not to be
adopted.

Mr. LEWIS of California. Mr. Chair-
man, I thank my colleague, the chair-
man of the Subcommittee on Foreign Operations, Export Financing and Re-
build Programs for yielding.

I rise simply to share with my col-
leagues from New York and New Jersey
that I feel very, very strongly about our ally India and the role she may play in the future. I think that
my colleague would know, I spent a de-
cent amount of my life in India. I con-
sider it to be my second country. In
the case before us, however, we are talking
about Pakistan, who has been our great ally in this war on terrorism. To mix
the two at this moment could be a very
dangerous procedure for us to follow. I
am very appreciative of the fact that
the gentleman is going to withdraw
this amendment. I would hope that
we could carry forward this discussion,
that we can do it another time, for there is a lot of work that
needs to be done here. India is our ally
and our friend and a great democracy.
In turn, Pakistan today is helping us
in a very special way in the war against
terrorism.

Mr. KOLBE. Mr. Chairman, I thank
the gentleman for his comments, and I
think they summarize precisely my
point, which is really this is not about
India. It is about Pakistan and having
them continue to be involved in the
war against terrorism. And I agree
with him that India remains a great
democracy in the region.

Mr. YOUNG of Florida. Mr. Chair-
man, I yield back the balance of my
time.

Mr. CROWLEY. Mr. Chairman, I want
to say I appreciate the discussion.
At this time I am prepared to withdraw
my amendment.

Mr. DEFAZIO. Mr. Chairman, I offer
an amendment.
SEC. 4001. SHORT TITLE.
This title may be cited as the "Air Transportation Employees Assistance Act".

SEC. 4002. DEFINITIONS.
For purposes of this title—
(1) the term "eligible individual" means an individual whose eligibility for temporary extended unemployment compensation is or would be based on the exhaustion of regular compensation, entitlement to which was based in whole or in part on qualifying employment performed during such individual's base period;
(2) the term "qualifying employment", with respect to an eligible individual, means employment—
(A) with an air carrier, at a facility at an airport in the United States, the provision of transportation to or from an airport, or with an upstream producer or supplier for an air carrier; and
(B) determined by the Secretary, separation from which was due, in whole or in part, to—
(i) reductions in service by an air carrier as a result of a terrorist action or security measure;
(ii) a closure of an airport in the United States as a result of a terrorist action or security measure;
(iii) a military conflict with Iraq that has been authorized by Congress;
(3) the term "air carrier" means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code;
(4) the term "upstream producer" means a firm that produces component parts for, or articles and contract services considered to be a part of the production process or services for, another firm;
(5) the term "supplier" means a firm that produces component parts for, or articles and contract services considered to be a part of the production process or services for, another firm;
(6) the term "Secretary" means the Secretary of Labor; and
(7) the term "terrorist action or security measure" means a terrorist attack on the United States on September 11, 2001, or a security measure taken in response to such attack.

SEC. 4003. ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS FOR ELIGIBLE EMPLOYEES.
In the case of an eligible employee, the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be amended in accordance with section 4004.

SEC. 4004. MODIFICATIONS.
(a) In General.—For purposes of section 4003—
(1) the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be treated as if it had been amended in accordance with section 4004.

(b) Program Extension.—Deem section 208 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended to read as follows:

"SEC. 208. APPLICATION.
"(a) In General.—Subject to subsection (b), an agreement entered into under this Act shall apply to weeks of unemployment—
"(1) beginning after December 29, 2003, on which such agreement is entered into; and
"(2) ending before December 29, 2005.

"(b) Transition for Amount Remaining in Account.—
"
"(1) In General.—Subject to paragraph (2), in the case of an individual who has amounts remaining in an account established under section 203 as of December 28, 2003, temporary extended unemployment compensation shall continue to be payable to such individual for any week beginning after such date for which the individual meets the eligibility requirements of this Act, including such compensation payable by reason of amounts deposited in such account after such date pursuant to the application of subsection (c) of such section.

"(2) Limitation.—No compensation shall be payable by reason of paragraph (1) for any week beginning after December 26, 2004.

"(c) Additional Weeks of Benefits.—Deem section 203 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended—
"(1) in subsection (b)(3)—
"(A) in subparagraph (A), by striking "90" and inserting "150"; and
"(B) by striking "13" and inserting "39";
"and
"(2) in subsection (c)(1), by inserting "150" of after "equal to".

"(d) Effective Date of Modifications Described in Subsection (c).—
"(1) In General.—The amendments described in subsection (c) shall be deemed to have taken effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002; but
"(2) Special Rule.—In the case of an eligible individual for whom a temporary extended unemployment account was established before the date of enactment of this Act, the Temporary Extended Unemployment Compensation Act of 2002 (as amended by this title) shall be applied subject to the following:
"(A) Any amounts deposited in the individual's temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as "TEUC-X amounts") shall be deemed to have been amended by subsection (c)(1).
"(B) For purposes of determining whether the individual is eligible for any TEUC-X amounts, as deemed to be amended by this section—
"(i) any determination made under section 203(c) of such Act before the application of the amendment described in subsection (c)(2) shall be disregarded; and
"(ii) any such determination shall instead be made by applying section 203(c) of such Act, as deemed to be amended by subsection (c)(2)—
"(i) as of the time that all amounts established in such account in accordance with section 203(c) of such Act (as deemed to be amended under this section, and including any amounts described in subparagraph (A)) are in fact exhausted, except that
"(ii) if such determination was both augmented by and exhausted of all TEUC-X amounts before the date of enactment of such Act, such determination shall be made as if exhaustion (as described in section 203(c)(1) of such Act) had not occurred until such date of enactment.
Mr. HOYER. Mr. Chairman, I strongly support Mr. DEFAZIO’s amendment to provide an additional 26 weeks of unemployment compensation to workers in the air transportation industry.

This industry and its workers have borne the brunt of the continuing war on terrorism and have been squeezed by our sluggish economy.

In fact, the industry is expected to lose $6.7 billion this year.

In addition, approximately 200,000 airline workers have lost their jobs since September 11, 2001, and another 70,000 workers are expected to be laid off.

This week, the world’s largest carrier, AMR corporation’s American Airlines, averted Chapter 11 bankruptcy by negotiating $1.8 billion in labor concessions.

And U.S. Airways only recently emerged from bankruptcy after winning approval for a $900 billion Federal loan guarantee.

Last week, I had the opportunity to meet with representatives of the industry and just hours ago I met in my office with airline workers’ representatives.

The need to help these workers know that their fate is inextricably linked; that one cannot survive without the other.

Members on both sides of the aisle understand this and want to help.

The fact is, this amendment would incorporate into this supplemental appropriations bill bipartisan legislation that was introduced yesterday by Mr. ENGLISH and Mr. OBERSTAR—H.R. 1553, the “Air Transportation Employees Assistance Act”.

The full Appropriations Committee has already passed a similar plan to extend unemployment insurance benefits in its version of this legislation.

The members of this body should do the same thing to aid this struggling industry, and its workers and their families.

Let’s help this vital industry and its workers navigate unprecedented turbulence.

That’s precisely what this amendment extending unemployment insurance benefits would do.

I urge my colleagues to support it.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part:

“An amendment to a general appropriation bill shall not be in order if changing existing law.” The amendment directly amends existing law. I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Oregon (Mr. DEFAZIO) wish to be heard on the point of order?

Mr. DEFAZIO. Mr. Chairman, if I could speak to the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. DEFAZIO. Mr. Chairman. I did last evening go to the Committee on Rules. There was a Republican member who was a principal sponsor of this legislation who was supposed to come to the Committee on Rules and ask for a waiver. He did not, but in his stead I asked the committee to protect this or, even better, to open up this section of the bill which goes to aviation and allow it to be amended outside of the rules of the appropriations process since this section of the bill was written totally, basically, behind closed doors. Unfortunately, apparently the Committee on Rules saw fit not to do that.

The CHAIRMAN. The gentlewoman from Texas (Ms. JACKSON-LEE) may be heard on the point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Oregon (Mr. DEFAZIO) for being persistent in this very important initiative.

He is correct. In fact, I was in the Committee on Rules when the gentleman from Oregon (Mr. DEFAZIO) asked for a waiver, and as noted, this amendment was to be presented, Mr. Chairman, in a bipartisan fashion.

Let me just cite as a precedent that the emergency appropriations that is before us does not itself comply with the budget resolution, and therefore that legislation was given a waiver.

I would ask that this amendment be allowed to be debated on the basis of a waiver.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Does anyone else care to address the Chair regarding the point of order?

If not, the Chair is prepared to rule. The Chair finds that this amendment directly amends existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DEFAZIO:

At the end of the bill insert the following new section:

SEC. . None of the funds in this Act may be used to initiate or launch military actions except as authorized by Article I, section 8 of the Constitution.

Mr. DEFAZIO. Mr. Chairman, I had hoped that this amendment would be accepted as noncontroversial. It would, in the end of a bill that is comprised of a section which basically simply recognizes the Constitution of the United States and the provisions of Article I, section 8. This has been reviewed by and edited by the Parliamentarian’s Office and I understand that in its current form, it is in order. I had a previous version which was not in order.

It is very simple, and I will read it. Often we debate things that are too long to read, but this says, “None of the funds in this Act may be used to initiate or launch military actions except as authorized by Article I, section 8 of the Constitution.”

Now, what does that mean? That means that we already have an outstanding authorization for these activities, which I opposed, which was not a declaration of war, but Congress did pass an authorization under the War Powers Act for current activities in the Middle East and any activities that might be pertinent to that. We have another outstanding authorization for anyone who has engaged in, aided, or abetted, or harbored those involved in 9/11. I think that pretty well covers any potential terrorist threat or harboring terrorists or fugitives responsible for those sorts of actions around the world between those two resolutions.

So this simply says before the administration might use any of the $75 billion in this bill, which we are borrowing and delegating to them for a number of purposes, to engage in a military action outside of those two authorizations dealing with another part of the world or another country, that it would have to be compliant with the Constitution of the United States of America. I believe this is extraordinarily noncontroversial, and I would give the chairman an opportunity to accept it and save 2 minutes;
I probably have 2 minutes left. But he is not jumping to his feet, so I will keep talking for another 2 minutes.

Mr. Chairman, I find it hard to believe that this House, the people's House, would not feel that in borrowing this huge amount of money to the administration, would not want to protect its constitutional prerogatives and make certain that those funds were not used beyond the purposes of the already-existing authorities. So I would be puzzled if this does not reflect the amendment, and I would wonder what they know that I do not know, or what plans to use this money in ways that are not already authorized by law might be out there; and that would cause me grave concern, particularly when I sometimes listen to the Secretary of Defense, who was then contradicted by the Secretary of State.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the DeFazio amendment.

The gentleman and I both offered two similar pieces of legislation, and I applauded this initiative which spoke to the question of whether or not this war was authorized by Article I, section 8, and whether Congress has had the opportunity to debate the up-or-down question of whether or not we go to war with Iraq.

Might I say that as the gentleman from Oregon well knows, we have repeatedly said that we support the troops. But with this debate earlier today, many have trivialized that comment and suggested that we are unpatriotic to even be discussing this at this time.

I might cite many comments by some of our generals who offered to say that our troops, brave as they are, understand the distinction between the question of dissent against policy and dissent against them. Not a single one of us are not praying for the return of the POWs or are not joyfully celebrating the return of the young lady from West Virginia, the young soldier, the brave soldier. But I think really the question is, Mr. Chairman, is whether or not we adhere to our values and our Constitution. Our Constitution clearly points to a debate on this question.

So I would hope that even as we discuss the emergency supplemental, which, Mr. Chairman, I may ultimately support, that it is the responsibility of this Congress to raise up armies. We are doing that today because we do not want to abandon our troops while they are in the middle of battle, but we are asking or raising the question of whether this is authorized.

Might I just cite for my colleagues the statements made by former Secretary MacNamara some 20, 30 years after Vietnam, wishing that these concerns had been raised during the debate about Vietnam. Is it not important that we raise these discussions now?

Might I also say that I am concerned, and certainly have been concerned for a period of time, that the issues of peace were never parallel to the questions of war. We have a War Powers resolution and frankly, if we were under imminent attack, the President could defend us, the Commander in Chief could defend us and report to the Congress. But through a series of policy changes and many of us did not know what this war was about: regime change, disarmament, or exile for Saddam Hussein. I think a vigorous debate on this question would have been warranted on behalf of the American people.

To these families and to these troops who are now valiantly fighting, we say we are in support of your survival and your effort for the values of this Nation. But it is important, as we send funds to make sure that our troops are protected, that we remind the Nation that we have never had a debate on this floor to raise up the question under Article I, section 8 to ask the question whether or not we go to war with Iraq.

Mr. Chairman, I support the DeFazio amendment because, in fact, it asks us within a turnaround period to debate that question as we, if you will, provide these funds, so that our troops might be protected.

I would ask my colleagues to consider the DeFazio amendment and consider the responsibilities and duties of this particular Congress and this Nation.

Mr. DeFAZIO. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Oregon.

Mr. DeFAZIO. Mr. Chairman, I had prior proposed legislation which would have required this House to fulfill its constitutional duties for this particular action, and some 30-some odd people saw fit to put their names on that. This amendment simply refers to the funds in this bill and future actions that are not authorized. So this is actually even more limited in its scope, but it does go directly to the obligations and duties of this House under Article I, section 8.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I understand what the gentleman is saying, but oftentimes what one intends in a very simple amendment is not really the effect.

Now, if the gentleman is talking about no further military action without a declaration of war, I think that is what he is talking about, because Article I, section 8 refers to declaring war, let me make the point that the United States has not declared war since World War II. Korea was a massive war, but there was no declaration of war. Vietnam was a massive war, but there was no declaration of war. We worked on resolutions passed by the Congress to authorize the President to take whatever steps necessary to protect American interests or whatever the purpose was at the time.

So what I am suggesting is that this is a mischievous amendment for those who are opposed to this war in Iraq. They certainly have a right to oppose the war, and I wish we did not have to go to war as well. But I know that if we do not take care of the problem before it gets out of control, then it becomes out of control.

Now, I want to say something about those who are opposed to the war, and again they have the right to be opposed to the war, although I do not think that they are supporting our troops very effectively.

Mr. DeFAZIO. Mr. Chairman, it is very clear what we are saying here. Military actions except as authorized, none of the funds may be used to initiate a launch. This is beyond those already authorized. I had other language which went inside the scope of the Parliamentary stripped it out. But this is clearly saying we have already authorized the current actions, we authorized them under the 9/11 resolution, Afghanistan and other actions. Those are authorized. This would be future actions. We do not have the authority outside the scope of the Afghanistan war and/or the war on terrorism, whatever those might be, and Secretary Rumsfeld has an active mind.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, I understand what the gentleman is saying, but oftentimes what one intends in a very simple amendment is not really the effect.

I want to tell the gentleman a story about a young soldier who, when we entered his room, began to cry. Soldiers usually do not cry, but this soldier cried. My wife went over and hugged him and tried to console him. She did not do it too well, although she normally does.

I went and talked to him, and asked, Are you in pain? He said, No, I am not
in pain. I said, The injury could be repaired? He said, Yes, they told me they could fix the injury. I asked, Well, why are you crying? He said, I am crying because I am watching the television, and I am watching the people out there on the streets objecting to my colleagues and myself being in harm's way.

He was crying because of the antiwar protesters. Again, they have the right to protest, but they offended this soldier, who had been wounded defending their right to do it. Now, I am not suggesting that this amendment is anything like that; but I am suggesting that it does lend credence to those who would like to portray the United States as being totally wrong in what we are doing.

I want to say to the gentleman, whatever his position is on this war, if we do not fight the terrorists there is no doubt what would happen. We have already proved that al Qaeda and Saddam Hussein are in bed together. That has already been proved in this military action. But if we do not prevent another September 11, another destruction of two main towers in New York or the Pentagon with the loss of thousands of lives, we do not do something now to prevent it and it happens again, none of us will be able to excuse our way out of it for not having done what was necessary to keep it from happening again.

I am determined to do everything that I can do, and I hope that all of my colleagues in the House will as well. I heard their speeches after September 11, stating that they would do everything possible to prevent these events from ever happening again, and to rid the world of the threat of terrorism and those who support terrorism.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendment offered by the gentleman from Oregon (Mr. DEFazio). The amendment was rejected.

AMENDMENT OFFERED BY MR. DEFAZIO

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment. The text of the amendment is as follows:

Amendment offered by Mr. DEFazio: Page ____, after line ____, insert the following:

SEC. ___.

The amounts otherwise provided by this Act are revised by increasing the amount made available in chapter 3 of title 1 for "Operation and Maintenance, Defense-Wide" by, and reducing the amount made available in chapter 4 of title 1 under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE" for "Economic Support Fund" (and the allocation within that amount for grants for Turkey) by $207,000,000, which, in the case of the additional amount for "Operation and Maintenance, Defense-Wide," shall be available to establish National Guard Weapons of Mass Destruction Civil Support Team as authorized by law, including section 12310(c) of title 10, United States Code, in order to carry out the requirement in section 1403 of Public Law 107-36 (116 Stat. 2676), that an additional 23 such teams be established, for a total of 55 such teams, with at least one team established in each State and territory.

Mr. DEFazio. Mr. Chairman, I will take part of the time to respond to the chairman, since he did not give me time.

Mr. Chairman, I resent the broad-scale implications about the "proven linkage" between Saddam Hussein. They have been able to put Saddam Hussein in the same sentence with al Qaeda; but the CIA, DIA, and others have not been able to find or prove a single link, except for the group that he did not control up in the northern part of the country behind the Kurds, who have now been eradicated.

But there are proven links to the Saudis, there are proven links to the Pakistani intelligence service, there are proven links to others who in fact will receive assistance under this bill.

This was raised in light of Secretary Rumsfeld threatening to take action against Syria. We have heard that "real men go to Tehran," and other things from this administration. I am concerned what adventures they might have in mind in terms of further preemptive wars.

I was trying to make the statement that before we fight any more preemptive wars, that we would live up to our authority under article 1, section 8, which we failed, and we failed the troops and the American people in the Congress, more than in the matter of this current action, although it was authorized under other auspices by this Congress. My other amendment is really simple. I know it will be opposed, but here it is.

This Congress authorized that we would make the American people safe by setting up weapons of mass destruction civil support teams in every State of the United States and the territories. Guess what, we have not delivered on that. We do not have enough money. We have been told there are budget constraints. We cannot afford $1 billion, can we send $1 billion unsolicited to Turkey?

As I said earlier on the floor tonight, the ambassador of Turkey said these funds were not solicited; they were a unilateral action on the part of the United States of America; essentially a gift or bribe, however we want to characterize it.

Would the American people not be better served by just reducing that by 20 percent? So 20 percent of the $1 billion that is going to go to Turkey and send to Turkey would be spent here in the United States of America for the National Guard to prevent destruction by weapons of mass destruction.

Now, I know we are going to hear, this would be an insult to the Turks and others. But is it not an insult to the American people that we are not making them as safe as we could? If Members want to talk about patriotism, damn it, protect our people here at home. If Members want to make $800 million that did not ask for.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair would recognize Members that they are to refrain from the use of profanity on the House floor.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have been through this debate earlier today. We had a definitive vote on the issue of whether or not we should eliminate these funds for Turkey.

The case, I think, was made very effectively here on the floor of the House of Representatives about the importance of Turkey in this fight against Iraq, in this fight to protect our soldiers who are operating in northern Iraq.

One of the points I did not get to make today, however, is about the fragility of the Turkish economy. It is very fragile. They have been battered for years by the oil sanctions. They have been battered by the costs of the number of refugees who have come in from Iraq going into Turkey. They have been battered by the loss of tourism. They have been battered by the world recession. This is a country that has a huge amount, over $75 billion of public debt.

There is no one who thinks that this $8 billion of loan guarantees that the funds we are talking about would buy for them can save them on its own; but it can buy them time until we can get past this conflict, until we can begin to make the economic reforms with the new government in that country, until we can get an agreement with the IMF and with the World Bank, until we can restructure some of those loans that they have.

But that cannot happen. Mr. Chairman, unless we have these funds made available to Turkey. Taking 20 percent of it out means at least a reduction of $2 billion in those loan guarantees. This is important money. It is important for the security of our troops who are operating in northern Iraq. It is important for the reconstruction of Turkey. It is important for the supply of the humanitarian assistance going into northern Iraq, and it is important to maintain
the coalition that we find so important in fighting this struggle. I would urge my colleagues to defeat this amendment as soundly as they defeated the previous amendment. We ought not to be reducing this money that is very important to maintaining our relations with Turkey and maintaining Turkey's involvement in the war against terrorism and the war against Iraq.

I urge a “no” vote.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

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

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

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

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to simply point out to the House that there are still, as near as I can count, 14 amendments remaining. If we are going to debate the amendments, Members can calculate for themselves how long we will be here.

That is all I have to say.

AMENDMENT OFFERED BY MR. ROTHMAN

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

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

The text of the amendment is as follows:

Amendment offered by Mr. ROTHMAN:
At the end of the bill (before the short title), insert the following:

SEC. 1930. The Transportation Security Administration shall issue flight restrictions, substantially similar to those applicable to the Washington, DC, area, that prohibit general aviation aircraft within 15 miles of the City of New York, New York.

Mr. ROTHMAN. Mr. Chairman, under current Transportation Security Administration restrictions, no general aviation aircraft can fly within 15 miles of the Washington Monument. So why, then, does New York City, the other target of the worst terrorist attack in the history of the United States, not have the very same safeguards being provided to it by the Transportation Security Administration against general aviation aircraft within 15 miles of New York City?

Before I continue, I want to make it clear to my colleagues that I am not talking about commercial aircraft, the 737s, 767s, and so forth that so many Americans depend on each day for travel into our Nation's major airports. What I am talking about are the smaller, private aircraft that primarily operate out of smaller, general aviation airports such as Teterboro Airport in my congressional district in New Jersey. Those airports do not have the same security procedures that the major airports have.

While these general aviation aircraft by themselves, because of their size, may not seem to be able to inflict a great deal of damage even if they were filled with chemical or biological agents they could potentially cause a tragedy greater than the one we had on September 11.

The restrictions that I am calling for, which would be the same restrictions that are in place for Washington, D.C., would keep general aviation aircraft from flying within 15 miles of New York City, the other major target of al Qaeda. That would mean that no general aviation aircraft would be able to fly over Times Square, fly over the Empire State Building, over Giants Stadium in New Jersey, or over the Continental Arena.

There would be exemptions provided, and if one was provided to a general aviation aircraft, that aircraft, and by the way, these exemptions are available here in Washington, D.C., simply requires that the general aviation aircraft first to fly into what is called a gateway airport outside of the 15-mile restricted zone. There, the plane, pilot, passengers, and luggage would be inspected by Transportation Security Administration officials before these general aviation aircraft would be allowed to continue on to Teterboro or these other airports within 15 miles of Manhattan, such as JFK or LaGuardia. Again, these same restrictions are now in place for Washington, D.C., but not New York City.

Mr. Chairman, I urge my colleagues to stand with me and support my call for Homeland Security Secretary Tom Ridge and the Bush administration to immediately put into effect these new restrictions and protect the people of the New York metropolitan area, just as they have chosen to protect the people of Washington, D.C.

Government's number one responsibility is to protect the people. Security is the reason why general aviation aircraft are restricted in coming into airports within 15 miles of Washington, D.C. My amendment would seek the same restriction for general aviation aircraft which would seek to fly into Washington without first being inspected outside the 15-mile zone flying into New York City.

Mr. Chairman, I regret that the Chair will rule that this amendment is not in order to be voted on tonight, so I will, for this evening, be withdrawing my amendment. But let it be clear, Mr. Chairman, I will continue to press my case and to press for the Transportation Security Administration and the Bush administration and the Department of Transportation to protect the people of the New York metropolitan area by enacting the same restrictions that they have deemed necessary over Washington, D.C., but New York City.

By the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to simply point out to the House that there are still, as near as I can count, 14 amendments remaining. If we are going to debate the amendments, Members can calculate for themselves how long we will be here.

That is all I have to say.

AMENDMENT OFFERED BY MR. ROTHMAN

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

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

The text of the amendment is as follows:

Amendment offered by Mr. ROTHMAN:
In section 2011 of title II, after the aggregate dollar amount, insert the following: "(reduced by $64,000,000)."

Mr. HOEKSTRA. Mr. Chairman, thousands of our Nation's troops woke up today with the express task of defending our country against Saddam Hussein's reign of terror in order to protect the safety and freedom of his people, neighboring countries and other nations like ours across the globe.

Our Nation's founders tasked Congress with the authority and power to wage war and the responsibility to fund these efforts. The bill before us today appropriates additional money to fund the work of our men and women fighting in this war. This bill provides critical dollars for efforts to protect and defend the homeland security of the United States. It provides vital resources to first responders, law enforcement officials, and public health workers across the Nation who have developed safety plans to counter the increased national threat posed by terrorism.

The President asked that we keep this a clean bill. Unfortunately this emergency wartime supplemental appropriation bill also seeks to fund an extraneous program entirely unrelated to national defense, homeland security or counterterrorism efforts. Included in this supplemental is a supplemental appropriation for the Corporation for National and Community Service in order to make the corporation's AmeriCorps trust fund solvent.
Mr. OBEY. The $64 million shortfall was incurred because of poor tracking procedures at the corporation and a recent decision by the Office of Management and Budget to change the way the corporation has been determining the amounts of funds available in the National Service Trust.

The funding was put into the defense supplemental at the 11th hour without the knowledge of the Speaker, the majority leader, the majority whip or the authorizing committee. I chair the sub-committee which has responsibility for oversight for the corporation. It said that this $64 million, if not appropriately implemented, would make the AmeriCorps program will suffer. We had an oversight hearing this week. That is not what the chairman of the Corporation for National Community Service told us this week. He said they have plenty of time to work through this with the authorizing committee to explain exactly what the accounting problems are, what the accounting issues have been, and most importantly, what they will put in place to make sure that this does not happen again. It is time for us to continue holding the corporation accountable for its performance.

I am pleased that they have now had a couple of years of clean audits. That is significant progress after the mismanagement of the corporation through much of the 1990s. But this latest example of where the corporation is falling short in managing its dollars and managing the resources and the commitments that it makes to young people across the Nation reinforces the need that the corporation needs oversight and that it has to get its books in order.

We have the time to make sure that we fully understand what is happening here and how the corporation intends to fix it. We do not at this point in time have the $64 million in the trust fund on this supplemental bill.

The President wanted a clean bill. He said, let us focus on national security. Let us focus on the war. And let us focus on national security. That is what he said. That is what the President has done. That is what he has said.

I have a letter here on White House stationery, signed by the President of the United States. The letter was dated March 4 and it is to the Speaker. So the Speaker did not know about this bill. The letter is about a month now. And the letter says: "Dear Mr. Speaker, I ask the Congress to consider the enclosed request for the Corporation for National and Community Service. The request is needed to liquidate legitimate prior year obligations for eligible participants in the AmeriCorps program, to complete the implementation of a comprehensive corrective action plan developed by CNCS to strengthen financial management, and to provide flexibility to support more than 50,000 AmeriCorps Members in fiscal year 2003. This request will not increase fiscal year 2004 requests. The details of this request are set forth in the enclosed letter from the director of OMB." Which I also have.

Now, I understand the gentleman's frustration with this department. I have corresponded with him, but that is no reason to deny the President's request. The President specifically asked that we move on this, and that is what I have done. These funds are set aside, are funds that are provided in a trust fund to these young people who volunteer to give their time to their community, to their country, and then they benefit from it at the end by receiving these funds. It is a stipend for their education. It is a wonderful program, full of idealism and altruism.

And imagine if you completed your service and realized that the commitment that was made to you to provide with these funds. All that altruism, all that idealism, I think would turn pretty sour pretty fast.

So, Mr. Chairman, I will close by saying I respect the gentleman. I respect the way he works together. I respect him very closely on this, but this is a direct request by the President of the United States and we are responding to that.

So I would urge a no vote on the gentleman's amendment.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Michigan (Mr. HOEKSTRA) be limited to 20 minutes to be equally divided and controlled by the proponent and myself as the opponent.

Mr. OBEY. Reserving the right to object, Mr. Chairman, I know that there are a number of people on this side of the aisle who want to speak for 3 minutes, if the debate on this amendment. So I would ask whether the time arrangements could be adjusted so we would be guaranteed some time on this side of the aisle.

Mr. YOUNG of Florida. Mr. Chairman, the gentleman is opposed, correct?

Mr. OBEY. Yes, Mr. Chairman.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that half of my time be delegated to the gentleman from Wisconsin (Mr. OBEY).

The CHAIRMAN. The gentleman from Michigan (Mr. HOEKSTRA) will be recognized for 10 minutes, the gentleman from Florida (Mr. YOUNG) will be recognized for 5 minutes, and the gentleman from Wisconsin (Mr. OBEY) will be recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding me time.

I thank the gentleman from Michigan for bringing forward this amendment. For myself I am not sure this is a proper way to spend AmeriCorps funding, but certainly it is not the place as part of this bill. As the gentleman from Michigan (Mr. HOEKSTRA) correctly pointed out, for moving forward we need to have a vehicle where you can actually make changes, where you can actually do good things moving ahead. You cannot do that as part of the supplemental. Just like it was with the airline money. You cannot reform. You cannot do what you need to do as part of an emergency war supplemental.

What kind of message are we sending to our constituents and taxpayers across the country when we say that AmeriCorps funding, $64 million, needs to be part of a war supplemental? That just breeds the cynicism that I fought to. We should not be doing this. The amendment is justified. I would urge support of it and I thank the gentleman for bringing it forward.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, if you follow the logic of the last speaker, what you are saying is that we should provide in this bill $3.25 billion to the airline industry,
which we do not owe, but that we should not provide the funds in the bill to reimburse the volunteers for services, for which we do owe. I find that that makes no sense whatsoever.

The gentleman from New York (Mr. Walsh) is absolutely right. This amendment does, in fact, do great damage to those who have already earned their educational stipend. As he well knows, this $64 million appropriation has nothing to do with enlistment people for this year to be a part of national service. That is a distortion of where this $64 million is going.

This $64 million is going for mismanagement of the trust fund and accounting changes that have not been approved by the authorizing committees to determine whether the problems have been fixed. My colleague knows very well that I support the reauthorization of the corporation, and we are working together on the reauthorization of this bill. I think that we can be proud of the organization and the promise that they make to our young people.

This is to fix abuses within the program that have occurred, and this is not saying no to community service. This is a big yes to community service, but let us make sure that we do it right.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. Blackburn). Mrs. Blackburn. Mr. Chairman, I rise in support of the Hoekstra amendment striking the provision that provides the Federal AmeriCorps program with $64 million in funding. I have been on this committee for 6 years keeping this legislation clean, preventing the addition of costly, extraneous or unrelated spending.

The supplemental funding bill was meant to support our troops. It was meant to ensure that the men and women in uniform, like those from Fort Campbell in my home district, have every bit of support they need. Funding for AmeriCorps simply does not belong in the legislation by any stretch. And, furthermore, there is a long history of financial mismanagement at the Corporation for National and Community Service, which includes the AmeriCorps program. The corporation has not been able to account for expenditures in recent years. It has had repeated difficulties with audits and a troubling tradition of not matching its funding commitments against the money appropriated by Congress. The AmeriCorps program has attempted to clean up its act, but the problem still persists.

AmeriCorps does not merit additional funding of $64 million at a time when we are asking agencies to make across-the-board spending reductions. This supplemental package should not be a funding rescue for AmeriCorps.

The supplemental was intended to provide for our men and women in uniform, to give them the equipment and supplies they need to bring freedom and democracy to Iraq. Let us keep this legislation focused on the troops.

Mr. Obey. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. Hinojosa). Mr. Hinojosa. Mr. Chairman, I rise to oppose my friend, the gentleman from Michigan’s (Mr. Hoekstra), amendment today because it cuts national service and breaks promises to thousands of American men and women who voluntarily choose to serve their country and communities.

I agree that we must hold the national service corporation accountable for any improper accounting or tracking procedures that they have engaged in. However, we should not punish the thousands of innocent Americans who seek to serve their country and communities. They are responding to the President’s call asking for volunteers to serve their country.

The Hoekstra amendment would slash funds to national service just as a record number of Americans are engaging in community and public service opportunities. The Hoekstra amendment would eliminate funds for AmeriCorps education awards. Upon completion of their service term, AmeriCorps members earn an education award.

The Hoekstra amendment breaks a promise made to thousands of AmeriCorps members who proudly chose to serve their country. I urge my colleagues to oppose the Hoekstra amendment.

Mr. Obey. Mr. Chairman, I yield my remaining time to the gentleman from California (Mr. George Miller). Mr. George Miller. Mr. Chairman, I thank the gentleman for yielding time to me, and I rise in strong opposition to the Hoekstra amendment. I want to associate myself with the remarks of my colleagues, the gentleman from New York (Mr. Walsh) and the gentleman from Connecticut (Mr. Shays).

This amendment does, in fact, do great damage to those who have already earned their educational stipend. As my colleagues have pointed out, these individuals that have joined the Freedom Corps have joined AmeriCorps for the purposes of rendering service to our country and a bargain that we struck at the end of that service, a stipend that would be available.

Yes, it is true that apparently there has been some mismanagement in this program, but this administration has made this request for two reasons: one, they say to clean up and deal with the problems that have been discovered by the gentleman from Virginia (Mr. Hoekstra) and others; and the other is to pay the commitments that they already have.
These people have rendered their service. The stipend is due, and we ought not to break that faith because what we want to do is we have seen after 9-11 more and more people have offered to participate in the Freedom Corps. Some of these people have offered to participate in service to the country; and for many of these individuals, that educational stipend is terribly important. It is now put on the footing that maybe a person got the stipend, maybe they do not. We are going to damage the reputation of this corps.

As my colleagues have pointed out, any of my colleagues who have visited these programs, these are rather remarkable young people from very different walks of life, from a cross section of our community; but for whatever reasons, they decide they are going to make this commitment of service and they do it to the elderly. They do it in education. They do it in public safety. They do it in healthcare. They do it in so many areas where our communities are in need.

Then when we meet them later in life, like so many of our Peace Corps volunteers, they have a little bit different cut to their jib, little bit different style because they have rendered that service and the pride that they carry with them of the time they spent with their colleagues in national service.

We ought to be encouraging this, and it would be a terrible, a terrible comment if we accept this amendment to simply take this money out and an amount of money at the time the administration is telling the Congress that we are trying to deal with those problems, but we are also trying to honor our pledges to these young people who have joined national service.

We have had debates in this Congress time and again about expanding national service, having mandatory national service, having an alternative to the draft or to military service; and people on both sides of the aisle have recognized the value that is rendered by the people who engage in this service.

Yes, it is expensive; but we have constantly thought about how do we expand this so people invest in America. So they invest in their communities. So they invest in service to this country. This is a message that we want to send. This is not a message we want to send after 9-11 when people are screaming to volunteer. This is not a time we want to send this message when people are offering, as was pointed out by the gentleman from Connecticut (Mr. Shays) and others, to help and assist some of these families.

Maybe it is working fine in Fort Campbell, but a lot of other facilities are in communities that do not have that kind of impact on the community; and these services are very helpful, certainly for those communities where the National Guard have been called up and the Reserves have been called up and families are away, their soldiers are away, and in those communities, they do not necessarily live in a military community, but they are rendering a service. Many of these people are trying to help them through these times. It is a very important thing.

Mr. HOEKSTRA. Mr. Chairman, can I inquire how much time remains?

The CHAIRMAN. The gentleman from Michigan (Mr. HOEKSTRA) has 6½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 2½ minutes remaining.

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I rise in support of the Hoekstra amendment. This Supplemental Appropriations Act is for one main purpose, and that is, to support the troops in this ongoing war and also in support of homeland security.

This shortfall in AmeriCorps funding, which has occurred over a number of years, $54 million, is something that should be taken care of in the appropriate manner, and I believe the authorizing committee the Committee on Education and the Workforce.

There are some serious questions about the management of the AmeriCorps trust fund, and this clearly needs to be looked at carefully in the regular administrative process, through the Committee on Education and the Workforce; and I strongly urge my colleagues to vote in support of the Hoekstra amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Chairman, whenever there are problems such as this $64 million shortfall, we need to have clear answers and a remedy for such a problem. I am definitely in support of the Hoekstra amendment because I do not believe that it is appropriate at this time for us to do this $64 million bailout when we do not have even an explanation as to why it exists.

When we look at current law, it explicitly states: "The corporation may not approve positions as approved national service positions for a fiscal year in excess of the number of such positions for which the corporation has sufficient available funds in the national service trust for that fiscal year."

We are looking at a critical problem here, and it should not be addressed in this way in this particular legislation. This funding to eliminate the shortfall should only be addressed after Congress can be assured that the tracking failures will not be an ongoing problem. Again, support the Hoekstra amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield myself the balance of the time.

The myth has been repeated often that what we are doing tonight is taking money from young people who have served. That is not accurate.

In February, we put $100 million back into the trust, and the way that this works is that these young people work. They then have the opportunity within the next 7 years to claim their educational award.

There is plenty of money in the trust fund to take care of any awards that are going to be coming due. The money is there. The money is there.

The money is there. What is not there is the policies and the procedures within the corporation that will ensure that this does not happen again. It is called an antideficiency provision, which is very important, and last year the corporation had made commitments for which there was not money that had been appropriated by this Congress.

That is a serious issue; and before we give the corporation $64 million, we ought to make sure that they have the proper procedures in place so that this does not happen, so that sometime in the future when young people do come to claim their education awards, that the money will not be there.

We do know right now that the money will be here. We had Les Lenkowsky come in and testify this week in front of the authorizing subcommittee and I do not think this is not an immediate problem. This is something that we can work through. This is something that we can get done right; and rather than making sure that we get it done right, put it in the authorization language put it in the reauthorization, because I am expecting that there is going to be a significant bipartisan majority that is going to vote to reauthorize the corporation to make sure that we take this program, we reform it, we move it forward and we expand it.

There is no debate about whether this is a good program or not. This is an issue about management that says when we give an organization $64 million, we are going to make sure that they spend it in an appropriate way and that this Congress has done the appropriate oversight to make sure that the problems that we have uncovered in the past do not repeat themselves in the future. That is what this is about. Are we going to make sure that it is done correctly or are we going to give them more money before they are held fully accountable for their performance in the past?

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

Mr. WALSCH. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. WALSH).

The CHAIRMAN. The gentleman from New York is recognized for 2½ minutes.

Mr. WALSH. Mr. Chairman, I would remind my friend that the President of the United States requested these funds be made available as soon as possible. Here is the letter, it is a month old, to the Speaker of the House of Representatives.

The bill was circulated a week ago to all committees of jurisdiction. There
was no intent to do this in the dark of night. This was an honest response to an honest request from an honest President.

To paraphrase Mitch Daniels’ letter, the Director of OMB, the $64 million request is to liquidate legitimate prior-year obligations for eligible participants in the AmeriCorps program and to address this longstanding problem.

Mr. Chairman, after 911, the President and our better instincts. He called on volunteerism across the country. This is the vehicle. It is the best vehicle. And now he has asked us to provide these funds to keep a promise. A promise is a promise. Support a wartime President who has the vision to see beyond the war. Vote “no” on the Hoekstra amendment.

Mr. BOEHNER. Mr. Chairman, I rise in support of the Hoekstra amendment to strike a non-emergency provision in this bill that provides $64 million in new funding for the Corporation National Community Service.

Last month, the Administration requested $64 million in new funds for the Corporation to "liquidate obligations incurred in previous years" in the National Service Trust.

The Administration requested these new funds to fund a shortfall that was incurred because of poor tracking procedures at the Corporation with regard to AmeriCorps participants and a recent decision by the Office of Management and Budget to change the way the Corporation has been determining the amount of funds available in the National Service Trust.

The purpose of the Administration’s request is to "complete the implementation of a comprehensive corrective action plan developed by NCSC to strengthen financial management of the Trust, change reporting procedures, and restore [National Service Trust] fund balances."

While I will continue to work with President Bush and Mr. HOEKSTRA to reach agreement on a bill to reauthorize our national service laws—right time or place to address Corporation financial difficulties.

Mr. HOEKSTRA is currently working on this very issue in his Subcommittee. In fact, he held a hearing this week on “Performance, Accountability, and Reforms at the Corporation for National and Community Service.” There was significant discussion on this $64 million shortfall.

I am concerned about adding money to the National Service Trust at this time because, we can’t exactly figure out why there is a $64 million shortfall. Is it short on time or place to address Corporation financial difficulties.

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Mr. YOUNG of Florida. I yield to the gentleman from Florida.

Mr. MICA. I thank both the gentleman from Florida (Mr. YOUNG) and the gentleman from Kentucky (Mr. ROGERS), and I am pleased to engage in a colloquy with the chairman of the Subcommittee on Homeland Security, the gentleman from New York (Mr. ISRAEL), and the gentleman from Florida (Mr. YOUNG).

First of all, I want to thank both the gentleman from Florida (Mr. YOUNG) and the gentleman from Kentucky (Mr. ROGERS) and the Committee on Appropriations for bringing this supplemental appropriations measure to the floor. As my colleagues know, I was going to offer an amendment that would have provided $30 million for research, development, and the initial deployment of technology to protect our commercial aircraft from the threat posed by shoulder-fired missiles. A terrorist attempting to attack a commercial aircraft is most likely to use a small portable surface-to-air missile. Unfortunately, there are thousands of these weapons worldwide that are available and obtainable on the black market. At least some 27 nonstate groups have these weapons. But there is military technology to defend against this particular potential threat, and the gentleman from New York (Mr. ISRAEL) can elaborate on this issue.

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

Mr. YOUNG of Florida. I yield to the gentleman from New York.

Mr. ISRAEL. Mr. Chairman, I thank my colleagues for recognizing the threat and their leadership in addressing this issue.

Mr. Chairman, time is of the essence. Thirty terrorist organizations, including Osama bin Laden's al Qaeda network, are already believed to own such missiles. It is only a matter of time before they are filtered into the United States. They have the weapons and we have the technology to protect against those weapons.

The threat is real, but so is the defense. It is operational on U.S. and British military transports. Technology that the U.S. military uses to protect transports from missile attacks could be quickly and easily adapted for our own commercial air fleet. All Americans deserve that defense.

I had intended to offer an amendment on this issue, but in view of the work of the gentleman from Florida (Mr. MICA) and the gentleman from Kentucky (Mr. ROGERS) on this, I will withdraw it.

Mr. Chairman, let me once again thank these gentlemen for their leadership on this issue, and I look forward to working with them in the future.

Mr. MICA. Mr. Chairman, the gentleman will continue to yield, I believe it is correct that Congress understand the threat of shoulder-fired missiles and respond now accordingly. Therefore, the focus of my amendment was to reduce the cost and use existing military technology and adapt that technology to the commercial aviation environment.

I have, however, decided not to offer the amendment tonight because I understand this issue will be addressed in conference. My understanding is that the gentleman from Kentucky has agreed to support language in the conference report that would require the Transportation Security Administration to report to Congress within 30 days and that report will specify the financial and technical requirements of reducing the costs and also adapting existing military missile defense technology for deployment on our commercial aircraft.

I just want to thank again the gentleman from Kentucky and would ask the gentleman from Kentucky whether this is his understanding as well.

Mr. ROGERS of Kentucky. Mr. Chairman, if the gentleman from Florida will continue to yield, I would respond that the gentleman is correct.

Mr. MICA. I thank the chairman both of the full committee and of the subcommittee.

AMENDMENT OFFERED BY MR. ALLEN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ALLEN:

At the appropriate place in the bill insert the following new section:

SEC. 1. FULL FUNDING FOR INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

There is appropriated an additional $9,500,000,000 for programs under section 611 of the Individuals with Disabilities Education Act (20 U.S.C. 1411).

Mr. ALLEN. Mr. Chairman, the supplemental bill provides emergency funds for the war in Iraq, but right here at home, our States and our school systems are facing an emergency as well. I understand that the amendment that I have offered can be ruled out of order and I will withdraw it, but I am here because I cannot find another way to make the point that I am trying to make.

Our school systems in Maine are struggling and our school administrators and school board members do not know what to do because the Federal Government is not fully funding the special education that was passed in 1976 and we are not fully funding the No Child Left Behind Act, so all of these school systems, all of these people are basically faced with laying off teachers or raising property taxes. What is going to happen is some combination of the two to happen.

So tonight we stand here trying to figure out how to pay for a war in Iraq that we have to pay for, we have to support our troops, but we have these emergencies here at home that we are completely neglecting. I wish there was some way for me to bring this issue up on the floor at one time and say on the one hand the Republicans in this Congress are proposing hundreds of billions of dollars in tax cuts for the richest people in the country and on the other hand not adequately funding our schools. That is the priority.

I know that I cannot bring an amendment before this body and say reduce the supplemental by $9.5 billion this year and actually fully fund special education. We could do that. It is a piece of cake, if you do both at once. It would take $5 billion. Reduce the tax cut and you could fully fund the obligations that we are imposing on States through the No Child Left Behind. Again, it is simple math. It could be done. But the truth is we are barred from doing that. We cannot make that happen.

I came here tonight to say that is what we ought to be doing. That is what we ought to be doing with legislation like this in some form so we could deal with our expenditures and our revenues at the same time, the way people deal with their personal budgets and ways we were to deal with their budgets: look at the revenues, look at the expenditures and make them come out roughly balanced. We can do that. We can support education. But not without reducing the President's tax cut.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 7 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer amendment No. 7.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Ms. WATERS:

At the end of the bill (before the short title), insert the following:

REQUIREMENT THAT UNITED STATES URGE THE INTER-AMERICAN DEVELOPMENT BANK TO RESUME LENDING TO HAITI.

Sec. 1. The Secretary of the Treasury shall direct the United States Executive Director at the Inter-American Development Bank to use the voice, vote, and influence of the United States to urge the Inter-American Development Bank to immediately resume lending to Haiti, and disburse all loans to Haiti that have been approved by the Inter-American Development Bank.

Ms. WATERS. Mr. Chairman, this amendment would provide development assistance loans to Haiti. The amendment would require the United States to use its voice, vote, and influence to urge the Inter-American Development Bank to immediately resume lending to Haiti and disburse all previously approved loans.

There is no money being requested in the bill. It is ordinary language. The Inter-American Development Bank is denying Haiti any access to loans for development assistance. Haiti has already had $145.9 million in development assistance.
loans approved by the IDB. These loans include $50 million for rural road development, $22.5 million for reorganization of the health sector, $54 million for potable water and sanitation, and $19.4 million for basic education programs.

Haiti could also qualify for an additional $317 million in new loans for development projects as well as a $50 million investment sector loan. However, the IDB is refusing to consider Haiti for any additional loans and has not even disbursed the loans that have already been approved. The IDB effectively is denying Haiti access to critical development assistance.

This bill contains $1.7 billion to rebuild Iraq's infrastructure. The bill provides funds for health care services for 13 million Iraqis and finances repair or construction of 25,000 schools, 20,000 houses, and 3,000 miles of roads in Iraq. This bill also contains $105 million for Colombia, $300 million for reconstruction in Afghanistan, and $1 billion each for Israel, Jordan, and Turkey.

Furthermore, the bill contains $855 million for the Eastern European countries, namely, Hungary, the Czech Republic, Slovakia, Estonia, Latvia, Lithuania, Romania, Slovenia, and Bulgaria.

The bill even includes funds for the Centers for Disease Control and assistance to America's airline industry. The Haiti amendment will not increase the cost for the American taxpayers; it will simply instruct the IDB to resume normal lending to Haiti and disburse the loans that have already been approved.

Haiti is one of the most impoverished nations in the western hemisphere. It is more impoverished than Israel, Jordan, Turkey, and most of Eastern Europe. The Haiti amendment would allow Haiti to build roads and infrastructure; provide basic education and health care services to the Haitian public, Haiti deserves to be included in this bill.

It may be ruled out of order, and the Members on the other side of the aisle are not even listening. Haiti is not important. It is just another little black country in this western hemisphere. The members of the Congressional Black Caucus have done everything. We have pleaded. We are watching people steal the nation's treasure and health care services to the Haitian people. Haiti deserves to be included in this bill.

The CHAIRMAN. Does the gentlewoman from Texas (Ms. Jackson-Lee) wish to be heard on the point of order? Ms. JACKSON-LEE of Texas. Yes, Mr. Chairman.

Mr. Chairman, the point of order deals with the question of a waiver on this particular amendment, and I would just say that in the context of the emergency supplemental, we were waiving any opposition on the appropriations because we said it was a crisis. And in waiving that, we allowed $700 million for Jordan, $300 million for Egypt, and $1 billion for Turkey, which I just voted on, and the reason is I believe was to help Haiti.

The point we would make in waiving it for Haiti is that Haiti represents a loophole in defense, if you will. They represent a potential loophole for terrorism, and not that they are housing terrorists, but if you have a country that is near collapse and there is no appropriation of monies here, clearly I believe this should be considered a crisis and be subjected to a waiver because as we help Turkey and Egypt, so should we help Haiti because it provides for the security of this Nation.

The CHAIRMAN. The Chair will enter further arguments from the gentlewoman from California (Ms. Waters) on the point of order.

Ms. WATERS. Mr. Chairman, on the point of order, the point was well made earlier today when our ranking member talked about the way we have been treated; and while the chairman and the majority party have waived points of order, have waived the rules so that they could have their amendments so they could do whatever it is they want to do on this bill, they basically closed us out.

Then of course the point that was made by the gentlewoman from Texas (Ms. Jackson-Lee) that we have not waived the rules when they have wanted to, are points that are well made. On the point of order, while it could be considered legislating on an appropriation, it is not that it has not been done, it is not that it will cost any money, it is not that it will cost anything except the will of this body to say to the IDB, go ahead and disburse the money that has already been appropriated. It is not too much to ask of the other side of the aisle. On the point of order, I believe if the chairman was of the mind to do so, he could do so.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

As the Chair noted earlier today, the fact that points of order under clause 2 of rule XXI were waived against provisions in the bill does not under the precedents permit amendments adding further legislation.

The point of order is sustained. The amendment is not in order.

AMENDMENT NO. 9 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will describe the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. Waters: At the end of title II, insert the following:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT FUND

For an additional amount for the "Community Development Fund to provide assistance to States and units of general local government for carrying out a variety of development and public service projects, these funds may be used only for urban and rural development and renewal projects that are designed to provide resources to urban and rural communities, to create jobs and economic opportunities, and to facilitate community growth, including projects for housing, public, and private, community growth, urban and rural development, and transportation systems, acquisition and demolition of dilapidated buildings, and urban and environmental cleanup: Provided further, That in administering such funds, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation of the Secretary or the recipient of support for requirements related to fair housing, non-discrimination, labor standards, and the environment, upon a waiver is required to facilitate the use of such funds: Provided further, That the Secretary may request the head of any appropriate agency to administer the use of the funds for any project, in lieu of or in conjunction with the Secretary, if the Secretary determines that such agency has more appropriate experience and expertise with respect to such project: Provided further, That such funds shall not adversely affect the amount of any formula assistance received by any State or unit of general local government or any formula assistance or grants for any other purpose: Provided further, That the Secretary may not approve any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974, as amended, no later than 5 days before the effective date of such waiver: Provided further, That the Secretary shall notify the Committees on Appropriations on the proposed allocation of any funds and any related waivers pursuant to clause XXI of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

The rules state in pertinent part: “An amendment to a general appropriation bill shall not be in order if changing existing law.” The amendment would simply point out all the things that would be good to do. It would raise the question of why if we are going to do it another way. It would simply take the person out of the room who is an advisor to the President who may be in the President’s cabinet, who may be in a strategic position to help influence contracting. They would have to recuse themselves from those particular meetings.

Now, if we had the will and if we were interested about our image, and if we were interested in allying the allegations and the fears that something is going on in the back room, we would indeed adopt this amendment.

I want to tell Members that there are too many people who believe that there are committees and advisory committees that are serving people in very key places and that on these committees we have folks who are looking for contracts who represent the defense industry. We have cronies and associates who are well placed.

This amendment would go a long way in improving our image and sending a message to the American people that we are not divvying up the spoils of this war in Iraq, and it would certainly say to our young men and women who are fighting for what they believe is protecting the freedoms of American people, it would say to them that they are not fighting so that someone could end up with some contracts.

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rules state in pertinent part: “An amendment to a general appropriation bill shall not be in order if changing existing law.” The amendment imposes additional duties.
Amendment offered by Mr. RODRIGUEZ:

At the end of the bill, before the short title, insert the following:

SEC. [Blank]

The amounts otherwise provided by this Act are reduced by the amount made available in chapter 4 of title I for “Iraq Relief and Reconstruction Fund” by appropriating under the heading “DEPARTMENT OF VETERANS AFFAIRS” an additional amount for “Veterans Health Administration—Medical Care” of $90,000,000 in the case of the amount appropriated for “Veterans Health Administration—Medical Care”, $70,000,000 is for additional health care, as authorized by Chapter 17 of Title 38, United States Code (relating to the establishment of medical emergency preparedness centers in the Department of Veterans Affairs).

Mr. RODRIGUEZ. Mr. Chairman, let me indicate that since the 9–11 attacks the VA has been forced to address issues and has never received any funding to undertake that. My amendment would allow the VA to be able to get additional resources that they need in order to take care of some of that cost and be able to respond to the time of war, also in part to the National Disaster Medical System.

The VA is responsible for several roles within the Federal response plan. The VA is currently diverting its scarce funds from the VA patient care mission to fulfill this mission. I know that the other side would indicate that $122 million has been allocated, but it is coming from existing patient service. In fact, the VA has recently come out with a report, and on that report it basically indicates, and I have the figures here, that there is a real need for right now, just in terms of getting ready to prepare and what it costs, $248 million dollars, and that report was put together by the Secretary of Veterans Affairs Principles. So I would ask that as we look at providing the supplementary, not only look at our veterans but the fact that the VA is also responsible to taking care of the healthcare of our military personnel.

There are also already some real costs involved with the war, and that cost has been estimated at a very conservative figure of $570 million since 9–11. So part of the $90 million is $70 million that I am asking that we take and be able to provide to the VA that has a system of hospitals and clinics throughout this country in order to prepare.

The other thing that I want to add is that in responding to the war, they have lost a number of nurses, a number of personnel who need to be active and able to reach out and contract out for additional staff. So that cost has not been there. It is basically using existing resources to get prepared for the war. So this $90 million will go a long way in fulfilling.

The other $20 million that is part of that $90 million allows an opportunity to identify four centers throughout the country and those four centers will be ready to respond in case of a major disaster.

I also want to indicate that the VA has many areas of expertise in such diverse topics as biomedical research, as post-traumatic stress disorder, as war-related illnesses, environmental hazards and so forth.

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

Mr. RODRIGUEZ. I yield to the gentleman from Illinois.

Mr. EVANS. Mr. Chairman, I commend the gentleman for his amendment.

I also want to indicate that the VA has many areas of expertise in such diverse topics as biomedical research, as post-traumatic stress disorders, as war-related illnesses, environmental hazards and so forth.

Mr. EVANS. Mr. Chairman, I commend the gentleman for his amendment.

The VA has many programs they have put in place to address returning servicemembers’ health care needs, to train their personnel, and to ensure that they are providers and patients have access to adequate supplies of necessary drugs and state-of-the-art equipment.

The amendment of the gentleman from Texas (Mr. RODRIGUEZ) would ensure that the VA is adequately funded for these purposes; and as he indicated, it would allow the VA to establish four new centers of excellence in bioterrorism. These centers, created by legislation introduced by the gentleman from Texas, are supported by the chairman of the Committee on Veterans’ Affairs, and me would allow the VA to draw from expertise that has in the past such as environmental hazards, post-traumatic stress disorder, and understand the VA has lifted a bar on the provision of medical care funds for these centers, but they were underfunded.

We cannot continue to erode resources for VA’s medical health care system and other.

Mr. RODRIGUEZ. Mr. Chairman, let me indicate that the VA is hurting right now. Our veterans are reaching that age where they need our help and assistance. The resources are needed and would appeal to both sides of the aisle to take into consideration this issue. I am not going to ask for a vote, but I want them to seriously consider what we are doing with our veterans. I know I have had a chance to dialogue with the Secretary and the general, and I really need those preparative centers now. We need about $20 million to start them and get those contracts going throughout this country, and I ask the Committee on Appropriations to seriously consider that issue.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman’s amendment, and I do so regretfully. The gentleman has great concern for America’s military and the VA and would like to point out that VA has always showed that concern; and he does so in this amendment, and I share that concern. I am also pleased that he has decided not to request a vote on this.

I think there is logic to his argument...I would just say that we on the committee have taken great pains to provide the veterans medical centers with the resources that they need. In fact, the Committee on Appropriations has provided record increases to VA medical care in the last 3 years. We provided $122 million to the VA for medical care for emergency preparedness activities in the fiscal year 2003 bill which we just passed several weeks ago, fully funded. We fully funded the pharmaceutical cache requirement at $75 million; so no new funds are required there. We fully funded the computer cybersecurity initiatives for $75 million. We fully funded the personal protective equipment and training needs of $15 million.

Mr. RODRIGUEZ. Mr. Chairman, will the gentleman yield since I am not asking for a vote?

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

Mr. RODRIGUEZ. Mr. Chairman, I know the gentleman is sincere about indicating $122 million, but I also understand that $75 million is coming from existing programs that were taken away from services to veterans. I would hope that we just kind of take that into consideration.

Mr. WALSH. Mr. Chairman, reclaiming my time, I beg to differ with the gentleman. These funds were appropriated in the 2003 bill to provide for resources across the board for a VA medical center; and I supported it very strongly, close to 400 votes by the House. So I oppose the gentleman’s amendment for those reasons.

We received a letter just a week ago requesting $5 million as opposed to the $26 million being requested today. I know the $5 million will be made available to the VA because I placed language in this bill to do so, and will give the VA the time and the money they need to plan these medical emergency preparedness centers, and I spoke with the Secretary about it. He is pleased with that number. So I would ask that we oppose the gentleman’s amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

I would like to rise in support of the gentleman from Texas’s (Mr. RODRIGUEZ) amendment. We happen to come from the same State and are facing the same issue because Texas has one of the highest numbers of veterans among about four or five States. I know that he has a veterans facility in his congressional district or
near there, and I have one as well. The reality of it is that we are trying to provide new money because what we are facing, Mr. Chairman, is that many of our veterans are being de-enrolled or not allowed to be enrolled for veterans medical services. In addition, when we talk to the paralyzed veterans, they will say that they are getting fewer services, and since we are standing on this floor debating on an emergency appropriation to help our troops, the real question will be how will we treat these veterans who will be returning, who will need medical services along with their families. What is the aftermath? What is the afterthought that we will give the very young men and women who are fighting for us?

We already know we are going to have the wounded and some severely wounded. These individuals will be hospitalized in our veterans facilities. We are already closing the door on these veterans, and the money that the gentleman from Texas (Mr. Rodriguez) is talking about is money that is going to help in homeland security, and I think that is a key element that he is adding to the centers dealing with biotechnology. And I might add that when we had Hurricane Allison in Houston, my veterans hospital was a lifesaver because it opened its doors to the patients who had to be evacuated from the medical center. So these facilities are crucial to the community. They do require, I think, our attention; and I believe we need to hear from Mr. Rodriguez. Mr. Chairman, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. RODRIGUEZ. Mr. Chairman, I thank the gentlewoman for yielding. Let me just indicate that my understanding is that $122 million is not new dollars. It is existing dollars coming from existing services for veterans. In addition, I think that there is a need for us to keep these. And once again, I appeal to both sides, the demographics on veterans is growing. Our World War II, Korean veterans are reaching that age where they need us now. They were there for us. We need to be there for them now. So we need to be able to provide those resources; and in all honesty, it does not make any sense for us to look at providing resources for health care for Iraq, which is needed and I do not disagree, but the fact is we also have our veterans and for those soldiers that are coming back because one of the objectives also is to serve the individuals in active military. In addition to that letter that the gentleman received for $5 million, I am hoping that is there because if that is not there, then he is going to hear from me once again.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, let me just say to the gentleman from Texas (Mr. Rodriguez) I thank him for his very hard work. What we are seeing is that the doors of veterans hospitals are being closed in the face of our veterans, and what are we going to do when the young veterans come home after they have valiantly fought for our freedom or our values? Whether we agree or disagree with what this war is about, we certainly agree with our troops. And I believe that this amendment from the gentleman from Texas (Mr. Rodriguez) allows the doors of veterans hospitals to be open; and minimally, Mr. Chairman, I cannot imagine that we would not want to say that the expanded centers that the gentleman from Texas (Mr. Rodriguez) is talking about, these expanded centers will be a helpful element to our fight against terrorism and homeland security.

So I would ask that we support the amendment of the gentleman from Texas and add the additional funding for Veterans Affairs.

Mr. KOLBE. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment, and I will use only a small part of the allotted time.

Let me just first say to the gentleman from Texas (Mr. Rodriguez) that I really respect his support for veterans. I know it comes from his heart, and I know how strongly he feels about it and how hard he has worked on veterans' health. I also believe he is working here by being in the United States, and I truly do respect that.

The gentleman from New York has talked about this from the veterans standpoint. Let me just say about where this money would be taken from, and that is from the nearly $2.5 billion that is set aside for the Iraq relief and reconstruction. I think even the gentleman from Texas would concede that the amount that we have provided for Iraq relief and reconstruction is probably only a small part of what is ultimately going to be required. It is certainly not enough to do the job entirely.

So, Mr. Chairman, I would rise in opposition to this amendment because I think it does significantly devastate or reduce the ability of our forces on the ground and our relief and reconstruction teams on the ground to do the job that they need to do for relief and reconstruction by reducing this amount. This is not the place, not the time for us to start whittling away at that account. If anything, we are going to need to come back and add to it later, and for that reason I would oppose this amendment.

Mr. BACA. Mr. Chairman, I rise in strong support of my colleague, Mr. Rodriguez, and his amendment to the supplemental appropriations bill for FY03.

The Department of Veterans Affairs has enormous responsibility resting on its shoulders. Not only is the VA responsible for providing veterans with medical services once they return home from war, but during wartime, the VA backs up the DOD, activates their critical care nurses, and provides training and preparation in case unforeseen emergencies arise.

After 9/11, the biomedical expertise of the VA was tapped, and the VA was designated to begin operating four bio-terrorism centers. This responsibility was granted to the VA by unanimous consent. However, this responsibility was delegated to the VA without the critical funding necessary to operate these facilities.

Two years ago, it would have been a luxury for the Federal Government to be able to provide training, equipment, and research for medical centers in case of a biological or chemical attack. Two years ago it would have been an added bonus to provide the VA with additional funds to research the effects of war on veteran's health. Today, the US is fighting overseas, and enhancing our security is not a luxury but a necessity. We have learned that there is no price tag for the safety and security of our Nation.

The VA is shouldering an increasingly heavy burden. In the past, the spending millions of dollars to help veterans has been a necessary investment, but now it is not a luxury but a necessity.

Mr. BACA. Mr. Chairman, in strong support of the amendment offered by the gentleman from Texas (Mr. Rodriguez), I want to just say that this is not a luxury but a necessity.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have been told all day numerous times that we could not afford to provide the funding that we wanted for homeland security; yet the leadership of this House has insisted that we include over $3 billion in “reliief” for the airlines. I just thought the body would be interested in this article in the Atlanta Journal Constitution. I want to read the first three paragraphs:

“A group of 30 retired Delta Airline executives told current management last winter that spending millions of dollars to insulate top executive pensions from potential bankruptcy claims was ‘morally wrong’ and ‘unconscionable.’

“The group, which included two former No. 2 executives at the Atlanta company, also warned the move would hurt Delta’s reputation, as well as its ability to seek Federal aid and uphold employee morale.

“Their warning came in a January 22 letter to Delta Chairman and Chief Executive Leo Mullin."

Some of the retired executives decided to make the letter public after last week’s formal disclosure by Delta that it spent $25.5 million in 2002 to start creating protected pension trusts for Mullin and 32 other top executives.

If this is not a spectacular idea or example of rip-off capitalism, I do not know what is. This is enough to give capitalism a bad name.

Mr. Chairman, I would just suggest that before we are so anxious to provide these funds that the Republican leadership in this House insists that we provide to these companies, I would suggest that Members recognize that the story tells us that there ought to be a few more stringent conditions on the use of that money by those airline lines.

This kind of conduct is outrageous. It is an example of why 50 percent of
Americans do not vote, because they do not think that their elected representatives will protect the interests of working people nearly as eagerly as they will protect the interests of the corporate elite of this country. Delta Airlines management should be ashamed of itself, and anybody who comes into a congressional office looking for a bailout after they are trying to protect these kinds of pensions should be thrown bodily out of congressional offices.

**AMENDMENT NO. 11 OFFERED BY MR. NETHERCUTT**

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

The CHAIRMAN. The Clerk will designate it as an amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. NETHERCUTT:

At the end of the bill (before the short title), insert the following:

SEC. 402. None of the funds made available in this Act for reconstruction efforts in Iraq may be used to procure goods or services from any corporation or other business entity organized under the laws of France, Germany, Russia, the Russian Federation, the People's Republic of China, or Syria.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Under the previous order, points of order are reserved for all amendments.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Washington (Mr. NETHERCUTT) be limited to 30 minutes, to be equally divided and controlled by the proponent and myself as an opponent, and that I be permitted to yield 15 minutes of my 15 minutes to the gentleman from Wisconsin (Mr. Ose).

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. OBEY. Mr. Chairman, reserving the right to object, I was having difficulty hearing the gentleman from Florida. The chairman has indicated that 15 minutes would be reserved for the gentleman from Washington, 5 minutes for the gentleman from Florida, and 10 minutes for yours truly? Is the gentleman opposed to the amendment?

Mr. YOUNG of Florida. Yes, I am.

Mr. OBEY. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Washington (Mr. NETHERCUTT) will be recognized for 5 minutes, the gentleman from Florida (Mr. YOUNG) for 5 minutes, and the gentleman from Wisconsin (Mr. OBEY) for 10 minutes.

The Chair recognizes the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I yield myself such time as I may consume, and I thank the chairman and the ranking member for the time agreement.
my sense is, Mr. Chairman, we have two number 11s, and my understanding was that the Chair was clear with respect to what amendment we called up. There is only one amendment with a slightly modified text, and that is the one that we should be debating and that is what I am expecting to be debating.

The CHAIRMAN. The Chair would simply respond briefly to the gentleman that the gentleman claimed to offer and the Clerk reported the only amendment numbered 11 which was at the desk. The other amendment which the gentleman had at the desk was not numbered.

Mr. OBEY. Mr. Chairman, I make a point of order against the amendment. The CHAIRMAN. The gentleman will state his point of order.

Mr. OBEY. Mr. Chairman, it is in violation of clause 2, rule XXII. Mr. Chairman, the minority has been told all day and all evening that we had to abide by the rules, even though the rule waived points of order against the majority bill. Now we have a situation where a majority Member chooses to try to substitute another amendment for the amendment that was presented by the Clerk. I am sorry, but if we are going to stick by the rules, I am sticking by the rules, and I make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from Washington (Mr. NETHERCUTT) wish to be heard on the point of order?

Mr. NETHERCUTT. Mr. Chairman, I am offering to withdraw the amendment which has been designated 11 by the Chair with the expectation that the real amendment number 11 will be offered by the gentleman from Massachusetts (Mr. KENNEDY) in due course under the same circumstances, so we will be able to debate in full the issue before the House, rather than be denied on a technicality.

The CHAIRMAN. Does the gentleman withdraw his amendment?

Mr. NETHERCUTT. Yes.

The CHAIRMAN. The amendment is withdrawn.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. KUCINICH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KUCINICH: At the end of the bill (before the short title), insert the following:

Sec. 1. None of the funds made available in this Act may be obligated for the procurement of goods or services without the use of competitive procedures in accordance with the Federal Acquisition Regulation and the U.S. Agency for International Development Acquisition regulations.

Mr. KUCINICH. Mr. Chairman. 2 weeks ago, Kellogg, Brown & Root, the engineering and construction division of Halliburton, was granted a contract to put out Iraqi oil fires. This contract was awarded without competitive bidding. The contract also contained no set time limit or cost limit. This means that U.S. taxpayers will have to pay for whatever Halliburton chooses to charge; that is, whether they are the true contractor or prime contractor. There is danger to the taxpayers when contracts are awarded without competitive bidding.

USAID, which gave out the contract, stated there was no competitive bidding. The job involved an "complex emergency" and "national security" issues. According to the Federal acquisition regulations and AID acquisition regulations, such waivers exist.

Okay, maybe that is understandable. But what about contracts for the post-war reconstruction of Iraq?

The untested contract acquisition of Kellogg, Brown & Root to put out Iraqi oil fires raises serious concerns for the continued acquisition of items with big oil. The fact that the Department of Defense's Army Corps of Engineers did not conduct competitive bidding for this contract implies that an uncomfortably cozy relationship still exists between Halliburton and the administration.

Also, given there is no time limit or cost limit, it raises further concern that the contractor could increase the costs unchecked.

For the postwar reconstruction effort, waivers of emergency and national security will no longer be applicable. The reconstruction of schools, hospitals, airports, roads, bridges, and even oil refineries are not emergencies. If these types of efforts are not considered emergencies here in America, then they most certainly should not be considered emergencies in Iraq.

As such, contracts for the postwar reconstruction of Iraq should be awarded exclusively on the basis of competitive bidding in order to protect U.S. taxpayers from corruption. These long-term contracts, which USAID has categorized into eight areas, seaport administration, airport administration, capital construction, logistical support, public health, education, personnel support, and local governance, must be subject to competitive bidding.

It is not news that this administration has deep-pocket connections with big oil and defense companies. The President was CEO of Arbusco, CEO of Spectrum 7, and on the board of directors at Harken Energy. The Vice President was CEO of Halliburton. The Commerce Secretary was the CEO of Tom Brown, Inc., an oil and gas exploration company. The National Security Adviser was a director of Chevron Oil. The Veterans Affairs Secretary was chief operating officer of Lockheed Martin.

Then there is the Defense Policy Board, whose nine members have won more than $76 billion in defense contracts in 2001 and 2002. There is Mr. Perle, who until last week was chairman of the board, and has been accused of profiting from the war in Iraq because of his corporate connections with Trereime and Global Crossing.

This administration has so many corporate ties that could lead to the misuse of taxpayer funds that it is important to stress the use of fair and competitive bidding. What this legislation would do and what we should be advocating is that officials in our government should not have the connections to secure these contracts.

The purpose of competitive bidding is to ensure that the acquisition of contracts is completely fair. It is because of these corporate ties that this administration should be going out of its way to reaffirm their commitment to competitive bidding.

The amendment would reaffirm already-existing law for this supplemental bill, stating that all contracts for the reconstruction of Iraq must be subject to competitive bidding, as stated in the Federal acquisition regulations and the AID acquisition regulations.

Mr. Chairman, I think Members of this Congress, having been informed of this conversation this evening, should take steps in our various congressional committees to assure appropriate oversight; to make sure that competitive bidding laws are used to protect the American people, to protect the taxpayers of the United States.

This is an issue that really goes far beyond this particular piece of legislation in the supplemental, but I wanted to use this opportunity, Mr. Chairman, to let Members of both side of the aisle know that this issue is not going to go away and that the appropriate forum for dealing with it would be congressional investigative subcommittees or committees which could call the administration to an accounting. In the meantime, this forum is an appropriate place to demand competitive bidding.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Minnesota: At the end of the bill (before the short title), insert the following:

Sec. 2. None of the funds made available in this Act may be obligated for the procurement of goods or services from any entity that includes information on a response to a Request for Proposal (RFP) that indicates that such entity is organized under the laws of any country, including the Russian Federation, or Syria.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that debate on the pending amendment offered...
by the gentleman from Minnesota (Mr. KENNEDY) be limited to 30 minutes, to be equally divided and controlled by the proponent and an opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. OSE. I object, Mr. Chairman.

Mr. KENNEDY of Minnesota. May I clarify, Mr. Chairman, do I have just 5 minutes and no time to yield time outside of the proposal?

The CHAIRMAN. At this point, the committee is operating under the 5-minute rule. The gentleman from Minnesota (Mr. KENNEDY) is recognized for 5 minutes on his amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise to offer this amendment. Under the amendment, the gentleman from Washington (Mr. STEHNHOLM), the gentleman from Kentucky (Mr. LUCAS), and the gentleman from Connecticut (Mr. SIMMONS).

The concern that we have is that there are many people out there that can help us in the rebuilding of Iraq using our dollars without requiring that the American taxpayers do all the work.

It is important for us to make sure that this amendment does protect American jobs, even though there may be some subsidiaries from these countries that are operating in the U.S. In the way the amendment is worded, we will not be putting any American jobs at risk. It is a great step forward for the American people.

Mr. OSE. I object, Mr. Chairman.

Mr. KENNEDY of Minnesota. Mr. Chairman, could I suggest in time to the request of the gentleman from Florida?

Mr. YOUNG of Florida. My suggested time is 10 minutes, to be equally divided between the proponent and an opponent.

Mr. OSE. I object, Mr. Chairman.

Mr. KENNEDY of Minnesota. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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The CHAIRMAN. At this point, the committee is operating under the 5-minute rule. The gentleman from Minnesota (Mr. KENNEDY) is recognized for 5 minutes on his amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise to offer this amendment. Under the amendment, the gentleman from Washington (Mr. NETHERCUTT) has worked very closely on, responding to concerns that have been raised by many Members, including myself, the gentleman from Texas (Mr. STEHNHOLM), the gentleman from Kentucky (Mr. LUCAS), and the gentleman from Connecticut (Mr. SIMMONS).

The concern that we have is that there are a broad coalition of the willing supporting the efforts. There have been many that have tried to undermine those efforts. Well, we encourage their involvement in the reconstruction of Iraq; but during the time period when we are putting U.S. dollars into the reconstruction, we want those to be spent with those that have been supportive of us, as opposed to those that have been detrimental to us.

Mr. Chairman, this is a situation where, when we go to other countries and we have asked for their support and we received it, and we received from 48 other countries the largest coalition of support outside of World War II, I think it is appropriate that there are many people out there that can help us in the rebuilding of Iraq using our dollars without requiring that the American taxpayers do all the work.

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and actively opposed American intervention. British intervention in Iraq, the French were, in essence, endangering our own homeland, endangering our constituents and our families.

It is absolutely unacceptable that the French, the Germans, the Russians, the Chinese, and the Syrians who have opposed the United States’ efforts to protect ourselves against terrorist attacks should be allowed to profit from the reconstruction of Iraq.

I am proud to be a cosponsor of this amendment with the gentleman from Minnesota (Mr. Kennedy) and the gentleman from Washington (Mr. Nethercutt) to make sure that, as the guardians of the Federal Treasury, that the Congress of the United States will not permit any Federal tax dollars to be used to purchase goods or services from any company or any business from France, Germany, China, Syria, or Russia, because those countries actively engaged in preventing United States efforts to completely destroy the last hope for peace, which women were at risk of losing their lives defending the freedom of the French.

Furthermore, and even more tragically, I have a young corporal from Alabama who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without the French. We know that Corporal David Fribley volunteered for the military. He was sent over to Iraq. He was one of the American soldiers who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without the French. We know that Corporal David Fribley volunteered for the military. He was sent over to Iraq. He was one of the American soldiers who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without the French. We know that Corporal David Fribley volunteered for the military. He was sent over to Iraq. He was one of the American soldiers who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without the French. We know that Corporal David Fribley volunteered for the military. He was sent over to Iraq. He was one of the American soldiers who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without the French. We know that Corporal David Fribley volunteered for the military. He was sent over to Iraq. He was one of the American soldiers who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without the French.

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Mr. Chairman, I want to say this to the previous speaker: I certainly agree with him, the French have had a great role in our history and I certainly am a proud fan of Lafayette. I want to say Lafayette was a man of freedom, and there were never ones in my mind what side in this conflict Lafayette would be fighting for, and that is for the liberation of the oppressed Iraqi people. And that is why his portrait is here. That is why we have a square named after him in the town of Savannah. That is why we even have a city named after him in the gentleman from Georgia's (Mr. COLLINS) district. Only we pronounce it the correct way. We call it Lafayette, if you all ever want to come to visit.

The thing about the French, and I like the French but I dislike the French rhetoric that we have heard for the last 6 months. I dislike the French politics, which I think the rhetoric has fueled the politics and it is maybe some EU positioning that is going on.

The things that Mr. Chirac has said about my country are offensive. And the reason they are not offensive of me is the French businesses that were standing up and saying, Mr. Chirac, tone it down a little bit. And there certainly were not any Russian companies or Syrian companies that were standing up for the United States over the last 4 months. And it is such a shame, because I think they could have helped prevent this conflict if they would have said, Saddam Hussein, we stand against you in a unified world, in the community of freedom and the community of common law; we think what you are doing to the people of Iraq is outrageous. But instead, for whatever reason, they chose to apparently be on the side of oppression and the side of Iraq, and therefore we have American and British soldiers and 49 different countries, a coalition, fighting Iraqi oppression right now.

I had an interesting issue last week with some people from France that is actually providing food to the American Marine Corps. A French company actually caters to the American Marines. They have contracts worth $800 million. And I find it somewhat outrageous, and I have raised the question and many of you have joined me in raising that question to the DOD. But you know what, I will say, to that company's credit, they have written me a letter and said, you know what, we are on the side of America in this. And I tell you what, they get it. And I am glad to see that they are exercising what I would say would be good corporate responsibility. I want to have further conversations with them.

But I want to report, and it was reported by Sean Hannity, who is prettily doggone careful of what he reports, but he was saying that there are apparently and sadly some French companies were providing, up conflict, helicopter and jet parts to the Iraqi regime. There were Russian companies that were apparently selling night vision goggles to the Iraqis.

Now, that is per one reporter. But I hope that as this conflict unfolds, we do not find that some of these countries who were opposing us in the Security Council had a profit motive of their own. I hope we find that their opposition is and the Security Council was founded in idealism and passivism and not in, wait a minute, we have got some business deals at stake here; we got to stand for the sides of the Iraqis. This gentleman from Washington (Mr. NETHERCUTT) and the gentleman from Minnesota (Mr. KENNEDY) have done is offer a reasonable amendment so that we can offer our objections as a collective body to these people who, when they had the chance to stand up for America and stand up against oppression, they chose instead the path of politics and rhetoric against America. And I hope that we pass this. And I hope down the road we have an opportunity to redress it.

The gentleman from Washington (Mr. DICKS) who I think a lot of, was telling me, you know what, after the war is over, we have got to go back to Iraq and everybody and get them on the side of the new tomorrow to rebuild Iraq. And you know what? I think he has some good points to it because we do not want to have a fissure between us and Russia and Germany and France and Syria and China or any of these other countries forever.

Indeed, we have 49 countries in our coalition right now. We do want to bring as many as possible who would build a democratic republic, a free republic of Iraq after this. And I hope that these folks will come on board. I hope that they not only bring their know-how, but I hope they bring some of their own dollars to the table. And if they can, and at that point, I think they absolutely should be welcome to help rebuild this country, the country of Iraq.

Mr. BAKER, Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wanted to express my appreciation to the gentleman from Washington (Mr. NETHERCUTT) for his good work. I have some concerns about the proposed amendment. It is not broad enough in its constitution. For example, when we construct the list of those who have been intransigent and unwilling to listen to the rational thoughts of those of us in America trying to free people from oppression, we have left off the list the country of Turkey who refused to let our troops cross their territory to bring about freedom to those oppressed people from Iraq.

It was only a few years ago when we conducted our operation in Afghanistan, when we asked those in Mexico to stand by our side. They refused to send troops. But when we were on the verge of bankruptcy, the President of the United States went around the Congress and sent billions of dollars to rescue them from financial calamity.

Vincent Fox has been unusually quiet in the recent weeks and days as America's young men have placed their lives at risk.

Yes, this group of identified nations should be known as an axis. It is called the "axis of weasels," those who refuse to take a stand in defense of freedom, in the face of tyranny and oppression.

Tonight, as we sit and debate this resolution, the axis of weasels is watching as our young men and women storm the streets of Baghdad, trying to free men and women from the fear of oppression and the Fejadin taking the lives of kids.

Is there any doubt? Is there any question? Is any Member of this House standing here tonight listening to this debate in question about what should be done about the axis of weasels? Are we going to tax the American workers, take their money and send it back to people to rebuild Iraq who criticized our efforts from its outset?

What are they? They are our allies who have laid their lives on the line, who have more than adequate resource and contracting capability to join with American hardworking people and to bring the standard of living to which they are entitled, which was taken from them not by a coalition forces, but by the despot Saddam Hussein, whose fortunes I hope are not favorable this evening.

We have too many of our colleagues in this House, stand up not only to this axis of weasels, but to all of those who stand in the face of Americans who fight only for one thing, to bring democratic opportunities to poor people around the globe.

Oh, I know there are those who say this was fought for the case of big oil. If we wanted oil, we would have simply taken Kuwait. If we wanted to oppress, we would not have left Afghanistan.

Look at our record. We stand here tonight united as a Congress not for the cause of dominating the world interests. We stand united in the face of tyranny to free people who are oppressed.

It is only a few years ago that the women of Afghanistan got the right to drive a car, to teach their children how to read publicly. Their tyranny cannot be fully comprehended, but what we are about tonight is the beginning of a new day, a day that brings justice and responsibility to those who refuse to give dignity to humans.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a Member of this body by the name of Jimmy Burke and Jimmy Burke said once to the freshman class incoming, he said, oh, I understand your problem; you think this place is on the level. You think this place is on the level, but it does not matter what you do on this amendment. This amendment ain't on the level. This amendment is consumer fraud masquerading as legislation, and it ain't going to do nothing to nobody and let me tell you.

If you look at the language carefully, the language purports to send the message that what we are doing is, oh, oh,
look at the muscles. We are telling those Frenchies and those German companies, you cannot participate; but if you look at the actual language, the language allows those companies to get around this limitation by doing the same thing that corporations do, expatriate, have done in this country by simply setting up a mailing address in Bermuda or any other offshore place.

So it is what I call a holy picture amendment. The politicians pause for holy pictures, we really did something, but you have got language that does not do nothing to nobody.

This language absolutely no effect whatsoever except that it makes the job of the White House and the State Department more difficult, which is I assume why we have the latter from the State Department which says that such an amendment would jeopardize the type of support we are attempting to build in the United Nations, which aims to unite the international community in a forward-looking effort to build a better future for the people of Iraq.

Now, if we were wise, and I know that is impossible, we often expect to see in the State Department with more flexibility, and we do need to rebuild those entities around the world, but we need to rebuild them with the understanding that America does remember who stands with America and America does remember who stands opposed to America on our efforts to defend peace and freedom and to liberate oppressed people around the world.

Mr. SCOTT of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are at a point that I have heard a lot of citations to our indebtedness, to our friends Lafayette and others, the German, the German soldiers and the like; and yet across this world there is but one country that uniformly puts its young people and its treasure at risk in the protection of freedom and democracy for people who do not even live here. Think about that. Think about what we are doing in this short period of time in particular.

We have young people, particularly in Iraq today, putting their lives on the line to bring freedom and democracy to people who have not enjoyed it for many, many decades.

It comes before us tonight on an appropriations bill with an amendment proposed by the gentleman from Minnesota and Washington to say to the world that the Americans know who we are; that we believe in the concept of accountability; and that we will not vote to continue to spend American lives on a goal that benefits those lacking the courage to do the necessary thing, lacking the commitment to stand with those who will confront evil where it is found and lacking the qualifications to judge those of us who will.

Mr. Chairman, we are at a point that is at the heart of our very existence, and the United States, which was the country that sends our young people across the world to defend the interests of freedom and democracy, to then yield those same interests to someone who simply seeks 12 pieces of silver.

I urge this body to think long and hard about the standard of accountability that we want in this world and the standard we set for our children and the generations to come.

I urge support of this amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. OSE. I yield to the gentleman from Minnesota.

Mr. KENNEDY of Minnesota. Mr. Chairman, I thank the gentleman very much for yielding, and I would just like to respond to the ranking member to say, yes, we have carefully crafted this amendment in a way that protects American jobs and does not put those jobs at risk that the State Department to a degree a modicum of flexibility, and we do need to rebuild those entities around the world; but we need to rebuild them with the understanding that America does remember who stands with America and America does remember who stands opposed to America on our efforts to defend peace and freedom and to liberate oppressed people around the world.

This has been a very heated debate and a welcome one, especially for me. As I look at this body, both sides of the aisle are right; but here is my problem. The problem is really one that I think that the core of the gentleman from Minnesota’s (Mr. KENNEDY) amendment is about respect. Every one in a while a person has to stand up and get some respect.

I have however one feels about this war, I want my colleagues to think about World War II; and I want my colleagues to think about a country, France, a country that would not pick up a rifle to defend its ownself, for 10,000, 10,000 of our troops hit the shores of Normandy and gave their life in one day to stand for a country’s freedom, that would not stand and fight for its own freedom. That is the price that many of our American soldiers pay.

Maybe that would not be so bad with me if it were not for what they did. It is one thing to have your say, but it is another thing to go and help a country visibly with weapons, with arms, with their support at a time when we are sending our boys and girls into battle. Whenever I look at World War II and World War I, standing was very personal with me because one of those troops that put their lives on the line in World War II, to go help free France, was my own father. That is amazing, but that is important.

This amendment may or may not go anywhere. We are all here to stand up to say a word in support for our troops. I am going to vote for this amendment. I am going to vote for it for the respect of those World War II veterans who fought and thousands died for France, but France did not come to our aid, for those who are giving their lives and dying in Iraq today.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

I think over my right shoulder stands George Washington, known to many of us as the Father of this Nation. As he looked at the very eye of the British soldiers seeking to preserve the freedom of the 13 colonies, he looked for allies where he could find them. My history tells me
that one of those happened to be a country called France. It is interesting that
as we have grown to be the singular power of this Nation, we seem to have
lost both the decorum, the respect, and the dignity of many of our Founding
Fathers is not unrealizable.
Now, it is well known that I came to
this Nation first in the bottom of the
belly of a slave boat, but I realize that
I live now in the most powerful Nation
in the world, a Nation that first started
to the American people not only to the
sovereignty of these nations and not be-
equity of nations and not be-

de the dignity, the decorum, the un-
derstanding of world diplomacy, and
the appreciation of democracy and sov-
ereign nations. And with this power
comes responsibility. With this privi-
lege comes burden.
It is interesting that in the course of
the time where our troops are moving
toward Baghdad, where they are em-
bedded with our values, our values of
freedom make them fail in the set-up
on the floor of the House. This is not
about France. This is about patronage
and payback to the 40 babies that say
they are part of the willing coalition.
What is this, a Las Vegas gambling
game, and what are we in the Senate,
you get a piece of the action? This is
not what this war is about.
I am against the war as it is pres-
ently constructed, as they would say.
But we are here supporting these
troops in this legislation. What are we
handing out dollars to people just be-
cause they are part of the coalition? It
is the question to the United States
that if we are to rebuild our world alli-
ance and our position in this world,
then however we do the peacekeeping
inquiry must be in a coalition, whether it is
the United Nations, NATO, or whether
we engage the European Union. We
cannot do this alone. Because if you
have a military occupation, you can be
assured that they are going to fail, not
because of the military's lack of excel-
ence, they are excellent, but because
of the world's perception that we are
occupiers as opposed to people who
have come to induce democracy.
This is fraudulent that we would un-
dermine the dignity of those who knew
what coalitions were all about. And
I am particularly offended that my col-
leagues would cite Mexico as an unwill-
ing ally. We should not denigrate our
friends, not because they do not have permanent friends, but we
have permanent interests. And every
one of these people that have been
denigrated rose to the occasion on 9/11.
They cried with us, prayed with us, and
joined in the war on terrorism. What an
insult that we would deny them the sov-
ereignty of these nations and not be-
lieve that they have the right to, in
democratic way, to object.
Oh, there may be politics. There may
be coalitions that will fail. Every
body has a hand out in this. The baby
NGOs do not get a chance to do their
real work because they do not have any
money. Small businesses, minority
businesses, women-owned businesses do
not get anything. The big guys are
knocking everybody over. Is that what
it is about? Money? We have to move in
the world tomorrow and next year, and
the decade after. We should not burn
our bridges that we have to cross
again.
This would not be the kind of debate
that would be befitting of a Nation pre-
mised on a constitution that says "to
form a more perfect union." What an
insult that we do not tolerate the so-
vereignty of nations. I can assure my
colleagues that there will be weeks and
years and days to come when we will
look to the allies that we denigrate
now.
Coming from Texas, I am particu-
larly offended that one would question
Mexico, who has tried to work with us
over the years on border issues, and
crying and sending troops during 9/11.
We begin to get on shaky ground when
we begin to attack individuals and na-
tionalities who have differences of opinion
on this war.
This war itself should be questioned,
and I hope that we will be able to move
in peace for those of us who have op-
posed the war and supported the
administration's move in dignity reflectiv-
e of the Constitution and reflective of
this founding Nation and our Founding
Fathers.

ANNOUNCEMENT BY THE CHAIRMAN
The CHAIRMAN. The Chair will re-
mind all persons in the gallery that they
are there as guests of the House, and any
manifestation of approval or dis-
approval of proceedings or other audi-
ble conversation is in violation of the
rules of the House.

MR. NETHERCUTT. Mr. Chairman, I
move to strike the requisite number of
words.

Mr. Chairman, I will not take the full
5 minutes, but I do think it is import-
tant that we put this debate into per-
tinent perspective. What are we doing.
We should be debating issues of
merit and not in the Senate, make mockery
of this founding Nation and our Founding
Fathers.

Why in the world would our legis-
late body cede the authority for that to
the administration? I respect this ad-
mnistration, but this is a congres-
sional responsibility. And just because
the war is going poorly, you are talking
about issues that is before the House does
not mean that this is posing for holy pic-
tures. I think that is an objectionable
debate about what this is. This is
in the best traditions of this House.

On the Committee on Appropriations
just this week we had a fabulous debate
on this precise issue and on an amend-
ment that was very near to this one. It
was a broader amendment, frankly,
that gave the President great waiver
authority to decide whether exceptions
could be made with regard to the ex-
penditure of taxpayer dollars for recon-
struction in Iraq. So beyond being
something that is frivolous, this is
very serious business, and I would
argue to my colleagues that this is in
the best traditions of this House to talk
about this issue of how we spend the
money that the taxpayers send to us to
decide how to spend.

I would argue that anybody who
votes against this has the potential to
favor French job creation rather than
American job creation. How in the
world are we going to feel in 2 months,
when perhaps our country would award
a German company to the exclusion of
a Russian company to the exclusion of
American interests, to an American
company that could do the job just as
well? I would argue, my colleagues,
that we should be concerned about this.

So this is a good debate. This is a
good amendment. It is the amend-
ment that I intended to have before the
House before a point of order was
raised. So that is fine. I appreciate the
gentleman from Minnesota (Mr. KEN-
NEDY) being there to offer this amend-
ment. But we should never confuse a
good debate and a difference of opinion
on the issues as being unworthy or wor-
thy. We can make our judgments about
the validity of our arguments, but to
say that this is not worthy of the
House or not an appropriate debate as
to how taxpayer dollars will be spent
misses the mark.

So I urge my colleagues to vote for
this amendment. This is what we are
sent here to do, to guard the Treasury
of the United States. This is the tax-
payer's money. This is the people's
House. The House of Representatives
decides the appropriations for this
country. I urge us to exercise our obli-
gation and to vote for this amendment,
and I believe it will pass.

Mr. KOLBE. Mr. Chairman, I move to
strike the requisite number of words.

Mr. Chairman, I will be brief. I agree
with the gentleman from Minnesota last
week on this topic which should be debated, and I
think this debate has shown what is
some of the very best and perhaps what
sometimes can be the worst in a legis-
late body in a great democracy like ours.

Passions can flare, passions can drive
legislation. Passion is important. As
legislators, as people who make policy,
passion is important. We ought to be-
lieve in what we do. But as legislators
we also have a responsibility to temper
our passions, to temper our passions
with careful thought, to make sure
that passions do not alone drive us,
our legislative proposals. So that
sometimes what looks good, what feels good, what sounds good, may not be good.

These are just some of the concerns that I have about the legislation, the proposal which is before us at this time, and the beginning of some of these thoughts. I know these thoughts do not carry any of the weight of the passions that people feel. But I also think as legislators we need to keep these things in mind.

For one thing, we are deeply involved in the World Trade Organization with a number of trade agreements that we have entered into and this body has approved, and I have serious concerns that this violates a number of those obligations that we have freely entered into. No country has fought harder for the government procurement provisions in the World Trade Organization than the United States, because we are the largest exporter of contracting services. We have the most to benefit, and similarly, perhaps, the most to lose if others retaliate against us.

Secondly, I am concerned about the application of this bill. I think it is the best possible to the defense part. This just does not limit it to the foreign assistance part, but to the defense side. There are times when you need to be able to buy equipment, to buy spare parts, to buy goods, and those are applications, not for a foreign company, but for a foreign country. I am concerned about the foreign assistance part of it as it applies to spare parts. Let us say an American contractor is given the job of rebuilding hospitals in Iraq. We know that a lot of demand for equipment comes from countries like Germany. What if we are trying to replace a part in an x-ray machine and we have to order those parts under this provision? I presume it would be forbidden to do so. So we would have to pay all the money to buy a new piece of equipment instead of being able to repair another piece of equipment.

Lastly, let me just ask this. Does this provision apply to any company like Chrysler, DaimlerChrysler? I think it might. It is not at all clear. I guess if you do not put that return address on their envelope, their RFP, maybe it does not. But if they happen to put the RFP as coming from the corporate headquarters in Germany, then indeed it would. And thousands of American jobs could be lost as we try to buy equipment from what is essentially an American company but happens to be a subsidiary of a country that is organized in Germany.

These are just a few of the considerations that I have and I think we need to take into account. If this amendment passes this evening, I will be looking very carefully. And I hope my colleagues on the conference will look at them as well and that we will work to make sure that we have a piece of legislation, when it comes from conference, that does not do more damage to the jobs, more damage to American contractors, than it would if we had this piece of legislation not included in the bill.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think we are nearing the end of this debate and getting ready to pass this bill. I think there is one other amendment that we will deal with very quickly and I would like to introduce this. So I want to take a few minutes to say a word of compliment to the Committee on Appropriations members and the staff. We got this request just a little over a week ago. We were able to read it, vet it, understand it, hold hearings with a number of folks involved, write the bill, go to full committee, amend it and bring it to the floor in a little over a week. I think the committee and the staff, especially the Members, did a tremendous job.

Secondly, Mr. Chairman, you have been in the chair for nearly 12 hours today and have done an outstanding job. That applause is very well deserved. The gentleman from Texas (Mr. THORNBERRY) and I managed this debate extremely well.

And now I yield to the gentleman from Georgia (Mr. ISAKSON).

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

Mr. YOUNG of Florida. I yield to the gentleman from Georgia.

Mr. ISAKSON. Mr. Chairman, earlier in the evening the distinguished ranking member read accurately from the Atlanta Journal Constitution a news article regarding the actions of the board of directors of Delta Airlines. The ranking member also accurately reflected his disappointment and disappointment shared by others in that action.

What was not entered into the RECORD were the actions of the CEO of Delta Airlines, and I will not read it all, but I would like to read the following:

... who affirmatively, instead of accepting the compensation reduced his compensation by 25 percent, will not accept an annual incentive pay included in his contract for the year 2003, rescinded any retention award for the years 2004 and 2005 for Delta executives, tied to both retention and performance goals.

In these and every other executive compensation program outlined in the proxy statement, the Board has consistently acted in the best interest of Delta Air Lines, meeting all legal and ethical requirements and expectations at every turn. The actions in regard to executive compensation were fully appropriate. The reality of the airline industry is that the context changes rapidly. Concerns we are now facing were not part of the environment when those earlier decisions were made, or their importance has been magnified, including issues related to: Impact of the War in Iraq. Continuing, deeper than expected plunge in revenue and traffic. Increased competitive concerns as United and US Airways restructure under bankruptcy protection. Further competitive pressure as American Airlines manages to reorganize outside of Chapter 11, and recently Air Canada declare Chapter 11.

Need for immediate action in Washington to provide federal relief from post-9/11 security costs and tax burdens.

Competitive requirement that Delta's labor costs be brought in line with that of other structuring in the industry.

With this said, I understand the concerns that have been raised in the current context. Most importantly, I want to provide a basis for moving forward so we can resume our focus on the crucial core business and strategic issues we face. Hence, I have chosen to take the following steps:

Reduce my salary rate by 25 percent (to $596,250), down from the beginning of year salary rate ($795,000); this reduction includes...
Mr. ROHRABACHER. Mr. Chairman, there is a much greater chance that American jobs will be lost if we do not make this declaration to the policy-makers and to the bureaucrats and to the government officials who will enforce the law once we pass the law. We are making it very clear to them that American companies and companies from countries which helped us, which stood by us, will have preference over those companies from countries which stood aside at the moment when it counted or even harped and backbit our leaders when they were taking tough stands.

We will not forget what happened during these last 3 and 4 months. We will not forget the actors who play President of the United States, but spend their own time in the real world undercutting American Presidents who have had to make tough decisions about the national security of our country.

We will not forget the impotence of the United Nations. We are not going to place our faith in that institution again. We will not forget that NATO is dominated by the Germans and French, and we will not forget that the British and the Spanish not only stood by us but joined us and put the lives of their young people on the line as well.

Finally, I would like to end with one small story. I hope our French brethren Dean Rusk in his memoirs talks about how Lyndon Johnson called him into the Oval Office in 1964 after Charles de Gaulle declared that France would be out of NATO and declared that all American troops would have to be off French soil in 90 days. LBJ gave Mr. Rusk the job of going to France, talking to the General, and asking him a question and coming back and reporting verbatim what the General said. So Mr. Rusk, our great diplomat, went to Paris to meet with General de Gaulle. He said, President Johnson has tasked me with asking you this question: When you demand that all American soldiers are off of French soil within 90 days, are you including those thousands of Americans buried in Normandy?

General de Gaulle was speechless. He turned away and could not speak. I would hope that French people, now that this war is coming to a conclusion with the great victories that we have had in these last few days, when they see that we have put the lives of our people on the line again, I hope they will become speechless, because we just dealt with how America should treat nations who do not support us in our war against Iraq.

This amendment deals with the issue of how we treat American companies who have turned their back on the families of our military servicemen and women who are fighting that war against Iraq tonight. Let me read from the Atlanta Journal Constitution just 4 days ago. "The use of Delta's funds for this purpose left us in disbelief." That is correct. The same executives of flying are flying over Paris and Germany, but have big numbers of employees working here in the United States. In today's global economy, it is not possible to determine who this amendment would really be hurting. This issue deserves much more thought, debate, and consideration by the appropriate committees rather than being offered as an amendment at this time. I urge my colleagues to vote against the Kennedy amendment.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will try to make this quick. I rise in strong support of this amendment. There is a limit to American magnanimity. There is a limit to how much we will just turn our heads and say we will forgive you. And yes, we will forgive those people who are our friends who betrayed us when we were putting the lives of our young people on the line. We will forgive them, but we will not forget; and that is what this amendment is all about, not forgetting those who would not stand with us, and remembering those who did stand with us when the lives of our people were at stake. I have no problem with that.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Minnesota.

Mr. KENNEDY of Minnesota. Mr. Chairman, I would just like to make it clear that the way this is worded, it would be highly unusual this would be putting any American jobs at risk, and I have gone to great pains, the gentleman from Washington (Mr. NETHERCUTT) and myself, in reviewing these approaches to make sure that we do not.

I think it is appropriate. This is not just about American jobs, but it is, the gentleman says, about American people, American Congress, remembering who has stood with us and making sure that those who stood with us as we go to liberate Iraq would also be standing with us as we go to rebuild Iraq.

Mr. ROHRABACHER. Mr. Chairman, in strong support of this amendment.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment of the gentleman from Minnesota (Mr. KENNEDY). While this amendment appears and seems to be patriotic at first glance, what this amendment could really do is punish American workers who work for foreign companies and American companies who supply foreign corporations.

Many of my colleagues have given examples of companies that have their corporate office in France or Germany, but have big numbers of employees working here in the United States. In today's global economy, it is not possible to determine who this amendment would really be hurting. This issue deserves much more thought, debate, and consideration by the appropriate committees rather than being offered as an amendment at this time. I urge my colleagues to vote against the Kennedy amendment.

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I think it is appropriate. This is not just about American jobs, but it is, the gentleman says, about American people, American Congress, remembering who has stood with us and making sure that those who stood with us as we go to liberate Iraq would also be standing with us as we go to rebuild Iraq.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment. There is a limit to American magnanimity. There is a limit to how much we will just turn our heads and say we will forgive you. And yes, we will forgive those people who are our friends who betrayed us when we were putting the lives of our young people on the line. We will forgive them, but we will not forget; and that is what this amendment is all about, not forgetting those who would not stand with us, and remembering those who did stand with us when the lives of our people were at stake. I have no problem with that.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Minnesota.

Mr. KENNEDY of Minnesota. Mr. Chairman, I would just like to make it clear that the way this is worded, it would be highly unusual this would be putting any American jobs at risk, and I have gone to great pains, the gentleman from Washington (Mr. NETHERCUTT) and myself, in reviewing these approaches to make sure that we do not.

I think it is appropriate. This is not just about American jobs, but it is, the gentleman says, about American people, American Congress, remembering who has stood with us and making sure that those who stood with us as we go to liberate Iraq would also be standing with us as we go to rebuild Iraq.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.
Hood and its two Army installations and the 44,000 soldiers that represent Fort Hood, we are going to cut off that air service even while we are at war in Iraq. They even had the audacity to tell employees today, while Delta lobbyists were running around the halls of this Capitol saying we need millions, in fact billions, in tax subsidies to support our efforts at Delta Airlines. I find myself in disbelief, just as 30 former executives at Delta found themselves in disbelief of the actions of executives of this company.

My amendment sends a clear message to the executives of Delta and to Continental Airlines and any other airline: Do not come to the House of Representatives, to these hallowed halls, during a time of war and ask for the taxpayers of military families to subsidize a bailout for your companies while you are cutting off airline service to the thousands of military families who are facing death and risk of life in Iraq tonight.

I thank the chairman, and I look forward to solving this problem.

Mr. EDWARDS. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

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

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

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

Mr. YOUNG of Florida. Mr. Chairman, I ask the gentleman to yield because he and I discussed this at length earlier in the evening, and I think the gentleman raises a point that should be considered seriously, and I have told the gentleman that.

I told the gentleman during the negotiations with the conference committee I would make sure that this issue before the House, before the conference and a thorough discussion would take place and see if there is something that we can do that would be helpful to the families of those soldiers at Fort Hood.

Mr. EDWARDS. Mr. Chairman, I thank the gentleman because the gentleman realizes, as do I, that since I did not get the news, employees of my district did not get the news before the Senate passed the rules for amendments on this bill, technically this amendment could be ruled out of order. For that reason, in a moment I will respectfully pull down the amendment in my appreciation of the gentleman for his recognizing the importance of talking to airlines about not cutting off airline service to major military installations during a time of war when we are asking those families, taxpayers, to help subsidize the continuation of those airlines.

I do not know what the intention is of Delta and Continental who have made these recent announcements to cut off air service to so many military families which are sacrificing so much for us. I will say to them, if they are willing to reconsider what I consider their incredibly unfair decisions tonight and in the days ahead, I will be the first to applaud them for their patriotism and sense of public service during this time of war.

But I also want to send a clear message. If all they offer us is lip service for the next 3 days until they get this bill passed and then they cut off air service to tens of thousands of military families who might lose loved ones as they are cutting off that service, I may be only one Member of Congress, but I hope they understand they will lose millions of American veterans and millions of American families who will share my outrage that it is wrong, it is unpatriotic for these companies to turn their backs on the military families who are facing death and risk of life in Iraq tonight.

I thank the chairman, and I look forward to solving this problem.
The Clerk redesignated the amendment being in order, pursuant to House Resolution 172, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

(Mr. LAPORE, as was given permission to speak out of order.)

DEBT OF GRATITUDE

Mr. LAPORE. Mr. Speaker, I think we owe a big debt of gratitude for the way that the gentleman from Texas (Mr. THORNBERY) has conducted the proceedings of the House all day today. Mac, you did a great job.
CONGRESSIONAL RECORD — HOUSE

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them in order.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

The vote was taken by electronic device, and there were—yeas 414, nays 12, not voting 9, as follows:

[Roll No. 108]

YEAS—414

Abercrombie                 Collins                 Granger
Ackerman                   Congres                  Houghton
Aderholt                   Cooper                   Green (TX)
Akin                       Costello                  Green (WI)
Alexander                   Cox                       Greenwood
Allen                       Cramer                   Gutierrez
Andrews                     Crane                     Guttschek
Baca                        Crenshaw                  Hall
Bachus                      Crowley                  Harman
Baird                       Cubin                    Harris
Baker                       Cuberson                  Hart
Balduin                     Cummings                 Hastert
Ballance                    Cunningham                Hastings (FL)
Ballenger                   Davis (IL)                 Hayes
Barrett (SC)                Davis (CA)                 Hoyt
Bartlett (MD)               Davis (FL)                 Jay
Bass                        Davis (IL)                 Jeffery
Bass (TN)                   Davis (NJ)                 Hersman
Beauprez                    Davis, J. Ann               Herger
Beck                        Davis, Tom                 Hill
Berriett                    Deal (GA)                 Hinchey
Berkeley                    DelGuadillo               Hinojosa
Berry                       Delahunt                  Hobson
Biggart                     Delaurio                  Hoefel
Bilkert                     Delray                    Hoekstra
Billikshi                   Dellums                   Holden
Bishop (GA)                Deutsch                   Holt
Bishop (NY)                Diaz-Balart, L.          Honda
Bishop (UT)                Diaz-Balart, M.          Hooley (OR)
Blackburn                   Dicks                     Hostetler
Blunt                       Dingelstein               Houghton
Boehlert                    Doggett                   Hoyt
Boehner                     Dooley (CA)               Huishof
Bonilla                     Doolittle                  Hunter
Bonner                      Doyle                     Inslee
Bono                        Dree                     Isakson
Boosman                    Duncan, Israel            Israel
Bowser                      Dunn                      Issa
Boucher                     Edwards                   Istoek
Boyce                       Ehlers                    Jackson (IL)
Bradley (NH)                Emanuel                   Jackson-Lee (TX)
Brady (PA)                  Emerson                   Janklow
Brady (TX)                  Engel                     Jackson
Brown (OH)                 English                   Jefferson
Brown (SC)                  Eshoo                     Jenkins
Brown, Corrine             Etheridge                 John
Brown-Waite, Gimmy          Evans                    John (CT)
Burr                        Everett                   Johnson (IL)
Butler                      Fattah                    Johnson, E. B.
Burke                       Ferguson                  Johnson (OH)
Burke (MO)                  Fitcher                   Kanjoriski
Calvert                     Foley                     Kaputri
Camp                        Forbes                    Keller
Cannon                      Ford                      Kelly
Cantor                      Fossella                  Kennedy (MN)
Capito                      Frank (MA)                Kennedy (RI)
Capps                       Frank's (AZ)              Kildee
Capuano                     Freiholz Haynes            Kilpatrick
Cardin                      Frost                     Kind
Cardozza                    Gallegly                  King (IA)
Carson (GA)                 Garrett (N.J.)            King (NY)
Carson (OK)                 Gerlach                   Kingston
Cartier                     Gibbons                   Kirk
Case                        Gillchrest                Kieckel
Castle                      Gillmor                   Kline
Chabot                      Girgenti                  Knoellenberg
Chocola                     Gonzalez                  Kolbe
Clay                        Gooden                   LaHood
Clyburn                     Goodlatte                 Lampson
Coble                       Gordon                    Langevin
Cole                        Goss                      Lantos

Larsen (WA)                 Larson (CT)               Ose
Latham                      Latourette                Otter
Leach                       Levin                     Owens
Levin (CA)                  Levin (NY)                Pallone
Lewis (KY)                  Lisinski                  Pascrell
Lincoln                     Louisiana                Payne
Linsky                      Lieberman                 Pearce
Logue                      Longworth                Pence
Lofland                     Logan                     Peterson (MN)
Lowey                       Longworth                Peterson (PA)
Lucas (KY)                  Lynch                     Peterson (WI)
Lucas (OK)                  Lujan                     Person
Majette                     Maloney                   Perez
Maloney                     Mankowski                Perry
Markey                      Marshall                  Perry (NC)
Matheson                    Marshall                  Perry (TX)
Matsui                      Marquart                 Peterson (NV)
McCulloch                   McCarthy                  Peterson (PA)
McCotter                    McGregor                  Petho
McDermott                   Mc Govern                 Pickering
McGovern                    McHugh                    Pickle
McInerney                   McKeon                    Pickering
McKee (FL)                  McKee (NY)                Pickens
Menendez                    Michel                    Quin
Millender-McDonald         Miller (FL)               Radanovich
Miller (MI)                 Miller (NC)               Rahall
Miller, Gary               Rangel                   Rangel
Miller, George             Rangel                   Regular
Mollohan                    Reynolds                 Reynolds
More                        Rodriguez                Rodriguez
Moran (KS)                  Rogers (AL)               Rogers (AL)
Moran (VA)                  Rogers (KY)               Rogers (KY)
Murray                      Rosen                    Rogers (MI)
Murphy                      Ross                      Ross-Lehtinen
Musgrave                    Rotman                   Roybal-Allard
Nader                       Rothschild               Roybal-Allard
Napolitano                  Roybal-Allard             Rubenstein
Neville                     Rubenstein               Rush
Northwood                   Ryan (OH)                 Ryan (WI)
Nunes                       Ryan (KS)                 Ryan (KS)
Nussle                      Saha                      Ruppersberger
Obey                        Sallie                    Rutherford
Oliver                      Sanchez                  Sanchez, Linda T.
Ortiz                       Sanchez, Loretta          Schakowsky
Osborne                     Sanfey                    Saxton

NAYS—12

Blumenauer                 Grijalva                   Tarr
Bosko                      Guerrera                  Tiemeyer
Brown, Corrine             Green (OH)               Toomey
Brown, Corrine             Green (SC)                Turner (OH)
Brown-Waite, Gimmy          Green (VA)               Turner (TX)
Burgess                     Greenwell                 Udall (CO)
Burns                       Granger                   Udall (NM)
Burke                       Greenspan                 Upton
Burke                        Grisanti                  Van Hollen
Burke (MO)                  Greene                   Velazquez
Burr                        Greiter                  Viscosky
Burke (MO)                  Garman                   Vitale
Burke (MO)                  Garrison                  Vitter
Burke (MO)                  Garrett                   Walberg
Burke (MO)                  Gerlach                   Wamp
Burke (MO)                  Gediman                  Warner
Burke (MO)                  Gerlach                   Ware
Burke (MO)                  Gerlach                   Wattenbarger
Burke (MO)                  Gerlach                   Watkins
Burke (MO)                  Gerlach                   Wexler
Burke (MO)                  Gerlach                   Whitfield
Burke (MO)                  Gerlach                   Wicker
Burke (MO)                  Gerlach                   Wilson (NC)
Burke (MO)                  Gerlach                   Wilson (SC)
Burke (MO)                  Gerlach                   Wolf
Burke (MO)                  Gerlach                   Wu
Burke (MO)                  Gerlach                   Young (FL)

NOT VOTING—9

Berman                      Capps                     Cooper
Comer                       Carper                    Crenshaw
Conaway                     Cartwright                Crapo
Cox                         Carnahan                  Culver
Cox                          Carper                    Crenshaw

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 (Mr. DELAY) for the purposes of informing the body as to the schedule for the coming week.

Mr. Speaker, I appreciate the gentleman from Maryland (Mr. HOYER) yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business.

We will consider several measures under a suspension of the rules and a final list sent to Members' offices by the end of the week.

We may also consider a motion to go to conference on the Armed Services Tax Fairness Act and any votes called on these measures, though, will be rolled until 6:30 p.m.

On Tuesday we expect to consider several additional bills under suspension of the rules, as well as S. 380, which is virtually identical to the Postal Service Reform Bill that we had scheduled for consideration tonight.

For Wednesday and the week we have several measures that we will consider under a rule. These include the gun manufacturers liability Reform Bill that was reported by the Committee on the Judiciary earlier today, the comprehensive energy policy bill, the FY 2004 Budget Resolution Conference Report, and the Conference Report on the FY 2003 War Supplemental.

I would note for Members that we plan to stay in session into the weekend if necessary in order to complete the supplemental before our spring recess.

I thank the gentleman for his information. First, if I might, Mr. Leader, you indicate that we may also consider a motion to go to conference on the Armed Services Tax Fairness Act on Monday. Do you know whether that is more definite now? The reason I ask is that I may want to have a motion to instruct on this side.

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman’s yielding and I wish I could give him a more definite answer. We are trying to consider how we would approach this very important bill and we want to get it out before the Easter break. And the best I can tell the gentleman is it looks like we are going to conference on it or we want to go to conference on it. But I do not want to mislead him. There may be other alternatives available to us after we consider work with the Senate.

Mr. HOYER. I thank the gentleman for that information, and I would appreciate as soon as you know how you are going to handle this if you would let us know.
Mr. DELAY. Absolutely, I will let the gentleman know, so he will have plenty of time to write a motion to instruct.

Mr. HOYER. Thank you, Mr. Leader. Will there definitely be votes next Friday?

Mr. DELAY. The gentleman would yield, “definitely!” is a very tough word in this business and on this floor. I would think, looking at the work ahead of us, that the probability of having votes on Friday is more to the affirmative than to the negative.

Mr. HOYER. The gentleman certainly has outlined some very significant pieces of legislation that may be on the floor.

Mr. DELAY. If the gentleman would yield, I do want to repeat that it is very possible that we could have votes on Friday and we intend to pass the War Supplemental Conference Report and send it to the President before we break for the break. And if things get a little difficult, we could actually be here through the weekend.

Mr. HOYER. Reclaiming my time, I thank the gentleman for his comment and I hear him talking about the supplemental. Does the leader believe that the budget conference report is a necessary legislation for us to pass before we leave? I know you mentioned that you might want to try to do that, but does your side believe that is necessary before we leave next week?

Mr. DELAY. If the gentleman would yield, I have not personally consulted with the Speaker or the rest of the leadership, but it is my own understanding that the conference report on the budget is as important as doing the supplemental. But the word that I have is things are progressing with that conference report. There are very few issues to resolve, and we have the greatest expectation that that conference report will be on the floor sometime next week and will not slow down our ability to go into the Easter break.

Mr. HOYER. I thank the gentleman for that comment.

Related to the budget conference, Mr. Leader, do you expect that we will have a debt limit vote on the floor either as a part of the conference report or as a freestanding bill of some type or other in the week to come?

Mr. DELAY. If the gentleman would yield, the gentleman is very well aware that we re instituted a very important rule called the Gephardt rule that includes in the budget conference report the number that is needed in order to raise the debt ceiling. So the vote on the conference report as far as the House is concerned is the vote on the debt ceiling.

Mr. HOYER. I thank the gentleman for reminding me. Is that the same Gephardt rule that the minority, when the Democrats were in control, thought inappropriate, making the negative desire of Democrats to raise the debt limit and spend more money; is that the same rule you are talking about re instituting and you have re instituted and are going to apply? I just want to clarify and make sure that is the same awful rule that you attacked so vigorously when you were in the minority.

Mr. DELAY. I think it is a different rule, I think it is the Hastert rule now.

Mr. HOYER. A rule by any other name, my friend.

The energy bill, Mr. Leader, do you have a pretty good estimate as to which day of the week that bill might come to the floor?

Mr. DELAY. If the gentleman would yield, as the gentleman knows, this is a very complicated piece of legislation that has had at least four committees and the minority has reported, and we have to get together with the minority to pull this bill together and bring it to the floor, and we hope to schedule that bill for some time on Wednesday; if not Wednesday, on Thursday of next week.

Mr. HOYER. I thank the gentleman for that information.

May I also ask him, and I see the chairman of the Committee on Rules on the floor, you correctly observed, Mr. Leader, this is a complicated bill, a lot of different subjects, very important subjects, very consequential subjects. What, if you know, perhaps the chairman of the Committee on Rules knows, do you contemplate an open rule such as the rule we had on the floor today?

Mr. DELAY. The discussion in the Committee on Rules has not been forthcoming, and certainly we would hope that a rule would be fashioned to give every Member of the House the greatest opportunity to express himself on a very important and complicated piece of legislation like the energy bill.

Mr. HOYER. Reclaiming my time, we share the leader’s hope.

I yield to the distinguished chairman of the Committee on Rules.

Mr. DREIER. Thank you, Mr. Speaker.

Mr. HOYER. The gentleman for yielding. I would say that the majority leader has outlined the goal that the Committee on Rules has on every piece of legislation. We demonstrated that this evening, allowing an opportunity for Members to consider a wide range of issues. And we know, as has been said by everyone, that the energy bill is going to be a very complex piece of legislation. There are a number of committees that have been involved in the energy bill and we purposely look forward to resolving some of those questions in the Committee on Rules, and then we will come forward with an opportunity for a wide range of considerations.

Mr. HOYER. Reclaiming my time, I would say again in all sincerity to my friend, the chairman of the Committee on Rules, and the leader, this is the kind of legislation, which you are absolutely correct, which is very serious, very complicated, and ought to have the fullest airing on the floor of this House. Obviously, it has had a full airing in a number of committees.

We would urge and we very strongly hope that the goal that the gentleman has expressed as his will, in fact, be followed so that alternatives can be offered by committee or individual Members on this side of the aisle as well as that side of the aisle when this bill comes to the floor.

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

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

Mr. DREIER. Mr. Speaker, I would just say that we will certainly take the recommendation of our friend, the minority whip, into consideration as we proceed; and I thank my friend for yielding.

ADJOURNMENT TO MONDAY, APRIL 7, 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 Monday next for morning hour debates.

The SPEAKER pro tempore (Mr. LATOURETTE). 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.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING H.R. 1036, PROTECTION OF LAWFUL COMMERCE IN ARMS ACT OF 2003

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of April 7 to grant a rule which could limit the amendment process for floor consideration of H.R. 1036, the Protection of Lawful Commerce in Arms Act. Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in Room H–312 of the Capitol by 10 a.m. on Tuesday, April 8. Members should draft their amendment to the bill as reported by the Committee on the Judiciary on April 3, 2003.

Members are advised that the text should be available for their review on the Web sites of the Committee on the Judiciary and the Committee on Rules today.

Members should use the Office of Legislative Council to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia? There was no objection.

COMMUNICATION FROM THE HON. NANCY PELOSI, DEMOCRATIC LEADER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from Nancy Pelosi, Democratic Leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,

Hon. J. Dennis Hastert,
Speaker of the House, House of Representatives,
Washington, D.C.

Dear Mr. Speaker:


Best regards,

Nancy Pelosi,
Democratic Leader.

APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF GALAUDET UNIVERSITY

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 4303, and the order of the House of January 8, 2003, the Chair announces the Speaker’s appointment of the following Member of the House to the Board of Trustees of Gallaudet University:

Ms. Woolsey of California.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. Scott of Georgia). Under the Speaker’s announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. Burton) is recognized for 5 minutes.

Mr. Burton of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

CUBA’S CRACKDOWN ON DISSIDENT COMMUNITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Pallone) is recognized for 5 minutes.

Mr. Pallone. Mr. Speaker, last week I stood before this House and spoke of the opening stages in Castro’s outright assault on human rights and democracy. I spoke of Castro’s decision to arrest over 80 nonviolent human rights advocates, pro-democracy leaders and independent journalists, in what has become a campaign by the regime to silence all voices of opposition on the island. Hoping that his actions would be overshadowed by the situation in Iraq, Castro has declared war on his own people.

Among those arrested include signers and supporters of a joint statement from the Cuban dissident community to the European Union, promoters of the Varela Project, members of the independent press, owners of independent libraries, and members of Cuba’s independent civil society.

When I last spoke on this situation, it was feared that those arrested would be prosecuted under a much-criticized 1999 Cuban law that makes it a crime to publish subversive materials provided by the U.S. Government, and that carries with it a harsh prison sentence. Those fears, unfortunately, Mr. Speaker, have become a reality, as Castro has begun the trial of many of the detainees, seeking sentences that range from 12 years to decades and even requesting life in prison for some.

Furthermore, the prisoners have been refused access to their wives and families, have been allowed little or no legal defense, and have even been denied the ability to read the State’s case against them.

Mr. Speaker, the Cuban Government has provided no information about the trials. Authorities outside two of the trials barred access to international journalists.

Castro’s wave of oppression was also accompanied by a decision to limit the travel of Americans with the U.S. Interests Section, quarantining our diplomats to the province of Havana. Castro has become increasingly irritated by the actions of James Cason, chief of the U.S. Interests Section, and Cason’s continued contact with members of the Cuban pro-democracy movement.

Cason and other American diplomats have met in public with opposition leaders and independent journalists in an effort basically to encourage democracy and freedom of information on the island.

Mr. Speaker, these recent actions by the Castro regime are simply the next step in the systematic denial of even the most basic human rights for the citizens of Cuba. I, and many of my colleagues, have often urged this body to be wary of Castro and the Cuban Government. These latest developments are nothing new, but we must continue to be vigilant and not allow these deeds to go unnoticed.

Castro must know that despite his hope that the world would be looking the other way, we are noticing, and that these actions will not be allowed to continue.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Smith) is recognized for 5 minutes.

Mr. Smith of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

ORDER OF BUSINESS

Mr. Meek of Florida. Mr. Speaker, I ask unanimous consent to proceed with my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida? There was no objection.

GEORGE “GODFATHER” THOMPSON: A LIFETIME OF SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. Meek) is recognized for 5 minutes.

Mr. Meek of Florida. Mr. Speaker, I rise this evening to honor George “Godfather” Thompson, one of the most remarkable men in my life and many of the lives of individuals who have played Rattler football at Florida A&M. Tomorrow night, friends and families and other players at Florida A&M are going to come together to pay tribute to this wonderful man who has done so much on behalf of so many, a man of great humility and compassion.

When he speaks of Florida A&M and Rattler football, he gets chill bumps all over his body.

His heart is so big that those who go to Florida A&M with very little money, very little guidance or those that have great guidance, he takes the time to speak with them.

This Nation loves sports and for good reasons, but the right coach and guidance and sports, particularly in team sports, are fun and effective ways to teach young people the great lessons of life, that discipline and hard work are necessary for success but not necessarily guaranteed; that those who are
try to beat their opponents, they are not necessarily their enemies; that winning with grace and dignity often requires as much character as losing with grace and dignity; and that teams succeed over the long haul when there are people working together, helping each other, and supporting each other.

These are the great lessons of George "Godfather" Thompson.

I played defensive end for Florida A&M University, and this is where I met Godfather. He gave me a great insight on life, even though he was just an equipment manager. He was one of great dignity and pride and told many Rattler football players about the programs and stories. Even though it was not his responsibility to be the counselor, he took that responsibility as being someone to head young men in the right direction, or point young men in the right direction.

For everyone who calls George Thompson "Godfather," and we still do, it is not a godfather that we may see on a movie or what have you, but it is out of respect and love for someone who took the time with everyone and opened his heart to accommodate not only their feelings but to guide them in the right direction.

He came to Florida A&M from Melbourne, Florida in 1951. He earned his degree and worked on campus as an equipment manager. It changed his life and the lives of thousands of student athletes who passed under his mentorship. He is a walking, talking history book who still inspires the coaches, students and players at Florida A&M. His compliment to the university and the students is unprecedented at Florida A&M, and maybe unprecedented in the entire Nation.

Mr. Speaker, I think it is very important for us to be able to highlight the fact that he served under five coaches there at Florida A&M, and for many of those years great individuals passed through that program. Rattler football is something we take very seriously down in Florida, especially in Tallahassee, Florida where the blood runs orange and green.

I want to thank him for his commitment and his level of responsibility for so many individuals in our lifetime. So many young men have moved on to do great things in this country because of his guidance, and we honor his presence and we thank God that so many of us have been blessed to have had the opportunity to have walked our way. So I not only commend him, Mr. Speaker, but I also want this Congress to be aware that a great American and patriot took time not only to guide individuals like myself and others and that we are forever indebted to his presence and to his feelings and to the work that he put forth over the years doing common things uncommonly well.

IN HONOR AND MEMORY OF PRIVATE FIRST CLASS HOWARD J. JOHNSON, II, OF MOBILE, ALABAMA

The SPEAKER pro tempore (Mr. Bishop of Utah). Under a previous order of the House, the gentleman from Alabama (Mr. Bonner) is recognized for 5 minutes.

Mr. BONNER. Mr. Speaker, this Saturday, Mobile, and indeed all of Alabama will say goodbye to our first casualty in the war on Iraq. While many Americans were working weekend errands, shopping at the local mall, or spending time with their children at a T-ball game, I will, instead, be attending what will be a much more somber occasion, the funeral services for Private First Class Howard Johnson, II. Private Johnson was killed in combat while bravely serving and protecting this great Nation in Operation Iraqi Freedom.

Mr. Speaker, recently I visited with Howard's parents, the Reverend and Mrs. Howard Johnson, at their home in Mobile. Like every other parent would do in similar circumstances, the Johnsons grieve over the loss of their wonderful son. They told me what a fine young man Howard was, how he was always thinking of other people, and how he had a special concern especially for the older people who were in his father's church.

They said Howard loved life, and he was blessed with many wonderful friends. In the living room of their home, I had a chance to view several photographs of Howard, first as a little boy, then as a teenager, and more recently as a young man. Always, always, there was a big smile on his face. Howard Johnson, II, had a contagious smile and an optimistic spirit that looked to the future with hope and anticipation.

In uniform and in service to our country, Private Johnson exhibited courage, selfless service, and honor as a member of the United States Army and its 507th Ordnance Maintenance Company. Tragically, Private Johnson's supply convoy was ambushed in the early days of the campaign in the Iraqi city of Nasiriyah.

Although stationed at Fort Bliss in El Paso, Texas, Private Johnson resided in Mobile, Alabama with his family. He was a 2001 graduate of LeFlore High School and a member of the ROTC. Upon graduation from high school, Howard joined the Army and served as an automated logistical specialist after graduating from basic training at Fort Jackson, South Carolina in August of 2001.

On Wednesday of this week, more than 1,500 friends, former classmates, teachers and members of Howard's extended family attended a memorial service at the LeFlore High School gymnasium. Howard Johnson, II, will be remembered for many fine qualities, not the least of which is the fact that today he is also known as and wears the title "hero.”

As you might imagine, I was deeply saddened to receive the word of Private Johnson's death. While it is always hard to understand why we must lose any of our young people, especially those serving and protecting our Nation in our Armed Forces, it is even harder to believe it is accurate to say Private Johnson's family takes great comfort from the fact that Howard was ably performing his duty in an honorable manner that reflects the rich tradition of our military.

Even during this sad time, his parents, family and friends are rightly proud of his many accomplishments and that he voluntarily committed himself to preserving the freedoms that we sometimes take for granted and that we enjoy here in the United States and to spreading those freedoms to the victims of an oppressive regime halfway around the world.

Mr. Speaker, Howard's family is fortunate that they can rely on a rock-solid faith and a loving God to provide personal strength and comfort during these difficult days. Reverend Johnson, Howard's father, is pastor of the Truevine Missionary Baptist Church in Mobile where Howard played drums and was active in Sunday school in the children's ministry. Right before Howard was prepared to ship off to Kuwait, he reassured his father that "I'm ready, and I know what I'm facing, and I just believe that God is going to do it for me."

Mr. Speaker, Howard Johnson's willingness to pay what has become the ultimate sacrifice has contributed immeasurably to the freedom and security of this Nation, to Iraq, and to the world.

The 507th's "One team, one fight" motto also embodies this worldwide mission that our servicemen and women have undertaken. May the prayers of a grateful Nation bring some comfort to the Johnson family and to all other families who have lost loved ones during this war, and may God continue to bless America, the greatest country on the face of the Earth.

ESTABLISHING A PERMANENT PRESENCE IN THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Conyers) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, I want to bring to your attention a fascinating article in this month's issue of Mother Jones magazine, written by Robert Dreyfuss, and it deals with the question of establishing a permanent presence in the Middle East. I wanted to point out that this issue of oil, which fuels military power, national treasuries and international politics, is no longer a commodity to be bought and sold within the confines of traditional energy supply and demand balances. Rather, it has been transformed into a determinant of well-being of national security and of international...
power. I recommend it to the attention of all of my colleagues.

Mr. Speaker, I submit the above-mentioned article for the RECORD.

ESTABLISHING A PERMANENT PRESENCE IN THE MIDDLE EAST

If your were to spin the globe and look for real estate critical to building an American empire, your first stop would have to be the Persian Gulf. The desert sands of this region hold three barbershops: the worlds, world, and world. Iraq's reserves alone are equal by, some estimates, to those of Russia, the United States, China, and Mexico combined. For the United States and its NATO allies, the crosshairs of an influential group of Washington foreign-policy strategists, who believe that in order to guarantee its global dominance, the United States needs control of the region and its oil. Born during the energy crisis of the 1970s and refined since then by a generation of policymakers, this approach is finding its boldest expression yet in the Bush administration—which, with its plan to invade Iraq and install a regime beholden to Washington, has moved closer to realizing its goal of transforming the Gulf into an American protectorate.

In the geopolitical vision driving current U.S. policy toward Iraq, the key to national security is global hegemony—dominance over any and all potential rivals. To that end, the Bush administration must project its military forces anywhere, at any time. It must also control key resources, chief among them oil—and especially Gulf oil. To the hawks who now see the tone at the White House and the Pentagon, the region is crucial not simply for its share of the U.S. oil supply (other sources have become more important over the years). Rather, it would allow the United States to maintain a lock on the world's energy life-line and potentially deny access to its global competitors. The administration "believes you have to control resources in order to have access to them," says Chas Freeman, who served as U.S. ambassador to Saudi Arabia under the first President Bush. "They are taken with the idea that the end of the Cold War left the United States able to impose its will globally—and that those who have the ability to shape events will have power they have to do so. It's ideology.

Iraq, in this view, is a strategic prize of unparalleled importance. Unlike the oil be-neath the sands, locked away in the steppes of central Asia, or buried under stormy seas, Iraq's crude is readily accessible and, at less than $1.50 a barrel, some of the cheapest in the world to produce. Already, over the past several months, Western companies have been meeting with Iraqi ex-ecutives to try to strike a claim to that bonanza. But they have hesitated to cash in on an American-controlled Iraq, the push to remove Saddam Hussein hasn't been driven by oil executives, many of whom are worried about the war. Nor have Vice President Cheney and President Bush, both former oilmen, looking at the Gulf simply as a lock on the world's energy life-line and potentially deny access to its global competitors. The administration "believes you have to control resources in order to have access to them," says Chas Freeman, who served as U.S. ambassador to Saudi Arabia under the first President Bush. "They are taken with the idea that the end of the Cold War left the United States able to impose its will globally—and that those who have the ability to shape events will have power they have to do so. It's ideology.

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The original content from the image is not clear due to the lack of readable text. It seems like there is an image or a document that is not properly captured or recognized. If you can provide clearer text or an image that can be read and translated accurately, I would be happy to help! If you need assistance with something else, feel free to ask!
The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. Ross-Lehtinen) is recognized for 5 minutes. Ms. ROSS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. Mario Diaz-Balart) is recognized for 5 minutes.

Mr. MARIO DIAZ-BALART of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

CUBA BEGINS TRIALS OF DISSIDENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. Foley) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, let me draw your attention to a headline that appeared in the Associated Press today, and the headline reads "Cuba Begins Trials of Dissidents. Cuba prepares to round up some of its most outspoken critics as it intensifies its crackdown on dissidents in years, holding the first trials Thursday for dissidents rounded up across the Island and reportedly seeking life sentences for at least 10 of them."

My colleagues and I are at this moment attempting to liberate Iraq from a dictator, Saddam Hussein. Our men and women are in harm's way. Regrettably, in this very Chamber, we have had our own colleagues, our own colleagues advocating open trade and opportunity with Fidel Castro.

Let me read what Elsa Pollan said about her husband, Hector Fernando Maseda. She says, "I feel so defenseless. Where can I find someone to defend my husband?"

Mr. Speaker, I am referring to the very person who is arresting and charging people in Cuba to life sentencing. At least 78 dissidents have been arrested since March 18. If you dare to speak out against the government, and I say that loosely because it is not a government, it is a dictatorship, of Fidel Castro, you are arrested. My colleagues from south Florida will tell Members at length what is considered a chargeable crime, and they will tell some of the things that this dictator is charging his citizens with.

Let me read what Elsa Pollan said about her husband, Hector Fernando Maseda. She says, "I feel so defenseless. Where can I find someone to defend my husband?"

Mr. Speaker, I want to pursue a policy of appeasement with a man who is in fact locking up his own citizens as we speak. The parallels between Saddam Hussein and Fidel Castro are absolutely identical. One has a beard, one is south of Florida, the other is in the Middle East. But if the citizens dare speak out against either, they are dead or imprisoned for life. If they advocate health care or opportunity, they are arrested. Please do not fall for the trap; trade will not work. The embargo must stand. Fidel must go, and Cubans on that beautiful island south of Florida should have a chance for democracy and free elections.

CUBAN REGIME ARRESTS PRO-DEMOCRACY ACTIVISTS

The SPEAKER pro tempore (Mr. Bishop of Utah). Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for at least half the time until midnight as the designee of the majority leader.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I appreciated the remarks of the gentleman from New Jersey (Mr. Pallone) and then my distinguished friend from Florida, the gentleman from Florida (Mr. Foley),
with regard to the crackdown that the Cuban dictatorship is engaged in at this moment against the pro-democracy movement in Cuba.

An entire new generation of leaders has developed and sprung up in Cuba; and even though they make a very purposeful and consistent effort, their struggle always to a totally peaceful means, the dictator in Cuba is nervous, precisely because an entire generation of leadership that signifies and represents the future of Cuba has arisen. So this crackdown has occurred while the attention of the world, and it is occurring while the attention of the world is obviously upon Iraq because of the liberation of Iraq taking place by the United States.

So taking advantage of the fact that the world is looking at Iraq, the Cuban dictator has once again filled his prisons with men and women who are peaceful pro-democracy activists or independent journalists, including Raúl Rivero who is usually referred to as the dean of independent journalists in Cuba. Very well-known peaceful pro-democracy activists have been part of this round-up. Their homes have been burst into by the thugs of the dictatorship called the Rapid Action Brigades. They have burst into the homes, ransacked the homes, stolen property and terrorized the families of the pro-democracy victims, as well as the pro-democracy activists themselves, who had been going on systematically in the last 2 weeks in Cuba.

As I stated before, very well-known activists such as Héctor Palacios and Martha Beatriz Roque are among the many, the 80 that we know of. Certainly there are many more that we do not know of, but 80 we know of.

Mr. Speaker, I include for the Record the list of the 80 imprisoned journalists and activists that we know of.

INDEPENDENT JOURNALISTS


Alejandro González Raga, Normando Hernández, Juan Carlos Herrera Acosta, José Ubaldo Izquierdo, Héctor Maseda, Mario Enrique Mayo, Jorge Olivera, Pablo Acharre Avila, Pablo Prieto Llorente, José Gabriel Ramón Castillo, Raúl Rivero Castañeda, Omar Rodríguez Saludes, Omar Ruiz Hernández, and Manuel Vázquez Portal.

FACEDOM ACTIVISTS


Táurano, Iván Hernández Carrillo, Regis Iglesias, Rolando Jiménez Posada, Reynaldo Labrado Peña, Librado Linares, José Miguel Martínez Hernández, and Rafael Millet.


Mr. Speaker, without any doubt, Martha Beatriz Roque, of the pro-democracy activists who have been rounded up in this Stalinist crackdown in the last 2 weeks, she is the best known, an economist by trade and a very erudite intellectual. Martha Beatriz Roque was rounded up and thrown in the dungeon along with these 80 other pro-democracy activists, and today her summary trial began. Apparently it is set to end tomorrow.

The Castro regime’s prosecutors are required to present this charge for this hardworking woman, this economist who simply writes and speaks on behalf of freedom and democracy and analyzes economic conditions, and engages in that kind of work. The indictment does not contradict the fact that her work is peace-loving, non-aggressive, and democratic, because it is really a farce. It would be laughable if we were not dealing with the tragic situation of a people who have had to be subjected to 44 years of totalitarianism led by a Stalinist dictator.

The indictment charges Martha Beatriz Roque with possessing a computer, possessing a server for her Web page in the United States of America. By way of the Web page, the indictment continues, Martha Beatriz Roque established links with entities in the United States. The accused, Martha Beatriz Roque, numerous times spoke on Radio Marti. The accused, Martha Beatriz Roque, published an article in a dissident magazine known as “Enquento.” The accused, Martha Beatriz Roque, was visited in her resi- dence by the State Department of the United States Diplomatic Mission. The accused, Martha Beatriz Roque, possessed in her residence, the indictment continues, a Cannon copier and a Panasonic fax machine. The accused, Martha Beatriz Roque, had communications with thegentlewoman from Florida (Ms. Ros-Lehtinen) and Lincoln Diaz-Balart. The accused must be sentenced pursuant to this indictment, pursuant to the request of the prosecution in the totalitarian state to life imprisonment for what she did.

That is what the Cuban people are subjected to, Mr. Speaker. Obviously, we see that the international commun-
but I so much appreciate their being here also this evening, the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Florida (Mr. MARIO DIAZ-BALART). Ms. ROS-LEHTINEN, Mr. Speaker, I thank the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) for yielding to me in this special moment for the people of Cuba.

It is with a heavy heart that my colleagues from south Florida and I stand here today because while we are filled with hope and satisfaction about the liberation of the Iraqi people from the repressive regime of Saddam Hussein, at the same time our hearts bleed and weep for our brothers and sisters enslaved and oppressed in Cuba because the brutal tyrannical regime of Fidel Castro has used the cover of military action in Iraq to launch, as my colleague from south Florida clearly pointed out, one of the most intense crackdowns against dissidents in recent memory. Security officials have been storming into homes across the island, confiscating typewriters, books, papers from dissidents' homes, and rounding up around 100 pro-democracy activists and independent journalists. Just what are they called crimes? Engaging in supposedly threatening activities such as possessing and lending books by such authors as Vaclav Havel, Mahatma Gandhi, Martin Luther King, Jr.

Again, again, again, we have freedom fighters such as Marta Beatriz Roque, an economist by trade who has already pointed out by the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), in the Los Angeles Times, they have published editorials saying, "After years of calling for liberalized relations with Cuba, this editorial page must now urge American policymakers to hit the brakes."

So rather than focusing on rewarding the Castro regime by loosening U.S. restrictions, all of us in the U.S. Congress should demand that Castro free all the pro-democracy activists who have been arrested in the last few weeks, along with all prisoners of conscience.

We must demand respect for human rights and freedom for the Cuban people. We have done it before. We did it for the Afghan people in their struggle, and we are now working to liberate the Iraqi people. But after more than 40 years of enslavement and subjugation, the U.S. Congress, with a single voice but one which will be heard around the world, must speak out against these atrocities and the Castro regime is leading as Commander in Chief Operation Iraqi Freedom, with all the complexities that has entailed and the attention that has required, the President of the United States a week ago wrote a letter to 10 people's freedoms, putting them in prison because they own a fax machine and because they have the audacity to own a printer, a copier or to have a Web page.

The world will not sit quietly. The world will not pretend this is not happening. We must all now speak up with one voice. We must all speak up against permitting this insanity by this insane human being just 90 miles away from our shores from taking away the lives of these people to be free, they get sentences of life imprisonment. Is that a cruel joke? At the same time there are brave men and women who are giving their lives for freedom, just 90 miles from our shores we have another dictator tantamount to a people's freedom, putting them in prison because they own a fax machine and because they have the audacity to own a printer, a copier, or to have a Web page.

I was listening to our distinguished colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), talk about the sentences, these horrendous, long prison sentences to these human beings. Why are they going to prison? It sounds like a cruel joke. They are going to prison because they own a fax machine. They are going to prison because they own a computer. They are going to prison because they have the audacity of owning a computer. They are going to prison because how could they dare put up a Web page, a Web page that expresses what? Love for freedom. That is what has been sentenced to prison. People who are nonviolent, people who want just one thing: freedom. Because they have the audacity to speak up and say that they want to be free and they want their people to be free, they get sentences of life imprisonment. Is that a cruel joke?

One week ago, the President of the United States, despite the fact that he is leading as Commander in Chief Operation Iraqi Freedom, with all the complexities that has entailed and the attention that has required, the President of the United States a week ago wrote a letter to the people's freedoms, the most prestigious political prisoners in Cuba, a prisoner of conscience, Dr. Oscar Elias Biscet, and the President wrote in this letter to Dr. Biscet at Combinado del Este Prison where he is currently imprisoned: ‘‘Dear Dr. Biscet: Congratulations on your recognition by the International Republican Institute with its first Democracy's People Award.

Your work and your example are the embodiment of democratic values, including self-determination, free expression, and liberty. I applaud your courageous and dignified struggle for

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I thank both of my colleagues.

I was listening to our distinguished colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), talk about the sentences, these horrendous, long prison sentences to these human beings. Why are they going to prison? It sounds like a cruel joke. They are going to prison because they own a fax machine. They are going to prison because they own a computer. They are going to prison because they have the audacity of owning a computer. They are going to prison because how could they dare put up a Web page, a Web page that expresses what? Love for freedom. That is what has been sentenced to prison. People who are nonviolent, people who want just one thing: freedom. Because they have the audacity to speak up and say that they want to be free and they want their people to be free, they get sentences of life imprisonment. Is that a cruel joke?

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human rights and to bring freedom to all Cubans.

“Laura and I continue to pray for your health and that of the many political prisoners held unjustly in your country.

Sincerely,

George W. Bush.

LEAVE OF ABSENCE
By unanimous consent, leave of absence was granted to:
Mr. M. McInnis (at the request of Mr. Delay) for today on account of surgery.

SPECIAL ORDERS GRANTED
By unanimous consent, permission to address the House, following the legislative program and any special orders hereof, to enter the House do now adjourn.

ADJOURNMENT
Mr. Lincoln Diaz-Balart of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until Monday, April 7, 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:

1661. A letter from the Deputy Associate Attorney General and White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1662. A letter from the Deputy Associate Attorney General and White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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1668. A letter from the Deputy Associate Attorney General and White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1669. A letter from the Deputy Associate Attorney General and White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1670. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1671. A letter from the Secretary, Department of Commerce, transmitting a report entitled, “Federal Assistance for Interjurisdictional and Anadromous Fisheries, Program Report 2001–2002”; to the Committee on Resources.

1672. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as a result the loss of the Space Shuttle Columbia has exceeded one billion, pursuant to 42 U.S.C. 5192; to the Committee on Transportation and Infrastructure.

1673. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department’s final rule—Security zone; Cruise ship, Resurrection Bay, Alaska [COTP Western Alaska 02-010 (RIN: 2115-AA97) received February 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS
Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. Sensenbrenner: Committee on the Judiciary. H.R. 760. A bill to prohibit the procedure commonly known as partial-birth abortion (Rept. 108-58). Referred to the Committee of the Whole House on the State of the Union.
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ENGLISH (for himself, Mr. TANNER, Mr. SHERWOOD, Mr. MCNULTY, Mr. BERRY, Mr. MURTHA, Mr. WINTER, Ms. KILBANE of Colorado, Mrs. EMERSON, Mr. ALLEN, Mr. REYNOLDS, Mr. PETERSON of Pennsylvania, Mr. KANJORSKI, Mr. HUTCHINSON of Florida, Mr. PORTZER, Mr. TURNER of Texas, Mr. DAVIS of Tennessee, Mr. PLATTS, Mr. DOYLE, Mr. LATHAM, Mr. POMEROY, Mr. BOSWELL, Mr. COOPER, and Mr. POLLARD): H.R. 1580. A bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the Medicare Program, and for other purposes; to the Committee on Ways and Means.

By Mr. KNOLENBERG (for himself, Mr. HOSTETTLER, and Mr. EDWARDS): H.R. 1581. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain compensation received by members of the Armed Forces serving in South Korea; to the Committee on Ways and Means.

By Mr. TERRY (for himself, Mr. STUPAK, Mr. STRICKLAND, Ms. WILSON of New Mexico, Mr. SHIMKUS, Mr. CANNON, Mr. INSLEE, Mr. OTTER, Mr. SHERMAN, Mr. HUNTER, Mr. BISHOP of Utah, Mr. RENZI, Mr. DICKS, Mr. OSBORNE, Mr. BERUETE, Mr. MCALISTER, Mrs. CUBIN, Mr. HASTINGS of Florida, Mr. POMEROY, Mr. KINGSLEY, Mr. MCCARTHY of Missouri, Mr. RUSH, Mr. RADANOVICH, Mr. ROGERS of Michigan, Mr. BROWN of Ohio, Ms. DALTON, Mr. BARTON of Texas, Mr. BASS, and Mr. BEAUPREZ): H.R. 1582. A bill to equitably distribute universal service support throughout rural America, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORWOOD (for himself, Mr. BOEHNER, Mrs. BIGGERT, Mr. BALLenger, Mr. HOKESTRA, Mr. KELLER, Mr. KLINE, Mrs. BLACKBURN, and Mr. ISAkSON): H.R. 1583. A bill to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative improvement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HOUGHTON (for himself, Mr. THOMAS, and Mr. RANGEL): H.R. 1584. A bill to implement effective measures to stop trade in conflict diamonds, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on International Relations, 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. ALDER (for himself, Mr. SMITH of New Jersey, Mr. EVANS, Mr. EVERTT, Mr. BILIRAKIS, Mr. MICHAUD, Ms. CARSON of Indiana, Mr. FILNER, Mr. BOOZMAN, Mr. MILLER of Florida, Mr. BOOZMAN, Mr. STEARNS, Mr. QUINN, Mr. SWEENEY, Mr. BROWN of South Carolina, Mr. MCDERMOTT of Washington, Ms. GINNY BOWMAN-Waite of Florida, and Mr. MCHUGH): H.R. 1585. A bill to establish an office to oversee research compliance and assurance within the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CANNON: H.R. 1586. A bill to provide for the fair and efficient judicial consideration of personal injury and wrongful death claims arising out of asbestos exposure, to ensure that individuals who suffer impairment, now or in the future, from illnesses caused by exposure to asbestos receive compensation for their injuries, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. ROYCE, Mr. RORRABACHER, Mr. FLORES, Mr. LOUDER, Mr. PENCE, Mr. CROWLEY, Ms. LOFgren, Ms. ROS-LEHTIENEN, Mr. TANVEER of Virginia, Mr. TOWNS, Mr. MCNULTY, Ms. GINSBY BROWN-Waite of Florida, Mr. BALLenger, Ms. LORETTA SANCHEZ of California, Mr. SAM JOHNSON of Texas, Mr. CLAY, Mrs. BEAUPREZ, Mr. GREEN of New York, Mr. BRADLEY, Mr. GREEN of Wisconsin, Ms. NORTON, Mr. Wynn, Mr. BELL, Mr. MORAN of Virginia, Mr. PAYNE, Mr. COX, Mr. GAULING, Mr. MOORE, Mr. VAN HOLEN, and Mr. WELDON of Pennsylvania): H.R. 1587. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committee on 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. ENGLISH (for himself and Mr. SKELTON) (both by request): H.R. 1588. A bill to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2004, and for other purposes; to the Committee on Armed Services.

By Mr. TERRY (for himself, Mr. DREIER): H.R. 1589. A bill to enhance United States leadership and the functioning of international organizations and multinational institutions; to the Committee on International Relations.

By Mr. ANDREWS: H.R. 1590. A bill to amend the Occupational Safety and Health Act of 1970 to require construction employers to comply with all Federal, State, and local health and safety standards applicable to the construction industry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FILNER: H.R. 1591. A bill to amend title 10, United States Code, to provide a credit toward the cost of homeownership of a multi-Family Federal housing project carried out under the housing and urban development program to an owner or operator of an airport that is likely to be mutually beneficial, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TERRY: H.R. 1592. A bill to direct the Secretary of the Interior to provide grants for the preservation of historic courthouses; to the Committee on Resources.

By Mr. LANTOS (for himself and Mr. DREIER): H.R. 1593. A bill to enhance United States leadership and the functioning of international organizations and multinational institutions; to the Committee on International Relations.

By Mr. HOSTETTLER, and Mr. EDWARDS): H.R. 1594. A bill to provide for the fair and efficient judicial consideration of personal injury and wrongful death claims arising out of asbestos exposure, to ensure that individuals who suffer impairment, now or in the future, from illnesses caused by exposure to asbestos receive compensation for their injuries, and for other purposes; to the Committee on the Judiciary.

By Mr. LANTOS: H.R. 1595. A bill to provide for the fair and efficient judicial consideration of personal injury and wrongful death claims arising out of asbestos exposure, to ensure that individuals who suffer impairment, now or in the future, from illnesses caused by exposure to asbestos receive compensation for their injuries, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN: H.R. 1596. A bill to designate the facility of the United States Postal Service located at 2318 Woodson Road in St. Louis, Missouri, as the “Timothy Michael Gaffney Post Office Building”; to the Committee on Government Reform.

By Mr. COLINS: H.R. 1597. A bill to amend the Internal Revenue Code of 1986 to classify qualified rental office furniture as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. COX: H.R. 1598. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek: Watershed, California, and for other purposes; to the Committee on Resources.

By Mr. CUMMINGS (for himself and Mr. SOUDER): H.R. 1599. A bill to amend the Office of National Drug Control Policy Act Reauthorization Act of 1998 to ensure that adequate funding is provided for certain high intensity drug trafficking areas; to the Committee on Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of Virginia: H.R. 1600. A bill to amend the Elementary and Secondary Education Act of 1965 to reauthorize the Elementary and Secondary Education Act of 1965 to provide funds to the states for programs and for other purposes; to the Committee on Education and the Workforce.

By Mrs. JO ANN DAVIS of Virginia: H.R. 1601. A bill to provide for reform relating to Federal employment, and for other purposes; to the Committee on Government Reform.

By Mrs. JO ANN DAVIS of Virginia: H.R. 1602. A bill to amend the Senior Executive Service Reform Act of 1989 (5 U.S.C. App.) to streamline the financial disclosure process for executive branch employees; to the Committee on Government Reform, and in addition to the Committees on the Judiciary, and the Government Reform, 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. DOOLITTLE:
H.R. 1604. A bill to amend Public Law 105-295 to increase the amount of funds authorized to be appropriated for construction of temperature control devices; to the Committee on Resources.

By Mr. GILCHRIST (for himself, Mr. OLIVER, Mr. BOEHLERT, Mr. MARKLEY, Mrs. JOHNSON of Connecticut, and Ms. SOLIS):
H.R. 1605. A bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks; to require fuel economy standards for automobiles up to 30,000 pounds gross vehicle weight; to increase the fuel economy of the Federal fleet of vehicles, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Government Reform, 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. GOODE:
H.R. 1606. A bill to amend the Immigration and Nationality Act to impose a limitation on the wage that the Secretary of Labor may require an employer to pay an alien who is an H-2A agricultural worker; to the Committee on the Judiciary.

H.R. 1607. A bill to amend the Internal Revenue Code of 1986 to allow a credit for contributions of real property interests for conservation purposes; to the Committee on Ways and Means.

By Mr. GOODE (for himself, Mr. HELFLEY, Mr. FORBES, and Mr. MORGAN of Virginia):
H.R. 1608. A bill to amend the Internal Revenue Code of 1986 to allow credits for contributions of real property interests for conservation purposes; to the Committee on Ways and Means.

By Mr. GRAVES (for himself, Mr. SKELOTON, Mrs. EMERSON, Mr. AKIN, Mr. CLAY, Mr. BLUNT, Mr. HULSFORD, Ms. MCCARTHY of Missouri, and Mr. GEPHARDT):
H.R. 1609. A bill to redesignate the facility of the Postal Service located at 201 West Boston Street in Brookfield, Missouri, as the "Admiral Donald Davis Post Office Building"; to the Committee on Government Reform.

By Mr. GRAVES (for himself, Mr. SKELOTON, Mrs. EMERSON, Mr. AKIN, Mr. CLAY, Mr. BLUNT, Mr. HULSFORD, Ms. MCCARTHY of Missouri, and Mr. GEPHARDT):
H.R. 1610. A bill to redesignate the facility of the Postal Service located at 250 South Main Street, Quincy, Missouri, as the "Walt Disney Post Office Building"; to the Committee on Government Reform.

By Mr. HONDA (for himself, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Mr. FROST, Mr. HINOJOSA, Mr. GRIJALVA, Mr. BISHOP of New York, Ms. HOOLEY of Oregon, Mr. RODRIGUEZ, Mr. RUPPERSBERGER, Mr. INSLEE, Ms. LINDA T. SANCHEZ of California, Mr. HINOJOSA, Ms. LOFELD, MS. LOGFREN, Mr. GEORGE MILLER of California, Mr. ISRAEL, Mr. EHLERS, Ms. MILLER-MCDONALD, Mrs. NAPOLITANO, Mr. SANCHEZ of California, Ms. BECERRA of California, Mr. JOHNSON of Ohio, Mr. CASE, Mr. OWENS, and Mr. ENGEL):
H.R. 1611. A bill to authorize grants to local educational agencies for teacher mentoring programs; to the Committee on Education and the Workforce.

By Mr. BISHOP of New York (for himself, Mr. RYAN of Wisconsin, Mr. HAYWORTH, Mr. ENGLISH, Mr. FOLEY, Mr. BRADY of Texas, Mr. HERGER, Mr. LEWIS of Kentucky, Mr. SANFORD of South Carolina, Mr. GOODE, Mr. NETHERCUTT, Mr. JOHNSON of Illinois, Mr. GIBBONS, Mr. GRAVES, Mr. MCKEON, Mr. FREILING-HUNTINGTON of Connecticut, Mr. BACON of Virginia, Mr. SENSENIBRNNER, Mr. HASTINGS of Washington, Mr. KING of New York, Mrs. BLACKBURN of Tennessee, Mr. SWEENEY, Ms. OS-LEHTINEN, Mr. KIRK, Mr. TERRY, Mr. FRANKS of Arizona, Mr. FORBES, Mr. REHBERG, Mr. BACHUS, Mr. KENNEDY of Minnesota, Mr. KOLES, Mr. BALLENGER, Mr. SHIMKUS, Mr. MILLER of Florida, Mr. HOSTETTLER, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. PEARCE, Mr. WAMP, Mr. LINGG, Mr. NEY, Mr. MARIO DIAZ-BALART of Florida, Mr. WELDON of Florida, Mr. UPTON, Mr. CARTER of Indiana, Mr. CANNON, Ms. GINNY BROWN-WAITE of Florida, Mr. SOUDER, Mr. MCCOTTER, Mrs. MUSGRAVE, Mr. RYUN of Kansas, Mr. FLAKE, Mr. BEAUPREZ, Mr. ADERHOLT, Mr. PENCE, Mr. BARTLETT of Maryland, Mr. DOOLITTLE, Mr. DEMINT, Mr. SHADEG, Mr. SULLIVAN, Mr. MYRICK, Mr. TOOMEY, Mr. BROWN of South Carolina, Mr. BOOZMAN, Mr. HOEKSTRA, Mr. ROHRABACHER, Mr. MANZANETTO, Mr. SESSIONS, Mr. FOSSELLA, Mr. SCHROCK, Mr. POMBO, and Mr. FEENEY):
H.R. 1612. A bill to make permanent the tax benefits enacted by the Economic Growth and Tax Relief Reconciliation Act of 2001; to the Committee on Ways and Means.

H.R. 1613. A bill to establish a demonstration incentive program within the Department of Education to promote installation of fire suppressors, water-based fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes; to the Committee on Education and the Workforce.

H.R. 1614. A bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing and to provide financial assistance under such program for main street revitalization or redevelopment projects in smaller communities to support the development of affordable housing for low-income families in connection with such projects, and for other purposes; to the Committee on Financial Services.

By Mr. LOWEY (for himself, Mr. WATT, Mr. DAVIS of Alabama, and Ms. HARIS):
H.R. 1615. A bill to amend title XVIII of the Social Security Act and otherwise revise the Medicare Program to provide a period of paying for covered drugs, drug administration services, and chemotherapy support services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORWOOD (for himself and Mrs. CAPPS):
H.R. 1622. A bill to amend title XVIII of the Social Security Act and otherwise revise the Medicare Program so as to protect the American people from the explosion of drug prices.

By Mr. LIPIŃSKI (for himself, Mr. NADLER, Mr. BLUMENAUER, Mr. FISHER, Ms. NORTON, Ms. CORRINE BROWN of Florida, Ms. MILLER-MCDONALD, Mr. CUMMINGS, Ms. GUTIERREZ, Mr. DAVIS of Illinois, Ms. CHAKOVSKY, Mr. MANZULLO, Mr. EMANUEL, Mr. FARR, Mr. KUCINICH, Ms. CULVERHURST of Arizona, Mr. JACKSON of Illinois, Mr. HOLDEN, Mr. SANDERS, Mr. FRANK of Massachusetts, Ms. BERKLEY, Mr. EVANS, Mr. BAIRED, and Mr. CUMMINGS):
H.R. 1617. A bill to establish and provide for funding for a National Rail Infrastruc- ture Program; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MAJETTE (for herself, Mr. LINER, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Mr. GINGREY, Mr. ISAACKSON, Mr. KINGSTON, Mr. MARSHALL, and Mr. SCOTT of Georgia):
H.R. 1618. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Resources.

By Mrs. MALONEY (for herself, Mr. PETRI, Mr. DAVIS of California, and Mr. SUNDBERG):
H.R. 1619. A bill to provide for a test census of Americans residing abroad, and to require that such individuals be included in the 2010 decennial census; to the Committee on Government Reform.

By Mrs. MALONEY (for herself, Mr. RANGEL, Mr. SWEENEY, Mr. HINCHY, Mr. SERRANO, Mr. JAVITS of New York, Mr. TOWNS, Mr. OWENS, Mrs. LOWEY, and Mr. MCHugh):
H.R. 1620. A bill to provide that Federal funds for the relief and revitalization of New York City after the September 11, 2001, terrorist attack shall not be subject to Federal taxation; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself and Mr. DEFAZIO):
H.R. 1621. A bill to provide environ- mental funding, expedited procedures for the planning and implementation of hazardous fuels reduction activities for wild-fire prone National Forest System lands and lands administered by the Bureau of Land Manage- ment, and for other purposes; to the Com- mittee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provi- sions as fall within the jurisdiction of the committee concerned.

By Mr. NORWOOD (for himself and Mrs. CAPPS):
H.R. 1622. A bill to amend title XVIII of the Social Security Act and otherwise revise the Medicare Program to provide a period of paying for covered drugs, drug administration services, and chemotherapy support services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OSE:
H.R. 1623. A bill to amend title 44, United States Code, to direct the Archivist of the United States to maintain an inventory of all gifts received from domestic sources for the President, the Executive Residence at the White House, or as an archival deposit; to the Committee on Govern- ment Reform.
MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

8. The SPEAKER presented a memorial of the Legislature of the State of Wyoming, relative to a joint Resolution memorializing the United States Congress to recognize the mobilization and deployment of the Fourth Infantry Division Rear Operations Center of the Wyoming Army National Guard; to the Committee on Armed Services.

9. Also, a memorial of the Legislature of the State of Wyoming, relative to a joint Resolution memorializing the United States Congress to recognize the mobilization and deployment of the 1041st Engineer Company of the Wyoming Army National Guard; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H. R. 20: Mr. Cooper, Mr. Israel, Ms. Carson of Indiana, Mr. Cummings, Mr. Dingell, and Mr. Peterson of Minnesota.

H. R. 25: Mr. Heffley.

H. R. 33: Mr. Acevedo-Vila and Mr. Pomroy.

H. R. 3: Mr. Terry.

H. R. 40: Mr. Hastings of Florida and Ms. Jackson-Lee of Texas.

H. R. 49: Mrs. Wilson of New Mexico and Mr. Radanovich.

H. R. 100: Mr. Van Holten, Mrs. Davis of California, Mr. Beaucres, Mr. Simmons, Mr. Boozman, Mr. Wilson of Florida, Mr. Frost, Mr. Platts, and Mr. Hayes.

H. R. 102: Mr. Payne, Ms. Schakowsky, Mr. Andrews, and Mr. Engel.

H. R. 107: Mr. Wilson of South Carolina.

H. R. 111: Mr. Ortiz and Mr. Bradley of New Hampshire.

H. R. 114: Mr. Bishop of Georgia and Mr. Scott of Georgia.

H. R. 141: Mr. Bishop of Georgia.

H. R. 217: Mr. Gordon, Mrs. Christensen, Mr. Heffley, Mr. Van Hollen and Mr. Holt.

H. R. 218: Mr. Filner, Mr. Mckeon, Mr. Kingstone, Mr. Davis of Illinois, Mr. Tiberi, Mr. Bonilla, Mr. Boehner, Mr. Hill, Mr. Lingenfelter, Mr. Rogers of Kentucky and Mr. Greenwood.

H. R. 277: Mr. Deal of Georgia.

H. R. 290: Ms. Berkley, Mr. Hoefelf, Mr. Doyle and Ms. Mcginn of Virginia.

H. R. 296: Mr. Hoefelf.

H. R. 303: Mr. Alexander and Mr. Kingstone.

H. R. 328: Mr. Forbes, Mr. Doyle and Mr. Gallegly.

H. R. 339: Mr. Chabot, Mr. Carter, Mr. Renzi and Mr. Taylor.

H. R. 357: Mr. Alexander.

H. R. 375: Mrs. Miller of Michigan, Mr. Pickering and Mr. Allen.

H. R. 412: Mr. Waxing.

H. R. 450: Mr. Wynn.

H. R. 466: Mr. Brown of Ohio, Mr. Emanuel, Mr. Sweeney, Mr. Bell, Mr. Bohlebert and Mr. Hinojosa.

H. R. 527: Mr. Frost, Mr. Simmons and Mr. Ryan of Ohio.

H. R. 548: Mr. John, Mr. Weldon of Florida, Mr. Berry, Mr. DeMint, Mr. Andrews, Mr. Cummings, Mr. Tausin, Mr. Thompson of Mississippi, Mr. George Miller of California, Mr. Ehrlich, Mr. Uoall of Colorado, Mr. Fattah, Mrs. Cubin, Mr. Shao, Mr. Bunch, Mr. Turner of Ohio, Mr. Kildee, Mr. Ose, Mr. Acevedo-Vila, Mr. Baerig, Mr. Davis of Alabama, Mr. Alexander, Mr. Sessions, and Ms. Dunn.

H. R. 578: Mr. Pickering, Mr. Ryan of Wisconsin, Mr. McCrinn, Mr. Camp, and Mr. Sessions.

H. R. 583: Mr. Kitts, Mr. Shuster, Mr. Reynolds, Mr. Greenwood, Mr. Burgess, Mr. Gilchrist, and Mr. Dreier.

H. R. 584: Mr. Mitchell of New York.

H. R. 589: Mr. Baker, Mr. Pickering, Mr. Tierney, Mr. Crowley, and Ms. Pelosi.

H. R. 592: Mr. Wexler.

H. R. 593: Mr. Reesy.

H. R. 627: Mr. Larsen of Washington, and Mr. Watan.

H. R. 660: Mr. English, Mr. Ehlers, Mr. Davis of Tennessee, Mr. Pastor, Mr. Starns, and Mr. Pickering.

H. R. 664: Mr. Frost and Mrs. Jones of Ohio.

H. R. 684: Mr. Barton of Texas, Mr. Norwood, and Mr. Petri.

H. R. 687: Mr. Gage, Mr. Miller of California, Mr. Bartlett of Maryland, Mr. Norwood, Mr. Isakson, Mr. Carter, Mr. Burton of Indiana, Mr. Bereuter, Mr. Mica, Mr. Vitter, Mr. Platts, Mr. Bonilla of Kentucky, Mr. Ose, and Mr. Cunningham.

H. R. 713: Mr. Manzullo.

H. R. 714: Mr. Paul and Mr. Latham.

H. R. 720: Mr. Cross.

H. R. 737: Mr. Thompson of California and Ms. Slaughter.

H. R. 742: Mr. Udall of New Mexico, Mr. Faleomavaega, Mr. Etheridge, Mr. Pallone, Mr. Mendendez, Mr. Jenkins, and Mr. Pascrell.
H.R. 1196: Mr. Rangel, Mr. Sabo, Mr. Baird, and Mr. Van Hollen.
H.R. 1211: Mrs. Lowey, Ms. Jackson-Lee of Texas, Mr. Frank of Massachusetts, Mr. Crowder, and Mr. Rangel.
H.R. 1213: Mr. Murphy, Mr. Wicker, Mr. McInnis, and Mr. Pomroy.
H.R. 1214: Mr. Lipinski, Mr. Frank of Massachusetts, Ms. Israel, Mrs. McCarthy of New York, Mr. Payne, Mr. Pomroy, Mr. Davis of Tennessee, Mr. Bachus, and Mr. Duncan.
H.R. 1225: Ms. Granger, Mr. Souder, Mr. Kildee, Mr. Langevin, Mr. Schiff, Mr. Green of Texas, Mr. Allen, Mr. Miller of North Carolina, Mr. George Miller of California, Mr. Gibson, Mr. Boozman, Mr. Waxman, Mr. Moran of Virginia, and Mr. Doyle.
H.R. 1235: Mr. Young of Alaska, Mr. Bartlett of Maryland, Mr. Bishop of Utah, and Mr. Cole.
H.R. 1236: Mr. Terry.
H.R. 1258: Mr. Waxman, Mr. Engel, Mr. Uddall of New Mexico, Mr. Stark, and Mr. Hoeffel.
H.R. 1264: Mr. Turner of Texas, Mr. Ross, Mr. Thompson of California, Mr. Scott of Georgia, Mr. McIntyre, Mr. Moore, Mr. Davis of Tennessee, Mr. Lucas of Kentucky, Mr. Berry, Mr. Boyd, Mr. Stenholm, Mr. Hill, Mr. Boswell, Mr. Alexander, Mr. Harman, and Mr. Taylor of Mississippi.
H.R. 1265: Mr. Pascrell.
H.R. 1267: Mr. Lantos, Mr. Michaud, Mr. Wexler, and Mr. Doyle.
H.R. 1275: Mr. Doggett, Ms. Harman, Mr. Dooley of California, Mr. Gutierrez, Mr. Holt, and Mr. Grijalva.
H.R. 1279: Mr. Janklow, Mr. Chocola, Mr. Thompson of Mississippi, and Ms. McCarthy of Missouri.
H.R. 1294: Ms. Degette.
H.R. 1295: Mr. Smith of Rhode Island, Mr. Platt, Ms. Lee, Mr. Wynn, Mr. Hinojosa, Mr. Ackerman, Mr. Lynch, and Mr. Boswell.
H.R. 1297: Mr. Smith of New Jersey, Mr. Murphy, Mr. Evans, Mr. Michaud, Mr. Reyes, Ms. Hooley of Oregon, Ms. Berkley, Mr. Filner, Mr. Gutierrez, Mr. Uddall of New Mexico, Mr. Ryan of Ohio, Mr. Simmons, Mr. Beupre, Mr. Brown of South Carolina, Mr. Boehner, and Mr. Miller of Florida.
H.R. 1304: Ms. Kaptur.
H.R. 1306: Ms. Kaptur.
H.R. 1317: Mr. Herger.
H.R. 1320: Mr. Doolittle and Mr. Wynn.
H.R. 1322: Ms. Kaptur and Mr. Dingell.
H.R. 1323: Mr. Lantos, Mr. Hayworth, Mrs. McCarthy of New York, Mr. Simmons, and Mr. Alexander.
H.R. 1336: Mr. Payne.
H.R. 1366: Mr. Rangel, Mrs. Trauscher, and Mrs. Jones of Ohio.
H.R. 1373: Mr. Isakson and Mr. Tiahrt.
H.R. 1379: Ms. Carson of Indiana.
H.R. 1380: Mr. Bonilla, Mr. Bell, and Mr. Clay.
H.R. 1381: Mr. Ackerman, Mrs. Christensen, Ms. Jackson-Lee of Texas, Mr. Lantos, Mr. Payne, Ms. Lee, Mr. Ehlers, Mr. Owens, Ms. Kaptur, Mr. Wynn, Ms. Degette, Mr. Meehan, Mr. Davis of Illinois, Ms. McCarthy of New York, Ms. Slaughter, Mr. Kildee, Mr. Michaud, Mr. Gonzalez, and Ms. Waters.
H.R. 1398: Mr. Goode, Mr. Pickering, Mr. Payne, Mr. Carson of Oklahoma, Mr. Cummings, Mr. Frost, and Mr. Cardoza.
H.R. 1399: Mr. Berman.
H.R. 1397: Mr. Kildee.
H.R. 1400: Mr. Murtha, Mr. Sandlin, Mr. Payne, Ms. Loretta Sanchez of California, Mr. Crowley, Mr. Meehan, Mr. Boyd, Mr. McDermott, Mr. Baird, Ms. DeLauro, Mr. Sanders, and Mr. Stupak.
H.R. 1413: Ms. Baldwin.
H.R. 1415: Mr. Stark, Mr. Allen, Mr. Van Hollen, Mr. Sanders, Ms. Norton, Mr. Gillmor, Mr. Carson of Indiana, and Mr. Matheson.
H.R. 1422: Mr. Cooper and Mr. Pickering.
H.R. 1425: Mr. Tierney.
H.R. 1429: Mr. Baca and Ms. Slaughter.
H.R. 1443: Mr. Burton of Indiana.
H.R. 1452: Mr. Beauzpre and Mr. Burgess.
H.R. 1459: Mr. Frost.
H.R. 1466: Mr. Conyers, Ms. Baldwin, Mr. Doyle, Ms. Loretta Sanchez of California, Ms. Woolsey, and Mr. Pascrell.
H.R. 1472: Mr. Bartlett of Maryland and Mr. Smith of New Jersey.
H.R. 1478: Mr. Simmons and Mr. Hoeffel.
H.R. 1483: Mr. DeFazio, Mr. Sabo, and Mr. Conyers.
H.R. 1500: Mr. Larsen of Washington and Mr. Baird.
H.R. 1508: Mr. Ford, Mr. Isakson, Mr. Meeks of New York, Mr. Thompson of Mississippi, Ms. Jackson-Lee of Texas, Mr. Acevedo-Vila, Ms. Watson, and Mr. Owens.
H.R. 1511: Mr. Hunter of Michigan, Mr. Sessions, Mr. Ballenger, Mr. Ney, Mr. Walsh, Mr. Green of Wisconsin, Mr. Brady of Texas, Mr. McCotter, Mr. Cole, Mr. Coble, Mr. Reynolds, Mr. Porter, Mr. Saxton, Mr. Pickering, Mr. Fossella, Mr. Bishop of Utah, Mr. Burns, Mr. Castle, Mr. Rogers of Alabama, Mr. Gillmor, and Mr. Toomey.
H.R. 1519: Mr. Franks of Arizona.
H.R. 1534: Mr. Grijalva, Mr. Kennedy of Rhode Island, Mr. Cummings, and Mr. Kildee.
H.R. 1540: Mr. Kennedy of Rhode Island.
H.R. 1552: Mr. Wicker, Mr. Lincoln Diaz-Balart of Florida, and Mr. Mario Diaz-Balart of Florida.
H.R. 1553: Mr. Tiahrt, Mr. Case, Mr. LaTourette, Mr. Miller of North Carolina, Mr. Napolitano of New York, Mr. Taucher, Mr. Berkshire, Ms. Eddie Bernice Johnson of Texas, Ms. Lowey, Mr. Pastor, Mr. Frank of Massachusetts, and Mr. Lucas of Kentucky.
H.R. 1554: Mr. Evans and Mr. McGovern.
H.R. 1565: Ms. Carson of Indiana.
H.R. 1570: Mr. Taubin.
H.R. Res. 6: Mr. Langevin, Mr. Wicker, Mr. Cole, Mr. Baker, and Mr. Davis of Tennessee.
H.R. Res. 37: Mr. Lewis of Georgia.
H.R. Con. Res. 23: Mr. Lewis.
H. Con. Res. 39: Mr. Schiff, Ms. Loretta Sanchez of California, and Mr. Abercrombie.
H. Con. Res. 49: Mr. Markey, Mr. Sanders, Mr. Filner, and Mr. Grijalva.
H. Con. Res. 86: Mr. Waxman, Mr. Andrews, Mr. Hinchey, Ms. Delauro, Mr. Thompson of California, and Mr. Weiner.
H. Con. Res. 98: Ms. Sweeney and Mr. Simpson.
H. Con. Res. 107: Mr. Abercrombie, Mr. Ford, Mr. Doggett, Mr. Hinchey, Mr. Doyle, and Ms. Kaptur.
H. Con. Res. 111: Ms. Lee, Mr. Dingell, Ms. Dunn, and Mr. Blumenauer.
H. Con. Res. 113: Mr. Ney.
H. Con. Res. 116: Mr. Beauprez and Mr. Burgess.
H. Con. Res. 117: Mr. Ackerman, Mr. Deutch, Mr. Baker, Mr. Hinchey, Mr. Schrock, Mr. Andrews, Ms. Carson of Indiana, and Mr. Wu.
H. Con. Res. 119: Mr. Bartlett of Maryland, Mr. Goode, Mr. Toomey, Mr. Franks of Arizona, Mr. Aderholt, Mr. Boehner, Mr. Israel, and Mr. King of Iowa.
H. Res. 58: Mr. Goode.
H. Res. 76: Mr. Rothman, Mr. Lampson, and Mr. Case.
H. Res. 112: Mr. Filner.
H. Res. 141: Ms. Carson of Indiana and Mr. Frank of Massachusetts.
H. Res. 142: Mr. Hastings of Florida, Mr. Davis of Alabama, Mr. Inglis, and Mrs. Johnson of Connecticut.
H. Res. 154: Mr. Janklow, Mr. Simmons, and Mr. Osborne.
H. Res. 157: Mr. Frank of Massachusetts.
H. Res. 159: Mr. Lampson, Mr. Gonzalez, Mr. Becerra, Mr. Ortiz, Mr. Acevedo-Vila, Ms. Jackson-Lee of Texas, Mr. Turner of Texas, Mr. Reyes, Mr. Edwards, Mr. Doggett, Ms. Eddie Bernice Johnson of Texas, Mr. Stenholm, Mr. Frost, Mr. Bell, Ms. Solis, Mr. Rodriguez, Mr. Grijalva, Mr. Baca, Mr. Menendez, Mr. Pastor, Mrs. Napolitano, Ms. Roybal-Allard, Mr. Serrano, Ms. Linda T. Sanchez of California, and Mr. Gutierrez.
H. Res. 164: Mr. McGovern.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XLI, sponsors were deleted from public bills and resolutions as follows:

H.R. 898: Mr. Kennedy of Rhode Island.
H.R. 1046: Mr. Scott of Georgia.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 1. April 2, 2003, by Mr. FroST on S. 121, was signed by the following Members: Martin Frost, Rush D. Holt, Nick Lampson, Dennis Moore, Sheila Jackson-Lee, John Conyers, Jr., Jim Matheson, Rick Larsen, and Steve Israel.
In Fiscal Year 2002, the City of Philadelphia spent $21.2 million in increased domestic security costs. These costs include overtime incurred by the Police, Fire and Public Health employees associated with the formation of Rapid Assessment Teams. These teams, consisting of employees from each department responded to all critical incidents citywide. Additionally, $8 million was allocated for security improvements to city facilities. These improvements include installations of bollards around the perimeter of City Hall, installation of security access and surveillance systems in the One Parkway Building and installation of security cameras and metal detectors at other facilities. The Police Department enhanced coverage in Center City and provided enhanced security staffing at the Philadelphia Stock Exchange, Red Cross Headquarters and the City’s Emergency Operations Center. An intensive training was given to a team of police officers and supervisors that may be called upon to respond to a hazardous materials incident.

Going forward, the Police Commissioner formed the Bureau of Counter-Terrorism absorbing the Detective Bureau’s Organized Crime Unit as its foundation. The 76 member Bureau is developing new methods and initiatives to pursue counter-terrorism preparedness. These initiatives include strategic and tactical training, equipment purchase, inter-agency and regional cooperation and coordination, and community outreach. The Bureau meets regularly with task forces such as the FBI’s Joint Terrorism Task Force, the US Attorney’s Anti-Terror Task Force and the US Coast Guard Task Force to keep current with the latest counter-terrorism strategies. These initiatives are likely to cost about $10 million annually.

Sincerely,

JOHN F. STREET,
Mayor.

### Exhibit 1


<table>
<thead>
<tr>
<th>Division</th>
<th>Full Year Personnel</th>
<th>Purchased Services</th>
<th>Matl., Supplies &amp; Equipment</th>
<th>Total</th>
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<tr>
<td>Police Department (General Fund)</td>
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<td>47,006</td>
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<td>Police Department (Airport)</td>
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<td>Fire Department</td>
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<td>Public Property</td>
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<td>Office of Fleet Management</td>
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<td>Public Health</td>
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<td>Triple Security</td>
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</tr>
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<td><strong>Total</strong></td>
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<td><strong>1,147,437</strong></td>
<td><strong>21,230,667</strong></td>
</tr>
</tbody>
</table>

- This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Mr. SPECTER. Mr. President, how much of my 15 minutes remains?

The PRESIDING OFFICIAL. The Senator from Pennsylvania has 9 minutes remaining.

Mr. SPECTER. Mr. President, I yield 5 minutes to the distinguished chairman of the Appropriations Committee. The PRESIDING OFFICIAL. The Senator from Alaska.

Mr. STEVENS. Mr. President, I have asked for a portion of the time of the Senator from Pennsylvania because we had worked to try to reach an agreement between the two amendments so that they would be put together and have an amendment we could adopt. We are unable to do that.

I am compelled to state I will oppose the first-degree amendment of Senator SCHUMER. It is a situation where, as far as I am concerned, there is ample money, as we have in the House bill. If we are compelled to raise the amount that is in our bill, but it is the kind of situation where we prefer to have this amendment not be adopted now, so we can find a way to work the matter out with the House.

We have $100 million in the bill. The Schumer amendment, as I understand it, as drafted, now adds $600 million. I oppose going to that height. That is not in the House bill. If we are compelled to raise the amount that is in our bill. It is the kind of situation where we prefer to have this amendment not be adopted now, so we can find a way to work the matter out with the House.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICIAL. Who yields time?

Mr. SCHUMER. Mr. President, I believe I have time. I will yield 3 minutes to myself.

The PRESIDING OFFICIAL. The Senator from New York.

Mr. SCHUMER. Mr. President, I heard my friend from Pennsylvania speak.

Mr. STEVENS. Mr. President, will the Senator allow me to interrupt for a problem that has come up.

Mr. SCHUMER. Please.

Mr. STEVENS. The problem has come up in connection with the unanimous consent amendment. There was no time allocated to those who might want to oppose the Specter amendment. And, as I understand it, a Senator on the Democratic side wishes to oppose the Specter amendment. In fairness, I ask unanimous consent she be given 5 minutes to speak; and if it raises additional items the Senator has not spoken to that he wishes to speak to, I would allocate an additional 5 minutes to Senator SPECTER, so there would be a comment back and forth. All right. I make that request.

The PRESIDING OFFICIAL. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. I thank the Senator from New York.

The PRESIDING OFFICIAL. The Senator from New York.

Mr. SCHUMER. Mr. President, I heard my friend from Pennsylvania speak for his amendment. I will support that amendment because it is better than what is currently in the bill, although I wish it had more money. I wish it had money for the FIRE and COPS Programs, which the amendment I am offering with my colleagues from New York and Maryland, does. And I wish it gave more funding to high-threat, high-need areas, and to all that, I also wish that it ensured, as my amendment does, that the Department of Homeland Security would be required to provide the funds within 30 days and that the amendment would guarantee an 80/20 split of those funds between the idea that we can work it.

The Schumer amendment is the amendment that provides sufficient funding for police, for fire, for first responders all across the country. We all know how beleaguered they are. We know whether they be in a large city like New York City, or a medium-sized city like Rochester or Syracuse, or a suburb, or even a rural area, our police and firefighters have been pushed to the limit. They must meet their regular law enforcement and public safety responsibilities, but now have new responsibilities under 9/11, and from the Iraq war.

And many police and fire departments have to do more with fewer people and fewer resources, because of the terrible budget deficits at the State and local level, and because many are in the Reserves and have been called up and are proudly serving our country.

So we have an obligation. If we are going to fight the war on terrorism at home, we have to vote for this amendment. We cannot just fight the war on terrorism overseas and not fight it at home. Our first responders, our police and fire, in a very real sense are on the front lines.

So I hope we will get support for the Schumer amendment. I hope we will back up our police and firefighters. I hope we will back up our local governments and our first responders.

The idea that we have them on the war on terror just by fighting it overseas and giving it all the money for needs overseas—I am for that and support that proudly—but not do what we need to do domestically makes no sense. We will rue the day.

I ask my colleagues to vote for an amendment that really provides sufficient funding. Again, I am for the Specter amendment. It is an improvement.
and the towns in the States we represent are losing their jobs. States and cities are trying to deal with budget deficits—some of the worst in a generation, and they simple do not have the money to pay for additional homeland security costs.

We need to work together—Republicans and Democrats—to provide them with the resources they need to strengthen our domestic defense. Yes, we made progress since September 11, but we have not done enough. That same message echoes from report after report, from our experts, from independent commissions, from our police commissioners, fire chiefs, mayors, doctors and nurses—we have not done enough to prevent and respond to another terrorist attack.

I cannot find a single credible security expert who has said, "We're fine. We've done enough." There's no need to guard our chemical plants and nuclear sites if we only check 2 percent of the containers that come through our ports. Don't worry about hiring border guards they don't need the extra support. We don't need to give our police officers, firefighters, and emergency personnel the equipment they need. We're fine, and "All's Quiet on the Homefront."'

You know last week, the President was asked about how long the war in Iraq would take and he responded correctly, "How long it takes" to protect the American people. This is not a new public work project or an example of frivolous spending; this is about securing our country on the frontlines here at home. And for 18 months our cities and States and counties have been shoulder this burden alone. Homeland security is a national priority and these costs and these responsibilities should be shared by the Nation.

So what are we doing?

What we are doing 18 months after that tragic day in September when nearly 3,000 Americans lost their lives still debating homeland security?

Still debating whether or not we should not take the steps we need to take in order to prevent another day like that from ever happening again. Still talking about whether or not we should provide our first responders with the support they need.

Homeland security is a concern we all share. We should not allow politics to prevail over our Nation's protection. We should not let it get in the way of our commitment to strengthening our border and port security, improving security at our chemical and nuclear plants, and providing critical support for our police officers, firefighters, emergency personnel, and public health officials.

What I am hearing in this Chamber willingly say "no" to critical steps that would improve our domestic defense? Why would our colleagues who care just as much about their constitu-
I know that some of my colleagues believe that their State isn't a target—they may think that because their state is small, it's safe. I bet the chief of police in the world's largest city, New York City, beg to differ about the likelihood of terrorists turning up in small towns. He would say we cannot forget that the terrorists continue to plot and plan against us, and we can't predict exactly when they will turn up.

Yesterday, the FBI issued a new warning to their field agents to look out for people making chemicals like ricin. Yesterday, the Wall Street Journal reported that the Bush administration was getting ready to launch a plan to increase chemical plant security. The Department of Homeland Security's spokesman said, "We realize that voluntary efforts alone will not be sufficient to assure the appropriate level of security across the chemical sector."

And in the last few weeks, we heard Secretary of State Powell, FBI Director Mueller, Secretary Ridge and CIA Director Porter all state that another attack by al-Qaeda is not a matter of "if" but "when."

We can all hope for the best, but I think it's best to plan and prepare for the worst.

Why would any of us want to take a risk that "when" that day comes, it would be in someone else's back yard—a tragedy in another state across the Continental Divide and not my problem. Why should our State or our Nation or our interest abroad has been attacked like we were. America was attacked and Washington and the country united to deal with that aftermath.

Again, we have to do that today to pass this amendment and improve our domestic defense.

I believe that Retired Colonel Randy Larsen, from the ANSER Institute said it best when he testified about the Hart hearing on November 14, 2002. He said, "All of us want what is best for America. But we do not have much time. We must get it right—or close to right—very soon. I cannot repeat often enough: America is at war. We need to act like it while there is still time to prepare."

But they way to prepare, the way to fund homeland security isn't by taking money from existing traditional first responder programs. That's why this amendment also includes $155 million for the FIRE Act, and $130 million for the COPS Program. We need to fully fund every traditional first responder program. Since 1994, COPS has helped nearly 12,950 jurisdictions through 27 different programs. As of September 2002, COPS had provided funding for 116,573 community policing professionals across the country.

It has played a critical role in reducing crime, it has worked well in the past, and it will continue to work well in the future to help our communities fight crime. And it should not be used to fund homeland security.

The same applies to the FIRE Act. The $155 million here ensures full funding—$900 million—for the FIRE Act for FY 2003. This program assists fire departments in protecting communities and fire fighters' health and safety. Local communities may use the funding for training, equipment and additional staffing.

Currently, 2/3 of this Nation's fire departments do not meet the standards for adequate staffing. Congress would never allow our Army to engage in a war with 2/3 of its divisions understaffed.

But this is exactly what we are asking our fire fighters to do. To date this grant program has received requests totaling more than $2 billion. The program's funding levels only allow it to award grants that a small percentage of that need. In the event of a terrorist act, fire fighters are the troops on the front lines. And they deserve our full support.

So when we think about all of the good that comes out of this amendment and the others that strengthen our domestic defense, why wouldn't every leader support these steps?

There are some who may try to defeat domestic defense funding by saying that the only dollars that should be included in the emergency supplemental are those that go toward winning this war. I agree, we should only be talking about funding to fight the war, but I believe we need to fight the war on all fronts that it is being waged.

Every support that our troops in Iraq need to win will have the full support of Congress. We cannot forget about our men and women who continue to fight al-Qaeda in Afghanistan—they too deserve every resource they need. And so do our domestic troops, our police, firefighters, and EMT's, on the frontlines here at home. The President's proposal last week was a good start, but it will not do enough. The new Congress and the administration have the opportunity to do much more for our first responders and strengthen the domestic defense of our Nation. It would be a shame if we did not take advantage of this moment, use this as the moment Washington turned the page and did what is right for the greater good of our country, and to secure our country.

But instead of using this as a chance to do more, our country, we're hearing phrases like "beat them straight up." "We will fight it out." "Defeat them." Those aren't words meant for Saddam Hussein or al-Qaeda. Those are fighting words against those of us who are trying to get more homeland security funding, new masks for firefighters, extra patrols along our borders and at nuclear power plants, guards at tunnels and bridges, new high tech equipment to track radioactive material, and more help for the Coast Guard.

We seem to have gotten stuck in a dialogue that eliminates our ability to look at a great American tradition that is at stake in this debate. Some of our country's greatest successes reside in our ability to do whatever it takes to do what is right for the greater good of our country.

I imagine if George Washington had decided at the beginning of the war that it was too much of a challenge for the army to retreat to Manhattan that night? That decisive act saved the majority of our army, made victory inevitable, and this debate possible.

Or today, what if we as a Congress decided to only partially support our troops in Iraq? What kind of victory would follow if we balked at the challenge? So then why would we not do the same for our domestic defense? Why wouldn't we support our first responders?

Again, our country's success rises and falls in our ability to confront great challenges. On September 11th, 1865, the Union was on the verge of falling in our ability to confront great challenges. On September 11th, 1865, the Union was on the verge of falling in our ability to confront great challenges. On September 11th, 1865. What about Lewis and Clark? What if Jefferson believed that it would take too long and that it was too much for two men to search for that path to the Pacific? But his belief in them, the task at hand, and that expansion and exploration was critical to a young nation.

What about Joshua Chamberlain, a professor from Bowdoin College in Maine and what he did for our country on the fields of Gettysburg? I know that some of my colleagues beg to differ about the likelihood of terrorists turning up in small towns. He prevented the South from falling that hill, and our Union was preserved.

Or when President Lincoln gave the final speech about Reconstruction in April 1865, he did not buckle at the great challenge of uniting a divided and partially destroyed country. What about today, if we as a Congress decided to only partially support our troops in Iraq? What kind of victory would follow if we balked at the challenge? So then why would we not do the same for our domestic defense? Why wouldn't we support our first responders?

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am disappointed that since 9/11, the administration has failed to provide adequate funding for local governments to prepare for the possibility of new terrorist attacks.

This funding is critically important to Hawaii. Two years ago, the Senate State Civil Defense estimates that a response to a weapons of mass destruction attack would challenge the State's emergency response system. As with all States, in the event of a terrorist attack, Hawaii would rely on Federal, State, and local officials, unlike all other States but Alaska, external assistance from the U.S. mainland is not immediately available. Hawaii's geographic location makes mutual aid from mainland States or from other Pacific jurisdictions impossible. As a result, Hawaii’s State Civil Defense estimates that each of the State’s four counties need the capability to sustain an effective response to any weapons of mass destruction attack for up to 72 hours.

Independent experts and government officials have repeatedly warned that first responders do not have sufficient resources. A Council on Foreign Relations Task Force Report entitled “America—Still Unprepared, Still in Danger” concluded that first responders are not prepared for a weapons of mass destruction attack. According to the same report, first responders lack the training and equipment to protect themselves and the public in an emergency and do not have radios that can communicate with one another. In fact, the National Fire Protection Association estimates that only one-quarter of the Nation’s fire departments have equipment to communicate with State and Federal emergency officials.

Our amendment takes important steps to respond to funding shortfalls by providing $4.3 billion for first responders, including $3 billion for State and local first responders.

Mr. LIEBERMAN. Mr. President, I rise in strong support of Senator SCHUMER’s amendment, which I am proud to cosponsor. We spent much of last year on the Senate floor talking about how to reorganize our Federal Government to meet and beat the challenge of terrorism. In the end, we passed a bill creating a Department of Homeland Security that for the first time is re-focusing and reorganizing the Federal Government to make America safer. But we have said all along that while better organization is a necessary prerequisite to making us safer, it isn’t enough. We need to put dollars where the danger is. You don’t protect your house in a dangerous neighborhood with a jury-rigged lock or no lock at all. A “Beware of Dog” sign isn’t good enough. You need to spend some money. You need to buy a real lock. You need to get a decent dog. This amendment says that America has the resolve it needs to win this war against terrorism. And that is true. Americans are resolute. They are courageous. They are prepared to face down danger and do what it takes to overcome it. That is especially true of the men and women in our fire departments, police departments, emergency medical offices, and hospitals the men and women in all first responders.

Resolve, however, will only go so far if it isn’t matched by real resources. Can resolve buy interoperable communications equipment? Pay for firefighters’ overtime? Install a security system at a port? Upgrade the information sharing capabilities of the emergency services, police departments, emergency medical offices, and hospitals? Dramatically improve public health systems to deal with biological or chemical attacks? No all those urgent improvements and others demand more than resolve. They demand resources.

Right now the resources are nowhere to be found. This administration seems determined to do homeland security on the cheap adding just $300 million to the budget for next fiscal year for homeland security. The reason boils down to one reason and one reason only. The administration is committed to protecting $2 trillion in unfair, unfocused, and ineffective tax cuts, at all costs. On this, it will not budge. It will not yield. It will not consider a single digit or a single dollar.

That irrational and ideological commitment to those unfordable tax cuts has squeezed out every other priority. It has drained the national budget of a time when we desperately need new resources to tackle new threats.

America has the greatest military in the world, and that is because we have paid for it. Generation after generation, we have worked together across the world, and that is because we have paid for it. We want the best defenses, we will have to pay for them, too.

At the State and local level, where fiscal crises are already forcing cuts in services, the Federal Government’s failure to invest is especially serious. The amendment under consideration today addresses the critical shortfalls in funding by providing $3.1 billion in first responder grants to States in the wartime supplemental budget, and over $1 billion for grants to high threat urban areas. In addition to these first responder grants, the amendment provides $355 million in grants in fire departments to fully fund the $900 million authorized level, and an additional $130 million to the COPS Program, which will fund additional police costs.

This is not just the least we provide. As you may know, I have called for a still greater investment—$7.5 billion for our first responders above and beyond the President’s proposal in next year’s budget—and $16 billion overall in that budget above and beyond the paltry $300 million increase.

But this amendment, along with the other amendments I am proud to cosponsor that will come before the Senate today, is a good start, a necessary start. Let me give you a few examples of the urgent needs throughout America today that it would begin to address:

New York Mayor Michael Bloomberg said his city is currently spending $5 million a week to post armed units at potential targets like Times Square, conduct bioterrorism detection, and prepare police in the five boroughs to operate as independent centers, and not to operate as an emergency operation center in part to save money on security costs.

According to The Washington Post in an article published April 1—and, no, unfortunately it wasn’t an April Fool’s joke—“Less Angel has grown so desperate waiting for federal money that last week it reluctantly raised a municipal trust fund for $4.5 million and bought 1,000 chemical protection suits for firefighters and police. It has also reduced staffing at its 24-hour emergency operation center in part to save money on security costs.

According to The Baltimore Sun, the mayor’s office in Baltimore estimates that the city needs to spend another $8.4 million on new communications and hazmat equipment, protective gear, and training, not to mention another $122 million to upgrade water treatment plants, build a new emergency operations center, and more.

The list goes on. My own home community of New Haven, CT, has been able to outfit about 10 percent—just 10 percent—of its 300 firefighters with protective equipment that will be needed to respond in the event of a chemical or biological attack.

Let’s face it. Meeting those needs and others will take more money from Washington, plain and simple. But surely that seems to be that. The majority leader, Senator FRIST, was quoted in CongressDaily as saying that, “It is unnecessary and wasteful to spend more money at the federal level. The problem is not the federal availability of money. It’s getting it down to the local level.”

With all respect, that is just not the case. In fact, according to the National Governors Association, States have already obligated or spent more than 90 percent of their Federal funds. And to complicate things, many States have been spending their own money for 15 months but have yet to be reimbursed by the slow and cumbersome process by which the Federal Government gives its funds to the States. This is only exacerbating budget crises at the State and local level, where many communities are actually laying off and reducing the number of first responders and departments should the Manhattan headquarters be disabled in an emergency.
The bottom line is this: We must get our first responders more resources and we need to do it without further delay. Enough posturing, enough politics. Let’s rise above partisanship and put the national interest first.

The nation’s first responders have put them in a fiscal strait-jacket of historic proportions—once we must relive now if we are to protect Americans from terrorism.

Nevertheless, let’s be fair. Let’s realize that the government made some progress in the 18 months since September 11. Today we are better equipped to handle a second September 11. Our skies are safer. The FBI has announced major reforms, which are in progress. I hope we are beginning to tackle the problem of intelligence coordination that plagued us in the weeks and months leading up to that dark day.

But the terrorists constantly change their methods. Next time, the threat isn’t likely to be in the form of airplanes crashing into buildings. The weapon might only be visible under the microscope. Instead of arriving with a loud crash and flames, it might come quietly, secretly, surreptitiously. Just as September 11 challenged our police officers and firefighters as never before, a biological or chemical attack would challenge our public health first responders as never before.

The reality is that if that happens, we are nowhere near ready. As resolute and resourceful as our public health professionals are, they lack the support, the capabilities, and the funding they need to detect these deadly diseases swiftly and protect us effectively. We need significant new investment today to improve our readiness tomorrow.

Look at the reaction to the recent outbreak of Severe Acute Respiratory Syndrome, or SARS. An unknown microbial agent. A mysterious name. The public health officials in our local communities are our first responders, with surgeons’ masks covering their mouths and noses. The slow but consistent spread throughout Asia, and now around America. Travel warnings from the World Health Organization placing large swaths of the world off limits. This, by all accounts, is simply a serious disease with which we are unfamiliar—but the profile of the outbreak is frighteningly close to what we imagined a bioterror attack might look like.

The public health officials in our local communities are well informed and well trained. But working together with the CDC, they just don’t have the tools to determine what is causing SARS. They don’t have the tools to treat the victims. They don’t have the tools to try to stop the spread of the disease in its tracks. If SARS is 4 percent lethal, what will we do with a disease that is 80 percent lethal. What will we do with a disease that spreads faster and is harder to diagnose? Let’s not cross our fingers and hope. Unfortunately, that is exactly what we are forced to do under the administration’s budget, which shortchanges investment in our local public health systems and hospitals.

As a result, our hospitals—are already constrained by drastic budget cuts, are now rubbing quarters together when they can and making important new capabilities to contend with the new threats. Time magazine put it this way: “Speed and calm, both critical in a state of emergency, can be bought without special gear, but training in critical techniques and lifesaving equipment, like $25,000 protective suits, don’t come cheap. That means most of America’s hospitals are ill-prepared to face a major disaster.”

According to the Greater New York Hospital Association, hospitals throughout the state have spent more than $200 million on security and emergency response improvements that they never imagined would be necessary before September 11—with plans to spend more than that in the coming year. Are these improvements significant? About $8 million in new funding—less than the hospitals will spend on the new smallpox vaccination program alone.

These new demands are only further straining emergency rooms that are already stretched to the limit. Dr. Cai Glushak, director of emergency medicine at the University of Chicago, described the state of Chicago’s hospitals this way: “The hospitals are vasty lacking in resources and have yet to address major things with brick and mortar to create truly adequate facilities to deal with a major contamination issue.” He went on to say of his hospital, “If we had an onslaught of 20 people in this emergency room, it would be a catastrophe. It would be sending an external disaster on top of an internal overload.”

How can we expect our hospitals, clinics, labs, and public health departments to handle these new bio-threats when they themselves are on the verge of being fiscally bedridden? Now, of course money isn’t all that local hospitals need from the Feds. They also need information, expertise, and guidance. They are getting some of that from the CDC. But a sustained improvement in our bioterror defense demands more than that. It demands a real investment. It demands Federal leadership. Those are sorely lacking in the budget cuts that we have seen from this administration.

For the next fiscal year, I have called for $3 billion in new homeland security funding over and above the president’s proposal to shore up bioterror preparedness. Mr. President, $1 billion of that increase would create CDC grants to help State public health departments care for and track infectious disease outbreaks, $500 million would help local hospitals increase capacity, $1 billion for supplies, and $15 billion for research and development. It is possible that the only effective medical response will turn out to be quarantine.

And we can’t simply hope and pray for these to appear. Stocking our medicine cabinet with the right drugs to protect people from SARS will take months or years of research, months or years of investment, months or years of work by our private and government professionals.

That is why we need to begin today—not in 6 months, not in a year—engaging every national resource we have to develop the drugs, vaccines, and antidotes we may need in the event of a biological attack. We know of dozens upon dozens of deadly agents for which we currently have no defense, and this does not even count the hybrid or genetically modified organisms we may see in the future. America is blessed with thousands and thousands of brilliant researchers in universities and companies across the country. Why not harness their ingenuity to develop those antidotes, those vaccines, those medicines? Senator HATCH and I have proposed legislation that would do exactly that.

I do not believe that Project BioShield, the limited incentive program the President has proposed, is remotely enough. I have introduced legislation in the short-term procurement of existing countermeasures, not on long-term research to deal with the threats for which we have no countermeasure. It will not lead to development of a broad-spectrum anti-vaxx, or to the development of powerful new research tools that will enable us to quickly develop an antiviral to deal with a new threat like SARS. It is a start, but it is late and it does not reflect the urgency that is warranted by these threats.

The bill Senator HATCH and I have introduced will put in place a broad range of incentives our private sector needs to start filling our medicine cabinet today so our public health first responders are not caught empty-handed tomorrow, as they have been caught with SARS.

We are at war against terrorism. Our first responders—whether they go to work in firehouses, police precincts, or laboratories—are on the first line of defense. Let’s not use the terrorist attack as quickly as possible from “bench to bedside”—meaning, from the discovery phase into actual use.
the resources they need to meet and beat the new and unfamiliar threats to our homeland.

The war against terrorism cannot be won with a magic wand, tough talk, or wishful thinking. It will take talent, training, and time. It will take, not just rhetoric, but real, not rhetorical, partnership among every layer and level of government. It will take bipartisanship in Congress. It will take money. To begin providing our Government the resources it needs to protect us from terrorism, I urge my colleagues to support this amendment.

Mr. LEAHY. Mr. President, I rise today in support of the amendment offered by Senators Schumer, Clinton, Mikulski, and others. I am proud to join them as a cosponsor of this amendment that will provide desperately-needed funds directly to State and local governments to boost the emergency preparedness capabilities of our Nation’s first responders. The amendment also provides much-needed funding for homeland security, such as the Fire, grants, and COPS.

Our Nation is at war, and we find ourselves facing enormous challenges, both at home and abroad. The American people have responded to those challenges with skill and determination and valor on both fronts.

We have nearly a quarter of a million troops in the Middle East. Our soldiers and marines have been engaging tenacious guerrilla fighters in Iraq’s harshest weather conditions. Our sailors are superbly executing their complex missions. Our Air Force already has performed thousands of missions over long distances amid withering ground fire, eliminating threats to all our troops. And we have National Guard units being called up all across the country to prepare for what could turn into a lengthy assignment overseas.

Here on the homefront, our first responders and thousands of dedicated Federal workers are giving their all to preparedness and prevention. Police officers, firefighters, and emergency medical response providers are being pushed to the limit with added duties, longer shifts, and cancelled time off. The new responsibilities they are shouldering in guarding against and preparing for terrorism have become a major share of their daily work. They are doing all they can when the overall threat is raised, it takes millions more in local and State costs to respond.

The administration readily accepts the need to fund our antiterrorism efforts abroad, but the administration continues to downplay and minimize the real needs in real communities across the Nation for adequate resources to meet homeland defense needs here at home. That must change. We need to do both we need a robust response to terrorism on both fronts, here and abroad.

This supplemental spending plan the President submitted to Congress addresses costs in Iraq and other locations overseas but misses the mark by a mile in funding our needs on the homefront. We are fighting a two-front war, yet the President’s request mostly only addresses the war in Iraq—as well as other parts of the world. It is frustrating, as well as more than a little ironic, that after all of the repeated requests from Congress and State and local officials, over a period of years, about the need for taking care of the fight against terrorism at home, the administration has decided to request almost $8 billion in assistance on behalf of the foreign nations that it considers helpful in the war against Iraq, but only $2 billion for first responders. The Nation’s Governors and mayors have made abundantly clear the urgent need for that same level of funding, $8 billion. Our hometown heroes need help now.

In recent months, the Nation’s first responder needs have grown increasingly urgent. I have repeatedly joined with congressional leaders like Senator Byrd, Senator DASCHEL, and others in asking the administration for supplemental request for appropriations, to include at least $5 billion for our State and local first responders. But the administration has fallen far short in this bill, including only $2 billion to assist State and local governments to support our葵ernally mandated terrorism preparedness during this time of heightened threats and insecurity. The amount included in the supplemental is inadequate.

No Federal agencies are doing the job that we need first responders to do. When terrorists attack, the first call that is made is not to a Federal agency in Washington, it is to 9–1–1, for the State and local first responders. The responsibility now falls to the Congress to boost funding for our first responders. We are in a two-front war, overseas and here at home, and we need to fund both. The sooner we help first responders help us in the war on terrorism, the better. I hope you will agree that our Governors and mayors know what their States and communities need to be safe from and respond to terrorist attacks. My colleagues and I who introduce this amendment have heard their pleas and responded. I hope the Congress will respond accordingly, even though the administration so far has not.

Mr. KENNEDY. The President, September 11, 2003, taught us that the Nation is vulnerable to terrorist attacks on our own soil. In Massachusetts, almost 200 families lost loved ones on that day, and they bear an especially heavy heart because of the burden of that vulnerability.

Here in Congress, we are each committed to doing all we can to see that 9/11 never happens again. We need to work together, not separately. We need to allocate resources to prevent terrorists from attacking the cities, the towns, the villages, and the communities we all care so much about in our States and across this country. Yet we failed to live up to our responsibility yesterday during the debate on Senator HOLLINGS’ needed proposal to strengthen the protection of our seaports. It would have provided $1 billion to begin to protect our Nation’s seaports against the threat of dirty bombs or worse in cargo containers. Was that really too much—even though the President has pledged $9 billion in aid to other nations to help them protect their own citizens? These entries into the United States are responsible for 95 percent of all U.S. international trade, but only about 2 percent of all cargo is now being inspected. An urgent proposal to do more, and do it now, should certainly get a unanimous vote in the Senate. The stakes are too high. September 11 taught us what can happen.

Obviously, we don’t have unlimited funds. Obviously, we can’t make ourselves 100 percent free of the terrorist threat. But can we really say that we are doing all we can when the overall bill before us provides only $2 billion to help State and local governments meet their new security requirements? Facing serious budget reductions of their own, the Nation’s cities are spending an additional $70 million a week on direct homeland security costs, and tens of millions more in indirect costs.

But can we really say we are doing all we can when Federal assistance for homeland security has, to date, provided the entire State of Massachusetts with only $11 million, the entire State of Pennsylvania with only $18.5 million, and the entire State of California with only $45 million?

Then can we say we are doing all we can—let alone all that we should—when the bill before us provides only the grand total of only $100 million to protect all the high-level-threat urban areas in the country? How many of these high-level-threat urban areas are there?

Is $100 million enough—or is it only a drop in the bucket—when we are talking about the security of Boston or New York or Chicago or Cleveland or San Diego or Dallas or Detroit or Houston or Las Vegas or Los Angeles or Miami or Milwaukee or Minneapolis or Country or New York or New Orleans or Philadelphia or Phoenix or Portland or Pittsburgh or Seattle or St. Louis or St. Paul or San Diego or San Antonio or San Francisco or Tampa or Washington, DC, or dozens of other American cities that can legitimately be called high-threat areas?

The President, $1 billion for high-level urban threat areas—just for the 29 cities I mentioned above, that works out to $3.3 million for each city. That won’t go very far in New York City,
The amendment before us is modest. It does not try to change the fundamental fiscal relationships between the Federal, State, and local governments. It simply says that we can do more. We can do more than the bare minimum that the President's Budget Director says is absolutely necessary. We can do more than the President's Homeland Security Director says isn't entirely dependent upon property taxes, lottery revenues, and car washes.

The amendment before us would increase assistance to first responders by $1 billion, provide a total of $1.05 billion for assistance to high threat urban areas, $355 million for firefighter's equipment grants, and $130 million for staffing and overtime expenses for COPS (Community Oriented Policing Services) grants.

In the context of an unprecedented supplemental appropriation request of $74.8 billion, and with the backdrop of heightened domestic security, can anyone really pretend that these investments are not necessary? Today, I spoke to 17 mayors in Massachusetts by conference call, all of whom are struggling to meet the challenges confronting their city of 94,000 while dealing with the loss of 17 police officers. Another six will soon be retiring, and there is no funding to replace them. Among the mayor's chief homeland security challenges is the safety and well-being of the 6,000 students and faculty who attend Brockton High School each day. The largest high school this side of the Mississippi River.

Mayor Fred Kalisz of New Bedford, a city of 94,000 people and home of the nation's highest value commercial fishing fleet, has incurred $500,000 in specific homeland security expenses to date and has come up with list of $3.4 million in essential capital security requirements to protect its city's port, its commercial fishing fleet, and key public facilities. He has no way to pay for these costs. He recently had to suspend drug and alcohol prevention programs for New Bedford's youth.

Mayor Joy Lamoureaux of North Adams, a city of 14,000 people, has to deploy his small town police force to secure two nuclear power plants—spending $533 spent radioactive fuel rods—against terrorist attack.

In Everett, a city of 80,000 people located just outside Boston, Mayor David Ragucci spends $10,000 a day to secure facilities containing 685,000 gallons of propane, 95 million gallons of jet fuel and a 1,500 megawatt power plant from terrorist attack.

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In Fall River, with 92,000 people, Mayor John F. Ragucci has been hit with $300,000 in overtime and other personnel costs. Twelve police officers or 15,000 firefighters for one day. Will keep at it, I am sure, because they care about their citizens. They care about doing every last thing possible to prevent another disaster on American soil.

Worcester is Massachusetts' second largest city, and Mayor Tim Murray tells me that he has lost over 80 police officers and 86 firefighters due to budget difficulties.

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Napa to have full teams of first responders.

On top of this budget crunch, the Federal Government has handed additional responsibilities and a heightened terror alert to already troubled State and local budgets. The states are presently paying for security costs that the Federal Government has asked them to cover. In California, the Governor estimates $500 million in statewide homeland defense costs for the State and local governments. These estimates are probably low, especially if the war in Iraq goes on for several months.

The city of Los Angeles spent an additional $4.2 million just during the 20 days of code orange to meet the demands of heightened security. The city of Fresno is spending between $35,000 and $20,000 per week on homeland security costs. On average, the city of San Francisco is spending $2.3 million per week, second only to New York City. In fact, of the five cities nationwide that are spending the most money to protect the homeland, two of them—San Francisco and Los Angeles—are in my State.

This amendment is vital for our communities, vital for our local police, vital for our local firefighters, vital for the protection of the American people. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I yield 3 minutes to another sponsor of the amendment, somebody who has fought long and hard for first responders and localities, the people of Maryland, the Senator from Maryland, Ms. Mikulski.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 3 minutes.

Ms. MIKULSKI. Mr. President, I am pleased to join with my colleagues, Senators SCHUMER and CLINTON, who have been working steadfastly to get the resources we need to properly fund homeland security. They have stood up not only for New York but for all of America because we know that homeland security cannot be done on the cheap. We are at war. We are at war in Iraq, and we need to support our troops. But we are at war here. The President of the United States, George Bush, said we are at war here in the war against terrorism and we need to support the hometown, homeland troops. Those are our first responders.

Where are they? They are in local governments. They are in fire stations. They are in police stations. They are standing sentry behind the ambulances ready to respond to any emergency need. When a citizen calls 911 because of an event that has happened in their community, it happens locally.

The Schumer-Clinton-Mikulski amendment not only gives more money which is desperately needed, but it brings money to the local communities where it is needed.

We live in the capital region, we in Maryland, whether it is Montgomery County or Prince George's or Baltimore City. Our overture is skyrocketing. We are spending loads of money in the protection for infrastructure. In Baltimore, every time we go to code orange we are spending $50,000 a week. Prince George's County needs $50 million just to be able to talk to the rest of the State in interoperable radio equipment. Anne Arundel County is responsible for the protection of the National Security Agency, the Naval Academy, and NSA. We have the Naval Academy, Fort Meade, and BWI Airport. We say: Oh, wow, we can't afford to do it.

Let me say this: When the country goes to code orange, our local communities go to red ink. Local governments have no place to turn except higher property taxes. We say no to higher property taxes. We say yes to more funds for homeland security. If we want to see the money that is needed for homeland security, we need to have the resources that are necessary to first responders. While this bill before us attempts in good measure to support the war underway, we always need to be prepared each and every day to fight the war on terrorism—which is broader than the battlefield in Iraq. The battlefield has now become in some sense the U.S. territory, and we need to move more faster. I realize we can't pay for every bill that is submitted, but we most certainly can do more than what we are doing. I intend to vote for the Schumer amendment.

I am not sure what I will do on the Specter amendment. I will say why. I think the offset is inappropriate. I understand there might be some consensus about the amendment of the Senator from Pennsylvania, but let me say what I object to strenuously in the amendment. To fund the high threat urban areas, a portion of the money, $150 million, is taken from State and local governments, and a portion is taken from the critical infrastructure protection. So here, as a Senator from Louisiana, I have to now be forced to choose—these are tough votes and this is a job we asked for—because on one hand, I do want to add money to the overall pot, which the amendment does, but on the other hand, I want to call to the attention of my colleagues that part of the offset is taking it away from protection for pipelines, chemical plants, ports, and other critical infrastructure that could be described as highways, rail, etcetera, to support high urban threats.

It is a dilemma. I hope, however, it is resolved. Perhaps a better offset could be found in the conference report because I agree with Senator SPECTER that we have to do more. I don't agree with the proposal put down by the Senator from Pennsylvania that to solve that problem, it needs to be taken from States such as Louisiana—perhaps Texas and Maryland that are doing the critical infrastructure and having a tremendous amount of critical infrastructure to protect, which I might say to my colleagues in the Senate, supplies a tremendous amount of energy for the Nation. Those critical infrastructures are all over urban as well as rural parts of Louisiana. So I rise in support of the Schumer amendment, and with great reservations about the amendment offered by the Senator from Pennsylvania.

The PRESIDING OFFICER. Who yields time?

The Senator from New York.

Mr. SCHUMER. Mr. President, I yield 2 minutes to the Senator from Michigan, who has been a great supporter of first responders.

Ms. STABENOW. I thank my colleague. I rise as a cosponsor of this amendment. I commend my colleagues for bringing it forward.

As has been said so many times, we have two front lines in the battle on terrorism. We have come together virtually unanimously in support of our troops in Iraq and for the efforts on other soils away from our country. But here at home we have not done the same. Back in Michigan, I held nine different community meetings around the State, and I heard the same thing from our urban to rural areas. They are working hard, working overtime, but they cannot do it alone.

When our country was attacked, it was not just New York or Washington. They were, in fact, attacking the United States of America. We have an obligation to our hard-working men and women, the firefighters, the police officers, the emergency medical workers, to make sure we are partnering with them to make sure they have the resources they need.

I have heard so much about the need for communications equipment, bioterrorism training, additional personnel. They are saying to me that it is very frustrating when, on the one hand, we say we are getting them more money, and then we cut the COPS Program or the Fire Grant Program.

The Senator from Louisiana raises an important point about the Specter amendment as to where the dollars come from. I will support the Specter amendment, but we have to make sure these are real new dollars and not just moving from one pot to another pot because the reality is that our first responders cannot do this without our partnership and our support.
Ms. LANDRIEU. Mr. President, I wish to respond to the Senator from Pennsylvania because this is a very important debate. I thank him, first, for the effort he has made to try to bring some compromise to the issue. I restated that it is critical we do not allow the difficulties that Senator Schumer has raised. That is why it is that we have seen today the support not only from this side of the aisle to add funds, and the response on this side of the aisle, pretty much on party-line votes, to deny the addition. I have sought to find a figure that is significant, such as $600 million, which will be agreed to by votes significantly on this side of the aisle, and with very few votes on the other side of the aisle. When the Senator from New York, Mrs. CLINTON, made the comment that there are features of Senator SCHUMER’s amendment that expedite the disbursement of the funds, that is not included in my amendment because we don’t really know what the formula should be. When Secretary Ridge testified before the Appropriations Committee on March 27, he agreed that the current formula on a population basis was inappropriate, that high-risk areas need more money. At the moment, we do not have a determination as to what those costs are. We have directed the Secretary to make that determination. Once he makes that determination, then we can make an allocation, I certainly would like to see more money.

I am totally with the comments made about the bravery of the firefighters and of the police officers, and the threat of terrorism that has to be fought here as well as overseas. What I am looking for in my amendment is the art of the possible—to come up with a figure, and $600 million is substantial.

It is true, as the Senator from Louisiana points out, money has been taken in other lines for $300 million. But we have gotten the managers to agree to an additional $200 million, so it is a matter of priorities. If you look at the high-risk areas, such as New Orleans, it is in the interest of the State of Louisiana to have this allocation.

How much of my time remains?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. SCHUMER. I inquire how much time Mr. SPECTER. Mr. President, I think the Senator from Louisiana makes a valid point on the need for more funding. We are now on the emergency supplemental. We do not know at this moment what the costs are to protect all of these interests. We will know shortly. We have asked for 60 days. We will be moving forward with more appropriations bills. We are in the process now of moving forward.

The subcommittee, chaired by the distinguished Ranking Member of the Committee, on which I serve, will be taking it up. We will be interested to see the specifications as to what it costs to protect the interests identified by the Senator from Louisiana. But I think this is a substantial start. This is a combination of trying to get more funds in, and getting $200 million is not easy on this side of the aisle. Making the reallocation of the $600 million is a very material advance.

Ms. LANDRIEU. I thank the Senator for his comments. I look forward to working with him as we try to provide additional funding for the critical structure that is necessary throughout many places in the South and in the Industrial East.

Mr. SCHUMER. Mr. President, I ask unanimous consent to add Senator LAUTENBERG as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I yield to the Senator from New Jersey 2 minutes.

Mr. LAUTENBERG. Mr. President, I rise in support of the amendment offered by my colleagues, Senator SCHUMER, Senator CLINTON, and Senator MIKULSKI.

The amendment of the Senator from Pennsylvania, too, is an amendment that has to be considered favorably. This amendment is designed to desperately needed funds to State and local governments to bolster their emergency preparedness. I am pleased the amendment sponsors have included my proposal to reimburse State and local governments for additional costs they incur replacing their first responders who are called to active duty in the Reserves or National Guard.

Not surprisingly, many local police and fire and rescue and emergency medical service and hazardous material disposal personnel serve in the National Guard and Reserves. More and more, these men and women are being called up for longer and longer tours of active duty, and especially now that the war with Iraq is underway. It is critical that we bolster our military capabilities here and abroad but that we not do it at the expense of our safety and security at home.

I have spoken to a lot of mayors in New Jersey. New Jersey shared the impact of the terrible assault on the Trade Centers with New York, as 700 of our citizens died that day. What perplexes them is the fact that here they are being asked to bolster the defenses of the war with Iraq, and we do not provide the emergency needs, and in many instances, it takes people away to serve either in the Reserves or the National Guard, to put them on active duty.

They do not understand—and I agree with them—why it is we cannot take care of our defenses with strength at home as well as abroad.

I am pleased that the amendment sponsors have included my proposal to reimburse State and local governments for additional costs they incur replacing their first responders who are called to active duty in the Reserves or National Guard.

The 1.2 million men and women who serve in the National Guard and Reserves are a crucial component of our military. They account for just 8.3 percent of the Defense budget but give us the capability, if necessary, of nearly doubling our armed forces.

Not surprisingly, many local police, fire, rescue, emergency medical service, and emergency hazardous material disposal personnel serve in the National Guard and Reserves. Some of these men and women are being called up for longer and longer tours of active duty, especially now that the war with Iraq has begun.

It is critical that we bolster our military capabilities here and abroad. But we must not do it at the expense of our safety and security at home.

Our local communities must have the necessary personnel to respond to terrorism, natural disasters, and other emergencies.
My proposal would reimburse State, local, and tribal governments for the additional costs they incur when their “first responders” who serve in the Reserves and the National Guard are called to active duty for 6 or more consecutive days.

Reimbursable costs could include the salary and benefits associated with hiring a replacement or the overtime paid to other emergency personnel who “fill in” for the first responder called to active duty.

The effect of my amendment would be to make such reimbursements an authorized use of the $500 million contained in the underlying provision.

Increasingly, I am hearing from State and local officials who are concerned about the toll that active duty call-ups are taking on their emergency preparedness.

According to the Police Executive Research Forum, 452 of 1,002 law enforcement agencies and departments surveyed so far have lost personnel to call-ups.

The problem is worse in rural and smaller jurisdictions where just a few call-ups can decimate a police or fire department.

States and local governments are facing their worst fiscal crisis in over 50 years. We shouldn’t leave them “holding the bag” when their first responders get called up. And we should not be making our communities less able to respond to terrorism, natural disasters, and other emergencies.

Again, I thank my colleagues from New York and Senator Mikulski for accommodating my proposal. I think my language makes a good amendment even better and I urge my colleagues to adopt it.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. SPECTER. Mr. President, I yield to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the bill reported by the committee provides an additional $2 billion in supplemental appropriations to enhance assistance to State and local first responders. It does so in a manner which builds on the State strategies; provides funding for enhanced security of critical infrastructure, and allows the Secretary to target funds to high threat urban areas.

This amendment does more than just boost funding for the Office for Domestic Preparedness. It mandates mechanisms for the dispersal of Federal funds which would dilute the impact of the supplemental funding altogether.

The amendment which has been offered requires a direct pass-through of grant funds to States within 30 days. This requirement would negate the strategic planning process the Office for Domestic Preparedness has developed and implemented with States to allocate funds to those with greatest need and it would undermine the States’ regional approach which is currently supported by the majority of States.

The amendment requires that funds for grants be allocated to States based on the minimum grant requirement in the USA PATRIOT Act and the reimbursement requirement has already been distributed on a per capita basis. This is what is being done currently. However, it mandates that the funds be allocated to States within 30 days of enactment of the Act. This would not allow time for the States to submit a plan for the use of the funds. It would result in less accountability for Federal funds and the funds will be used to cover allowable costs.

The amendment further requires that not less than 80 percent of each State’s funds be made available to units of local government based on population. Of the 80 percent mandated to go to localities, the amendment then requires 20 percent be used “shall be for” — “costs of law enforcement, fire, emergency management, and other emergency personnel, including covering overtime expenses.”

In addition, the amendment allows grant funds to be used for “personnel funds”. It does not define what this means. Does this mean hiring personnel or reimbursement of costs of existing personnel, or both? What is the baseline for determining this? What will ensure that Federal assistance supplement and not supplant existing levels of effort?

The amendment also does not define units of Local Government. If it truly means all local units will receive funds based on population, the Federal funding will be diluted by giving many small jurisdictions small grants. And, it will most likely cause further delay, if you consider there are over 3,100 counties, each containing townships, villages or other governmental units, and the States are required, as this amendment states, to disperse all these funds to this number of jurisdictions based on population within 30 days, and then to make sure that 20 percent of those funds be allocated only for specified purposes, as the amendment requires.

Where the current system relies on planning-based decisionmaking, this amendment resembles revenue sharing. I realize that changes to the current system may be merited. Questions have been raised about the appropriate Federal share of the additional cost to States and local governments of terrorism preparedness and response efforts; what should properly be a Federal responsibility; and the formula for distributing funds, and the extent to which it properly reflects risks and vulnerabilities.

However, changes should be made after careful review by the authorizing committees of jurisdiction, not done on this supplemental appropriations bill. The chairman of the Senate Government Affairs Committee has already announced a series of hearings, beginning next week, to review the Department of Homeland Security’s grant programs and their effectiveness.

I do know that with respect to making a decision on this here today, the current process is preferable to what is being proposed by this amendment. The amendment would only make things worse.

The same is true for the mechanism proposed by this amendment to deliver critical infrastructure protection funds to States. It would create excessive distribution on a per capita basis to States. Once funds are available to States, 50 percent must be made available to local jurisdictions within 30 days of receipt.

Again, it would dilute the funds being made available for security costs related to protection of critical infrastructure, which are intended to help State and local governments cover additional costs resulting from Operation Iraqi Freedom. This recognizes the new requirements imposed on States and localities by the immediate need for heightened protection of critical infrastructure facilities. We understand

The amendment also provides an additional $125 million for grants under the USA Patriot Act. It authorizes use of the $155 million for grants under the USA Patriot Act. It authorizes use of the USA Patriot Act. It authorizes use of the USA Patriot Act. It authorizes use of the USA Patriot Act.
that the department has already reached out to States to ensure security measures are under way for the most sensitive sites and has been working with governors in developing site protection plans so that these funds can be used.

Lastly, it provides an additional $100 million to be targeted to high-risk urban areas, as determined by the Secretary of Homeland Security.

The amendment offered by the Senator from Pennsylvania would alter the amounts recommended in the Committee-reported bill to provide total supplemental appropriations of $600 million for assistance to high-threat urban areas and the total supplemental appropriations for the Office for Domestic Preparedness to $2.2 billion. I support the Specter amendment, and I urge my colleagues to oppose the amendment offered by Senator Schumer.

Mr. SPECTER. Mr. President, I yield to the distinguished chairman.

Mr. STEVENS. How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator from Pennsylvania has 8 minutes and 16 seconds.

Mr. STEVENS. Mr. President, I want to make clear what I stated before. I do support the Specter amendment. By virtue of the approach the Senator from Pennsylvania has enunciated, we end up with more moneys in this area of great concern, but we increase the amount of money in the bill by $200 million. There was already $100 million in the committee-reported bill.

I do accept Senator SPECTER’S approach to this. I am hopeful we can convince the House to recognize that this is the proper way to allocate the money the President requested and convince them that the amount we have in this bill is sufficient to meet the objectives we all seek to attain.

I urge Senators to vote for the Specter amendment. Again, reluctantly, I state I am opposed to the amendment offered by the Senator from New York and his colleagues.

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be. The question is on agreeing to the motion. The clerk will call the roll.

Mr. SPECTER. Mr. President, I announce that the Senator from Kentucky (Mr. Bunning) is necessarily absent. I further announce that, if present and voting, the Senator from Kentucky (Mr. Bunning) would vote “aye.”

Mr. REID. I announce that the Senator from Hawaii (Mr. Inouye) and the Senator from Massachusetts (Mr. Kerry) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. Kerry) would vote “aye.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 122 Leg.]

Yeas—65

Akaka     Alexander     Allen     Bayn

Bennett    Bond       Boxer    Brownback       Cantwell

Campbell  Chambliss  Clinton  Cochran  Coleman

Collins    Cornyn     Corzine  Daschle  Dayton

Dodd       Mccain

Akaka     Alexander     Allen     Bayn

Bennett    Bond       Boxer    Brownback       Cantwell

Campbell  Chambliss  Clinton  Cochran  Coleman

Collins    Cornyn     Corzine  Daschle  Dayton

Dodd       Mccain

Nays—32

Allard     Baucus     Biden     Bingaman     Breaux

Byrd      Carper      Chafee    Conrad     Craig

Crano     Not Voting—3

Bunning

The amendment (No. 515) was agreed to.

The motion was agreed to. The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I would like to be able to discuss what we are going to do now. We have the managers’ package that has some problems. We have to decide how to get out of it. It is my suggestion that we listen to the Senator from Arizona on some of the objections he has to items in the managers’ package and see what we can do after the Senator explains his position.

How long would the Senator like to talk?

Mr. MCCAIN. Ten minutes.

Mr. STEVENS. I ask unanimous consent we listen to Senator Mccain for 10 minutes and see what objections we can possibly remedy with the problems he has with the managers’ package.
I trust the judgment of those who go to the appropriations conference, but I don’t give them the responsibility that I have to the taxpayers of my State.

I am sure many of these amendments in the managers’ package will pass. I have already seen them. When we had an amendment to take out the totally extraneous provisions, we only got 39 votes. I am sure they will pass.

At least I will be able to go back and tell my constituents that I supported $30 million for the South Pole Station in the name of fighting the war on terrorism and the war on Iraq. I have greater respect for the men and women in the military who are doing the fighting than to see $30 million for the South Pole in the name of helping them fight the war.

I will yield the remainder of my time, and I will object to the managers’ package, and we will have a series of votes. If not, I will yield the floor.

Mr. McCAIN. Mr. President, I have great respect for the Senator from Arizona. He provides really a service to the Senate to make us think about these issues without getting into all of these. In fact, a dozen Senators on either side are already carrying a grudge because they didn’t get their amendment through the process to even get to the Senator from Arizona because they were rejected by someone in the committee of jurisdiction.

Let me say to the Senator, for instance, the $10 million for the South Pole is not an add-on. We took that money off an account and put it in another account. It is a progressive winter. This is the last supplemental for this year, as far as we know. Only another tragedy and the war could bring us to another supplemental. We are going into regular bills after this supplemental.

I have rights such as this on some of them, probably.

The money for the Department of Energy was identified by several Members, and that is security at nuclear facilities. It was debated on the floor. It was raised here. I tabled it. I asked them to put it into the package because it was my opinion that it was, frankly, raising the bill a little too much, and I didn’t want it to look as if I was accepting those amendments.

There are a few others that we accepted that go in the bill. As you say, there are times that it is possible to reduce amendments voted on the floor in conference, but when the Senate votes on an amendment on the floor, it is difficult to deal with in the House—if the House doesn’t want to put the full amount up and to reduce it, or negotiate it.

We have several amendments. Senator Kain has an amendment, for instance. He has been courteous in allowing us to put that amendment—it will pass, by the way; I know it will pass. I will tell the Senate that there is not an amendment in this managers’ package that I believe we would pass the Senate if raised individually.

Why do we have a managers’ package? Because we have cleared each amendment with the committee of jurisdiction, cleared by the majority and minority on the subcommittee involved in our Appropriations Committee, and cleared by Senator Byrd and myself, and we have cleared them out so that they don’t go to Senator Reid, or whoever wants to look at the package can look at it. It is a package of convenience.

By putting these amendments together on items we think would pass anyway, we might be able to go home next week before they be able to keep my commitment to the Senator from Hawaii to be in Hawaii with him when he gets his great honor on Saturday. That may not be possible because I have a job and I will stay until we do it.

It is also a problem that a couple of the Senators have already departed, and they are relying on us to put these in the package because they had other problems with family, and they are not here now. I can think of three of them who are gone who have amendments in here. We passed judgment on a collective basis. It hasn’t just been myself, or myself and my colleague, or our staffs. Everybody in the system is involved in clearing a bill, including the Senator from Arizona who knows I cleared several with him as chairman of the Commerce Committee.

All I say is, I am prepared to proceed in any way that the Senate wishes to proceed with the amendments. There are 25 amendments in this package. They call it the first package. Several are being cleared that will go in this. There is a group of, I think, six that is still out there being cleared. Of these, Senator McCain has agreed with 11 out of the 25. He agrees to modify four others that were not in my accounting. So we can proceed with those on a consent basis and see if the Senator wants to call up the amendments. We are going to be here for a long time if we do that, but in fairness I don’t have the ability to do that without these and say the Senators can offer them. They are best way to use them in the package mechanism so we could save time for the Senate. It is obviously not going to do that. I am prepared, however, as soon as I get the balance of this, to offer them all and let the Senator object and then we will move them one at a time.

Mr. BYRD. Will the Senator yield? Mr. STEVENS. I yield to my friend.

Mr. BYRD. Why don’t we just finish this Tuesday? Mr. STEVENS. If we finish this finished Tuesday, the bill could be finished by next weekend because we have to have time for both Houses to prepare a chart on a bill such as this, to see what our differences are, so we can go into conference and deal with the differences. If we pass this bill Tuesday, the House can take it Tuesday, and we will not be able to get it finished by a week from Friday.

Mr. BYRD. Will the Senator yield? Mr. STEVENS. Yes, sir.
Mr. BYRD. In the request that will be propounded with respect to the appointment of conferees, how many conferees on the part of the Senate is the chairman expecting?

Mr. STEVENS. In the conference on the supplemental, following the procedures the Senator from West Virginia and I have used in the past, we will have the full committee.

Mr. BYRD. Will the Senator yield further?

Mr. STEVENS. Yes. Mr. BYRD. Other Senators may do as they wish. This Senator is going to go home. That is my right to do. I don’t have any quarrel with others who want to stay. I have cast over 16,600 votes in the Senate. I think I have been pretty loyal to my duties to my constituents. But I need to be home. I have been married almost 66 years. I have been in the Senate a little over 44 years. I have been married longer. So I think my duty is to my wife. There are only two duties that will exceed my duties in the Senate. One is my duty to my God and the second is to my family.

So I ask unanimous consent, in accordance with paragraph 2 of rule VI of the Standing Rules of the Senate, that I be granted a leave of absence for the rest of the day so that I can go home and be with my wife. Others who wish to stay here may do so. I have spent my time over the years here. If others want to stay, that is fine. I don’t think it is absolutely necessary to finish this tonight. I think we can wait until Tuesday. But as far as I am concerned, I thank all Senators for their staying around and completing action on this bill, but count me out. I so ask unanimous consent. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, my great friend from West Virginia today told me of the difficult problems he has and wanted to leave by 5:30. I thought we might make that. Again I find myself apologizing to my friend twice in 2 days.

Mr. BYRD. The Senator does not owe me an apology.

Mr. STEVENS. I thought we would finish and I will ask the time for the Senator to be with his wife.

Mr. BYRD. The Senator has always been courteous to me. I have no quarrel with him or any other Senator.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I do not want to prolong the debate. The Senator from Alaska just mentioned there are six amendments still being cleared. This is a way to spend the taxpayers’ dollars—to pay 25, or how ever many amendments there are, into a managers’ amendment accumulating billions of dollars.

The Senator from Alaska said “the appropriate people were notified and these amendments were discussed with them.” I do not like to indulge in a show of hands, but I guarantee you, Mr. President, most of the Members of this body of these amendments that are in the managers’ package because I have been here most of the day and I have never heard them discussed or debated. The only reason I am seeing them now for the first time, as I say before we would have had final passage on the bill is because we demanded to see them.

Again, I am not a member of the Appropriations Committee. I believe there are 20 some members of the hundreds of us who are members of the Appropriations Committee. For us to simply say, I will accept a $600 million amendment; don’t worry, we will work $50 million in absolutely unnecessary nonsense to go back to my constituents and say: I spent $600 million of your money, but do not worry, we left it up to another Senator to work it out in conference.

We cannot govern this way. We cannot accept amendment after amendment. I apologize to my colleagues for this, but I am not the one who ran this procedure. I warned the Senator from Alaska time after time that the managers’ package was the most egregious of everything that is done in the appropriations process. I will never forget a couple years ago when I asked the manager of the bill: What is in the managers’ package, as everybody was standing in line to vote. He said: I don’t know.

I let it go because I did not want to anger my colleagues and upset the schedules of my colleagues. Do you know what we found? We found about $50 million in absolutely unnecessary and unrelated projects added in a “managers’ amendment.” We cannot do that. We cannot do business this way.

I agree with the Senator from Alaska that he will win on every one of these votes because we just saw earlier today that if we are not going to reject $93 million for an agriculture research center and $50 million for maritime administration guaranteed loans, which is a totally failed program—and I have forgotten some of the others—we certainly are not going to turn down amendments that have as much as $600 million.

Here is another one. An amendment described as town meetings. Interesting, town meetings. It removes a 250,000-person threshold for Senate funding of town meetings. What is that all about? It may be, as the Senator alluded to, that this will lead to more severe winters than others at the South Pole, but there may be a very legitimate reason to lift the cap on a 250,000-person threshold for Senate funding of town meetings. We do not know. We do not know, I say to the Senator from Alaska.

Mr. STEVENS. Will the Senator yield?

Mr. MCCAIN. No. I would like to finish first. I yield to the Senator from Alaska. I yield.

Mr. STEVENS. No, I will wait.

Mr. MCCAIN. All I am saying is we do not have the money and I do not know why or there may be bad reasons. There may be good reasons, when we are trying to fight the war on terrorism and the war on Iraq, to lift the 250,000-person threshold for funding for town meetings. There may not be also. We do not know.

Mr. President, I would like to make two points. One, I propose a vote on the Kohl amendment, which is amendment No. 453, which gives an additional $600 million for agriculture. At the conclusion of that vote, then I will be ready to do that to final passage, but I want to tell my colleagues for the last time, I will not—I will not—we cannot govern this way. It is not right. We are not carrying out our duties to the people who send their hard-earned tax dollars to us to handle with care and deliberation.

So if it is agreeable with the Senator from Alaska, we will have a vote, I will add an additional $600 million, which was in the managers’ package and never debated or discussed that I know of, and I bet most of my colleagues never knew of, and we will probably adopt it, giving an additional $600 million to help I guess feed the troops in Iraq, and then we will go to final passage.

But I tell my colleagues who are here on the floor, I will not do this managers’ package routine ever again. If the Senator from Alaska feels he will not carry something in conference because it is a losing vote, then that is how it should be, but at least every Senator will be on record and their constituents will know how they stood on town meetings and the South Pole and all of these others—Louisville Jef ferson County Public Safety Communications System, et cetera. If it is agreeable with the Senator from Alaska, I will agree to a unanimous consent request to do that.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am grateful to the Senator from Arizona for that suggestion. I point out to him before we proceed—and we will proceed—we will ask Senator Kohl to be prepared to offer his amendment, and following that we will offer the managers’ amendment—but just this afternoon, I was notified that travel and transportation for members of the armed services was not authorized in some circumstances. One of these amendments authorizes transportation of families of the people who have been injured to Germany, or wherever they are, so they can see their loved ones. They did not have that authority. An amendment in this bill will do that.

They also do not have the money and authorization to buy, for a young person injured and coming back not on a
gurney, but needs civilian clothes, something different to wear other than a military uniform because of the injury—we have a provision in here for the purchase of civilian attire for medical evacuation of members of the Armed Forces. Those time to meet 6 o’clock. I think they are relevant to this bill, one of the six the Senator has not seen yet. There are a lot that came up.

I suggest we proceed. The managers’ package concept replaces the old litany of amendments that were offered and offered and offered. I remember one time we were here 40 hours. That is what you get when you do not have a managers’ package.

Is Senator KOHL here?

Mr. DASCHLE. We can offer it on his behalf.

Mr. STEVENS. Will the Chair lay before the Senate Senator KOHL’s amendment?

AMENDMENT NO. 455

Mr. STEVENS. Mr. President, I call up amendment No. 455.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. KOBLE, for himself, Mr. LNY, Mr. BYRD, Mr. BIDEN, MRS. MURRAY, Mr. HARKIN, and Mr. NELSON of Florida, proposes an amendment numbered 455.

Mr. STEVENS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The PRESIDING OFFICER. The clerk will call the roll.

Without objection, the amendment is as follows:

(Purpose: To provide humanitarian food assistance in connection with U.S. activities in Iraq)

On page 2, after line 7, insert the following:

''PUBLIC LAW 480 TITLE II GRANTS (INCLUDING TRANSFER OF FUNDS)

For additional expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior year’s costs, including interest under the Agricultural Trade Development Act of 3954, $600,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act: Provided, That of this amount, $155,000,000 shall be used to restore funding for previously approved fiscal year 2003 programs under section 396a(2) of the Agricultural Trade Development and Assistance Act of 3954: Provided further, That of the funds provided under this heading, the Secretary of Agriculture shall transfer to the Commodity Credit Corporation such sums as are necessary to acquire, and shall acquire, a quantity of commodities for use in administering the Bill Emerson Humanitarian Trust in an amount equal to the quantity allocated by the Corporation pursuant to the release of March 19, 2003, and the release of March 20, 2003: Provided further, That the authority contained in 7 U.S.C. 137(f)-1(c)(4) shall not apply during fiscal year 2003 for any release of commodities after the date of enactment of this Act.

Mr. STEVENS. Mr. President, I ask unanimous consent that following the consideration of Senator KOHL’s amendment, the amendments that I shall offer en bloc be considered en bloc, and adopted en bloc as a managers’ package.

Mr. HARKIN. I object. The PRESIDING OFFICER. Objection is heard.

Mr. STEVENS. I withdraw the request.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Would the Senator renew his request?

Mr. STEVENS. I intend to renew the request. This is a unanimous consent that the amendments we have here in the managers’ package be considered en bloc following the vote on or in relation to the amendment offered by Senator KOHL.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 455

Mr. KOHL. Mr. President, I am pleased to join with Senator ROBERTS in offering this amendment.

I offer an amendment to provide $600 million for our international food aid program. The amendment is cosponsored by Senators BYRD, DASCHLE, LEAHY, HARKIN, BIDEN, MURRAY, NELSON of Florida, DORGAN, LINCOLN, DURBIN, DEWINE, BAUCUS, ROBERTS, and DAYTON.

Our amendment is necessary because of the intense pressure the food needs in Iraq have placed on our world food programs. Already, the Department of Defense has used $269 million from our largest international food aid program—PL–480—to feed the Iraqi people. That is $269 million from the $1.4 billion that was appropriated last year for other world hunger needs in places like Sub-Saharan Africa and Afghanistan. As the war progresses and the reconstruction begins, the draw on our existing food aid accounts will continue.

Specifically, our amendment replenishes the $269 million already taken from PL–480 for Iraq. It also adds $300 million to an emergency grain reserve—known as the Famine Trust—which has recently released approximately 800,000 tons of wheat to Iraq. A final $231 million is made available for future Iraqi draws on PL–480 as that country waits for the resumption of the UN ‘Oil for Food’ Program.

This amendment is responsible budgeting. We are asking only for the minimum dollars we need to meet an unanticipated food crisis in Iraq—a crisis that is the direct result of the war. Our actions will allow us to meet this crisis efficiently without crippling our other food aid efforts.

I do not for a moment dispute the Administration’s decision to tap into PL–480 funds to meet immediate needs in Iraq. I do dispute the position that we should not replenish those funds—thus effectively defaulting on our obligations to starving people in other countries.

There is no doubt that the war has disrupted food delivery to innocent Iraqis. And everyone agrees that, as we move to liberate the Iraqi people, we have an absolute obligation to deliver humanitarian relief.

Before the war, a full 60 percent of the Iraqi population was fed through the UN-run ‘Oil for Food Program’—a program that turned Iraqi oil revenues into food supplies. It provided over $3 billion worth of food a year, distributed at more than 40,000 food distribution sites throughout the country. On March 17, UN Secretary General Kofi Annan suspended the Oil for Food Program. Now, over 2 weeks later, the citizens of Iraq are nearing the end of their food stocks.

We are not just guessing that a food crisis is imminent in Iraq. The UN has stated unequivocally that there is a humanitarian and immediate need to feed the Iraqi people as they attempt to reestablish the Oil for Food Program. Last Friday, the United Nations petitioned the world community for $3 billion to meet that need. Just Saturday, the World Food Program announced that the operation in Iraq could ‘‘evolve into the largest humanitarian operation in history.’’ The supplemental before us earmarks no funds for that effort.

The administration has decided—I believe correctly—to use our existing food aid programs to deliver this aid to Iraq. Our amendment simply asks that we replace the funds we are removing now—and will continue to remove—from that program—funds that were budgeted for starving people in Africa, Afghanistan, Indonesia, and North Korea.

Our amendment is endorsed by a coalition of international relief agencies called the ‘‘Coalition for Food Aid.’’ Their members include the American Red Cross, CARE, Catholic Relief Services, and Save the Children. The amendment is also supported by the American Farm Bureau, the National Association of Wheat Growers, the U.S. Rice Producers Association, the USA Rice Federation, and the Wheat Export Trade Education Committee. I ask unanimous consent to have printed in the RECORD these letters of endorsement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:


HON. HERBERT KOHL,
U.S. Senate,
Washington, DC.

DEAR SENATOR KOHL: The undersigned organizations appreciate your dedication to restoring funding for food aid and we support your amendment to the FY03 Supplemental Appropriations bill.

Your amendment comes at a critical time as the United States tries to provide necessary food aid for the people of Iraq. Providing additional funding and replenishing
unding for current food aid programs will place these programs in a better position to meet this year’s food aid needs. The amendment also provides the flexibility to purchase the food commodities that are needed without disrupting our own domestic market.

American agriculture is prepared and dedicated to providing U.S. commodities for those in need to help alleviate hunger. We thank you for your leadership and urge adoption of your amendment.

Sincerely,

American Farm Bureau Federation, National Association of Wheat Growers, US Rice Producers Association, USA Rice Federation, and Wheat Export Trade Education Committee.

Agriculture, Maritime and Charitable Organizations, Supporting Additional Food Aid Funding,

Hon. Herb Kohl,
U.S. Senate.

Mr. KOHL. In the last month, we have heard many voices expressing many views of what it means to be American and at war. Among those disparate voices, there are strong, common themes: our pride in our brave troops; our hatred for tyranny and injustice; our undying compassion for the poor and hungry of the world.

Our amendment speaks to the last of these. It states simply that, even in times of war, America must remain a compassionate leader in the world community and a passionate combatant of hunger and hopelessness throughout the world.

To reiterate, I offer this amendment because, as the President himself has said, the Department of Defense and other agencies, $269 million from our largest international food program, Public Law 480, and the Bill Emerson Humanitarian Trust, have already been obligated to meet the urgent needs of Iraq.

That $269 million is derived from funds appropriated or made available last year for other world hunger needs in countries such as Saudi Arabia, Afghanistan, Korea, and North Korea. We need to replenish that money which has been used to feed the people in Iraq.

I also thought we needed to provide more than an additional $200 million for the requirements that I anticipate we will be very shortly facing in Iraq with respect to feeding their people. The Bill Emerson Humanitarian Trust is an emergency grain reserve which recently released approximately 800,000 tons of wheat for assistance to Iraq at a cost of $100 million. The replenishment of the Bill Emerson Humanitarian Trust, restoration of Public Law 480 funds that have been diverted from areas such as Sub-Saharan Africa, and providing resources for anticipated needs in Iraq total the $600 million I have included in this amendment.

I urge my colleagues to support the amendment.

Mr. NELSON of Florida. Mr. President, as U.S. and allied forces steadily advance toward Baghdad, the people are closer to liberating the people of Iraq, and closer to ridding the world of a menace to global peace. Our troops are performing magnificently. The young men and women of our armed forces have served bravely and honorably, and have made me proud.

When the bombing stops and the war is over, the world will be a safer place. But make no mistake, the American commitment in Iraq will endure for a long haul. It is incumbent upon the United States to ensure Iraq’s transition to a freedom. One element critical to post-conflict reconstruction has already begun, and must continue through the fighting. That element is the supply of food and humanitarian relief to the people of Iraq.

The supplemental does provide some funds for humanitarian relief, but it is not enough. The Senator from Wisconsin has offered an amendment to this legislation which would provide $600 million in funding in emergency food aid relief for P.L. 480, Title Two and the Emerson Humanitarian Trust. This $600 million the amendment provides is based on close consultation with organizations who know us well from their humanitarian work. The Kohl amendment is vitally important to ongoing operations in Iraq. It: restores funds diverted from other emergency food assistance provided in P.L. 480 and allows for at least one third of food aid needs for Iraq, as identified by the World Food Program. Historically, the U.S. provides one half of emergency food aid needs.

At the time hostilities commenced in Iraq, the U.N. Oil for Food Program provided food to over 60 percent of the Iraqi people via over 40,000 feeding stations. Those feeding stations were run by the regime of Saddam Hussein. Hopefully, U.S. and coalition forces can restore the program quickly. But hope alone will not feed Iraqi families left starving by a disruption in this program. The world Food Program has just announced an overall appeal of $1.3 billion for food aid for Iraq for the next 6 months.

We must make adequate preparations right now to provide the food assistance required of us. The Kohl amendment delivers on this moral imperative by providing funds needed for the remainder of this fiscal year in the event significant Oil for Food Program revenues are not available, or is otherwise unable to function.

In another part of the globe desperately needing food assistance, the droughts in sub-Saharan Africa have caused a massive food shortage over the last several months. The toll of this famine threatens millions of African and could be far worse than anything we have seen previously. The terribie epidemic of HIV/AIDS, which is currently ravaging the continent, destroys the immune systems of its victims. When further weakened by malnutrition, they are unable to fight off...
even the most mild illnesses thereby exacerbating the impact of the food shortage. In addition, we know there is still about $250–$350 million shortfall in food assistance to Africa for this fiscal year, which the Congress was unable to provide during FY 2003. The United States currently provides food assistance to Haiti from P.L. 480, Title Two, to the tune of about $22 million, or about 40 percent of our bilateral assistance. This assistance is so important because it is one of the few ways in which we can help the Haitian people, without providing assistance to a corrupt government. We do not provide Haiti with other forms of assistance commonly provided to other countries, like economic or development assistance. This is due to the political stalemate, almost 3 years old, and the inability of President Aristide to take any meaningful and demonstrable steps to resolve the crisis and improve conditions. The integrity of the food assistance to Haiti must be protected and preserved in its entirety. The Kohl Amendment does so.

This provision also provides initial resources that will be needed to win the next food assistance to that region. It does not specifically designate the funds for Iraq, to be consistent with the way we have traditionally appropriated food assistance governed by P.L. 480, Title II funds, but I trust that these funds will be used for the purpose for which they are intended—feeding the Iraqi people without raiding important food assistance accounts for other regions, such as sub-Saharan Africa, and Haiti.

We must act now. I urge support of the Kohl Amendment.

Mr. McCAIN. Mr. President, the Senator from Wisconsin mentioned Saudi Arabia; I did not know the people of Saudi Arabia were in need.

But, again, it is unrequested by the administration. I am sure it is worthwhile. There is not an amendment that has come before us that is not worthwhile, but it was not felt urgent at this time by the administration.

I yield the floor.

The PRESIDING OFFICER. Is there further debate?

Mr. STEVENS. Mr. President, I don’t know of anyone on our side who asked for time on the amendment. I believe the Senator has explained it. I ask unanimous consent that if we start consideration of this vote, there be no further amendments in order, and that immediately following the vote on the managers’ package, we go to third reading of this bill, and we have a procedure whereby we would accept this bill at the desk until the House bill arrived and it would automatically be married to the House bill and sent to conference as soon as possible.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object, I will be very brief. I am very reluctant to do this because the chairman has been very gracious to me.

The PRESIDING OFFICER. The Senator from Maine has worked throughout the day on a bipartisan amendment. We would like a few minutes. It has been heard by the committee of jurisdiction, and we would like a few minutes to work with the chairman because of the size of the expenditures. I am sure that the Senator’s effort has it’s objective. I trust that these funds will be used for the purpose for which they are intended. I think in a few minutes we could work this out.

I am very reluctant to make this reservation.

Mr. STEVENS. Mr. President, the Senator’s amendment would change the procedure for every Department or Agency in the Federal Government in terms of the concept of what must be published in the Federal Register. It also has an exception for withholding publication of any document that is classified.

But in the period of time we are in right now, I don’t have time to research this in terms of what does this do to the Department of Defense, what does it do to the FBI, what does it do to the CIA, what does it do to other organization of the country. I have tried to clear this. There is a great deal of what has been eliminated, but I, too, am a member of this Governmental Affairs Committee, and I could not ever remember taking it up in the Governmental Affairs Committee. I understand what it is, but I don’t understand its impact on the agencies I am supposed to protect in terms of the Department of Defense. I cannot accept that I renew my request that following the vote on the managers’ package, no further votes be in order and we proceed immediately to third reading under the proceedings as outlined, which will be outlined in fuller detail at that time, but it will mean that will be the last vote of the day and we will not vote past taking the bill to third reading.

The Kohl amendment comes first.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, the first amendment offered by the Senator from Alaska when we started yesterday, that is going to be withdrawn; is my understanding correct?

Mr. STEVENS. We will have a dialog here about the debt ceiling amendment, and I have given my word to the Senator from West Virginia that we would work with him with regard to that when we start consideration of this vote, there be no further amendments in order, and that immediately following the vote on the managers’ package, we go to third reading of this bill, and we have a procedure whereby we would accept this bill at the desk until the House bill arrived and it would automatically be married to the House bill and sent to conference as soon as possible.
The amendment (No. 455) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. Senator, let me thank all Members for their patience and consideration in expediting the bill. It is imperative that we complete this bill, get it to conference, and then get the bill on the President's desk. This next vote will be the last vote of the week. The Senate will not be in session on Friday. We will resume business on Monday with a vote occurring at 5 p.m. on a judicial nomination.

Next week we hope to take up and complete the CARE Act, the FISA bill, POW resolution, other nominations, as well as conference reports that become available.

I thank everyone for their attention and appreciate the hard work over the course of the day.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM of Florida. Mr. President, let me thank unanimous consent that Senators JEFFORDS and KENNEDY be added as cosponsors of amendment No. 459.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I have an amendment at the desk, a series of amendments. I ask that these amendments be considered en bloc and they be adopted en bloc by one rollcall vote.

Mr. PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I withdraw that. Is it possible we might have a voice vote? I will be happy to have a voice vote.

I renew the request that the managers' package at the desk be considered en bloc and adopted en bloc. Does the Senator oppose a rollcall vote? Without a rollcall vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I call the attention of the clerk to the fact that there are several original amendments in that package, and they will be properly handled. Mr. MCCAIN. May I ask what that means?

Mr. STEVENS. It just means they were not numbered. We took out some amendments and put a new one in its place, but we did not make it a substitute for the amendment that is in place.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered S2.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. EDWARDS. Mr. President, I rise today to speak about an amendment I have offered to provide funding for the All Hazards Emergency Warning Network. If we are truly going to improve homeland defense, we must prepare Americans to respond in time of attack. And the first step towards that goal is updating our emergency warning system. We must ensure that warnings reach all Americans at risk as quickly as possible.

In the event of a terrorist attack or natural disaster, Americans must know how to respond. Unfortunately, for everything that has happened since September 11, if an attack happened again, many of us still would not know what to do.

Today, our emergency alert system depends heavily on television and radio, and doesn't reach millions of Americans who aren't near a TV and radio at a given moment. In addition, the system doesn't provide all the information we need. Right now, the All Hazards Warning Network cannot effectively broadcast information about all types of emergencies, particularly terrorist attacks. That must change.

We need to ensure that NOAA has the funds it needs to begin incorporating new warnings and new technologies within the national weather radio immediately.

I have proposed providing NOAA with $10 million right now for incorporating additional technologies for disseminating terrorism warnings within the All Hazards Warning Network. There are a lot of ways that NOAA weather radio could be broadcast using existing technology. Cell phones could receive emergency warnings for users in a certain area even if those folks are just passing through. Pagers and beepers can achieve the same result.

Television is programmed to come on automatically and provide alerts in the event of a disaster. We need to encourage the development and implementation of these new technologies. Additionally and perhaps most importantly, NOAA currently wants to have full communication with emergency managers at the local level—the men and women who will be on the front lines of any emergency. The All Hazards Warning Network needs to allow emergency managers to transmit warnings about all types of disasters, including terrorism, to citizens in their area without the delays currently in place.

This is an idea I have been working on for some time. This bill I introduced this session, together with Mr. HOLLINGS, would require the Department of Homeland Security and the Department of Commerce to make sure that comprehensive, easily understood emergency warnings reach every American at risk. Today's amendment will go a long way towards reaching that goal.

Mr. LEAHY. Mr. President, today I am proud to offer an amendment with Senator CRAIG and five other Senators that will repeal a rider that was inserted without a vote, without debate, and without discussion into the Omnibus Appropriations Conference Report.

The antiorganic rider allows producers to label their meat and dairy products "organic" even though they do not meet the strict criteria set forth by USDA, including the requirement that the animal be organically grown feed. This approach was considered and outright rejected by USDA last June. The entire organic industry opposed this weakening of the organic standards.

If beef, poultry, pork and dairy producers are able to label their products as "organic" without using organic feed, which is one of the primary inputs, then what exactly is organic about the product?

Opposition to this rider has been broad, deep, and extremely bipartisan. I have spoken to Secretary Veneman, who has come out publicly in opposition to the antiorganic rider. In the last month, a total of 68 Senators have joined me by cosponsoring a bill to repeal this rider.

This antiorganic rider is particularly galling because so many producers have already made the commitment to organic production. For most, this is a huge financial commitment on their part.

Now the rider has created a legal limbo for farmers. No one knows what the legal requirements for organic animal products are anymore.

I have heard from large producers—General Mills, Tyson Foods—as well as scores of farmers from Vermont and around the country who are enragè by this special loophole included for one company that does not want to play by the rules.

Our amendment simply strikes this antiorganic rider from the Omnibus
Appropriations Act, restoring the strong organic standards created by USDA. We need to send a message to all producers that if you want to benefit from the organic standards economically, you must actually meet them.

When I included the Organic Foods Production Act in the 1990 farm bill, it was because farmers recognized the growing consumer demand for organically produced products, but needed a tool to help consumers know which products were truly organic and which were not.

The act directed USDA to set minimum national standards for products labeled "organic" so that consumers could make informed buying decisions. The national standard also reassured farmers selling organically produced products that they would not have to follow separate rules in each State, and that their products could be labeled "organic" overseas.

The new standards have been enthusiastically welcomed by consumers, because through organic labeling they now can know what they are choosing and paying for when they shop. The antiorganic rider, however, has undermined confidence in organic labeling, which is less than a year old.

This was not the first attempt to weaken the organic standards. Getting the organic standards that are behind the "USDA Organic" label right was a long and difficult process, but critically important to the future of the industry. During the rule-making process, some tried to allow products treated with sewer sludge, irradiation, and antibiotics to be labeled "organic." The public outcry against this was overwhelming. More than 325,000 people weighed in during the comment period, as did I. The groundswell of support for strong standards clearly showed that the public wants "organic" to really mean something. Those efforts to hijack the organic industry through a rider on the spending bill failed.

We need to fix this mistake and restore integrity to our organic standards.

I urge my colleagues to support this amendment.

Mrs. FEINSTEIN. Mr. President, the amendment I offer today would restore fiscal year 2003 funding for the State Criminal Alien Assistance Program, SCAAP, to the level of funding Congress provided in fiscal year 2002.

Specifically, my amendment would provide an additional $315 million in supplemental funding to the SCAAP program, to bring the total fiscal year 2003 appropriation to the same amount that was appropriated in fiscal year 2002—$565 million.

Most of my colleagues have had to deal with the question of illegal immi-
ways" and that its involvement is needed to provide "international legitimacy" to the post-war efforts.

As our key ally, Prime Minister Tony Blair of Great Britain said yesterday the post-war effort "should not, in the end, be run by the British, should not be run by any outside force. Iraq should be run, for the first time in decades, by the Iraqi people."

These are strong statements of the importance of cooperation among our friends and allies in the major challenges facing the region and the world in the aftermath of this war.

They also make good sense. The UN will be essential in assessing, coordinating and delivering humanitarian aid, and in defusing any rage in the region over a so-called U.S. occupation.

With the resumption of the UN's Oil for Food program last week, resources will start to become available to meet the food needs of the Iraqi people. However, we still have to meet other needs, such as sanitation, health, shelter, the removal of landmines, and local emergency repairs to help civilians resume their daily lives as soon as possible. My amendment provides an additional $225 million to meet these priorities and to prevent illness, disease, and death among the survivors of the war.

It also provides an additional $45 million for law enforcement. The rule of law—especially in the case of public security and safety—is something that we often take for granted. As we learned in Kosovo, and again in Afghanistan, law and order are the indispensable cornerstones for building a functioning society. Without it, everything else takes longer, and costs more. Experts may doubt that Iraq will erupt into major civil conflicts, but most of them do expect local violence, revenge killing, and power struggles if there is no clear transitional force and stable government.

The bill before us contains funds for a civilian police force, but a full judicial team has not been included. This was a significant problem in Kosovo, and it can be avoided in Iraq by paying adequate attention to revising laws so that the effort to bring criminals to justice is not undermined. The immediate presence of a judicial team will assist in expediting this process and begin to establish adequate rules on arrests, detention trials, and other aspects of a new legal system.

Fair treatment of the people of Iraq in the immediate weeks and months after the war will obviously help to smooth the way to peace and encourage others to join in meeting this responsibility.

The final provision of this amendment addresses a separate ongoing need. The Emergency Refugee and Migration Assistance Fund is our global fund to aid refugees and migrants in emergencies. This program has been funded at $50 million, but it needs to continue to outpace the available resources. The United Nations refugee agency recently appealed to us for $29 million to assist the refugee emergency in the Ivory Coast and another $29 million to finance the repatriation of Angolans.

The underlying bill provides an additional $225 million, but in the next six months, new demands for these emergency funds are likely for Afghanistan, Sudan, and the Congo. It makes sense to provide the funds now that we already know we will need for this account. With emergency relief, it is not a question of if but when. The amendment will add $25 million to be sure that we have sufficient monies to respond to emergencies on the horizon. As we focus on the humanitarian needs in Iraq, we cannot ignore the refugee crises in Africa and other regions of the world.

We know that the whole world is watching what we do. Reports of massive anger in the Middle East and in other countries should be very troubling to us all. We need to get the Iraq reconstruction effort right the first time. Its importance cannot be underestimated, and we can't afford to leave it underfunded.

These additional funds are a start, a downpayment on the longer effort. This bill may well not be enough even for the very short term of the next six months. Far more will be needed to meet our responsibilities, and to win the peace. We ought to be planning and preparing to meet these responsibilities now.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. STEVENS. I thank all Members for their patience and courtesy. And as the leader said, this is the last vote. We will handle the problem of moving this matter to third reading after this vote. There will be no further votes tonight.

Have we adopted the managers' amendment?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 522.

The amendment (No. 522) was agreed to.

AMENDMENT NO. 435, WITHDRAWN

Mr. STEVENS, Mr. President, according to the Treasury Department, the statutory limit on the national debt needs to be raised. The amendment I offered yesterday would have increased the debt limit so as to avoid the risk of a default. I understand the concerns that have been raised about this amendment by the other side, and I am willing to withdraw the amendment if the majority can be assured that the Senate will pass a freestanding bill to increase the debt limit with the cooperation of the minority and without unnecessary delay, and that there will be no further votes tonight. Have we adopted the managers' amendment?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 523.

Mr. STEVENS, Mr. President,Yesterday, the Antiterrorism Training Assistance Program Appropriations Subcommittee, about the Antiterrorism Training Assistance Program, or ATAP.

I note that the supplemental appropriations bill includes $52 million for the State Department to establish the Center for Antiterrorism and Security Training (CAST) in Maryland. These funds were deferred from the Consolidated Appropriations Resolution for Fiscal Year 2003 with the understanding that they would be included in an appropriate vehicle, which is this bill. CAST will be a central training academy for the State Department.

It will be a while before the new center is operational, which makes it difficult for me to understand the actions of the State Department to eliminate and scale back existing antiterrorism training programs that have been successfully carried out by Louisiana State University (LSU) and the New Mexico Institute of Mining and Technology (New Mexico Tech) for the past several years. In fact, LSU has been carrying out this training for the State Department for over a decade. New Mexico Tech has partnered with LSU since January 2000.

The State Department has relocated the Hostage Negotiations Program from New Mexico Tech to LSU, and it has advised New Mexico Tech that it will relocate the Rural Border Operations Course to a facility on a military base in Albuquerque.

Ms. LANDRIEU. Mr. President, I join my colleague from New Mexico in questioning the State Department's actions on the ATAP training programs. Both
universities and the surrounding communities have made substantial investments in facilities, curriculum, and even diplomacy in welcoming foreign law enforcement officers to their communities and providing them with training. It is critical that we help them combat terrorist and other criminal activity. Yet it appears the State Department will pull all ATAP training out of New Mexico Tech by this June. I can only guess that the State Department has similar intentions for LSU in my State.

Mr. DOMENICI. Mr. Chairman, this makes no sense to me as this Nation continues to fight the war on terrorism and is now engaged in a war against Iraq. The antiterrorism training programs are more critical than ever, and they should continue to be carried out at LSU and New Mexico Tech, which have run successful programs for the Department of State for years.

Mr. Chairman, would you agree with me that it is time to put our National security before the current antiterrorism training assistance courses out of LSU and New Mexico Tech during these troubled times?

Mr. McCONNELL. I would agree with the Senator from New Mexico that this seems to be an unusual time for the State Department to take such actions. The Foreign Operations Subcommittees of the Appropriations Committee have provided significant increases for the ATAP Program through the regular appropriations bill and the supplemental appropriations bill last year, and the President proposes another $106 million for this program, an increase of nearly $42 million above the current level.

I believe these programs with law enforcement personnel from other nations are more important than ever, and there is a significant benefit to the Department of State in using the facilities at LSU and New Mexico Tech to continue these training programs. I would urge the Department to continue to carry out these courses at these two universities.

Ms. LANDRIEU. I thank the Chairman for his direction on this matter.

Mr. LEAHY. I can understand the concerns of the Senator from Louisiana and the Senator from New Mexico. I join the chairman of the Foreign Operations Subcommittee in his view that the State Department should continue to carry out ATAP courses at Louisiana State University and the New Mexico Institute of Mining and Technology.

Mr. DOMENICI. I thank the Chairman and Ranking Member for their interest in, and assistance on, this most important issue.

SURPLUS FOOD AID TO IRAQ

Mrs. BOXER. Mr. President, 2 weeks ago Ambassador Wendy Chamberlain of the U.S. Agency for International Development testified before the Senate Foreign Relations Committee that there was a 1-month supply of food available to Iraqi citizens. I was told that the administration has had informal discussions with the Appropriations Committee on how they plan to spend the $2.4 billion in the supplemental for the Iraq Relief and Reconstruction Fund.

After hearing about these consultations with the administration, I am very concerned to learn that there is only a 1-month supply of food for food aid. Rather, the money that is being requested will be used primarily to reimburse funds that were already borrowed from other fiscal year 2003 foreign operations accounts to pay for food aid or to pay for logistics and distribution. The problem is that the Senate may be working to increase the amount of food aid in this bill and the House version of the supplemental appropriates funds for food aid.

With this food aid, we have a chance to help not only the Iraqi people, but also America's farmers. Many of America's farmers are experiencing a surplus of commodities that could provide valuable nutrition to the Iraqi people while alleviating potential crop losses for high-quality food products such as rice, beans, raisings, dates, dried fruit and other relatively nonperishable items are familiar foods in that region of the world and would be appropriate for inclusion in the food aid package.

I am wondering if the chairman and ranking member of the Agriculture Appropriations Subcommittee could tell me if this additional food aid funding can be used to purchase surplus agricultural commodities, which would both help feed the Iraqi people and benefit American farmers?

Mr. BENNETT. Yes, that use is entirely permitted. I agree that we should do all that we can to help the Iraqi people and our farmers at the same time.

Mr. KOHL. I think that this is an excellent suggestion, and I would support the use of a portion of these funds to purchase surplus U.S. commodities that would meet the dietary needs of the affected populations and that are currently authorized for inclusion under these programs.

Mrs. BOXER. I thank my colleagues.

Mr. KERRY. Mr. President, we are currently engaged in a war with Iraq. I strongly believe that our military must have every resource at its disposal to fully prosecute and win this war. I support the Senate fiscal year 2003 supplemental appropriations bill that provides funding for the military functions of the Department of Defense as it prosecutes the war in Iraq. The bill also includes funding for the reconstruction efforts in Iraq and funding to continue our anti-terrorism efforts. However, I am disappointed that the bill does not provide adequate funding to protect our homeland.

The bill provides more than $62 billion to prosecute the military operations in Iraq, including replenishing munitions that have been expended and maintain our ground and sea operations critical to our war effort. It also provides more than $7.8 billion to support the reconstruction of health services, sanitation, transportation and telecommunications for the people of Iraq.

I also support the additional funds included in this bill to increase airline security. The bill provides $1 billion to reimburse airline security, $300 million to assist airlines in upgrading cockpit doors, and $375 million for airline operating and capital costs. I believe that this funding will help maintain the flying safety of the American public.

I am grateful to both Chairman STEVENS and Ranking Member BYRD for providing $150 million to the Department of Veterans Affairs for health care services to veterans of the Iraq war. I worked with Senator GRAHAM on an amendment to help pay for the health care of returning service members who are released from the military. We are not meeting our promises to our veterans. The VA has consistently received inadequate resources to meet rising medical costs and a growing demand for its health services. This funding crisis has forced the VA health system to resort to fixes, such as discontinuing outreach activities in an effort to reduce enrollment and instituting new regulations that require the rationing of health care. This veteran's health care crisis has been exacerbated with the recent announcement that the VA would provide free medical services to all veterans of the Iraq war for 2 years. The additional funding included in the supplemental is crucial to insure that current veterans not receive a further reduction in health benefits.

While this legislation contains an acceptable level of funding to help prosecute the war with Iraq, I am deeply concerned that this legislation does not meet our Nation's homeland security needs. Vulnerabilities exist in our homeland security infrastructure, and we should not squander a single day addressing them. An independent task force, chaired by former Senators Gary Hart and Warren Rudman, recently advised that "America remains dangerously unprepared to prevent and respond to a catastrophic attack on U.S. soil." We must act to ensure that the Federal and State agencies needed to protect our borders, ports, cities, and towns have sufficient resources to do so.

The bill includes approximately $4.6 billion for increased border and maritime security to assist State and local governments in protecting our cities and our critical infrastructure from terrorism. But I believe that more should have been done to protect our homeland from the risk of terrorism. That is why I think the amendment offered by Senator SCHUMER which would have provided $3 million in additional funding for first responders and $1 billion for security in high-threat areas.

As the Federal Government, we are very involved in the development of the new port security law, which included new rigorous security requirements for our ports. Given
the vulnerabilities that we know exist in our port security. I am deeply disappointed that the Senate has thus far provided insufficient funding to address these problems. I strongly supported a Hollings amendment that would have provided $1 billion for port security and to screen vessels for radioactive materials. I also support an amendment offered by Senator Boxer that would provide $30 million to the Department of Homeland Security for research, development and initial deployment of technology to protect commercial aircraft from the threat posed by stinger missiles.

While I missed the votes on these amendments, I was recorded in support of each in the RECORD.

We must continue to fight both the war with Iraq and the war against terrorism and funding for these programs is a necessary component of that fight.

Mr. LEVIN. I am pleased that this supplemental appropriations bill contains language proposed by Senator Stabingas that will increase security inspections of trucks hauling municipal solid waste into Michigan from Canada. At a time when we are increasing security measures at all levels to protect our citizens, it doesn't make sense to allow 130 to 150 truckloads of waste cross into Michigan every day from Canada without inspection.

On January 1, 2003, the city of Toronto began shipping all of its municipal solid waste trucks, citing security concerns. The Administration reversed that decision on February 7, 2003, the same day that the Homeland Security national threat level was raised to level orange. Therefore, these trucks will continue to be treated as a low-risk commodity, which will allow these trucks carrying tons of municipal solid waste to cross the Michigan-Canadian border with minimal scrutiny.

Our amendment, that has been included in this bill, will ensure that these trucks are inspected before they cross the Ambassador and Blue Water Bridges. Further, the amendment provides that the Blue Water Bridge will receive radiation detection equipment by March 1, 2003.

We cannot take the chance that harmful materials will be transported into Michigan on one of these trucks. Our amendment will help to prevent that scenario by ensuring the inspection of these municipal solid waste trucks at the border.

Mr. EFFORDS. Mr. President, reluctantly, I am voting for this supplemental appropriations bill to provide funding for homeland defense and our military campaign in Iraq. Like it or not, the war is on and we owe it to our men and women in uniform to provide them with the resources necessary to bring the war to a rapid and successful conclusion.

We have known for more than a decade that Saddam has chemical and biological weapons, but there has been little concern that these weapons pose a direct threat to the United States. Since coming to office, this administration has raised the specter that Iraq also has been developing nuclear weapons capable of causing great harm to the United States. It has focused a great deal of America's intelligence assets on the question of Saddam's capabilities, yet the administration has not presented any evidence of an active nuclear program. In fact, one of the key pieces of evidence provided to the public by the administration turned out to be a forged document. Moreover, International Atomic Energy Agency experts rejected the administration's assertion that the aluminum tubing in Iraq's possession was evidence of a program. Two months of intrusive inspections by U.N. inspectors turned up no additional evidence of new Iraqi possession or production of weapons of mass destruction. In the end, the administration has failed to demonstrate that possession of such illicit weapons would pose an imminent threat to the United States.

My concerns with the administration's course of action are long-standing and public. I voted against the resolution to give the President the authority to go to war because I did not believe that the threat posed by Iraq was imminent. I do not believe that the administration should have abandoned the U.N. inspection regime. Its inspectors in Iraq were working to achieve concrete results in actively disarming Saddam's regime. Instead of allowing the inspection process to continue, the administration turned its back on international institutions and relationships built up over many decades and pursued a unilateral course of action with a narrow coalition of allied nations.

As we all know, the military campaign in Iraq is now at a critical juncture. With countless examples of Saddam's troops using the Iraqi population as human shields, the prospect of devastating consequences looms with the impending battle for Baghdad. In recognition of this fact, Gen. Richard Myers today suggested that the United States military, while consolidating its encirclement of Baghdad, might attempt to isolate Saddam Hussein and cut off his communication with the rest of Iraq without bringing the military campaign into Baghdad. I urge President Bush to consider this opportunity to turn to the international community, whether it be the United Nations or the Arab League, or any other suitable or appropriate entity, to make one last effort to seek the removal of Saddam Hussein and his cadre of supporters. Time is fleeting, but I believe we must make this effort prior to exposing American lives, and the lives of our coalition partners, to the potential devastation of a door-to-door campaign in the streets and houses of densely populated Baghdad. Accordingly, I call on the administration to hold off for a period of 3 to 4 months on the invasion of innocent Iraqis, to the President's last opportunity to spend his people the inevitable destruction and loss of life that would result from the siege of Baghdad. Such an initiative also would reach agreement on deep cuts in nuclear weapons technology. Instead of capitalizing on a Russian desire to reach agreement on deep cuts in nuclear weapons, and ensuring that Russian nuclear materials never fell into the hands of America's enemies, the President allowed his distaste for arms control to preclude agreement on real cuts in nuclear weapons. Now, because we got the chance called the Moscow Treaty, a treaty that fails to remove even one nuclear warhead from either country's arsenal.

A decade ago, the United States went to war with the United Nations' blessing, a united NATO, and a broad, diverse coalition of nations by its side. Today, the United States is at war without U.N. support, in the face of direct opposition by its allies, and with only a smattering of other major nations aligned with it. A decade ago, America's Gulf war allies joined in the military action and funded the bulk of the war effort. Today, the President has been forced to open the vault, offering untold tens of billions of dollars to enlist the support of allies that traditionally have stood by our side. And I am afraid the American people will be left picking up the tab for both the military operation and the rebuilding of Iraq.

I urge the President to take this opportunity to avert more bloodshed and
to involve the international community in the Iraqi end-game and the critically important job of rebuilding the political and economic infrastructure of Iraq.

Mr. REID. Mr. President, I rise to support this important bill that will provide $60 billion for our troops in Iraq. I am especially proud of the Nevada sons and daughters who have been deployed to the Middle East as part of Operation Iraqi Freedom. As many of you know, Nevada has the finest military aviation training facilities in the world. Nellis Air Force Base and Fallon Naval Air Station train the aviators serving on the front lines of this battle. Hundreds from Nellis—pilots and other mission critical personnel—are right now serving on the front lines. Hundreds trained at Fallon are there too. When you see those Navy fighters taking off from carriers in the Gulf, chances are they were trained at Fallon.

Nevada’s Guard and Reserve troops are also playing a significant role. Nevada’s percentage of Guard and Reserve call-ups and deployments has been one of the highest in the Nation. I understand that Nevada’s Guard and Reserves have been called up. They are talented. They are heroes. When this action started, I promised to do everything in my power to ensure that Congress fully funds and supports the needs of our troops as this conflict proceeds. This bill provides more than $60 billion to make good on the commitment that my colleagues and I made to support our troops.

I am also encouraged by the efforts the administration made to provide additional funds for protecting our front-line defenders here at home—the emergency responders we depend on to respond to a terrorist attack. I believe we could have done more to give cities and counties in each of our states the resources they need to ensure our homeland is as secure as it can be. I am pleased that we were able to add an additional $150 million for securing nuclear materials at home and abroad. This amendment will provide additional resources to keep terrorists from getting the ingredients they need to make a dirty bomb. I want to thank my colleagues for completing this bill in a timely manner to help our troops who are helping bring freedom to the people of Iraq.

Mr. STEVENS. Do we have the yeas and nays on final passage? I am too tired. We are going to third reading. We are finished. I am going to do that right now. We are done.

Mr. President, I ask unanimous consent that following the passage of S. 762, the bill be held at the desk; provided further that when the Senate receives the House companion bill to S. 762, the Senate proceed to its consideration after the lactant clause be stricken, the text of S. 762, as amended, be inserted in lieu thereof; provided further the bill then be read for a third time and passed, the motion to reconvene the House companion bill to S. 762 be waived, andthe Senate be authorized to appoint conferees on the part of the Senate; finally, I ask unanimous consent that passage of S. 762 be vitiated and it be placed back on the calendar at that time and that the conferees be the entire Appropriations Committee.

Mr. EISENBERG. Without objection, it is so ordered.

Mr. STEVENS. Parliamentary inquiry: There is no further business to be had on that bill; right?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. Good night, ladies and gentlemen.

The PREVING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FOSTER. I announce that the Senator from Kentucky (Mr. BYRD), the Senator from New Mexico (Mr. DOMENICI), the Senator from Oklahoma (Mr. LIEBERMAN), and the Senator from New York (Mr. DICKERSON) are necessarily absent.

I further announce that if present and voting the Senator from Kentucky (Mr. DICKERSON) would vote "aye".

Mr. REID. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that if present and voting the Senator from Kentucky (Mr. DICKERSON) and the Senator from Massachusetts (Mr. KERRY) would each vote "aye".

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 125 Leg.]

YEAS—93

Mr. REID. I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I announce for Senator BYRD that at the time of final passage, he was necessarily absent, but if Senator BYRD had been here, he would have voted "aye".

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I ask unanimous consent that it be in order for the chairman and ranking member, with the concurrence of both leaders, to be permitted to make technical and conforming changes as necessary to the supplemental appropriations bill. The bill was put together pretty quickly, and we want to do it carefully. We have cleared this with both leaders and with both sides of the aisle.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPETITIVE BIDDING ON GOVERNMENT CONTRACTS

Mr. WYDEN. Mr. President, of course, the debate throughout the day has been about the wise use of taxpayers’ money. Yesterday in the Wall Street Journal, there was an article entitled “USAID Defends Secret Bids to Rebuild Iraq.” At the same time, there was an article in the Washington Post entitled “Contracts to Rebuild Iraq Go to Chosen Few.” “No Bidding War on Contracts in Iraq.”

Mr. President, I ask unanimous consent that these two articles be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, April 2, 2003]

The ASSAULT ON IRAQ—USAID DEFENDS SECRET BIDS TO REBUILD IRAQ

NATIONAL SECURITY IS CITED AS REASON FEW FIRMS KNEW OF $7 BILLION IN CONTRACTS

BY NEIL KING JR.

WASHINGTON—Amid worries that preparations aren’t moving as fast as hoped, a top procurement official defended the government’s decision to approach only a handful...
of U.S. companies to help rebuild postwar Iraq.

The U.S. Agency for International Development chose to put the bids in secret to a limited number of companies under the exception that allows agencies to bypass the usual competitive bidding for national security reasons, said Timothy Beans, the agency's chief of procurement.

"Anytime you are in wartime condition you don't have the four or five months to go out on the street for the kind of competition you'd like," Mr. Beans said.

USAID began approaching preselected bidders for postwar Iraq work as early as late January, when the possibility of going to war with Iraq was still being hotly debated at the Pentagon. Requests for proposals went out for four contracts in mid-February, with two more early last month. Altogether, the work—including rebuilding highways and bridges and rehabilitating Iraq's school system—is expected to cost at least $1.7 billion.

Similar exceptions were made for reconstruction efforts in Afghanistan and in the mid-1990s after the war in Bosnia, Mr. Beans said. He conceded that except for those three emergency cases, restricted contracting procedures are unusual.

USAID officials said last week that as many as six contract awards would be announced soon, but final decisions may not be made until next week. Some companies competing for the contracts say they are receiving conflicting signals over the length and acknowledgment of the work.

Plans last month outlined an aggressive rebuilding campaign, including sweeping changes to Iraq's education and health systems, that would nonetheless last only 12 months. USAID officials now say that any meaningful work will take much longer than a year, but others in the administration are wary of moving forward on anything that would suggest a prolonged U.S. occupation of Iraq.

The uncertainty over how to proceed also reflects mounting unease over the U.S.-led military campaign which has so far offered scant evidence that average Iraqis are ready to embrace American control of their country.

Reconstruction officials within the administration had planned to use the southern city of Basra as a test case for the U.S. rebuilding effort. Iraq's second-largest city has a dots-and-boxes population that has been at odds with Saddam Hussein. But continued fighting there, and signs that the local population might be less receptive than some predicted, have put those plans on hold.

Competition for the big infrastructure-rebuilding contract valued at $600 million, was limited to seven large U.S. engineering companies, several of which have now either dropped from the running or formed teams with other bidders. People involved in the bidding say the lead competitors are Bechtel and Parsons Co., which has taken on Halliburton Co.'s Kellogg Brown & Root as a subcontractor. Halliburton announced Monday that its KBR division won't be a potential contractor for rebuilding Iraq's infrastructure, but "remains a potential subcontractor for this important work.

The administration's postwar plans for Iraq have stirred charges in Europe that all major rebuilding work will go to U.S. concerns. While none of the contracts will go to foreign firms, those companies will be eligible to fill in as subcontractors, Mr. Beans said.

CONTRACTS TO REBUILD IRAQ GO TO CHOSEN FEW

(By Jackie Spinner)

KBR, the company the U.S. government picked this week to put out oil-field fires in Iraq, has long been looking for the military on big projects in foreign hot spots.

The former Kellogg Brown & Root—a subsidiary of Houston-based energy services company Halliburton—announced Monday that its KBR division won't be a potential contractor for this important work, the Pentagon logistics contract it was awarded in 2001 through a competitive bid, company officials said.

So when the U.S. Army Corps of Engineers needed a firm to douse fires ignited by retreating Iraqi forces, the company was already ready on the ground in Kuwait. "KBR have been over there, and they had an existing contract with the Army," said Scott Saunders, a spokesman for the Corps of Engineers.

"Because of that and because of that need to snuff those fires quickly, KBR was sole-sourced," the report said. The work is being subcontracted to Boots & Coots International Well Control Inc. and Wild Well Control Inc.

The recent KBR award shows how companies that would have been dropped from the running or formed a competitive bid, company officials said. So when the U.S. Army Corps of Engineers needed a firm to douse fires ignited by retreating Iraqi forces, the company was already ready on the ground in Kuwait. "KBR have been over there, and they had an existing contract with the Army," said Scott Saunders, a spokesman for the Corps of Engineers. "Because of that and because of that need to snuff those fires quickly, KBR was sole-sourced," the report said. The work is being subcontracted to Boots & Coots International Well Control Inc. and Wild Well Control Inc.

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Contracts to Rebuild Iraq Go to Chosen Few

April 3, 2003

S4812 CONGRESSIONAL RECORD — SENATE

April 3, 2003

"Because of the intense nature of the need to do things quickly, the work may not be as well defined, and the fact that there isn't a competitor putting pressure on price, these are unlikely to be competitive contracts," Carroll said. "I don't think there's an evil intent. But our procurement process is supposed to determine what is a fair and reasonable price.

The General Accounting Office found in September 2000 that the U.S. Army had not always advertised or considered bids for contracts with KBR's $2.2 billion work providing logistical and engineering support in the Balkans.

Officials "frequently have simply accepted the idea of sole-source contracts without questioning whether they could be provided more efficiently or less frequently at lower cost," the GAO report said. KBR and the Pentagon disputed the findings, which did not question the quality of the work KBR had performed.

The Corps of Engineers said the value of the KBR contract in Iraq will depend on the scope and number of fires it will have to extinguish during and after a war that has not yet taken place. So far, there are several oil-field fires burning in Iraq. Steven L. Schooner, co-director of the Government Procurement Law Program at George Washington University's law school, said KBR's track record is not in question.

"They have won the hearts and minds and standing of the military," he said. "They have done a fabulous job, and our troops are better off for it."

Schooner said the Cheney connection to Halliburton should not be an issue. But, he said, the non-competitive nature of awarding the Iraqi reconstruction contracts has made it difficult.

"Had these contracts not been awarded in a secretive manner it would be easier to cut off the questions earlier," he said.

Mr. WYDEN. Mr. President, suffice it to say, the Senate missed an opportunity tonight to stand up for openness and competition in contracting and to make sure there was an opportunity to spend prudently on the effort to rebuild Iraq. It seems to me that too much taxpayer money is going to go to a firm that is not putting the contracts out for bid, as should be done.

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"Had these contracts not been awarded in a secretive manner it would be easier to cut off the questions earlier," he said.
Tonight, now we are not going to have taxpayer money.

In the past, the General Accounting Office has been very critical of this kind of approach. The General Accounting Office has found that contractors had not done enough to contain costs on projects involving engineering support in areas where the military was involved.

According to a September 2000 report by the General Accounting Office, Federal officials said:

Frequently, they have had accepted the level of services provided without questioning whether they could be provided more efficiently and more frequently and at lower cost.

What could be more important for this building up for? Why could be more important than to make these contracts involving billions of dollars be let in a way that is efficient and open?

The current plan to select contractors for construction work in Iraq without competitive bidding creates the potential for more of the same, more of the same where noncompetitive contracting work is conducted by the Federal Government and we have a repeat of the overpriced contracts and less acceptable services that come about when contracting is not competitive.

Given the enormous sums of taxpayer money that will be involved, there ought to be competitive bidding across the board. Certainly there ought to be competitive bidding unless someone shows a compelling national security reason to do otherwise. I am of the view that if Federal agencies are not going to use full and open competition, at a minimum they ought to have the burden of demonstrating why competitive bidding is not the proper way to avoid the contracts.

Senator Collins and I wanted, tonight, with the very helpful counsel of Senator Clinton of New York, who also worked in this area, to offer an amendment to require the Federal agencies to make public the documents used to justify their decision to waive the normal requirements for open and fully competitive bidding. Think about that proposition. Heaven forbid we actually make public the documents that describe why we are not having competitive bidding. That strikes me as a very modest step when you are talking about billions of dollars' worth of taxpayer money.

But because there was an objection tonight, now we are not going to have the refusal to go forward with competitive bidding even made public. It seems to me the way to make sure the taxpayers get the best value for their money and we have companies that compete for this work is to make sure that the standards for exempting contracts from competitive bidding are rigorous and are designed to protect the needs of taxpayers and the national security.

Our amendment would have required agencies to make the justification and approval process, if you were to have a contract exempt, public. And it would ensure we have full and vigorous competition and would have required other Federal agencies to make their justifications public before they entered into any contracts to rebuild Iraq.

I don't think the Senate wants to sit by and see these kinds of articles in our newspapers day after day: USAID Defends Secret Bids to Rebuild Iraq. Contracts to Rebuild Iraq Go To Chosen Few.

Unless we have the Wyden-Collins bipartisan amendment to open up this process, to promote competition, to have full disclosure, we are going to have articles like this in our newspapers day after day after day. It is going to contribute to the cynicism and frustration that taxpayers have in this country with respect to how their money will be used. It will be a long year. We are going to see these articles again and again.

I intend to come back to the Senate and stay at this. I wanted to make sure we would have a bipartisan amendment on this effort and worked very closely with the bipartisan leadership throughout the day. I thought we were there. I thought we had this amendment in a fashion acceptable to both sides. It is very regrettable it has not been accepted. I will continue to work with my colleagues. The taxpayers of this country ought to be angry about this kind of process used to let contracts.

Certainly, if there is a national security reason or some sort of contract that requires an expedited arrangement, that needs to be treated in a way that protects our national security. But that is not what is going on here. What we are seeing is businesses in Missouri, Oregon, Maine, and across the country not being part of the privileged circle. A lot of businesses are going to be angry and I am sure they ought to be angry about this kind of process used to let contracts.

What is going on now is bad for business, it is bad for competition, it is bad for taxpayers, and I think it is bad for national security. I don't think we will get the money for our money if we continue to have the contracts, as the papers say, go to a chosen few.

The Senate made a mistake. It is particularly unfortunate because two Senators worked hard for a bipartisan way to try to prevent the things we have seen in the last few days from happening again and again. It will happen again and again. That is why I intend to come back to the Senate. It is unfortunate there was an objection tonight to our bipartisan legislation.

I look forward to seeing the Senate in the days ahead stand up again on a bipartisan basis for a process that is open, a process that promotes competition, that is good for taxpayers, good for business, and good for our country.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

Mr. WARNER. I join all who had the privilege to serve with our late colleague, Senator Patrick Moynihan. Of all the years I have been here, 22 were spent with him. While my heart has sadness, it is filled with joy for the recollections of a wonderful friendship and working relationship we had in the Senate.

We shared a deep and profound love for the U.S. Navy. He served from 1944 to 1947 and was a commissioned officer. I served from 1946 to 1947 as an enlisted man. Whenever we would meet, he would shout out, "Attention on deck," and require me to salute him as an enlisted man properly salutes an officer. Then he would turn around and salute me, as I was once Secretary of the Navy, and he was consequently, at that point in time, outranked.

That was the type of individual he was. He filled this Chamber with spirit, with joy, with erudition, and he spoke with eloquence. We shall miss our dear friend.

I recall specifically serving with him on the Committee on Environment and Public Works, of which he was chairman for a while. He had a great vision for the Nation's Capital. Some of the edifices we enjoy today would not have been had it not been for this great statesman. The landmarks would not be there had it not been for him. I am talking about the completion of the Federal Triangle. The capstone, of course, is the magnificent building today bearing the name of our President Ronald Reagan.

He was a driving force behind the completion of that series of Government buildings started in the 1930s, under the vision of Herbert Hoover and Andrew Mellon. They were great
friends. They wanted to complete that magnificent series of buildings, but the Depression came along and the construction stopped. Pat Moynihan stepped up and finished.

Many do not know that in Union Station, Washington, D.C., there was a macro for transportation, a transportation hub—we have rail, the bus, and we have the subway. Pat Moynihan was the one who saved that magnificent structure for all to enjoy for years to come.

I suppose the cornerstone was the Judiciary Building. I remember full well how he came before the committee and expressed the importance for the third branch of Government to have its administrative offices and other parts of that branch of the Government encased in a building befitting the dignity that should be accorded our third branch of Government. That building marks his genius.

In improving transportation, he was a key in the legislation that provided so much return to the States for their transportation needs, again, as chairman of Environment and Public Works.

He had a strong commitment to addressing the needs of his rural American constituents. He was a strong supporter of the Appalachian Regional Commission which touched the States of West Virginia, Virginia, and others.

We are grateful to him. He understood what few did. I say goodbye to this dear friend. I salute him. I will always have joy in my heart for having served with this man who, in my humble judgment, had the wit, the wisdom, and the vision of a Winston Churchill.

Mr. SARBANES. Mr. President, when Pat Moynihan retired from the Senate in 2000, following four terms of devoted and distinguished service to the citizens of New York and indeed of the Nation, he left a great void; now, with his death, a greater void is filled. Many do not know the work he did in partnership with others to procure the necessary funding to save New York's Pennsylvania Station.

No simple category was ever capable enough to accommodate Daniel Patrick Moynihan. With justification he has been an intellectual scholar, an academic, an author, an editor, a politician, a diplomat, and a statesman. He has been known variously as a scholar, an academic, an author, an editor, a politician, a diplomat, and a statesman. He has been known variously as a scholarly politician and a political-minded scholar; certainly as Nicholas Lemann has observed, "he was more of a politician, by far, than most intellectuals." He was a fierce partisan of cities and the urban landscape, but he was equally devoted to the urban and rural spaces of his State of New York, where motored through to enactment groundbreaking legislation, the Intermodal Surface Transportation Efficiency Act of 1991, ISTEA, which recast our thinking about surface transportation.

Moynihan's formal academic training was in foreign policy. Here he will be remembered for his effective ambassadorship to India, his forceful and principled representation of United States interests in the U.N. Security Council and his early conviction, little shared at the time he expressed it, that the facade of Soviet military might and empire lay a system in danger of collapse. He proved to be correct. He should also be remembered for his role as one of the 'faces' in the Congress, whose work often went unremarked. These four Members, whose families had come to this country from Ireland, worked tirelessly together in support of efforts to bring peace to Northern Ireland and especially to steer United States policy in that direction. That Northern Ireland is no longer torn apart by violence is in some significant measure due to their efforts.

Once we have catalogued all Pat Moynihan's many accomplishments, however, there remains the man himself. In everything he did he remained a teacher, with an amazing capacity to instruct and to inspire. He believed, with Thomas Jefferson, that "Design activity and political thought are indissociable"—an elliptical idea to many of us, until we find ourselves in the presence of the architectural monuments that have stood in protest to every undertaking an extraordinary historical perspective, and an astute appreciation of what he called, in his commencement address at Harvard just a year ago, our basic constitutional "might and empire lay a system in danger of collapse."

As a member of the Committee on the Environment and Public Works he worked hard, often with spectacular success, to promote awareness and assure the preservation of many of the buildings, once seemingly destined for demolition, that today we consider our priceless national heritage. For this the National Trust for Historic Preservation in 1999 honored him with the Louie D. du Pont Crowninshield Award, its highest honor, noting, "The award is made only when there is indisputable evidence of superlative lifetime achievement and commitment in the preservation and interpretation of the country's historic architectural heritage." Everyone who walks along Pennsylvania Avenue in this city or through New York's Pennsylvania Station is forever indebted to Pat Moynihan. He procured the necessary funding to save Louis Sullivan's Guaranty Building, in Buffalo, and promptly moved his district office into it. In his brief chairmanship of the committee he shepherded the Northern Ireland Act and groundbreaking legislation, the Intermodal Surface Transportation Efficiency Act of 1991, ISTEA, which recast our thinking about surface transportation.

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end, our best tribute will lie not in the words of remembrance we speak but rather his tangible achievements and his legacy. The best tribute we can pay is not the words we speak but rather in our reeducation to the principles for which he fought.

Mr. COCHRAN. Mr. President, the Senate was enriched enormously by the services of the late Senator from New York, Daniel Patrick Moynihan. He was respected and regarded for his intelligence, his sense of humor, his seriousness of purpose, and the warmth and steadfastness of his friendship.

His death last week saddened this Senator very much. His funeral services at St. Patrick’s Church here in Washington last Monday attracted a large crowd of friends, former colleagues, and staff members as well as his attractive family. This manifestation of friendship reminded me why Pat Moynihan was such a successful public official. He liked people, and they liked him.

He took his job as U.S. Senator from New York very seriously. He worked hard for funding for the New York Botanical Gardens. He was also an active and effective member of the Board of Regents of the Smithsonian Institution where it was my good fortune and pleasure to serve with him.

He transformed the City of Washington, D.C. through his determined efforts to enhance the beauty and protect the architectural integrity of Pennsylvania Avenue.

His scholarly articles and books on the social, cultural and social history of our nation were informative and influential. The correctness of his assessment of the importance of the family unit in our society changed our attitudes about the role of federal government policies.

His influence was also felt on tax policies as a member of the Senate Finance Committee.

I convey to all the members of Pat Moynihan’s family my sincerest condolences.

A NEW WAVE OF FALLEN HEROES

Mrs. FEINSTEIN. Mr. President, I rise today to pay my respects to four more Californians who have died in combat in Iraq, as well as to nine other Americans who were stationed in California and have made the ultimate sacrifice in our efforts to liberate the Iraqi people. Most of these men have left family in California.

So far, of the 44 Americans who have died, 10 were from California, while an

family in California.

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I would also like to commend the local newspaper, the San Diego Union Tribune, for doing an impressive job of providing much of the information on those stationed at Camp Pendleton.

2Lt Therrel S. Childers, Harrison County, MS: While most youngsters pick a new career more often than they outgrow their sneakers, Lt Therrel Childers, the son of a Navy Seabee, first decided he wanted to be a marine when only 5 years old.

He joined the Marines a month after he graduated from high school; they sent him to college and promoted him. 25 years after he first glimpsed his future, Second Lieutenant Childers was fatally injured on a battlefield in Iraq.

“We’re proud of him,” his mother said from her Powell, WY, home. “He died doing what he believed in.” He appreciated his life with a unique intensity that made him successful both in his career and in the classroom.

His professors at The Citadel, in Charleston, SC, saw the dedication
that made him a good marine. "When he decided to study French, he wanted to speak French perfectly," said one of his professors, Guy Toubiana. "It really bothered him if he was making a couple of mistakes."

His sense of humor sometimes made him the butt of jokes, but somehow he remained a likable guy, perhaps because he maintained his sense of humor. And despite his military surroundings, he still had a sensitive side. "He was very warm," Toubiana said.

The morning of the terrorist attack that ripped his limited free time climbing mountains, running road races, and mountain biking. Perhaps he would be most proud that marine friends remember him as someone they could count on.

John Bacon, who met Childers at The Citadel, said Childers would always show up to help lift a heavy sofa on moving day. "He was a type of person that would never let you down," Bacon said. He had lost a great man.

Marine Capt Ryan Anthony Beaupre, St. Anne, IL: Capt Ryan Beaupre, who was single, abandoned an accounting career to join the Marines in 1996. "He always wanted to fly, but his parents wanted him to get a college degree first," said Bob Themer, a friend of the family.

Beaupre, who was from St. Anne, IL, and graduated from Illinois Wesleyan University, and worked in accounting for a year. "Then he came home and told them he would do more as a marine," Themer said.

Beaupre lived in an Encinitas apartment overlooking the sea, where he often surfed, said neighbor Ron Holdsworth. He remembers a comment the marine made after military helicopters flew by their building one day. "At the time, we were in Afghanistan fighting, and he said, 'The thing about being a marine is you know when your brother marines are fighting, you can't sit still. You want to go help them.'"

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As our troops move rapidly towards Baghdad, I continue to hope for a quick resolution to this conflict. I hope that the repressive regime of Saddam Hussein will soon collapse and the Iraqi people will be liberated. And I hope all of this can be done with as few casualties as possible, Iraqi, American and allied, civilian and military.

To those that have already fallen, we must never forget their sacrifice. They have given their future for that of our Nation—and we as a nation owe them and the others that have fallen our eternal gratitude.

THE CRACKDOWN ON PRODEMOCRACY ADVOCATES IN CUBA

Mr. MCCAIN. Mr. President, tomorrow marks the anniversary of the assassination of Dr. Martin Luther King, Jr. Dr. King's life reminds Americans of our unyielding commitment to freedom, justice, and equality for all. The peaceful civil rights movement that Dr. King lives and died for serves as a model for the ideals America promotes worldwide.

Today, just 90 miles off the shores of the United States, a destructive dictator is 2 weeks into a Stalinist-style crackdown on his country's non-violent democratic movement and its leaders. One political prisoner, Dr. Oscar Elias Biscet, has often been compared to Dr. King for his brave struggle to seek a non-violent transition to democracy in Cuba. The International Republican Institute (IRI), of which I am chairman, recently awarded Dr. Biscet with its Human Rights Prize for his courageous commitment to human rights, despite his imprisonment and the painful disease from which he suffers, and which remains untreated.

In a severe crackdown that demonstrates the true and brutal character of Cuba's dictatorship, the Castro regime has imprisoned over 80 independent journalists, human rights advocates, independent labor and pro-democracy activists, and supporters of the pro-democracy Varela project since March 18. Many of these activists are currently on trial. Dr. Biscet, who was arrested on December 6, 2002, while organizing a human rights discussion for International Human Rights Day, may be sentenced to life in prison and has apparently been threatened with the death penalty. The founder of the Lawton Foundation for Human Rights, which carries out educational campaigns to end the death penalty and forced abortions, Dr. Biscet was formerly imprisoned from 1999-2002. Dr. Biscet's wife, Elsa Morejon, had her house ransacked and her computer, phone, pictures and letters from her husband taken by the Cuban government.

Freedom-loving people everywhere condemn the use of the death penalty against peaceful political opponents of Castro's rule. Rather than threaten them with death, Fidel Castro should release all political prisoners in Cuba, and reform his regime, which remains untreated.

The many brave Cubans who work and sacrifice every day for non-violent and democratic Cuba ask only that their freedom be respected. Although world attention is focused on Iraq, it is important that we not lose sight of the continued, aggressive repression of Cuba's democracy and human rights activists. The United Nations Human Rights Commission is currently in Geneva preparing what I hope will be a strong and clear condemnation of these systematic violations of fundamental freedoms. It is imperative that the Cuban government be held accountable for this repressive crackdown.

One day soon, the political prisoners now held in Fidel's gulags will be celebrated as the voices of conscience that finally brought freedom and justice to Cuba after decades of dictatorship. Castro and his regime cannot extinguish the flame of freedom and hope that burns in the hearts of Cubans, who will continue to peacefully seek liberty and justice—and will one day prevail.

OPERATION IRAQI FREEDOM

Mr. ENZI. Mr. President, like so many of us in the Senate and the House, I try to get home as often as I can, not just because I miss the scenery, but because I would miss the opportunity to meet with my constituents as they share their perspective with me on the issues that concern them. I think of it as harvesting good political conversation. Later in the week, I get as much as I can, bring it back with me to share with my colleagues.

One of my constituents, Mr. Wallace Ulrich of Moose, WY, gave me a copy of his presentation on Operation Iraqi Freedom. He held a meeting with two groups of High School students at Jackson Hole High School in Jackson, WY.

In his remarks, Wally addresses several issues about the conflict and his thoughts about them. To begin with, he correctly points out that no one is pro-war, but that responsible nations are occasionally called to step up and take action when a wrong cannot be solved or addressed through diplomatic means.

Saddam Hussein created just such a situation when he failed to abide by the agreements signed by his government at the end of Operation Desert Storm and refused to fully comply with the terms of several United Nations resolutions. It was only when a long diplomatic effort failed to produce the necessary results that the United States had to ensure that Iraq was disarmed and no longer a threat to the peace loving world.

I hope all my colleagues will take a moment to read what Wally had to say to your young people in Jackson, WY. He has an interesting point of view and he presents his position well. I ask unanimous consent that his statement be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

STATEMENT BY MR. WALLACE ULRICH

Good Day.

And thank you for that kindness. Some of you know that I am also a ski patroller on Snow King—for the last thirty years—and you've even been kind to me up there!
First, I want to say that I am here not as a spokesman for any party or entity or organization or group. While I have held elected positions I am here, just like you, a citizen (only a lot older and a little grey in the hair).

I want you to know too, that I am neither a fan of nor a progeny of former policy of nuclear war when discussing issues. I find it a sad trend in our politics. So you won’t hear it here from me.

I admire the way Casey Baux persisted; his gracious and helpful demeanor should benefit us all today. The way Casey helped this event become reality is really, how “political” this is. Your teachers are also to be commended and the administration.

It is a misnomer to be labeled pro war. Frankly, I don’t understand how anyone would take that position—but there comes a time when despots who have the blood of hundreds of thousands of people on their hands have to be stopped.

In the early decades of the 20th century, the Turks annihilated the Armenians. They asked the world for help, but got virtually nothing. When Hitler was determined to wipe out the Jews, there was a move for that too. I think it may have a spectrum as wide as Wyoming and change as often as Wyoming’s weather.

Travel. Travel the country, but more importantly travel the world. You will be enlightened as to how well off we are.

Trust. Trust that you will find your own truth about these difficult times.

Trust that you will be alright.

Trust that just like those around you now as family, friends, police, forest rangers, etc. and on up the system that Americans in leadership positions are decent, honest, and caring—for you, our country, and others.

And I know this to be true. Democrat Charlie Rangel, of the U.S. Congress; when asked about his criticism of the President and policy days before the war he said: “That’s what we are elected for, that’s what I am elected for, my agenda, when that flag goes up, I salute, I’m there.”

When at war observe that partisan politicians cease their partisanship, that parents and brothers and sisters of soldiers, and aviators, and sailors find solitude and prayer to comfort their fear and the choking that comes in the night from knowing that one’s child is defending, by fighting with their life, one nation, one people, made up of all the peoples of Earth.

And I close my comment with a quote from my favorite non-warrior Mahatma Gandhi. Said in 1931, “Peace and disarmament are not matter of reciprocity. When real peace and disarmament come, they will be initiated by a strong nation like America irrespective of the consent and cooperation of other nations.” Thank you.

NATIONAL TARTAN DAY

Mr. LOTT. Mr. President, today I rise to commemorate the fifth anniversary of National Tartan Day. While it is observed on April 6 of each year, I make this recognition today because the Senate is not expected to be in session on that date. I want to remind my colleagues that the resolution which establishes National Tartan Day was Senate Resolution 155. It passed by unanimous consent on March 20, 1998.

As an American of Scottish descent, I appreciate the efforts of the individuals, clan organizations, and all the many other groups who were instrumental in generating support for the resolution. These groups worked diligently to foster national awareness of the important role that Americans of Scottish descent have played in the progress of our country.

The purpose of National Tartan Day is to recognize the contributions that Americans of Scottish ancestry have made to our national heritage. It also recognizes the contributions that Scottish Americans continue to make to our country. I look forward to National Tartan Day as another opportunity to pause and reflect on the role Scottish Americans have played in advancing democracy and freedom. It is my hope that this annual event will continue to give prominence to the contributions and activities similar to those that have been held over the past few years. Scottish Americans have helped shape this Nation. Their contributions are innumerable. In fact, three-fourths of all American Presidents can trace their roots to Scotland.

In addition to recognizing Americans of Scottish ancestry, National Tartan Day reminds us of the importance of liberty. It honors those who strived for freedom from an oppressive government on April 6, 1320. It was on that day that the Declaration of Arbroath was signed. It is the Scottish Declaration of Independence. This important document served as the model for America’s Declaration of Independence.

In demanding their independence from England, the men of Arbroath wrote, “We fight for liberty alone, which no good man loses but with his life.” These words are applicable today to the heroism of our American veterans and active duty forces who know the precious cost of fighting for liberty—a fight that is taking place at this moment as a coalition of military forces seeks liberation for the people of Iraq.

Senate Resolution 155 has served as a catalyst for the many States, cities, and counties that have passed similar resolutions recognizing the important contributions of Scottish Americans. I would like to thank all those groups and individuals who have continued the work of reminding the world of the stand for liberty taken on April 6th almost 700 years ago—in Arbroath, Scotland. A call for liberty which still echoes through our history and the history of many nations across the globe.

I believe April 6 can also serve as a day to recognize those nations that have not achieved the principles of freedom which we hold dear, and which we are fighting for even now. The example of the Scotsmen at Arbroath—their courage—their desire for freedom—still serves as a bright beacon today.

ANDEAN COUNTERDRUG INITIATIVE

Mr. GRASSLEY. Mr. President, I want to take a moment to express concern to the Appropriations Committee about the report language that was included regarding the supplemental request for the Andean Counterdrug Initiative. The Senate report indicates that the committee considers their funding of the President’s request as a down payment on funding for the next fiscal year.

I would like to ask the committee to reconsider taking this position without...
a greater examination of both the 2004 request and how the supplemental funding will be used. I believe penalizing the 2004 request because of needed funds today will hamper the effectiveness of this program, particularly when it is suffering the recession.

This request is designed to support our current efforts in Colombia, which are occurring at a significantly higher operational pace than was anticipated when the current fiscal year budget was developed. Since the fiscal year 2004 budget was created, we have seen a wave in urban bombings, the launch of a rescue mission for kidnapped American citizens, a significant increase in the violent attacks against our spray aircraft, and an increase in the violent attacks against President Uribe and other top Colombian officials. These increased threats need to be countered now, and require a revision in the original budget estimates on what will be spent both this fiscal year and next.

The supplemental funding is necessary to continue current operations at their current pace. By including the President's request in this bill, the committee is recognizing this need. But we should not penalize next year's efforts by counting this supplemental appropriations against the 2004 request. I strongly urge the committee to reconsider holding this needed supplemental funding for the Andean Counterdrug Initiative against the fiscal year 2004 request.

TRIBUTE TO GREG MASTEL

Mr. BAUCUS. Mr. President, I rise today to thank Greg Mastel for his work as the Finance Committee's chief trade adviser and chief economist during the 107th Congress. I asked Greg to rejoin my staff in early 2001 with two specific goals in mind—significantly expanding the trade negotiating staff and providing legislative support and reinstating fast-track trade negotiating authority for the President. To me, these are the twin pillars of U.S. trade policy. If the United States was to move beyond the logjam that had stalled progress on trade for nearly a decade, both of these programs needed to be in place.

Thanks in large part to Greg's hard work, both of those goals were achieved.

In August of last year, the President signed into law the Trade Act of 2002. Not only did it restore fast track to the President, it also created the largest expansion of Trade Adjustment Assistance in that program's history. And just for good measure, we renewed and expanded both the Andean Trade Preferences Act and the Generalized System of Preferences.

The Trade Act of 2002 is the most significant piece of trade legislation to come before Congress in our lifetime and the first in nearly a decade. And it would not have happened without the skilled guidance and steady hand that Greg showed every step of the way.

Getting there wasn't easy. There were a lot of long nights and more than a few tense meetings. And for Greg, there were some personal challenges that didn't make the job any easier, but made his performance even more impressive.

Shortly before we went into conference with the House on the Trade Act, Greg suffered a nasty bicycling accident that left him with a broken collarbone, badly bruised ribs, and more sore muscles than I care to think about. But Greg knew his blood流れ and every day, working through the pain and showing the same good humor that always made him such a pleasure to work with.

At the time, I called Greg "the Lance Armstrong of the Trade World"—although he probably needs to hone those biking skills. I stand by those comments. In conference negotiations, it is always a challenge to bridge the differences between Democrats and Republicans and between the Senate and the House. But to sit in a room negotiating the finer points of U.S. trade policy at 2 in the morning while fighting through the pain of broken collarbone takes a special kind of staff. Not only did Greg function on that front—

he also understands the state of Montana. Greg is a true product of Montana. He grew up on a ranch outside of Missoula, where his childhood pursuits included hunting, camping, and archery. He is a graduate of Hellgate High School in Missoula, where he was a star second baseman on their baseball team.

He has never forgotten his roots in Montana. I have always felt that Greg's experiences back home gave him a feel for policy issues that cannot be learned.

And Greg has a long history with my office. He began as an intern in 1987, and within a few months became my legislative assistant. His formal training as an economist made him a natural for covering international trade issues, vital for a State that depends on exporting its goods and services to markets around the globe. I relied on Greg to assist me with some of the most important issues to Montanans, including beef exports to Japan and wheat exports to China.

At various points, Greg has served as both my legislative director and my chief of staff. In these positions, he served with distinction through many years of trying to convince Montanans that trade was necessary and could be beneficial. He came up with the idea of trade missions and helped organize those to Asia and South Asia. Those missions did more to promote understanding than 100 speeches could have.

Greg also became an expert on U.S. trade laws, including many he helped draft. It is not accidental that, after leaving my staff in 1994, Greg moved on to a distinguished career in academia and public policy. He is the author of three books dealing with China, United States trade laws, and WTO negotiations, and has written a column for the Journal of Commerce.

Somewhere along the way, Greg and his wife, Lois, found the time to raise two beautiful children—Alexander and Caroline.

I was lucky to be able to lure him back for the 107th Congress to serve as my chief trade adviser on the Finance Committee.

Greg has been a wonderful friend to me and my staff over the years. I thank him for all of his hard work and wish him the best of luck in all his future endeavors.

TRIBUTE TO VICTOR BAIRD

Mr. VOINOVICH. Mr. President, today I wish to speak on behalf of a man, Victor Baird, who, until recently, had probably one of the most thankless jobs in the Senate—Staff Director and Chief Counsel of the Senate Ethics Committee. In this position, Victor was charged with preserving the integrity of the Senate by policing the conduct of its Members and ensuring that the Senators and their staffs adhered to the Senate's high ethical standards.

The nature of the Ethics Committee is such that the work we do remains confidential, except in the most egregious circumstances. Victor faced some of these circumstances and his guidance in steering the committee, the Senate, through them was invaluable. In general, though, most people didn't hear that much about Victor or the work he did in his 16 years on the committee, but to those of who sit on the committee or who have ever sat on the committee, we know that a lack of public exposure for the committee means that Victor was doing his job, and doing it well.

As I mentioned before, Victor was a 16-year veteran of the Senate Ethics Committee. He was first appointed to the committee by Senator Heflin in March 1987. He was acting Staff Director and Chief Counsel from October 1992 until March 1993 and became Staff Director and Chief Counsel from April 1993 until this January.

Before arriving in the Senate, Victor served in the United States Air Force and had a distinguished legal career in Georgia that included serving as an Assistant Attorney General in Georgia, as an Administrative Law Judge for the Georgia Department of Natural Resources, and on the Consumers' Utility Council of Georgia.

Victor's legal acumen, good nature, keen attention to detail, nonpartisan nature, and most of all, his integrity, all contributed to his success in the Senate. He will be missed by many. I thank him for his service to the United States Senate and to the country and wish him God speed in all his journeys ahead.

TRIBUTE TO ARKANSAS GUARD AND RESERVES

Mrs. LINCOLN. Mr. President, I rise today to pay tribute to the American
troops in the National Guard and Reserves who are placing themselves in harm's way to defend our Nation against the threats of terrorism and rogue states.

As of Wednesday, April 2, 2003, there are 218,931 reservists and guardsmen nationwide activated in the war on terrorism and in Operation Iraqi Freedom. Currently, there are 2,356 Arkansans activated in the Guard and Reserves, according to the U.S. Department of Defense. I would like to ask that the attached list be printed in the RECORD following my remarks.

The sacrifices that these men and women are making protect our freedoms, defend our liberties, and ensure regional and global stability. We are very proud of each and every one of them, and we owe all them a tremendous debt of gratitude for their service and for their dedication to their country. We look forward to welcoming them home safely.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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<tr>
<th>Army National Guard (2,258 Arkansans):</th>
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<tr>
<td>Ft. Smith ........................................ 2nd Battalion, 142nd Field Artillery, HQ</td>
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<td>Little Rock .......................................... State Area Command</td>
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<tr>
<td>Pine Bluff ............................................ 2nd Battalion, 142nd Field Artillery, Service Battery</td>
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<td>Van Buren .......................................... 2nd Battalion, 142nd Field Artillery, Battery A</td>
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<td>Searcy .................................................. 2nd Battalion, 142nd Field Artillery, Battery B</td>
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<tr>
<td>West Memphis ........................................ 2nd Battalion, 142nd Field Artillery, Battery C</td>
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<td>Fort Smith ............................................ 216th Military Police Company</td>
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<td>North Little Rock ................................. 149th Medical Company</td>
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<td>Little Rock .......................................... 343rd Mobile Public Affairs Detachment</td>
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<td>Ft. Smith ............................................ 935th Support Battalion</td>
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<td>North Little Rock ................................. 935th Support Battalion</td>
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<td>Fayetteville ......................................... 296th Medical Company</td>
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<td>North Little Rock ................................. 224th Home Maintenance Company</td>
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<th>Army Reserve (1,741 Arkansans):</th>
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<td>Fayetteville ........................................ 362nd Psychological Operations Company</td>
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<td>Little Rock .......................................... 451st Civil Affairs Battalion</td>
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<td>Little Rock .......................................... 469th Chemical Brigade</td>
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<td>Charleston .......................................... 381st Ordnance Group</td>
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<td>Little Rock .......................................... 489th Chemical Battalion</td>
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<td>Little Rock .......................................... 469th Engineer Battalion</td>
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<td>Little Rock .......................................... 90th Regional Support Command</td>
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<td>Little Rock .......................................... 1121st Chaplain Detachment</td>
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<td>Little Rock .......................................... U.S. Army Engineering Facility Group</td>
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<td>Fort Smith .......................................... 119th Airline Wing</td>
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<td>Navy Reserve (9 Arkansans):</td>
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<td>Little Rock .......................................... Naval Support Activity Bahrain, Detachment C</td>
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<td>Little Rock .......................................... 4 MO 3/23</td>
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<td>Marine Reserve (123 Arkansans):</td>
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<td>Little Rock ........................................ 3rd Battalion, 23rd Marines, I Company</td>
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<td>Little Rock ........................................ Peacetime War Support Team</td>
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LOCAL LAW ENFORCEMENT ACT
OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred September 14, 2001 in San Francisco, CA. An Australian software engineer was stabbed in the chest by someone who thought his friend, a man of Indian and Hispanic heritage, was an Arab. The victim saw the stabbing take place when they were passed by a group while crossing the street. A scuffle ensued when the engineer was punched or bumped by one of the men. The assailant used racial slurs to describe the victims and said, “We don’t like Arabs” before stabbing the engineer.

I believe that Government’s first duty is to defend its citizens, to defend them against the hatred that is a part of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

CONGRATULATIONS TO DR. THOMAS FRIST

Mr. ALEXANDER. Mr. President, I would like to congratulate Dr. Thomas F. Frist, Jr., a cofounder of HCA and its former chairman and CEO, on his induction into the Healthcare Hall of Fame. The Healthcare Hall of Fame honors individuals who bring a legacy of enthusiasm, vision, and perseverance to the healthcare industry. I cannot think of a more deserving recipient of this honor.

Dr. Frist began his hospital administrative career shortly after his service as a military flight surgeon. In 1968, he founded HCA in Nashville, with his father, the late Jack C. Massey. In 1977, Dr. Frist became president of HCA and subsequently became chairman, president and chief executive officer in 1987. When HCA merged with Columbia in February 1994, Dr. Frist served as chairman of the board and later as Vice Chairman following the company’s April 1995 merger with HealthTrust Inc. Dr. Frist returned as chairman and CEO of the company in 1997. He was chairman and CEO until January 2001 and chairman until January 2002.

Not only is Dr. Frist a great physician and hospital administrator, he is also a great benefactor to his hometown of Nashville. He served as vice president of the Vanderbilt University Board of Trust from 1995-1997. He was chairman of the board of Governors of the United Way of America in 1995, and founded the United Way’s Alexis de Tocqueville Society. He was the 1999-2000 chair of the Nashville Area Chamber of Commerce. Currently, Dr. Frist is chairman of the board of The Frist Foundation and chairman of the board of the Frist Center for the Visual Arts. Dr. Frist also serves on the board of Montgomery Bell Academy in Nashville and is chairman of the Nashville Healthcare Council’s 2002-2003 board of directors.

Dr. Frist is also the brother of our own majority leader, Dr. BILL FRIST, a leader on healthcare issues in the Senate. Dr. Frist’s father, the late Dr. Thomas Frist, Sr., was also a member of the Healthcare Hall of Fame. Dr. Frist’s induction makes them the first Hall of Fame father-son pair. All of us in Tennessee appreciate Dr. Frist’s dedication and great work in the healthcare industry, and I would like
to congratulate him today on this great honor.

RECOGNITION OF THE UMD LADY BULLDOGS FOR WINNING THE 2003 NCAA DIVISION I NATIONAL WOMEN'S ICE HOCKEY CHAMPIONSHIP

Mr. COLEMAN. Mr. President, I am pleased to join my distinguished colleagues from Minnesota in recognizing the University of Minnesota Duluth Women's Ice Hockey Team for winning their third straight national championship.

A Stanley Cup-winning professional hockey player said that "when you start a tournament, you stick with it." History has shown that the Lady Bulldogs maintain this same principle. In 2001 at the inaugural Frozen Four, they took on St. Lawrence University and won 4-2. The following year, they made it through the semifinals again, allowing them the opportunity to face Brown University, who they defeated 3-2 for their second title.

They entered this year's national tournament playing Dartmouth College in the semifinals, a game which was tied in the second period before UMD came back to win it 5-2.

Two days later, in the championship, they met No. 2 seeded Harvard University in what has been referred to by some as the best women's college hockey game ever.

Knowing what makes a good hockey game, I would have to agree. There was a near-capacity crowd; a first period ending score of 2-0, with Duluth in the lead; a solid return by Harvard in the second; and a scoreless first overtime, which resulted in a second where sophomores Dakota Tiel and Dana Kent scored the winning goal at 4 minutes and 19 seconds.

This goal concluded the 84-minute game, giving the Lady Bulldogs their third and probably most memorable title, as it was won at home in front of a near-capacity crowd at the Duluth Entertainment Convention Center.

I am pleased to stand here today, commending the UMD Women's Ice Hockey Team for winning the 2003 NCAA Division I National Collegiate Women's Ice Hockey Championship and recognizing the achievements of all the team's players, coaches, and staff.

THE POSTAL PENSION LIABILITY ACT, S. 380

Mr. SUNUNU. Mr. President, I am pleased that the Senate has taken action to pass S. 380, the Postal Pension Liability Act.

I would like to thank my colleagues on the Governmental Affairs Committee for their effort in getting this bill passed, particularly Senator Collins and Senator Lieberman, chairman and ranking member, respectively, as well as Senator Stevens and Senator Carper, who have provided tremendous leadership in getting this bill through the Senate.

As my colleagues may know, the U.S. Postal Service, USPS, is required to pay into the Civil Service Retirement System, CSRS, an amount that equals the full cost of its obligation to CSRS. While the Postal Service has done so, the more recent account has earned interest at a higher rate than previously thought. Thus, the Office of Personnel Management estimated in November that the pension obligations for the USPS totaled $5 billion and not a previously estimated $3 billion.

This bill would correct the formula that overfunds the Postal Service's obligation to the civil service retirement fund. In addition, this bill would stabilize postage rates through 2006 and help the Postal Service to pay down some of its debt. Stable postage rates will help keep shipping costs down as well as the indirect cost of all consumer goods.

Without this bill, the U.S. Postal Service would continue to overfund its contribution to the Civil Service Retirement System fund. If it had not been evaluated and corrected, the overpayment could have reached tens of billions of dollars in the decades ahead.

Mr. President, I am pleased with the bipartisan manner in which the Senate has acted to pass this much-needed bill. This spirit of cooperation is truly in the best interest of the American people.

RETIRED OFFICERS' COMMENTARY

Mr. WARNER. Mr. President, there has been much discussion here in the Senate and in the press about retired military officers who have been appearing in the media throughout the coverage of the diplomatic efforts and the actual military operations to end the global threat posed by Saddam Hussein and his weapons of mass destruction.

Most of these retired officers have, in a very fair, constructive, helpful way, interpreted the complexity of modern military operations, the highly technical range of military equipment, and have conveyed their positive observations of the courage and professionalism of our men and women in uniform—from the generals to the privates.

In most presentations, these retired officers have shown professional responsibility and restraint in giving their views and interpretations. But a few have added personal criticisms over the planning and execution of Operation Iraqi Freedom.

Professionals in the military have devoted their careers to protecting our Constitutional freedoms. Among the most cherished of these is freedom of speech. But that freedom has its legal, as well as ethical, restraints, and requires the exercise of good judgment, common sense, and taking into account the likely impact of their criticisms on servicemen and their families.

By and large, the retired officers have, through their careers of dedicated service, earned the admiration of the general public. Consequently, a special trust is accorded them by the families, the parents, the grandparents of those serving in uniform. Quite often, the families take to heart what they say, even more so than the views of others.

If retired officers have professional views and judgments at variance with the active duty chain of command, they are, like all Americans, free to speak their mind. But how to do it—publicly or privately?

They have ample opportunity to convey their views to their former colleagues—today's military commanders—through private channels, and I know many do so through a variety of forums and through personal communications. Before making critical public statements during the course of military operations, I hope they carefully consider the consequences of such statements, and recall how they, and their families, felt about unexpected public criticism when they were in the "trenches of conflict."

There is a tradition followed by Presidents, especially in times of conflict, is a worthy precedent. A sitting President customarily receives the views of past Commanders in Chief by way of private communication rather than through the media.

Mr. President, I expressed these points to members of the media after a Capitol Hill meeting Tuesday evening with Secretary Rumsfeld and General Meyers, and I ask unanimous consent that the excerpted text of my remarks at that news conference, and those of the general, be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPT FROM TRANSCRIPT, NEWS CONFERENCE WITH SECRETARY OF DEFENSE DONALD RUMSFELD; GENERAL RICHARD MYERS, CHAIRMAN, JOINT CHIEFS OF STAFF; SENATOR JOHN WARNER (R-VA); REPRESENTATIVE DUNCAN HUNTER (R-CA)

Sen. WARNER.—We covered that very carefully. The general gave us a complete briefing. And I think, Duncan, I will join with me, the consensus in our group just now is that a good plan has been in place, it is being executed. It is timely. Considerable progress has been made to date. And we see no reason at this time for anyone to be in criticism of this program.

And if some have criticisms, we don't mean to stifle freedom of speech, but I think they should follow the tradition of President, the Commander in Chiefs. You do not see former Presidents criticizing a sitting President during a war. And in the same way, if they've got constructive criticism at variance with the plan, I think they should carefully consider the views of their commanders in the Pentagon and share it that way rather than open.
Question: But Senator Warner, what about current commanders? It is reported this morning, Army—(inaudible)—Army colo—(inaudible)—concerned about doing this war—(inaudible)—not bring enough—(inaudible)—

Sen. WARNER. Well, there's always, during any conflict, going back to George Washington, complaints among his forces. I have personally been involved in the wars in Korea, and Vietnam, and Panama, and Somalia—and I could go on for a few more, and I think Duncan has been in them—but that's all right, we'll take that in stride. I'm more concerned about the very senior officers who by virtue of their training and experience and moral accountability, and I think that if they have criticism, fine. Call up the chairman—

General RICHARD MYERS. You bet.

Sen. WARNER. You'd take the call?

Gen. MYERS: Absolutely.
The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

**By Mr. SNOWE:**
S. 774. A bill to amend the Federal Water Pollution Control Act to improve protection against the harmful and intentional acts, and for other purposes; to the Committee on Environment and Public Works.

**By Mr. JOHNSTON:**
S. 775. A bill to amend the Federal Water Pollution Control Act to improve protection against the harmful and intentional acts, and for other purposes; to the Committee on Environment and Public Works.

**By Mr. SHELBY:**
S. 776. A bill to amend chapters 83 and 84 of title 5, United States Code, to authorize payments to certain trusts under the Social Security Act, and for other purposes; to the Committee on Governmental Affairs.

**By Mr. INHOFE (for himself and Mr. BAUCUS):**
S. 777. A bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 to improve the delivery of payments under the program to local educational agencies; to the Committee on Health, Education, Labor, and Pensions.

**By Mr. HAGEL (for himself, Mr. EN sign, Mr. LUGAR, and Mr. INHOFE):**
S. 778. A bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with a drug discount card that ensures access to affordable prescription drugs; to the Committee on Finance.

**By Mr. JEFFORDS (for himself, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. GRAHAM of Florida, and Mr. BAUCUS):**
S. 779. A bill to amend the Federal Water Pollution Control Act to provide for the protection of treatment works from terrorist and other harmful and intentional acts, and for other purposes; to the Committee on Environment and Public Works.

**By Mr. LOTT (for himself and Mr. COCHRAN):**
S. 780. A bill to award a congressional gold medal to Chief Phillip Martin of the Mississippi Band of Choctaw Indians; to the Committee on Banking, Housing, and Urban Affairs.

**By Mr. LOTT (for himself and Mr. Breaux):**
S. 781. A bill to restore balance to the membership of the Gulf of Mexico Fisheries Management Council; to the Committee on Commerce, Science, and Transportation.

**By Mr. GRAHAM of South Carolina:**
S. 782. A bill to amend the National Labor Relations Act to provide for inflation adjustments to the mandatory jurisdiction thresholds of the National Labor Relations Board; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MILLER (for himself and Mr. CAMPBELL).

S. 783. A bill to expedite the granting of posthumous citizenship to members of the United States Armed Forces; to the Committee on the Judiciary.

By Mr. MCCAIN:

S. 784. A bill to revise the boundary of the Petrified Forest National Park in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. DASCHLE, Mr. COLEMAN, Mr. HARKIN, Mr. CRAIG, Mr. JOHNSON, Mr. BURNS, Mr. DORGAN, Mr. ROBERTS, Mr. DAYTON, Mr. FITZGERALD, Mrs. LINCOLN, Mr. COCHRAN, Mr. HAGEL, Mr. CONRAD, and Mr. HATCH):

S. 785. A bill to amend the Internal Revenue Code of 1986 to allow the payment of dividends on the stock of cooperatives without reducing patronage dividends; to the Committee on Finance.

By Mr. BINGaman (for himself, Mr. ROCKEFELLER, and Mr. BREAUX):

S. 786. A bill to amend the temporary assistance for needy families program under part A of title IV of the Social Security Act to provide grants for transitional jobs programs, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. KERRY):

S. 787. A bill to provide for the fair treatment of the Federal judiciary relating to compensation and benefits, and to instill greater public confidence in the Federal court system on the judiciary.

By Mr. HOLLINGS (for himself, Mr. BROWNBACK, Mr. ROCKEFELLER, Mr. INOUYE, Ms. CANTWELL, and Mr. GERARD):

S. 788. A bill to enable the United States to maintain its leadership in aeronautics and aviation; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Florida (for himself and Mrs. BOXER):

S. 789. A bill to change the requirements for naturalization through service in the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. LUGAR:

S. 790. A bill to authorize appropriations for the Department of State for fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. VOINOVICH, and Mr. TALENT):

S. 791. A bill to amend the Clean Air Act to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the U.S. energy independence, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DAYTON (for himself and Mr. COLEMAN):

S. Res. 104. A resolution commending the University of Minnesota Duluth Bulldogs for winning the 2002-2003 National Collegiate Athletic Association Division I National Collegiate Women's Ice Hockey Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. DASCHLE, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 6, a bill to enhance homeland security and for other purposes.

S. 237

At the request of Mr. GRAHAM of South Carolina, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 237, a bill to amend the Fair Labor Standards Act of 1938 to clarify the exemption from the minimum wage and overtime compensation requirements of that Act for certain construction engineering and design professionals.

S. 253

At the request of Mr. CAMPBELL, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 253, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

S. 269

At the request of Mr. JEFFORDS, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 269, a bill to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species.

S. 307

At the request of Mrs. LINCOLN, the name of the Senator from Rhode Island (Mr. CHAFFEE) was added as a cosponsor of S. 307, a bill to amend title XVIII of the Social Security Act to extend the eligibility periods for geriatric graduate medical education, to permit the expansion of medical residency training programs in geriatric medicine, to provide for reimbursement of care coordination and assessment services provided under the medicare program, and for other purposes.

S. 442

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 442, a bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes.

S. 460

At the request of Mrs. FEINSTEIN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 460, a bill to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2004 through 2010 to carry out the State Criminal Alien Assistance Program.

S. 461

At the request of Mr. DORGAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 461, a bill to establish a program to promote hydrogen fuel cells, and for other purposes.

S. 473

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 473, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 518

At the request of Ms. COLLINS, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Iowa (Mr. HARKIN) and the Senator from Rhode Island (Mr. CHAFFEE) were added as cosponsors of S. 518, a bill to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy.

S. 580

At the request of Mr. CRAIG, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 580, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 589

At the request of Mr. LUGAR, the name of the Senator from Rhode Island (Mr. CHAFFEE) was added as a cosponsor of S. 589, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Russia.

S. 596

At the request of Mr. HATCH, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. DOMENICI), the Senator from North Carolina (Mrs. DOLE), the Senator from Michigan (Ms. STABENOW), and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 596, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 596

At the request of Mr. ENSIGN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 607

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 607, a bill to improve patient access to health care services and provide...
improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

At the request of Ms. Collins, the name of the Senator from Maryland (Ms. Mikulski) was added as a cosponsor of S. 636, a bill to amend title XVIII of the Social Security Act to provide for a permanent increase in Medicare payments for home health services that are furnished in rural areas.

At the request of Mr. Levin, the names of the Senator from New Jersey (Mr. Lautenberg), the Senator from Hawaii (Mr. Inouye) and the Senator from Maine (Ms. Snowe) were added as cosponsors of S. 645, a bill to amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites.

At the request of Mr. Corzine, the name of the Senator from Louisiana (Ms. Landrieu) was added as a cosponsor of S. 680, a bill to amend title XV of the Social Security Act to expand and improve coverage of mental health services under the Medicare program.

At the request of Mr. Reed, the names of the Senator from New Jersey (Mr. Lautenberg) and the Senator from Mississippi (Mr. Cochran) were added as cosponsors of S. 648, a bill to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy.

At the request of Mrs. Dole, the names of the Senator from North Carolina (Mr. Edwards) and the Senator from Connecticut (Mr. Lieberman) were added as cosponsors of S. 709, a bill to award a congressional gold medal to Prime Minister Tony Blair.

At the request of Mr. Biden, the names of the Senator from New York (Mr. Schumer) and the Senator from Vermont (Mr. Leahy) were added as cosponsors of S. 731, a bill to prohibit fraud and related activity in connection with authentication features, and for other purposes.

At the request of Mr. McCain, the name of the Senator from South Dakota (Mr. Johnson) was added as a cosponsor of S. 750, a bill to amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

At the request of Mr. Baucus, the name of the Senator from Massachusetts (Mr. Kerry) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to provide a uniform definition of child, and for other purposes.

At the request of Mr. Grassley, the names of the Senator from Indiana (Mr. Lugar) and the Senator from New Jersey (Mr. Hatch) were added as cosponsors of S. 760, a bill to implement effective measures to stop trade in conflict diamonds, and for other purposes.

At the request of Mr. Biden, the name of the Senator from Utah (Mr. Hatch) was added as a cosponsor of S. 771, a bill to improve the investigation and prosecution of child abuse cases through Children Advocacy Centers.

At the request of Mr. Leahy, the name of the Senator from Nevada (Mr. Reid) was added as a cosponsor of S. 773, a bill to reauthorize funding for the National Center for Missing and Exploited Children, and for other purposes.

At the request of Mr. Kyl, the names of the Senator from Ohio (Mr. DeWine), the Senator from Kentucky (Mr. Graham) and the Senator from Maine (Ms. Snowe) were added as cosponsors of S. J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

At the request of Ms. Landrieu, the name of the Senator from Massachusetts (Mr. Kerry) was added as a cosponsor of S. Con. Res. 26, a concurrent resolution condemning the punishment of execution by stoning as a gross violation of human rights, and for other purposes.

At the request of Mr. Lieberman, the names of the Senator from Louisiana (Ms. Landrieu) and the Senator from Indiana (Mr. Bayh) were added as cosponsors of S. Con. Res. 31, a concurrent resolution expressing the outrage of Congress at the treatment of certain American prisoners of war by the Government of Iraq.

At the request of Mr. Graham of South Carolina, the name of the Senator from Georgia (Mr. Miller) was added as a cosponsor of S. Con. Res. 32, a concurrent resolution expressing the sense of Congress regarding the protection of religious sites and the freedom of access and worship.

At the request of Mrs. Feinstein, the name of the Senator from Nevada (Mr. Reid) was added as a cosponsor of S. Res. 74, a resolution to amend rule XLII of the Standing Rules of the Senate to prohibit employment discrimination in the Senate based on sexual orientation.

At the request of Mr. Nelson of Florida, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. Res. 97, a resolution expressing the sense of the Senate regarding the arrests of Cuban democracy activists by the Cuban Government.

At the request of Mr. Durbin, the name of the Senator from Massachusetts (Mr. Kennedy) was added as a cosponsor of amendment No. 436 proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

At the request of Ms. Landrieu, her name was added as a cosponsor of amendment No. 439 intended to be proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

At the request of Mrs. Feinstein, the names of the Senator from Illinois (Mr. Durbin) and the Senator from New Jersey (Mr. Corzine) were added as cosponsors of amendment No. 439 intended to be proposed to S. 762, supra.

At the request of Mr. Akaka, his name was added as a cosponsor of amendment No. 440 proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

At the request of Mr. Leahy, the names of the Senator from New Mexico (Mr. Martinez), the Senator from California (Mrs. Boxer), the Senator from Nevada (Mr. Ensign), the Senator from Michigan (Ms. Stabenow), the Senator from Delaware (Mr. Biden), the Senator from West Virginia (Mr. Rockefeller) and the Senator from Connecticut (Mr. Dodd) were added as cosponsors of amendment No. 441 intended to be proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

At the request of Mrs. Feinstein, the name of the Senator from Florida (Mr. Graham) was added as a cosponsor of amendment No. 449 intended to be proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.
April 3, 2003

AMENDMENT NO. 451

At the request of Mr. Bingaman, his name was added as a cosponsor of amendment No. 451 proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

AMENDMENT NO. 455

At the request of Mr. Kohl, the names of the Senator from Kansas (Mr. Roberts), the Senator from North Dakota (Mr. Dorgan), the Senator from Arkansas (Mrs. Lincoln), the Senator from Minnesota (Mr. Dayton), the Senator from Illinois (Mr. Durbin), the Senator from South Dakota (Mr. Daschle), the Senator from Montana (Mr. Baucus), the Senator from Missouri (Mr. Talent), the Senator from Kansas (Mr. Brownback) and the Senator from Ohio (Mr. DeWine) were added as cosponsors of amendment No. 455 proposed to S. 762, an original bill making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

AMENDMENT NO. 459

At the request of Mr. Bingaman, his name was added as a cosponsor of amendment No. 459 proposed to S. 762, supra.

AMENDMENT NO. 493

At the request of Mr. Corzine, his name was added as a cosponsor of amendment No. 493 proposed to S. 762, supra.

AMENDMENT NO. 495

At the request of Mr. Graham of Florida, the names of the Senator from Massachusetts (Mr. Kennedy), the Senator from Vermont (Mr. J. EFFORDS) and the Senator from Nebraska (Mr. Nelson) were added as cosponsors of amendment No. 495 proposed to S. 762, supra.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SNOWE:

S. 774. A bill to amend the Internal Revenue Code of 1986 to allow the use of completed contract method of accounting in the case of certain long-term naval vessel construction contracts; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to once again introduce legislation to simplify and restore fairness to the tax accounting rules whereby our six major U.S. naval shipyards determine their tax liability on the naval ship contracts they are awarded by the Navy.

Quite simply, this legislation would permit naval shipyards to use a method of accounting under which shipbuilders would pay income taxes upon delivery of a ship rather than during construction. Under current law, profits must be estimated during the construction phases of the shipbuilding process and taxes must be paid on those estimated profits, a process known as the "Percent of Completion Method" of accounting.

The major shortcoming of this method is that shipbuilders must report progress payments as "revenue" rather than as a source of financing, which had been recognized and permitted for the 64 years between 1918 and 1982. Additionally, it creates a "legal fiction" of an "interim profit," when in reality a profit or loss is not reasonably known until after a ship is completed. This places a financial burden on shipbuilders during the critical construction phase; reduces the resources available to invest in facilities and processes to reduce construction costs; places a burden on the cash flow management of the shipbuilder; and weakens the financial stability of the defense shipbuilding and industrial base.

The legislation being proposed would simply allow naval shipbuilders and their team members to use a modified "Completed Contract Method" of accounting, under which the shipbuilder would pay taxes when the ship is actually delivered to the Navy. In other words, the delivery of each ship would be treated as the completion of the contract for "Completed Contract" purposes, regardless of how many ships are built under a contract.

Prior to 1982, Federal law permitted shipbuilders to use this method but the law was changed due to abuses by Federal contractors in another sector, having absolutely nothing to do with shipbuilding. The Department of Defense, a government contractor, is still able to use the "Completed Contract Method" for shipbuilding contracts already allowed to use this method of accounting, and this legislation contains provisions designed to prevent the types of abuses witnessed in the past. Specifically, the bill stipulates that no tax refunds from deferring tax payments for a period beyond the time it takes to build a single ship.

This bill would not reduce the amount of taxes ultimately paid by the shipbuilder. It simply would defer payment until the profit is actually known upon delivery of the ship. I believe that this is the most fair and most sensible accounting method. It is the method that naval shipbuilders employed in the past. It is the method which commercial builders are permitted to use to this day. This legislation has the strong support of the major shipyards that build for the Navy. As such, I strongly urge my colleagues to join me in a strong show of support for this effort.

By Mrs. FEINSTEIN:

S. 775. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make private, nonprofit medical facilities that serve industry-specific clients eligible for hazard mitigation and disaster assistance; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce a bill that would allow private, nonprofit medical facilities which serve industry-specific clients to be eligible for hazard mitigation and disaster assistance. Under the current law, institutions such as these are not eligible to receive the Federal funds needed for both preparedness and response in the case of emergencies.

In particular, I speak today of the Motion Picture & Television, MPTF, Hospital, located in the earthquake-prone San Fernando Valley. Set up more than 80 years ago to provide members of the entertainment industry with vital medical care and social services, the MPTF Hospital is the only institution of its kind in the United States.

With an acute care hospital, six outpatient facilities staffed with primary care physicians, a children's center, treatment centers, programs for the elderly, the MPTF Hospital provides comprehensive care for a significant sector of the population of the greater Los Angeles community. It is the only non-profit institution providing industry-specific health and human services to the entertainment industry and to the general public.

This legislation is important because in the aftermath of the Northridge Earthquake of 1994, considered one of the worst natural disasters in U.S. history, the MPTF Hospital was unable to receive federal assistance to repair structural and equipment damages suffered from the earthquake. Furthermore, that same year, the California Senate enacted legislation requiring all hospitals to be retrofitted by 2010. The costs of both the reparations and structural upgrades are enormous, and the MPTF Hospital cannot receive federal funds because as an institution serving an industry-specific clientele, it does not qualify under the current definition of a "private, nonprofit facility" within the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, Stafford Act.

To address this problem, this legislation broadens that definition to include tax-exempt facilities that provide medical services to specific occupational or industry segments of the general public.

Under this change, facilities such as the MPTF Hospital would have the opportunity to apply for federal assistance under the Stafford Act, alongside other private, nonprofit institutions.

There is no up-front cost stemming from this legislation. It is based on the Stafford Act. This bill simply puts the MPTF Hospital on equal footing with other critical care facilities when applying for Federal disaster assistance.
This legislation is timely and necessary. Hospitals such as the MPTF deserve an opportunity to apply for Federal funding, and desperately need this financial assistance in order to both meet California’s 2010 deadline for seismic retrofitting. I urge my colleagues to support this legislation without delay.

By Mr. INHOFE:

S. 776. A bill to amend chapters 83 and 84 of title 5, United States Code, to authorizes payments to certain trusts under the Social Security Act, and for other purposes; to the Committee on Governmental Affairs.

Mr. INHOFE. Mr. President, I rise today to introduce a bill which will correct a major inequity, and make sure Federal employees are not put at a disadvantage.

The Social Security Act provides a trust to OPM the discretion to pay a disability trust for a Federal worker in a way that would allow him or her to continue to receive Medicaid benefits. This oversight can cause devastating and confusing circumstances for disabled dependents and their guardians. In Colorado, Lisa Nekirk, a Downs Syndrome child, became entitled to a small civil service retirement annuity from her father when he died in 1994. This benefit in the amount of $310 per month was just high enough to push her off SSI and Medicaid and she lost her benefits at that time.

Because Congress had recently passed a Medicaid statute allowing disabled people to have trusts, Lisa’s mother created a trust for her. However, the Social Security Administration took the position that OPM statutes do not permit Lisa’s benefit to be assigned to a trust without negating her Medicaid benefit. The Social Security Administration accepts these trusts with other assets but the OPM statute preexisted the 1993 law and would not allow benefits to be assigned to these trusts without change. Lisa’s situation is only one of several such cases throughout the country.

The bill I am introducing would grant to OPM the discretion to pay a retirement annuity to a disability trust which is set up for a person in a way that would allow them to continue to receive Medicaid benefits. This policy change has been very carefully drafted so that it cannot be abused. It stipulates a trust that is qualified under Medicaid law and adheres to two Medicaid statutes.

I believe it is important that we better protect disabled children of Federal workers. We need to make it clear that disabled dependent children of Federal workers need all the protection that is available to them under the law. We must not let outdated Federal statues put federal workers and their dependents at a disadvantage.

This legislation provides another step toward making our laws fair for the disabled in our country. I urge my colleagues to support this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 776

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

SECTION 1. AUTHORIZATION OF CERTAIN PAYMENTS TO CERTAIN TRUSTS UNDER THE SOCIAL SECURITY ACT.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) PAYMENTS.—Section 8346(a) of title 5, United States Code, is amended in the first sentence by inserting before the period "", or is a trustee under a trust meeting the requirements of subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4) (A) or (C))", ";

(2) ASSIGNABILITY OF PAYMENTS.—Section 8346(a) of title 5, United States Code, is amended by striking "except under" and inserting "except to a trust meeting the requirements of subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4) (A) or (C)) or under", ".

(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

(1) PAYMENTS.—Section 8466(c) of title 5, United States Code, is amended in the first sentence by inserting before the period "", or is a trustee under a trust meeting the requirements of subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4) (A) or (C))", ".

(2) ASSIGNABILITY OF PAYMENTS.—Section 8467(a) of title 5, United States Code, is amended by striking "except under" and inserting "except to a trust meeting the requirements of subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4) (A) or (C))", ".

By Mr. INHOFE (for himself and Mr. BAUCUS):

S. 777. A bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 to improve the delivery of payments under the program to local educational agencies; to the Committee on Health, Education, Labor, and Pensions.

Mr. INHOFE. Mr. President, I rise today to introduce a bill to make the Impact Aid Program a Federal entitlement.

Impact Aid is one of the oldest Federal education programs, dating from the 1950’s, and is meant to compensate a local school district for financial losses resulting from Federal properties or lands in that district. Congress met its obligation of fully funding Impact Aid until the 1970’s. When the funding was cut in 1971, many districts that greatly depend on Impact Aid began to suffer. In the last few years, the Impact Aid payment formula has become increasingly complex, causing great funding disparities for the same types of students in different districts.

I have consistently supported increased appropriations for Impact Aid because it not only provides an essential revenue source for impacted districts, but it is also a Federal obligation. In fact, close to 90 percent of a local school’s funding is comprised of the local tax base. When the presence of the Federal Government in a community takes away from this tax base, it must compensate, for this loss. When we do not fulfill our obligation by adequately funding Impact Aid, our children suffer the consequence such as lower test scores, lower attendance rates, crowded classrooms, and fewer and older facilities.

Although funding for Impact Aid has increased over the past few years, it still remains under-funded. Today, I am taking the first step to correct this inequity. My bill will require Congress to meet its duty to these children and schools that have been under-funded for so long. I urge my colleagues to join me in fulfilling our obligation by permanently fully funding the Impact Aid program.

Mr. BAUCUS. Mr. President, I rise today to join my friend and colleague Senator INHOFE in introducing a bill that will make a real difference in schools on or near military bases, Indian reservations, and Tribal lands. Our bill will make the Impact Aid Program a Federal entitlement.

We require public schools to accept all children from military families and tribal reservations. It is the right thing to do. Our families of military personnel or on reservations do not pay local property taxes, a traditional revenue source for school districts. While Impact Aid was designed to make up the difference, we have not met our obligation to public schools. Instead, we have left the Impact Aid Program fall prey to the annual appropriations process. This means that payments to Impact Aid schools are never guaranteed, are usually underfunded, and rarely arrive on time. In fact, Impact Aid has not been fully funded since the early 1980s. The result of this underfunding can been seen in Impact Aid schools in States across the country. Schools are cutting programs and staff, not buying new books and materials, and deferring maintenance on buildings to help cover classroom costs. As a result, schools like Hays Lodge Pole School in Montana cannot teach their students and on the area to their community. In the last couple of years, the Hays Lodge Pole School has been susceptible to electrical fires and other structural hazards.
I am so proud of the students, teachers, and administrators that learn and work in our Impact Aid districts. They have gone above and beyond to make due with scant resources. In many cases, however, we have stretched our school districts to the breaking point. We have an obligation to our schools and the students. We can and must do better than we have in the past.

The bill that Senator INHOFE and I are introducing today will make a difference. It requires the Federal Government to meet its obligation to the school districts. As a result, districts will know when and how much they will receive. The guesswork will vanish, and school leaders will be able to focus on student achievement instead of budget games.

I recognize that creating a Federal entitlement program is not an easy task. But Impact Aid is not like other discretionary programs. It was set up to compensate school districts for the substantial and continuing financial burden resulting from Federal activities. It is not a program that supplements local programming. It is the only game in town, and when we do not meet our Federal obligation, there is no other program to pick up the slack. Other Federal education programs, such as title I, supplement insufficient local resources.

Importantly, Impact Aid is a Federal program that addresses Federal needs. Our bill recognizes that providing Impact Aid on time and in full helps federally impacted students learn and achieve. It also recognizes that Impact Aid funds are better spent in our Impact Aid districts. They lie in the 21st century economy. More importantly, our bill makes sure that students and the students. We can and must do better than we have in the past.

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shall establish a special enrollment period in the medicaid program under title XIX, the Secretary may endorse national prescription drug plans under paragraph (1).

(C) VOLUNTARY NATURE OF PROGRAM.—Nothing in this part shall be construed as requiring an eligible beneficiary to enroll in the program under this part.

(B) The provisions of providing benefits under this part shall be payable from the Federal Supplementary Medical Insurance Trust Fund established under section 1841.

"ENROLLMENT"

"SEC. 1866B. (a) ENROLLMENT UNDER PART D.—(1) ESTABLISHMENT OF PROCESS.—

"(A) IN GENERAL.—The Secretary shall establish a process through which an eligible beneficiary (including an eligible beneficiary enrolled in a Medicare+Choice plan offered by a Medicare+Choice organization) may make an election to enroll under this part.

"(B) REQUIREMENT OF ENROLLMENT.—An eligible beneficiary must enroll under this part in order to be eligible to receive the benefits under this part.

"(C) OPEN ENROLLMENT PERIOD IN 2004 FOR NATIONAL PLANS.—In addition to other types of plans, the Secretary may endorse a prescription drug card plan offered by an eligible entity with a contract under section 1837.

"(D) SPECIAL ENROLLMENT PERIOD.—In the case of an eligible beneficiary who is first entitled to benefits under part A or enrolled under part B as of November 1, 2004, there shall be an initial election period of 6 months beginning on that date.

"(E) ADDITIONAL SPECIAL ELECTION PERIODS.—The Administrator shall establish special enrollment periods in cases described in paragraph (D)."
"PROVIDING ENROLLMENT AND COVERAGE INFORMATION TO BENEFICIARIES."

"(Sec. 1860C. (a) Activities. The Secretary shall, under this part, broadly disseminate information to eligible beneficiaries (and prospective eligible beneficiaries) about enrollment and coverage under this part and the prescription drug card plans offered by eligible entities with a contract under this part.

(b) RULE FOR FIRST ENROLLMENT UNDER THE PROGRAM. To the extent practicable, the activities described in subsection (a) shall ensure that eligible beneficiaries are provided with information at least 60 days prior to the first enrollment period described in section 1808(c).

"ENROLLEE PROTECTIONS."

"(Sec. 1860E. (a) REQUIREMENTS FOR ALL ELIGIBLE ENTITIES. Each eligible entity shall meet the following requirements:

(1) GUARANTEED ISSUE AND NON-DIscRIMINATION. —

(A) GUARANTEED ISSUE.—

(i) IN GENERAL. — An eligible beneficiary who is eligible to enroll in a prescription drug card plan offered by an eligible entity under part C shall be eligible to receive prescription drug coverage under this part at a time during which elections are accepted under this part with respect to such coverage and shall be enrolled in the prescription drug coverage under this part based on any health status-related factor (as defined in section 2722(a)(1) of the Public Health Service Act) or any other factor.

(ii) MEdICA+ChOICE LIMITATIONS PERMITTED.—The provisions of paragraphs (2) and (3) (other than subparagraph (C)(i), relating to disclosure of enrollment) of section 1852(g), relating to priority and limitation on termination of election) shall apply to eligible entities under this subsection.

(iii) NON-DISCRIMINATION.—An eligible entity offering prescription drug coverage under this part shall not establish a service area in a manner that would discriminate based on health or economic status of potential enrollees.

(B) DISCLOSURE OF INFORMATION.—

(A) IN GENERAL.—Each eligible entity with a contract under this part to provide a prescription drug card plan shall disclose, in a clear, accurate, and standardized form to each enrollee, the information described in subpart 1 of part D of title V of the Social Security Act and, to the extent practicable, the information described in section 1852(g) relating to priority and limitation on terminations of election) shall apply to eligible entities under this subsection.

(ii) SPECIFIC INFORMATION.—In addition to the information described in clause (i), each eligible entity with a contract under this part shall disclose the following:

(A) How enrollees will have access to covered drugs through pharmacy networks.

(B) How any formulary used by the eligible entity functions.

(C) Information on grievance and appeals procedures.

(D) Information on enrollment fees and prices charged to the enrollee for covered drugs.

(E) Any other information that the Secretary determines is necessary to promote informed choices by eligible beneficiaries among the prescription drug card plans available in the area.

(B) DISCLOSURE UPON REQUEST OF GENERAL COVERAGE, UTILIZATION, AND GRIEVANCE INFORMATION. — Upon request of an eligible beneficiary, the eligible entity shall provide the information described in paragraph (3) to such beneficiary.

(C) RESPONSE TO BENEFICIARY QUESTIONS. — Each eligible entity offering a prescription drug discount card plan under this part shall have a mechanism for providing specific information to enrollees upon request. The entity shall make available, through an Internet website and, upon request, in writing, information on specific changes to its prescription drug card plan that are significant to the enrollee. The entity shall secure the participation in its network of a sufficient number of pharmacies that are in network pharmacies that are convenient to the enrollee.

(3) GRIEVANCE MECHANISM, COVERAGE DETERMINATIONS, AND RECONSIDERATIONS. —

(A) IN GENERAL.—With respect to the benefit under this part that an eligible entity offering a prescription drug discount card plan shall provide meaningful procedures for hearing and reconsideration of grievances between the organization (including any entity or individual through which the eligible entity provides covered benefits) and enrollees with respect to the coverage under such prescription drug card plan offered by the eligible entity under this part in accordance with section 1822(f).

(B) APPLICATION OF COVERAGE DETERMINATION AND RECONSIDERATION PROVISIONS.—Each eligible entity shall meet the requirements of paragraphs (1) through (3) of section 1852(g) with respect to covered beneficiaries with respect to the prescription drug card plan it offers under this part in the same manner as such requirements apply to a Medicare+Choice organization with respect to benefits it offers under this part.

(C) REQUEST FOR REVIEW OF TIERED FORMULARY DETERMINATIONS.—In the case of a prescription drug card plan under an eligible entity, the eligible entity shall provide a prescription drug discount card plan under this part in accordance with section 1852(f)."
"(i) an effective cost and drug utilization management program, including medically appropriate incentives to use generic drugs and therapeutic interchange, when appropriate;

(ii) quality assurance measures and systems to reduce medical errors and adverse drug interactions, including a medication therapy management program and an optional program described in subparagraph (B); and

(iii) a program to control fraud, abuse, and waste.

Nothing in this section shall be construed as impairing an eligible entity from applying cost management tools (including differential payments) under all methods of operation.

(B) Medication Therapy Management Program.—

(i) In General.—A medication therapy management program described in this paragraph is a program of drug therapy management and medication administration that is designed to ensure, with respect to beneficiaries with chronic diseases (such as diabetes, asthma, hypertension, and congestive heart failure) or multiple prescriptions, that covered drugs under the prescription drug discount card plan are appropriately used to achieve specified goals and reduce the risk of adverse events, including adverse drug interactions.

(ii) Elements.—Such program may include:

(III) Enhanced beneficiary understanding of such appropriate use through beneficiary education, counseling, and other appropriate means;

(ii) increased beneficiary adherence with prescription medication regimens through medication reminders, special packaging, and other appropriate means; and

(iii) detection of patterns of overuse and underuse of prescription drugs.

(iii) Development of Program in Cooperation with Licensed Pharmacists.—The program shall be developed in cooperation with licensed pharmacists and physicians.

(iv) Considerations in Pharmacy Fees.—Each eligible entity offering a prescription drug discount card plan shall take into account, in establishing fees for pharmacists and other dispensers of the covered drugs, the medication therapy management program, the resources and time used in implementing the program.

(C) Development of Program in Cooperation with Licensed Pharmacists.—Section 1822(e)(4) (relating to treatment of accreditation) shall apply to prescription drug discount card plans under this part with respect to the following requirements, in the same manner as they apply to Medicare+Choice plans under part C with respect to the requirements described in a clause of section 1852(e)(4)(B):

(i) Paragraph (1) (including quality assurance), including any medication therapy management program under paragraph (2).

(ii) Paragraph (c)(1)(U) (relating to access to covered benefits).

(iii) Subsection (g) (relating to confidentiality and accuracy of enrollee records).

(iv) Subsection (d) (relating to disclosure of information).

(v) Subsection (f) (relating to disclosure of pharmaceutically equivalent drugs).

(vi) Subsection (h) (relating to pharmacist's services).

(D) Limitations.—

(i) Formulary Restrictions.—Insofar as an eligible entity with a contract under this part does not use a formulary, the negotiated prices (including applicable discounts) for nonformulary drugs may differ.

(ii) Avoidance of Duplicate Coverage.—The negotiated prices (including applicable discounts) for prescription drugs shall not be available for any drug prescribed for an eligible beneficiary if the drug is available under part A or B (but such negotiated prices shall be available if payment under part A or B is not available because the beneficiary has not met the deductible or has exhausted benefits under part A or B).

(2) Discount Card.—The Secretary shall develop, in cooperation with eligible entities, a uniform standard for the prescription drug discount card plan that shall be used by an enrolled beneficiary to ensure that the pharmacy card is not used to negotiate prices under paragraph (1).

(3) Ensuring Discounts in All Areas.—The Secretary shall develop procedures that ensure that each eligible entity discount card plan that resides in an area where no prescription drug discount card plans are provided by a competing access to negotiated prices (including applicable discounts).

(4) Catastrophic Benefit.—

(A) Ten Percent Cost-Sharing.—Subject to the limits specified in paragraph (3), the catastrophic benefit shall provide benefits with cost-sharing in the form of a catastrophic discount plan in which the catastrophic benefit is available to any enrolled beneficiary whose income (as so determined) equals or exceeds 300 percent of the poverty line.

(B) Annual Percentage Increase.—For purposes of this part, the annual out-of-pocket limits in this paragraph shall be increased by an amount equal to the percentage increase in the national medical expenditures for covered drugs and other health care services in the United States for medicare beneficiaries, as determined under section 18092.

(C) Waiver.—The Secretary may waive the enrollment fee described in subsection (a) in the case of a beneficiary whose income is below 200 percent of the poverty line.

(5) Benefits Under the Program.—

SEC. 1860C. (a) Access to Negotiated Prices.

(i) Negotiated Prices.—

(A) In General.—Subject to subparagraph (B), each prescription drug card plan offering a prescription drug discount plan for an eligible entity shall provide each eligible beneficiary enrolled in such plan with access to negotiated prices (including applicable discounts) for each prescription drug that is not a covered drug.

(B) Limitations.—

(i) Formulary Restrictions.—Insofar as an eligible entity with a contract under this part uses a formulary, the negotiated prices (including applicable discounts) for nonformulary drugs may differ.

(ii) Avoidance of Duplicate Coverage.—The negotiated prices (including applicable discounts) for prescription drugs shall not be available for any drug prescribed for an eligible beneficiary if the drug is available under part A or B (but such negotiated prices shall be available if payment under part A or B is not available because the beneficiary has not met the deductible or has exhausted benefits under part A or B).

(2) Discount Card.—The Secretary shall develop, in cooperation with eligible entities, a uniform standard for the prescription drug discount card plan that shall be used by an enrolled beneficiary to ensure that the pharmacy card is not used to negotiate prices under paragraph (1).

(3) Ensuring Discounts in All Areas.—The Secretary shall develop procedures that ensure that each eligible entity discount card plan that resides in an area where no prescription drug discount card plans are provided by a competing access to negotiated prices (including applicable discounts).

(4) Catastrophic Benefit.—

(A) Ten Percent Cost-Sharing.—Subject to the limits specified in paragraph (3), the catastrophic benefit shall provide benefits with cost-sharing in the form of a catastrophic discount plan in which the catastrophic benefit is available to any enrolled beneficiary whose income (as so determined) equals or exceeds 300 percent of the poverty line.

(B) Annual Percentage Increase.—For purposes of this part, the annual out-of-pocket limits in this paragraph shall be increased by an amount equal to the percentage increase in the national medical expenditures for covered drugs and other health care services in the United States for medicare beneficiaries, as determined under section 18092.

(C) Waiver.—The Secretary may waive the enrollment fee described in subsection (a) in the case of a beneficiary whose income is below 200 percent of the poverty line.
"(A) IN GENERAL.—The Secretary, and not the eligible entity, shall be at financial risk for the provision of the catastrophic benefit under this subsection.

"(B) PAYMENT IN COMPETITIVE AREAS.—In a geographic area in which 2 or more eligible entities offer a plan under this part, the Secretary may negotiate agreements with employer-sponsored plans under which eligible beneficiaries are provided with a benefit for prescription drug coverage that is more generous than the benefit that would otherwise have been available under this part if such an agreement results in cost savings to the Federal Government.

"(C) PAYMENT TO ELIGIBLE ENTITIES FOR ADMINISTERING THE CATASTROPHIC BENEFIT.—

"SEC. 1860G. (a) ESTABLISHMENT OF BIDDING PROCESS.—The Secretary shall establish a process under which the Secretary accepts bids from eligible entities and awards contracts to the entities to provide the benefits under this part to eligible beneficiaries in an area.

"(b) SUBMISSION OF BIDS.—Each eligible entity desiring to enter into a contract under this part shall submit a bid to the Secretary at such time and in such manner, and the accompanied by such information as the Secretary may require.

"(c) ADMINISTRATIVE FEE BID.—

"(1) SUBMISSION.—For the bid described in subsection (b), each entity shall submit to the Secretary information regarding administration of the discount card and catastrophic benefit under this part.

"(2) BID SUBMISSION REQUIREMENTS.—

"(A) ADMINISTRATIVE FEE BID SUBMISSION.—In submitting a bid, the entity shall include separate costs for administering the discount card component, if applicable, and the catastrophic benefit. The entity shall submit the administrative fee bid in a form and manner specified by the Secretary, and shall include a statement of projected enrollment and a separate statement of the projected administrative costs for at least the following functions:

"(i) Enrollment, including income eligibility determination.

"(ii) Claims processing.

"(iii) Quality assurance, including drug utilization review.

"(iv) Beneficiary and pharmacy customer service.

"(v) Coordination of benefits.

"(vi) Fraud and abuse prevention.

"(B) NEGOTIATED ADMINISTRATIVE FEE BID AMOUNT.—The entity shall notify the Secretary of any negotiated administrative fee bid amount, and the entity to negotiate regarding the bid amounts submitted. The Secretary may reject a bid if the Secretary determines it is not supported by the administrative cost information provided in the bid as specified in subparagraph (A).

"(C) PAYMENT PLANS BASED ON ADMINISTRATION OF THE BID AMOUNT.—The entity shall pay the Secretary the amount specified by the Secretary.

"(D) PAYMENT TO ELIGIBLE ENTITIES.—The entity to reimburse the entity for costs incurred in providing the benefit under this part on a capitated basis.

"(E) COST-SHARING LIMITATIONS.—An eligible entity may not charge an individual enrolled with such entity under this part that exceeds the negotiated price (including applicable discounts) that the beneficiary would have been responsible for under subsection (a) or the price negotiated for insurance coverage under the Medicare Choice program under part C, a Medicare supplemental policy, employer-sponsored coverage, or a State plan.

"(F) PAYMENT IN COMPETITIVE AREAS.—In a geographic area in which 2 or more eligible entities offer a plan under this part, the Secretary may negotiate agreements with employer-sponsored plans under which eligible beneficiaries are provided with a benefit for prescription drug coverage that is more generous than the benefit that would otherwise have been available under this part if such an agreement results in cost savings to the Federal Government.

"(G) PAYMENTS TO ELIGIBLE ENTITIES FOR ADMINISTERING THE CATASTROPHIC BENEFIT.—

"SEC. 1860H. (a) IN GENERAL.—The Secretary may establish procedures for making payments to an eligible entity under a contract entered into under this part for the provision of the catastrophic benefit to eligible beneficiaries for prescription drugs furnished by the eligible entity to an eligible beneficiary enrolled with such entity under this part that is eligible for the catastrophic benefit under section 1860F(b).
"DETERMINATION OF INCOME LEVELS

"SEC. 1860A. (a) DETERMINATION OF INCOME LEVELS.—

"(1) IN GENERAL.—The Secretary shall establish procedures under which each eligible entity may elect to participate under this section and determines the income levels of eligible beneficiaries enrolled in a prescription drug card plan offered by that entity at least annually for purposes of sections 1860E(c) and 1860F(b)."

"(2) PROCEDURES.—The procedures established under paragraph (1) shall require each eligible beneficiary to submit such information as the Secretary determines appropriate to determine the determination described in paragraph (1)."

"ENFORCEMENT OF INCOME DETERMINATIONS.—

"(1) IN GENERAL.—The Secretary shall—

"(A) In general.—With respect to matters under this section, the Secretary shall notify, if the Secretary determines that payments were made under this part to which an eligible beneficiary was entitled, the repayment of any excess payments with interest and a penalty.

"(B) Quality Control System.—

"(i) In general.—The Secretary shall establish a quality control system to monitor income determinations made by eligible entities under this section and to produce appropriate and comprehensive measures of error rates.

"(2) Periodic Audits.—The Inspector General of the Department of Health and Human Services shall conduct periodic audits to ensure that the system established under paragraph (1) is functioning appropriately.

"SEC. 1860B. (a) ESTABLISHMENT OF BOARD.—

"The Secretary shall establish a Medicare Competition and Prescription Drug Advisory Board (in this section referred to as the 'Board').

"(b) ADVICE ON POLICIES; REPORTS.—

"(1) ADVISE ON POLICIES.—The Board shall advise the Secretary on policies relating to the Voluntary Medicare Prescription Drug Discount and Security Program under this part.

"(2) REPORTS.—

"(A) IN GENERAL.—With respect to matters of the administration of the program under this part, the Board shall submit to Congress and to the Secretary such reports as the Board determines appropriate. Each such report may contain such recommendations as the Board determines appropriate for legislatively qualified changes to improve the administration of the program under this part. Each such report shall be published in the Federal Register.

"(B) Maintaining Independence of Board.—The Board shall directly submit to Congress reports required under subparagraph (A). No officer or agency of the United States may require the Board to submit to any officer or agency of the United States for approval, comments, or review, prior to submittal to Congress, any reports required under this section.

"(c) Structure and Membership of the Board.—

"(1) Membership.—The Board shall be composed of 7 members who shall be appointed as follows:

"(i) Presidential Appointments.—

"(ii) In general.—Three members shall be appointed by the President, by and with the advice and consent of the Senate.

"(iii) Limitation.—Not more than 2 such members may be from the same political party.

"(B) Senatorial Appointments.—Two members (each member from a different political party) shall be appointed by the President pro tempore of the Senate with the advice of the Chairman and the Ranking Minority Member of the Committee on Finance of the Senate.

"(C) Congressional Appointments.—Two members (each member from a different political party) shall be appointed by the Speaker of the House of Representatives, with the advice of the Chairman and the Ranking Minority Member of the Committee on Ways and Means of the House of Representatives.

"(2) Qualifications.—The members shall be individuals who are, by reason of their education, experience, and attainments, exceptionally qualified to perform the duties of members of the Board.

"(3) Composition.—Of the members appointed under paragraph (1)—

"(A) at least 1 shall represent the pharmaceutical industry;

"(B) at least 1 shall represent physicians;

"(C) at least 1 shall represent Medicare beneficiaries;

"(D) at least 1 shall represent practicing pharmacists; and

"(E) at least 1 shall represent eligible entities.

"(4) Terms of Appointment.—

"(a) In general.—Subject to paragraph (2), each member of the Board shall serve for a term of 6 years.

"(b) Continuance in Office and Staggered Terms.—

"(i) Continuance in Office.—A member appointed to a term of office after the commencement of such term may serve under such appointment only for the remainder of such term.

"(ii) Staggered Terms.—The terms of service of the members initially appointed under this section shall begin on January 1, 2005, and expire as follows:

"(I) 3 years; and

"(II) 6 years.

"(iii) senatorial appointments.—Any person appointed as a member of the Board may not serve after the expiration of such member’s term until a successor has taken office. A vacancy in the Board shall be filled in the manner in which the original appointment was made.

"(iv) Chairperson.—A member of the Board shall be designated by the President to serve as Chairperson for a term of 4 years or, if the remainder of such member’s term is less than 4 years, for such remainder.

"(v) Expenses and Per Diem. — Members of the Board shall serve without compensation, except that, while serving on business of the Board away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, to the same extent as is allowed to insured persons in the Government employed intermittently.

"(vi) Meetings.—

"(A) IN GENERAL.—The Board shall meet at the call of the Chairperson (in consultation with the other members of the Board) not less than 4 times each year to consider specific agenda items, as determined by the Chairperson in consultation with the other members of the Board.

"(B) Quorum.—Four members of the Board (not more than 3 of whom may be of the same political party) shall constitute a quorum for purposes of conducting business.

"(B) General.—

"(A) General.—The Board shall be exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

"(i) Personnel.—

"(A) Staff Director.—The Board shall, without regard to the provisions of title 5, United States Code, relating to the competitive service, appoint a Staff Director who shall be paid at a rate equivalent to a rate established for the Senior Executive Service under section 5382 of title 5, United States Code.

"(B) staff.—

"(A) In General.—The Board may employ, without regard to chapter 31 of title 5, United States Code, such officers and employees as are necessary to administer the activities to be carried out by the Board.

"(B) Flexibility With Respect to Civil Service Laws.—

"(i) In General.—The staff of the Board shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, subject to clause (ii), shall be paid without regard to the provisions of chapters 31 and 33 of such title (relating to classification and schedule pay rates).

"(ii) Maximum Rate.—In no case may the rate of compensation determined under clause (i) exceed the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(iii) Authorization of Appropriations.—There are authorized to be appropriated, out of the Federal Supplemental Medical Insurance Trust Fund established under section 1807B of the general fund of the Treasury, such sums as are necessary to carry out the purposes of this section.

"(B) Conforming References to Previous Part D.—

"(1) IN GENERAL.—Any reference in law (in effect before the date of enactment of this Act) to part D of title XVIII of the Social Security Act is deemed a reference to part E of such title (as in effect after such date).

"(2) Secretarial Submission of Legislative Proposal. — Not later than 6 months after the date of enactment of this section, the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a legislative proposal providing for the innovative and reforming amendments in the law as are required by the provisions of this section.
April 3, 2003

Social Security Act (as added by section 2).

established under part D of title XVIII of the

Drug Discount and Security Program

administer the Voluntary Medicare Prescrip-

tion Drugs to

Center for Medicare Prescription Drugs to

enactment of this Act; and

the date that is 6 months after the date of

enactment of this Act; and

the date that is 1 year after the date of enactment of this Act.

SEC. 5. MEDIGAP REVISIONS.

(a) E STABLISHMENT OF CENTER FOR MEDI-

care Prescription Drug Discount and Security Program.

There is estab-

lished, within the Centers for Medicare & Medicaid Services of the Department of Health and Human Services, a Center for Medicare Prescription Drugs. Such center shall be separate from the Center for Bene-

ficiary Choices, the Center for Medicare and State Operations.

(b) D UTIES.—It shall be the duty of the Center for Medicare Prescription Drugs to administer the Voluntary Medicare Prescrip-
tion Drug Discount and Security Program established under part D of title XVIII of the Social Security Act (as added by section 2).

(c) APPPOINTMENT.—There shall be in the Center for Medicare Prescription Drugs a Di-

rector of Medicare Prescription Drugs, who shall be appointed by the President, by and with the advice and consent of the Senate.

(d) R ESPONSIBILITIES.—The Director shall be responsible for the exercise of all powers and duties in the discharge of all duties of the Center for Medicare Prescription Drugs and shall have authority and control over all personnel and activities thereof.

(e) N EWSPERSONAL.—The Director of the Center for Medicare Prescription Drugs may appoint and terminate such personnel as may be necessary to enable the Center for Medicare Prescrip-
tion Drugs to perform its duties.

SEC. 6. EXCLUSION OF PART D COSTS FROM DE-

TERMINATION OF PART B MONTHLY PREMIUM.

Section 1839(g) of the Social Security Act (42 U.S.C. 1395r(g)) is amended—

(1) by striking “attributable to the appli-
cation of section” and inserting “attribu-
table to—”;

“(a) the application of paragraph (1);”;

(b) by striking the period at the end of such para-

graph and inserting “,”;

and

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

“(2) the Voluntary Medicare Prescription Drug Discount and Security Program under part D.”

SEC. 5. MEDIGAP REVISIONS.

Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended by adding at the end the following new subsection:

“(a) the application of paragraph (1);”;

and

(c) by striking the period at the end of such para-

graph and inserting “,”.

SEC. 6. EXCLUSION OF PART D COSTS FROM DE-

TERMINATION OF PART B MONTHLY PREMIUM.

Section 1839(g) of the Social Security Act (42 U.S.C. 1395r(g)) is amended—

(1) by striking “attributable to the appli-
cation of section” and inserting “attribu-
table to—”;

“(a) the application of section”;

(2) by striking the period at the end of such para-

graph and inserting “,”;

and

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

“(2) the Voluntary Medicare Prescription Drug Discount and Security Program under part D.”

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(2) by striking the period at the end of such para-

graph and inserting “,”;

and

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

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“(a) the application of section”;

(2) by striking the period at the end of such para-

graph and inserting “,”;

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

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Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended by adding at the end the following new subsection:

“(a) the application of paragraph (1);”;

and

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

“(2) the Voluntary Medicare Prescription Drug Discount and Security Program under part D.”

SEC. 5. MEDIGAP REVISIONS.
Mr. MCCAIN. Mr. President, I rise to introduce legislation to authorize expansion of the Petrified Forest National Park in Arizona. I’m pleased that Representative RICK RENZI will introduce companion legislation in the House of Representatives.

The Petrified Forest National Park is a national treasure among the Nation’s critical infrastructure. It is one of the most concentrated deposits of petrified wood and related fossils in the world. These natural deposits date to more than 220 million years ago. Scenic vistas, designated wilderness areas, and other historically significant sites of pictographs and Native American ruins are added dimensions to the park.

The Petrified Forest was originally designated as a National Monument by President Theodore Roosevelt in 1906 to protect the important natural and cultural resources of the Park, and later re-designated as a National Park in 1962. While several boundary adjustments were made to the Park, a significant portion of unprotected resources remain in outlying areas adjacent to the Park.

A proposal to expand the Park’s boundaries was recommended in the Park’s Management Plan in 1992, in response to concerns about the long-term protection needs of globally significant resources and the Park’s viewshed in nearby areas. For example, one of the most concentrated deposits of petrified wood is found within the Chinle Encampment, of which only thirty percent is included within the current Park boundaries.

Increasing reports of theft and vandalism around the Park have activated treatment works remedy areas of concern. Using the results of the vulnerability assessment, treatment works will develop or revise emergency response plans to minimize damage if an attack were to occur.

This bill authorizes $180 million for fiscal years 2004 through 2008 for grants to conduct the vulnerability assessments and implement basic security enhancements. The bill also recognizes the need to address immediate and urgent security needs with a special $20 million authorization over 2004 and 2005.

In my home State of Vermont, we have only three towns of over 25,000 people. Water facilities serving these communities have been particularly challenged to meet today’s new homeland security challenges. Many times, water managers operate the town’s water facilities as a part-time job in addition to their primary service. We must ensure that they are afforded the same consideration under this act as the medium and large facilities. This bill authorizes $15 million for grants to help small communities conduct vulnerability assessments, develop emergency response plans, and address potential threats to the treatment works. It also instructs the Administrator of the EPA to provide guidance to these communities on how to effectively use these security tools.

To ensure the continued development of wastewater security technologies, the Wastewater Treatment Works Security and Safety Act authorizes $15 million for research for fiscal years 2004 through 2008. It also provides $500,000 to revise vulnerability self-assessment tools already in existence.

I look forward to working with my colleagues on this legislation and other efforts to enhance the security of our Nation’s critical infrastructure. We have had the opportunity to speak to the Acting Secretary of Homeland Security, Mr. Fritsche Hellickson, than saving the resource she fought to protect for so many years. Because...
it provides such a compelling explanation about why this expansion is so important, I am attaching an article by David Gillette, the Colbert Curator of Paleontology at the Museum of Northern Arizona, which was published in our magazine last fall. Thank you for advancing this important proposal to protect a truly remarkable resource for our nation and for the rest of the world.

Sincerely,
CRAIG D. OBEX, Vice President for Government Affairs.

The legislation I am introducing today is a placeholder bill for further development of a boundary expansion proposal. The legislation is identical to the version introduced in the 107th Congress. Several key issues remain that require resolution, including the exact definition of the expanded boundary acreage as well as the disposition and possible acquisition of private and State lands within the proposed expansion area.

It's encouraging to note that the four major landowners within the proposed boundary expansion area have expressed interest in the Park expansion. Other public landowners, primarily the state of Arizona and the Bureau of Land Management, have recognized the significance of the paleontological resources on its lands adjacent to the Park. The Arizona State Trust land Department closed nearby State trust lands to both surface and subsurface applications. Additionally, the Bureau of Land Management has identified its land-holdings within the proposed expansion area for disposal and possible transfer to the Park.

Other issues involving additional private landholders and State trust land must still be resolved. In particular, the State of Arizona has specific requirements which must be addressed as the legislation moves through the process, particularly with regard to compensation to the state for any acquisitions of Federal lands by the Secretary of the Interior, in keeping with the requirements of State law.

I fully intend to address these issues in consultation with affected entities and resolve any additional questions within a reasonable time-frame. A historic opportunity exists to alleviate major threats to these nationally significant resources and preserve them for our posterity.

On a personal note, I'd like to acknowledge the support of former Park Superintendent of Petrified Forest National Park, Michele Hellickson, who recently lost a battle with cancer a few months ago. She served as Park Superintendent for nine years, from 1993 to 2002, and was one of the most ardent supporters to protect the resources of this Park. Her commitment to protect this incredible Park will long be remembered and acknowledged.

I look forward to working with my colleagues on both sides of the aisle to ensure swift consideration and enactment of this proposal. Time is of the essence to ensure the long-term protection of these rare and important resources for the enjoyment and educational value for future generations. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 784

I ask unanimous consent that the text of the bill be printed in the RECORD, as follows:

SEC. 1. SHORT TITLE.
This Act may be cited as the "Petrified Forest National Park Expansion Act of 2003."

SEC. 2. FINDINGS AND PURPOSE.
(a) FINDINGS.—Congress finds that—
(1) the Petrified Forest National Park was established—
(A) to preserve and interpret the globally significant paleontological resources of the Park that are generally regarded as the most important record of the Triassic period in natural history; and
(B) to manage those resources to retain significant cultural, natural, and scenic values;
(2) significant paleontological, archaeological, and scenic resources directly related to the resource values of the Park are located in areas adjacent to the boundaries of the Park;
(3) those resources not included within the boundaries of the Park—
(A) are vulnerable to theft and desecration; and
(B) are disappearing at an alarming rate;
(4) the general management plan for the Park includes a recommendation to expand the boundaries of the Park and incorporate additional globally significant paleontological deposits in areas adjacent to the Park—
(A) to further protect nationally significant archaeological sites; and
(B) to protect the scenic integrity of the landscape and viewshed of the Park; and
(5) a boundary adjustment at the Park will alleviate major threats to those nationally significant resources.
(b) PURPOSE.—The purpose of this Act is to authorize the Secretary to—
(1) expand the boundaries of the Park; and
(2) protect the rare paleontological and archaeological resources of the Park.

SEC. 3. DEFINITIONS.
In this Act—
(a) MAP.—The term "map" means the map entitled "Proposed Boundary Adjustments, Petrified Forest National Park", numbered and dated—
(b) PARK.—The term "Park" means the Petrified Forest National Park in the State of Arizona;
(c) SECRETARY.—The term "Secretary" means the Secretary of the Interior; and
(d) STATE.—The term "State" means the State of Arizona.

SEC. 4. BOUNDARY REVISION.
(a) IN GENERAL.—The boundary of the Park is revised to include approximately 3,000 acres, as generally depicted on the map.
(b) A VAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 5. ACQUISITION OF ADDITIONAL LAND.
(a) PRIVATE LAND.—The Secretary may acquire from a willing seller purchase from the National Park Service or by donation, any private land or interests in private land within the revised boundary of the Park.
(b) STATE LAND.
(1) IN GENERAL.—The Secretary may, with the consent of the State and in accordance with State law, acquire from the State any State land or interests in State land within the revised boundary of the Park by purchase or exchange.
(2) PLAN.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, in coordination with the State, develop a plan for acquisition of State land or interests in State land identified for inclusion within the revised boundary of the Park.

SEC. 6. ADMINISTRATION.
(a) IN GENERAL.—Subject to applicable laws, all land and interests in land acquired under this Act shall be administered by the Secretary as part of the Park.
(b) TRANSFER OF JURISDICTION.—The Secretary shall transfer to the National Park Service administrative jurisdiction over any land under the jurisdiction of the Secretary that—
(1) is depicted on the map as being within the boundaries of the Park; and
(2) is not under the administrative jurisdiction of the National Park Service on the date of enactment of this Act.
(c) GRAZING.—
(1) IN GENERAL.—The Secretary shall permit the continuation of grazing on land transferred to the Secretary under this Act, subject to applicable laws (including regulations) and Executive orders.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.
The Secretary is authorized to appropriate such sums as are necessary to carry out this Act.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. DASCHLE, Mr. COLEMAN, Mr. HARKIN, Mr. CRAIG, Mr. JOHNSON, Mr. BURNS, Mr. DORGAN, Mr. ROBERTS, Mr. DAYTON, Mr. FITZGERALD, Mrs. LINCOLN, Mr. COLEMAN, Mr. HAGEL, Mr. CONRAD, and Mr. HATCH):

S. 785. A bill to amend the Internal Revenue Code of 1986 to allow the payment of dividends on the stock of cooperatives without reducing patronage dividends, to the Committee on Finance.

Mr. BAUCUS. Mr. President, today I am introducing a very important piece of legislation to modify the cooperative dividend allocation rule. I would like to thank Senator GRASSLEY and my other colleagues that have signed on the bill for their support for correcting this rule.

America's agriculture industry has not had an easy recent year. In Montana and other areas of the country, drought, low prices and the economic downturn have hit our farms and ranches hard. Over the past few years Congress has worked diligently to help our Nation's smaller agriculture producers. However, there is more work to be done.

Senator GRASSLEY and I recently introduced "The Tax Empowerment and
Relief for Farmers and Fisherman Act”, TERFF, with the intention of giving farmers the tools to help themselves. One provision within that Act deals with the payment of dividends on cooperatives’ stock. Today we are introducing our own to emphasize the importance of changing the dividend allocation rule.

Currently, the dividend allocation rule reduces patronage income when a cooperative pays a dividend on capital stock from non-patronage earnings. This means that a cooperative can pay back to their farmer patrons and inhibits their ability to equity-finance operations.

Modifying this rule will make farmer cooperatives more competitive and provide better access to capital. This piece of legislation will help revitalizes farmer cooperatives by providing more accurate tax treatment for patronage and non-patronage income.

I look forward to working with my colleagues to enact the critical piece of legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 785

B E IT ENACTED by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT OF DIVIDENDS ON STOCK OF COOPERATIVES WITHOUT REDUCING PATRONAGE DIVIDENDS.

(a) In General.—Subsection (a) of section 1388 of the Internal Revenue Code of 1986 (relating to patronage dividend defined) is amended by adding at the end the following new sentence: “For purposes of paragraph (3), net earnings shall not be reduced by amounts paid during the year as dividends on capital stock or other proprietary capital interests of the organization to the extent that the cooperative or members of the cooperatives provide that such dividends are in addition to amounts otherwise payable to patrons which are derived from business done with or for patrons during the taxable year.”.

(b) Effective Date.—The amendment made by this section shall apply to distributions in taxable years beginning after the date of the enactment of this Act.

Mr. GRASSLEY. Mr. President, the Dividend Allocation Rule, DAR, is the result of several old court cases and subsequent IRS interpretation that applies only to cooperatives which are corporations. When a non cooperative corporation pays a dividend to its shareholder the corporation pays tax on the dividend issued and the shareholder receives no tax receipt, so they pay two levels of taxation. In fact, under the President’s dividend exclusion proposal as presented to the U.S. Congress, the President of the United States makes a compelling argument that being taxed twice is inherently unfair and it would be good for the Nation’s economy that only one level of tax should be paid by the corporation and that the shareholder would receive the dividend tax free.

Well—if two levels of taxation on corporations and their shareholders is unfair and adverse to the creation of capital and the economy—how would you like to try to operate a fiscally sound business entity if you had to figure out every day how you were going to generate enough cash flow to pay THREE levels of taxation.

Current law requires corporate cooperatives to treat income from their membership with a second round of taxation of their non-members money. Contributions and earnings used by the cooperative to operate is typically called retained patronage. The member, unlike a shareholder, has to pay income tax on that amount even if the Cooperative retains the money for operation expenses. Then, because of the IRS’ rules, when the Cooperative returns money to its non-members it loses its corporate deduction which in turn reduces earnings of earnings that the patron has already paid taxes on—the result is a triple layer of tax. This rule is inherently unfair to our corporate cooperatives.

Now is the time to finally correct this injustice. The Congress passed this bill in 106th Congress, but it was subsequently vetoed by the President. It was a part of a bill I sponsored the “Tax Empowerment and Relief for Farmers and Fisherman, TERFF, Act” in the 107th, and now it is time for the Senate to pass it across the 108th. As Chairman of the Finance Committee, I am proud to join with my ranking Member Max BAUCUS to introduce the bill to repeal the Dividend Allocation Rule. We have been joined by many of our farm States’ Senators in a truly bipartisan effort to correct this financial injustice.

The time to act is now and this bipartisan legislation will eliminate the adverse tax problem and will help revitalize our cooperative networks in Iowa and nearly 3000 of our cooperatives across the America.

By Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, and Mr. BREAUX):

S. 786. A bill to amend the temporary assistance to needy families program under part A of title IV of the Social Security Act to provide grants for transitional jobs programs and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Business Links Act, on behalf of myself, Senator ROCKEFELLER, and Mr. BREAUX.

The Business Links Act is a companion bill to the Education Works Act, which I introduced a short time ago. Both of these bills address the need to support State efforts to use Federal funds in concert with State and local public and private entities to help combine work with a flexible mix of education, training and other supports. The Business Links Act, more specifically, provides resources to States seeking to implement one of the most effective of these types of programs: transitional jobs programs. These programs provide subsidized, temporary, wage-paying jobs for 20 to 35 hours a week, along with access to job readi- ng tools and other barrier-removal services based on individualized plans. The Business Links Act would provide states with funding to implement these transitional jobs programs and other training and support programs such as Business Links.

Existing transitional jobs programs are achieving great outcomes. Research has shown that 81 percent to 94 percent of those who completed transitional jobs programs went on to unsubsidized jobs with wages, and that most of these individuals moved into full-time employment. Transitional jobs can be particularly effective for the hardest to serve welfare recipients. For people who face barriers, or who lack the skills or experience to compete successfully in the labor market, paid work in a supportive environment, together with access to services provides a real chance to move into stable, permanent employment. Transitional jobs not only help individuals, but communities as well. In providing work opportunities for hard-to-employ individuals, these programs reduce pressure on local emergency systems and decrease government expenditures on health care, food stamps, and cash assistance.

Our legislation also supports “business link” programs that provide individuals with fewer barriers and those who have historically found only very low wage employment with intensive training and skill development activities designed to lead to long-term, higher paid employment. These programs are based on partnerships with the private sector. In my home State, just such a program is producing great results the Teamworks program. During a 12-week course, participants are offered job training and employment skills, necessary supports such as childcare and transportation, assistance in their job search efforts and ongoing support for 18 months after job placement. Impressively, the average wage of those completing the program is $1.50 per hour higher than other programs and job retention rates are 20 percent higher.

Additional Federal support for transitional job and business link programs is sorely needed. The Welfare-to-work funds that have previously been used to support these programs are nearly exhausted. In addition, in a period of rising caseloads and state budget crises that we are seeing across the country, funding transitional jobs solely with existing TANF funds will be very difficult.

I urge my colleagues to join in supporting the Business Links Act, that will provide States with the tools they need to implement programs that work. I ask unanimous consent that the text of the bill be printed in the RECORD.
There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

SEC. 2. TRANSITIONAL JOBS GRANTS.

(a) In general.—Section 403(a)(4) of the Social Security Act (42 U.S.C. 683(a)(4)) is amended to read as follows:

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to 40 hours per week, may be allowed to par-
ticipate for more limited hours, but not less
than 20 hours per week. In any work week, 50
percent to 80 percent of hours shall be spent
in education or training, or other services designed
to reduce or eliminate any barriers.

(2) The local economic area shall also provide
management and training services and ensure access to
appropriate education, training, and other
services, including job accommodation, work
support, on-the-job employment, inde-
sorable and consistent with an individual
plan that is based on the individual’s strengths,
ties, abilities, capabilities, career interests, and
and choice and that is developed by each par-
ticipant. The goal of each partic-
ant’s plan shall focus on preparation for un-
subsidized jobs in demand in the local econ-
y which offer the potential for advance-
ment and growth. Services shall also include
job placement assistance and retention serv-
ices, which may include coaching and work
place supports, for 12 months after entry
into unsubsidized employment. Participants
shall also receive supportive services such as
child care and transportation, on the same basis as those services are made
available to recipients of assistance under the
Current Programs funded under this part who are
engaged in work-related activities.

(3) Providers shall work with individual
participants to determine eligibility for
employment-related supports which may in-
clude (but are not limited to) supported em-
ployment, other vocational rehabilitation
services, and programs or services available
under the Workforce Investment Act of 1998
(29 U.S.C. 2001 et seq.), or the ticket to
work and self-sufficiency program established
under such Act. To the extent feasible,
shall provide transitional employment in
which participants providing, or

(4) Program operators shall provide case
management services and ensure access to
services, including job accommodation, work
support, on-the-job employment, inde-
sorable and consistent with an individual
plan that is based on the individual’s strengths,
ties, abilities, capabilities, career interests, and
and choice and that is developed by each par-
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available to recipients of assistance under the
Current Programs funded under this part who are
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(5) Providers shall work with individual
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under such Act. To the extent feasible,
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which participants providing, or

(6) Program operators shall provide case
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services, including job accommodation, work
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plan that is based on the individual’s strengths,
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available to recipients of assistance under the
Current Programs funded under this part who are
engaged in work-related activities.

(7) Providers shall work with individual
participants to determine eligibility for
employment-related supports which may in-
clude (but are not limited to) supported em-
ployment, other vocational rehabilitation
services, and programs or services available
under the Workforce Investment Act of 1998
(29 U.S.C. 2001 et seq.), or the ticket to
work and self-sufficiency program established
under such Act. To the extent feasible,
shall provide transitional employment in
which participants providing, or

(8) Program operators shall provide case
management services and ensure access to
services, including job accommodation, work
support, on-the-job employment, inde-
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plan that is based on the individual’s strengths,
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and choice and that is developed by each par-
ticipant. The goal of each partic-
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subsidized jobs in demand in the local econ-
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place supports, for 12 months after entry
into unsubsidized employment. Participants
shall also receive supportive services such as
child care and transportation, on the same basis as those services are made
available to recipients of assistance under the
Current Programs funded under this part who are
engaged in work-related activities.

(9) Providers shall work with individual
participants to determine eligibility for
employment-related supports which may in-
clude (but are not limited to) supported em-
ployment, other vocational rehabilitation
services, and programs or services available
under the Workforce Investment Act of 1998
(29 U.S.C. 2001 et seq.), or the ticket to
work and self-sufficiency program established
under such Act. To the extent feasible,
shall provide transitional employment in
which participants providing, or

(10) Program operators shall provide case
management services and ensure access to
services, including job accommodation, work
support, on-the-job employment, inde-
sorable and consistent with an individual
plan that is based on the individual’s strengths,
ties, abilities, capabilities, career interests, and
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child care and transportation, on the same basis as those services are made
available to recipients of assistance under the
Current Programs funded under this part who are
engaged in work-related activities.

(11) Providers shall work with individual
participants to determine eligibility for
employment-related supports which may in-
clude (but are not limited to) supported em-
ployment, other vocational rehabilitation
services, and programs or services available
under the Workforce Investment Act of 1998
(29 U.S.C. 2001 et seq.), or the ticket to
work and self-sufficiency program established
under such Act. To the extent feasible,
shall provide transitional employment in
which participants providing, or
Mr. LEAHY. Mr. President, Senator KERRY and I are pleased to introduce the “Fair and Independent Judiciary Act of 2003.” This legislation arises from our belief that we must remain steadfast in our commitment to preserving the vitality of our third branch of government. Ensuring a fair and independent judiciary is critical to preserving the system of checks and balances established in our Constitution. The Fair and Independent Judiciary Act includes measures to respond to the shortfalls in judicial compensation, to repeal the link of judicial pay to congressional pay, to improve survivorship benefits, and to instill greater public confidence in our courts.

The National Commission on Public Service, a blue-ribbon panel of experts headed by Paul Volcker, recently concluded that Congress’ budgetary treatment of this co-equal branch threatens its ability to perform its essential mission. This legislation addresses a problem that has plagued the Judiciary. The Fair and Independent Judiciary Act would restore the skipped cost of living adjustments for the Justices of the United States.

Mr. REHNQUIST. Mr. President, I ask unanimous consent that the Senate be represented in the House of Representatives by Mr. WILSON as the official Roll Call vote recorder for the Senate, pursuant to the direction of the Rules Committee.

Chief Justice Rehnquist has called judicial pay “the most pressing issue” facing the courts. We look forward to Senate consideration of the Fair and Independent Judiciary Act to restore previously skipped COLAs and prevent this situation from happening again.

It is important to put our budgetary treatment of this co-equal branch in history. In 1975 Congress enacted the Executive Salary Cost-of-Living Adjustment Act, intended to give judges, Members of Congress and other high-ranking Executive Branch officials automatic COLAs as accorded other Federal employees unless rejected by Congress. In 1981, Congress enacted Section 140 of Public Law 97-92 (28 U.S.C. § 461 note), mandating specific congressional action to give COLAs to judges.

Five times in the last decade Congress has tried to give the Judiciary a COLA. We believe that this treatment was unfair to the judiciary and that we should restore their salaries to what they would be had the COLAs been granted. In order to have their salaries reflect the current cost of living we should unlink the salaries of Members of Congress and Members of the Judiciary by repealing Section 140.

In their thorough report, the Volcker Commission recommended that Congress unlink judicial salaries from those of Members of Congress. The Commission explained that due to “the reluctance of members of Congress to risk the disapproval of their constituents” the cap on judicial salaries were set substantially behind cost-of-living increases.” Urgent Business for America: Revitalizing the Federal Government for the 21st Century, January 2003, Recommendation 10. Therefore, the Commission found that “executive and judicial salaries must be determined by procedures that tie them to the needs of the government, not to the career-related political exigencies of members of Congress.”

The Fair and Independent Judiciary Act would restore the skipped cost of living adjustments that occurred in 1995, 1996, 1997, 1999 and 2002 so that the salaries of our judges and justices are not outpaced by inflation. Chief Justice Rehnquist has called judicial pay “the most pressing issue” facing the courts.

I am very disappointed that the Continuing Resolutions approved by Congress failed to give the Federal Judiciary a cost-of-living adjustment, COLA, for fiscal year 2003.

Earlier this year, Senator HATCH and I were joined by Senator DEWINE and Senator SPECTER to cosponsor legislation in the Senate to provide the Federal judiciary with a COLA for the present fiscal year. House Judiciary Chairman SENSENBERGER was joined by that Committee’s Ranking Democratic Member, Congressman CONYERS, and others to introduce identical legislation in the House to provide a measure to give the judiciary their cost of living adjustment for fiscal year 2003 but this effort failed to compensate the judiciary for many other previously skipped COLAs.

The Fair and Independent Judiciary Act would correct the earlier failures to provide COLAs and prevent this situation from happening again.

The problem is that Congress has irrationally linked judicial pay to the salaries of members of Congress, who face a political problem whenever they seek to jack up their paychecks. The judges end up hostage to congressional cowardice. This disparity between their salaries and other lawyer compensation is enormous and growing. This enforces a judicial subservience, and provides a substantial disincentive for first-rate people to become federal judges in the first place.

Mr. Rehnquist also gave a timely reminder that the judicial nominations process needs work. The chief justice is one of the few people who has advocated for a reasonable process for effective presidential control of the judiciary. Mr. Rehnquist speaks with unusual moral authority on this subject. And while he notes approvingly the 100 judges the 107th Congress confirmed, he warns that the problem has not gone away. Having unified government may temporarily ease the vacancy problem, he writes, but “there will come a time when [unified government] is not the case, and the judiciary will again suffer the delays of a drawn-out confirmation process.”

Mr. Rehnquist rightly urged that the political branches should use this respite to “fix the underlying problems that have bogged down the process for so many years.” On both pay and nominations, one can only wonder how many more years the chief justice will have to repeat himself before reason prevails.

I ask unanimous consent that the January 6, 2003 editorial from the Washington Post, and the text of the bill be printed in the RECORD.

S. 787

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Fair and Independent Federal Judiciary Act of 2003.”

SEC. 2. SALARY ADJUSTMENTS. (a) RESTORATION OF STATUTORY COST-OF-LIVING ADJUSTMENTS.—The annual salaries for justices and judges are hereby increased:

(1) Chief Justice of the Supreme Court, $211,300.
(2) Associate Justices of the Supreme Court, each $200,000.
(3) Judges, Court of Appeals, $174,600.
(4) Judges, Court of Military Appeals, $174,600.
(5) Judges, District Court, $164,700.
(6) Judges, Court of Federal Claims, $164,700.
(7) Judges, Court of International Trade, $164,700.
(8) Judges, Tax Court, $164,700.
(9) Judges, Bankruptcy, $151,524.

(b) EFFECTIVE DATE.—This section shall take effect on the first day of the first applicable pay period beginning on or after the date of enactment of this Act.


SEC. 4. SURVIVOR BENEFITS UNDER JUDICIAL SYSTEM AND OTHER SYSTEMS. (a) CREDITABLE YEARS OF SERVICE.—Section 336 of title 28, United States Code, is amended—

(1) in subsection (k)(3), by striking the colon and inserting “this section”;
(2) in subsection (r), by striking the colon and inserting “other annuity”;
(3) in subsection (s), by striking the colon and inserting “other annuity”;
(4) in subsection (t), by striking the colon and inserting “other annuity”;

(b) NOTIFICATION PERIOD FOR SURVIVOR ANNUITY COVERAGE.—Section 376 of title 28, United States Code, is amended in the matter following subparagraph (G) by striking “six months” and inserting “1 year”.

The effective date of this subsection shall take effect on the date of enactment of this Act and apply only to written notifications.
received by the Director of the Administrative Office of the United States Courts after the dates described under clause (i) or (ii) in the matter following subparagraph (G) of section 376 (a)(1) of title 28, United States Code.

SEC. 5. CITIZENS' COMMISSION ON PUBLIC SERVICE AND COMPENSATION.

(a) APPOINTMENTS.—(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the President shall appoint to the Citizens’ Commission on Public Service and Compensation under section 225(b)(8)(B) of the Federal Salary Act of 1967 (2 U.S.C. 351 et seq.).

(b) MEMBERSHIP.—Section 225(b) of the Federal Salary Act of 1967 (2 U.S.C. 352) is amended—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively.

(c) QUADRENNIAL APPLICATION.—Section 225(b)(8)(B) of the Federal Salary Act of 1967 (2 U.S.C. 352(b)(8)), is amended in the first sentence—

(A) by striking paragraph (1) and inserting ‘‘2006’’ in each such place; and

(B) by struck paragraph (4); and

(c) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively.


(e) Judicial Education Fund.

section 376 (a)(1) of title 28, United States Code, as in effect on the date of enactment of this Act.

SEC. 6. JUDICIAL EDUCATION FUND.

(a) ESTABLISHMENT.—Chapter 42 of title 28, United States Code, is amended by adding at the end the following:

§ 630. Judicial Education Fund.

‘‘(a) In this section, the term—

‘‘(1) ‘institute of higher education’ has the meaning given under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

‘‘(2) ‘private judicial seminar’—

(A) means a seminar, symposia, panel discussion, or similar event that provides continuing legal education to judges; and

(B) does not include—

(i) seminars that last 1 day or less and are conducted by, and on the campus of, an institute of higher education;

(ii) seminars that last 1 day or less and are conducted by national bar associations or State or local bar associations for the benefit of the bar association membership; or

(iii) seminars of any length conducted by, and on the campus of an institute of higher education or by national bar associations or State or local bar associations, where a judge is a presenter and at which judges constitute less than 25 percent of the participants.

‘‘(3) ‘national bar association’ means a national organization that is open to general membership to all members of the bar; and

‘‘(4) ‘State or local bar association’ means a State or local organization that is open to general membership to all members of the bar in the specified geographic region.

(b) There is established within the United States Treasury a fund to be known as the ‘‘Judicial Education Fund’’ (in this section referred to as the ‘‘Fund’’).

(c) Amounts in the Fund may be made available from the Fund for the conduct of continuing legal education or by national bar associations, state or local bar associations, or any other entity approved by the Board.

(d) The Board shall authorize the use of any amounts available from the Fund for the conduct of continuing legal education or by national bar associations, state or local bar associations, or any other entity approved by the Board.

SEC. 7. PRIVATE JUDICIAL SEMINAR GIFTS PROHIBITED.

(a) DEFINITIONS.—In this section, the term—

‘‘(1) ‘institution of higher education’ has the meaning given under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

‘‘(2) ‘private judicial seminar’—

(A) means a seminar, symposia, panel discussion, course, or a similar event that provides continuing legal education to judges; and

(B) does not include—

(i) seminars that last 1 day or less and are conducted by, and on the campus of, an institute of higher education;

(ii) seminars that last 1 day or less and are conducted by national bar associations or state or local bar associations for the benefit of the bar association membership; or

(iii) seminars of any length conducted by, and on the campus of an institute of higher education or by national bar associations or state or local bar associations, where a judge is a presenter and at which judges constitute less than 25 percent of the participants.

‘‘(3) ‘national bar association’ means a national organization that is open to general membership to all members of the bar; and

‘‘(4) ‘State or local bar association’ means a State or local organization that is open to general membership to all members of the bar in the specified geographic region.

(b) Technical and nomenclature amendment.—The table of sections for chapter 42 of title 28, United States Code, is amended by adding at the end the following:

§ 630. Judicial Education Fund.

SEC. 8. RECUSAL LISTS.

Section 455 of title 28, United States Code, is amended by adding at the end the following:

SEC. 9. AVOIDING IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL ACTIVITIES.

In accordance with the Code for Conduct for United States Judges, a judge must avoid all impropriety and appearance of impropriety.

The prohibition against behavior with impropriety applies to both the professional and personal conduct of a judge. Therefore, a judge should not hold membership in any organization, except for redoubt federal organizations, that practices discrimination on the basis of race, gender, religion, or national origin.

By Mr. HOLLINGS (for himself, Mr. BROWNBACK, Mr. ROCKEFELLER, Mr. INOUYE, Ms. CANTWELL, and Mr. KERRY):

S. 788. A bill to enable the United States to maintain its leadership in aeronautics and aviation; to the Committee on Commerce, Science, and Transportation.

Mr. HOLLINGS. Mr. President, I rise today to address a crucial issue that is affecting our competitiveness in the world economy. Since that first flight in 1903 when the Wright brothers took off on our great journey, the United States has piloted the course of aviation technology development.

Now that leading role is being threatened. The European Union has embarked on an ambitious plan to dominate the industry that historically we have led. Last year, for the first time, Airbus surpassed Boeing, by grabbing 54 percent of the market share in terms of aircraft units.

Air travel is critical to our competitiveness in the global economy. The movement of passengers and goods throughout our nation needs American business and keeps us close to our families and friends. The impact of civil aviation on the U.S. economy exceeds $900 billion a year, which is 9 percent of
with the help of my colleagues Senators BROWNBACK, ROCKEFELLER, INOUYE, CANTWELL and KERRY, I have crafted legislation to increase aeronautical research, nurture our industry's workforce, and ensure a collaborative partnership between government and private industry, with the goal of ensuring the "Second Century of Flight" is as exciting and awe inspiring as the first.

By Mr. Nelson of Florida (for himself and Mrs. BOXER):

S. 789. A bill to change the requirements for naturalization through service in the Armed Forces of the United States; to the Committee on the Judiciary.

Mr. NELSON, of Florida. Mr. President, I rise on behalf of myself and Mrs. BOXER to introduce the Citizenship for Service Members Act of 2003. This legislation reduces the waiting period for service members during peace time from 3 years to 2 years, waives all fees related to naturalization, and allows for naturalization proceedings to occur overseas.

Everyday we see our young men and women fighting and dying in Iraq and Afghanistan to protect freedom and democracy. One of the strengths of our military has always been its diversity. From the birth of our Nation, our military has attracted people from all walks of life who have immigrated to the United States to pursue freedom, prosperity, and security.

Young men and women join the military in the hopes of achieving a better life while serving our country in the most difficult and honorable way. These young people enjoy various benefits for volunteering to protect American citizens such as assistance with college tuition, a secure and rewarding career in the military, and for some, the hope of gaining American citizenship.

Non-citizens fighting in our military side by side with American citizens is a tradition that dates back to the Civil War, when recently arrived Irish immigrants fought for the Union. After World Wars I and II over 140,000 legal permanent resident participants gained citizenship. Currently there are 3,400 legal permanent residents in the Marines alone who have been deployed overseas. Further, Miami, FL and Los Angeles, CA contribute the second and third highest number of legal permanent residents to the military.

Under current law, in the absence of an Executive Order eliminating the time of service requirement altogether, men and women may apply for citizenship after completing three years of service. This legislation would shorten that period to 2 years making it more likely that the service member will gain citizenship prior to finishing his first enlistment. Additionally, this legislation waives all fees related to naturalization eliminating a possible financial barrier. Finally, this bill allows for service members to complete the naturalization process overseas eliminating the sometimes unnecessarily lengthy and expensive trips back to the United States.

Citizenship is a momentous honor and we cannot afford to lose nearly every person who immigrates to the United States. Naturalization is especially critical to the thousands of young men and women who are placing their lives at risk every day to defend the citizens and ideals of the United States. These individuals require citizenship so that they can become a recognized member of the country that they have chosen to defend.

In addition, citizenship confers certain benefits upon servicemen and women. For example, while a legal permanent resident may enlist in the United States military, he or she is barred from becoming a commissioned officer, obtaining positions that require security clearances, becoming a part of any aircrews or rising to the level of special operations.

We continue to see the great sacrifices these young men and women make on a daily basis. There is no greater show of patriotism than to join our armed forces to fight under the American flag. Over 30,000 men and women from countries ranging from Canada to Japan to Cuba have volunteered to put their lives on the line to defend the United States. We owe it to these brave men and women to help them obtain the citizenship they have clearly earned.

I ask unanimous consent that the text of this legislation be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 789

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

SEC. 1. SHORT TITLE.
This Act may be cited as the "Citizenship for Service Members Act of 2003".

SEC. 2. REQUIREMENTS FOR NATURALIZATION THROUGH SERVICE IN THE ARMED FORCES OF THE UNITED STATES.

(a) REDUCTION OF PERIOD FOR REQUIRED SERVICE.—Section 328(a) of the Immigration and Nationality Act (8 U.S.C. 1439(a)) is amended by striking "three years" and inserting "two years".

(b) PROHIBITION ON IMPOSITION OF FEES RELATIVE TO NATURALIZATION.—Title III of the Immigration and Nationality Act (8 U.S.C. 301 et seq.) is amended—

(1) in section 328(b)—

(A) in paragraph (3)—

(i) by striking "honorable. The" and inserting "honorable (the)"; and

(ii) by striking "discharge." and inserting "discharge (the)";

(B) by adding at the end the following:

"(4) notwithstanding any other provision of law, no fee shall be charged or collected from the applicant for filing a petition for naturalization or for the issuance of a certificate of naturalization upon citizenship being granted to the applicant, and no clerk of the State court shall charge or collect any fee for such services unless the laws of the State require such charge to be made, in
SEC. 2. ORGANIZATION OF ACT INTO TITLES: TABLE OF CONTENTS.

(a) TITLES.—This Act is organized into eight Titles as follows:

TITLE I—AUTHORIZATION OF APPROPRIATIONS
TITLE II—DEPARTMENT OF STATE AUTHORITY AND ACTIVITIES
TITLE III—FOREIGN MILITARY FINANCING AND OTHER MILITARY AID
TITLE IV—INTERNATIONAL ORGANIZATIONS
TITLE V—SUPPORTING THE WAR ON TERRORISM
TITLE VI—SECURITY ASSISTANCE
TITLE VII—INTERNATIONAL PARENTAL CHILD ABORTION PREVENTION ACT OF 2003
TITLE VIII—MISCELLANEOUS PROVISIONS

Subtitle A—Streamlining Reporting Requirements
Subtitle B—Other Matters

(b) The table of contents for this Act is as follows:

Sec. 1. Short Title
Sec. 2. Organization of Act into Titles; Table of Contents
TITLE I—AUTHORIZATION OF APPROPRIATIONS
Sec. 101. Administration of Foreign Affairs
Sec. 102. International Organizations and Conventions
Sec. 103. International Commissions
Sec. 104. Migration and Refugee Assistance
Sec. 105. Centers and Foundations
TITLE II—DEPARTMENT OF STATE AUTHORITY AND ACTIVITIES
Sec. 201. Reimbursement Rate for Airlift Services Provided to the Department of State
Sec. 202. Grant Authority to Promote Biotechnology
Sec. 203. Immediate Response Facilities
Sec. 204. Mine Action Programs Grant Authority
Sec. 205. The U.S. Diplomacy Center
Sec. 206. Public Affairs Grant Authority
TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE
Sec. 301. Cost of Living Allowances
Sec. 302. Waiver of Antiterrorism Limitations on Re-Employed Foreign Service Annuitants
Sec. 303. Fellowship of Hope Program
Sec. 304. Child Support
Sec. 305. Suspension or Enforced Leave
Sec. 306. Home Leave
Sec. 307. Ombudsman for the Department of State
Sec. 308. Repeat of Recertification Requirement for Senior Foreign Service
TITLE IV—INTERNATIONAL ORGANIZATIONS
Sec. 401. Raising the Cap on Peacekeeping Contributions
TITLE V—SUPPORTING THE WAR ON TERRORISM
Sec. 501. Designation of Foreign Terrorist Organizations
TITLE VI—SECURITY ASSISTANCE
Sec. 601. Restrictions on Economic Support Funds for Lebanon
Sec. 602. Thresholds for Congressional Notification of FMS and Commercial Arms Transfers
Sec. 603. Bilateral Agreement Requirements Relating to Licensing of Defense Exports
Sec. 604. Authorization of Appropriations—Foreign Military Financing, International Military Education and Training, and Non-proliferation, Anti-Terrorism, Demining, and Related Programs
Sec. 605. Cooperative Threat Reduction Program Waiver
Sec. 606. Congressional Notification for Comprehensive Defense Export Authorizations
Sec. 607. Expansion of Authorities for Loan of Material, Supplies, and Equipment for Research and Development Purposes
Sec. 608. Establish Dollar Threshold for Congressional Notification of Exception Defense Articles that are Significant Military Equipment
Sec. 609. Waiver of Net Proceeds Resulting from Disposal of U.S. Defense Articles Provided to a Foreign Country on a Grant Basis
Sec. 610. Transfer of Certain Obsolete or Surplus Defense Articles in the War Reserve Stockpiles for Allies and Israel
Sec. 611. Additions to U.S. War Reserve Stockpiles for Allies
Sec. 612. Provision of Cataloging Data and Services
Sec. 613. Provision to Exercise Waivers with Respect to Pakistan
TITLE VII—INTERNATIONAL PARENTAL CHILD ABORTION PREVENTION ACT OF 2003
Sec. 701. Short Title
Sec. 702. Inadmissibility of Aliens Supporting International Child Abductors and Relatives of Such Abductors
TITLE VIII—MISCELLANEOUS PROVISIONS
Sec. 801. Reports on Benchmarks for Bosnia
Sec. 802. Report Concerning the German Foundation “Remembrance, Responsibility, and the Future”
Sec. 803. Report on Progress in Cyprus
Sec. 804. Reports on Activities in Colombia
Sec. 805. Report on Extradition of Narcotics Traffickers
Sec. 806. Report on Terrorist Activity in Which United States Citizens Were Killed and Related Matters
Sec. 807. Report and Waiver Regarding Embassy in Jerusalem
Sec. 808. Report on Progress toward Regional Nonproliferation
Sec. 809. Report on Annual Estimate and Justification for Sales Program
Sec. 810. Report on Foreign Military Training
Sec. 811. Report on Human Rights Violations by IMET Participants
Sec. 812. Report on Development of the European Security and Defense Identity (ESDI) Within the NATO Alliance
Sec. 813. Report on Transfers of Military Sensitive Technology to Countries and Entities of Concern
Sec. 814. Nuclear Reprocessing Transfer Waiver
Sec. 815. Complex Foreign Contingencies
TITLE I—AUTHORIZATION OF APPROPRIATIONS
TITLES 101. ADMINISTRATION OF FOREIGN AFFAIRS
The following amounts are authorized to be appropriated for the Department of State under “Administration of Foreign Affairs” to carry out the authorities, functions, duties, and responsibilities of the Department of State with respect to the conduct of foreign affairs of the United States and for other purposes authorized by law:
may be necessary for each of the fiscal years 2004 and 2005 to offset adverse fluctuations in foreign currency exchange rates. Amounts appropriated under this subsection shall be obligated on a reimbursement basis only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

SEC. 103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under “International Commissions” for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping and responsibilities in the conduct of the foreign affairs of the United States and for other purposes:

(a) International Boundary and Water Commission, United States and Mexico.—For “International Boundary and Water Commission, United States and Mexico”:

(1) for “Salaries and Expenses,” $31,562,000 for the fiscal year 2004, and such sums as may be necessary for the fiscal year 2005;

(b) International Boundary Commission, United States and Canada.—For “International Boundary Commission, United States and Canada”:

$1,261,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005;

(c) International Joint Commission.—For “International Joint Commission,” $9,100,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005;

(d) International Fisheries Commissions.—For “International Fisheries Commissions”:

$36,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005;

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

There are authorized to be appropriated for “Migration and Refugee Assistance” for authorized activities $780,197,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005.

SEC. 105. CENTERS AND FOUNDATIONS.

(a) Asia Foundation.—There are authorized to be appropriated for “The Asia Foundation”:

$25,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005.

(b) National Endowment for Democracy.—There are authorized to be appropriated for the “National Endowment for Democracy”:

$36,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005;

(c) Center for Cultural and Technical Interchange Between East and West.—There are authorized to be appropriated for the “Center for Cultural and Technical Interchange Between East and West”:

$14,200,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005;

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

SEC. 201. REIMBURSEMENT RATE FOR AILIFT SERVICES PROVIDED TO THE DEPARTMENT OF STATE.

Section 262(a) of Title 10 (U.S.C. 2624(a)) is amended by adding at the end:

“a) The Secretary of State is authorized to provide—by contract, grant or otherwise—for appropriate museum visitor and educational outreach services, including but not limited to, organizing conference activities, museum shop, and related space utilized by the U.S. Diplomacy Center ("USDC") program.

The Secretary of State may pay all reasonable expenses of conference activities conducted by the USDC, including refreshments and travel of participants.

(3) Any revenues generated under the authority of paragraph (1) for visitor services may be retained and credited to any appropriate Department of State appropriation to recover the costs of operating the USDC.

TITLE III—DISPOSITION OF USDC ARTIFACTS AND MATERIALS.

(1) All historic documents, artifacts or other articles permanently acquired by the Department of State and determined by the Secretary of State to be suitable for display in the USDC shall be considered to be the
property of the Secretary in or his official capacity and shall be subject to disposition solely in accordance with this subsection.

(2) SALE OR TRADE—Whenever the Secretary of State or his/her designee determines that—

(A) any item covered by paragraph (1) no longer serves to further the purposes of the USDC as established in the Collections Management Policy, or

(B) in order to maintain the standards of the collections of the USDC, a better use of that article would be its sale or exchange, the Secretary may sell the item at fair market value, trade, or transfer it, without regard to the requirements of the Federal Property and Administrative Services Act of 1949. The proceeds of any such sale may be used solely for the advancement of the USDC mission: in no event shall proceeds be used for anything other than acquisition or direct care of collections.

(3) LOANS—The Secretary of State may also lend items covered by paragraph (1), when not needed for use or display in the USDC, to the Smithsonian Institution or a similar institution for repair, study, or exhibition.

(4) Reduce—Except as may be identified subject to reprogramming procedures, the Bureau of Public Affairs may suspend or cancel, as part of the budget, the Department's contributions of $950,000 for fiscal year 2004, and such sums as may be necessary for fiscal year 2005, for the U.S. Diplomacy Center.

SEC. 206. PUBLIC AFFAIRS GRANT AUTHORITY.

To the extent that the Secretary of State is otherwise authorized by law to provide for public affairs activities, the Secretary may do so by grant, cooperative agreement, or contract.


SEC. 301. COST OF LIVING ALLOWANCES.

Section 3524 of Title 31, United States Code, is amended as follows:

(a) by revising section (a)(A) to read as follows:

"(A) An allowance not to exceed the cost of obtaining such kindergarten, elementary and secondary educational services as are ordinarily provided without charge by the public schools in the locality of the post and school in which the employee resides or in which adequate schools are available under authority contained in this subparagraph (B),";

(b) by inserting a new section (c)(2) as follows:

"(c)(2) Allowances provided pursuant to subparagraphs (A) and (B) above may include, at the election of the employee and in lieu of transportation thereof, payment or reimbursement of the costs incurred to store the baggage at or in the vicinity of the school and the employee's duty station, provided that such payment or reimbursement may not exceed the cost that the Government would incur to transport the baggage with the dependent in connection with the annual trip."

SEC. 302. WAIVER OF ANNUITY LIMITATIONS ON RECEIPT OF FOREIGN SERVICE ANNUITANTS.

(a) Section 624(g) of the Foreign Service Act of 1980 (22 U.S.C. 406(g)) is amended to read as follows:

"(g) The Secretary may waive the application of paragraphs (a) through (d) of this section, on a case by case basis, for an annuitant re-employed on a temporary basis—

(i) if, and for so long as, the authority is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances; or

(ii) in positions for which there is exceptional difficulty in recruiting or retaining a qualified employee.

(b) Effective October 1, 2005, section 824(g), as amended by this section, is further amended to read as follows:

"(g) The Secretary may waive the application of paragraphs (a) through (d) of this section, on a case by case basis, for an annuitant re-employed on a temporary basis, only if, and for so long as, the authority is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances; or

SEC. 303. FELLOWSHIP OF HOPE PROGRAM.

The Secretary of State is authorized to establish the Fellowship of Hope program under which employees of the governments of designated countries may be assigned to an office of profit or trust in the Department of State and continue to receive salary and benefits from their governments, in exchange for assignments of a member of the Foreign Service to the governments of the designated foreign countries. The Secretary of State shall administer this program in a manner consistent with the national security and foreign policy interests of the United States, in consultation with the Attorney General and the Director of Central Intelligence.

SEC. 304. CLAIMS FOR LOST PAY.

Section 2 of the State Department Basic Authorities Act (22 U.S.C. 2266) is amended by adding a new subsection (o) as follows:

"(o) make administrative corrections or adjustments to an employee's pay, allowances and other benefits, resulting from mistakes or retroactive personnel actions, as well as provide back pay and other categories of payments under the Back Pay Act as part of the settlement or compromise of administrative claims or grievances filed against the Department.

SEC. 305. SUSPENSION OR ENFORCED LEAVE.

(a) No employee shall be subject to any other provision of law, and pending final resolution of the matter, the Secretary may suspend a member of the Foreign Service without pay, or place the member on administrative leave without pay—

(1) where there is an investigation regarding the revocation of an employee's security clearance or a suspension of an employee's security clearance under chapter 11 of this Act.

(b) where there is reasonable cause to believe a member has committed a crime for which a sentence of imprisonment may be imposed and there is a nexus to the efficiency of the Service; or

(c) for such other cause as will promote the efficiency of the service.

(b) Any member suspended or placed on enforced leave pursuant to subsection (a) shall be entitled to receive pay, without loss of seniority, for the period of suspension.

(c) No member suspended or placed on enforced leave pursuant to this section shall be entitled to receive pay, without loss of seniority, for the period of suspension.

SEC. 306. HOMELAND SECURITY.

(a) Section 901(b) of the Foreign Service Act (22 U.S.C. 403(b)) is amended by striking "unbroken by home leave" wherever that phrase occurs.

(b) Section 903(a) of the Foreign Service Act (22 U.S.C. 4083) is amended by striking "18 months" and inserting "12 months."

SEC. 307. OMBUDSMAN FOR THE DEPARTMENT OF STATE.

(a) There is established in the Office of the Secretary of State the position of Ombudsman. The Ombudsman shall report directly to the Secretary of State.

(b) At the discretion of the Secretary of State, the Ombudsman shall participate in meetings regarding the management of the Department in order to assure that all employees may contribute to the achievement of the Department's responsibilities and to promote the career interests of all employees.

(c) COMPENSATION.—Subsection (a), as amended by this section—

(1) in paragraphs (1) and (2), as amended by this section,

(2) in the case of the position of Ombudsman, as amended by this section, is maintained at the annual rate of $194,900.

(3) in paragraph (3), as amended by this section, is maintained at $188,000 for the period of time following the date of the enactment of this Act.

SEC. 308. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3959(d)) is hereby repealed.

T I T L E I V — I N T E R N A T I O N A L O R G A N I Z A T I O N S

SEC. 401. RAISING THE CAP ON PEACEKEEPING CONTRIBUTIONS.

(a) In General.—Section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2150(d)) is hereby repealed.

(b)2004 repeal.—Section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is hereby repealed.
(iv) For assessments made during calendar year 2004, 27.1 percent.
(v) For assessments made during calendar year 2005, 27.1 percent.

TITLE V—SUPPORTING THE WAR ON TERRORISM

SEC. 501. DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS.

Section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) is amended as follows:

(a) DURATION OF DESIGNATION.—

(i) in subparagraph 219(a)(4)(A), by striking the words "2 years beginning on the effective date" and adding "2 years beginning on the effective date of the designation under paragraph (a)(2)", and by striking the words "and in the case of a designation that is part of the final order in a case in which the President concludes doing so would be proper", before "the beginning date is included in"; and

(ii) in subparagraph 219(a)(6)(A), by deleting "period of 5 years", and by striking "the period of 5 years" and adding "2 years beginning on the effective date of the designation under paragraph (a)(2)", and by striking the words "and in the case of a designation that is part of the final order in a case in which the President concludes doing so would be proper", before "the beginning date is included in".

(b) AMENDMENTS TO A DESIGNATION.—

(i) SEC. 502. THRESHOLDS FOR CONGRESSIONAL AFFIRMATIVE ACTION IN FAVOR OF DESIGNATIONS.

The Arms Export Control Act is amended—

(A) in subsection 38(j) as follows:

(1) in paragraph (1)—

(A) the term "United States origin defense items" means those defense items that are United States origin defense items as defined in section 38(j) of the International Traffic in Arms Regulations, and

(B) the term "United States or origin defense items" means those defense items that are United States origin defense items as defined in section 38(j) of the International Traffic in Arms Regulations;

(2) may be waived if the President determines that to do so is important to the national security interests, in particular the foreign policy, of the United States, and, prior to exercising this authority, provides notification to the appropriate congressional committees of his intent to exercise this authority, the justification for, and the extent of the exercise of this authority.

BILATERAL AGREEMENT REQUIREMENTS RELATING TO LICENSING OF DEFENSE EXPORTS.

The Arms Export Control Act is amended in section 38(j) as follows

(a) by adding a new paragraph (5):

(5) in subparagraph 219(a)(4)(A)

(b) by adding a new paragraph (4)(C):

(4) in subparagraph 219(a)(6)(A), by deleting the words "or a redesignation under paragraph (4)(B) and by adding "any final order in a case in which the President concludes doing so would be proper", before "the beginning date is included in"

(c) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(d) by striking "$200,000,000" and inserting in lieu thereof "$500,000,000";

(e) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in"

(f) by inserting "(A), (B) and (C) shall be published in the Federal Register and the provisions of subparagraphs (a)(4), (5) and (6) shall apply. The procedures and rules set forth in paragraphs (a)(2), (3), (4), (5), (6) and (7) shall also apply to amended designations" before "the beginning date is included in"; and

SEC. 602. THRESHOLDS FOR CONGRESSIONAL NOTIFICATION OF FMS AND COMMERCIAL ARMS TRANSFERS.

The Arms Export Control Act is amended—

(a) in section 36(b)—

(i) in paragraph (1)—

(A) by striking "Subject to paragraph (6), if", and in lieu thereof "If";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by striking "$200,000,000" and inserting in lieu thereof "$500,000,000";

(E) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in"

(ii) in paragraph (5)(C)—

(A) by striking "Subject to paragraph (6), if", and in lieu thereof "If";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by striking "$200,000,000" and inserting in lieu thereof "$500,000,000";

(E) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in"

(iii) in paragraph (6)—

(A) by striking "$100,000,000" and inserting in lieu thereof "$100,000,000";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in";

(iv) in paragraph (7)—

(A) by striking "$100,000,000" and inserting in lieu thereof "$100,000,000";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in";

(v) in paragraph (8)—

(A) by striking "$100,000,000" and inserting in lieu thereof "$100,000,000";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in";

SEC. 603. BILATERAL AGREEMENT REQUIREMENTS RELATING TO LICENSING OF DEFENSE EXPORTS.

The Arms Export Control Act is amended in section 38(j) as follows

(a) by adding a new paragraph (5):

(5) in subparagraph 219(a)(4)(A)

(b) by adding a new paragraph (4)(C):

(4) in subparagraph 219(a)(6)(A), by deleting the words "or a redesignation under paragraph (4)(B) and by adding "any final order in a case in which the President concludes doing so would be proper", before "the beginning date is included in"

(c) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(d) by striking "$200,000,000" and inserting in lieu thereof "$500,000,000";

(e) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in"

(f) by inserting "(A), (B) and (C) shall be published in the Federal Register and the provisions of subparagraphs (a)(4), (5) and (6) shall apply. The procedures and rules set forth in paragraphs (a)(2), (3), (4), (5), (6) and (7) shall also apply to amended designations" before "the beginning date is included in"; and

SEC. 602. THRESHOLDS FOR CONGRESSIONAL NOTIFICATION OF FMS AND COMMERCIAL ARMS TRANSFERS.

The Arms Export Control Act is amended—

(a) in section 36(b)—

(i) in paragraph (1)—

(A) by striking "Subject to paragraph (6), if", and in lieu thereof "If";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by striking "$200,000,000" and inserting in lieu thereof "$500,000,000";

(E) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in"

(ii) in paragraph (5)(C)—

(A) by striking "Subject to paragraph (6), if", and in lieu thereof "If";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by striking "$200,000,000" and inserting in lieu thereof "$500,000,000";

(E) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in"

(iii) in paragraph (6)—

(A) by striking "$100,000,000" and inserting in lieu thereof "$100,000,000";

(B) by striking "$14,000,000" and inserting in lieu thereof "$100,000,000";

(C) by striking "$50,000,000" and inserting in lieu thereof "$200,000,000";

(D) by inserting "and in any case in which the President concludes doing so would be proper", before "the beginning date is included in";

(4) by striking paragraph (5)
and such sums as may be necessary for FY 2005.

(b) INTERNATIONAL MILITARY EDUCATION AND TRAINING.—There is authorized to be appropriated to the President (22 U.S.C. 2347) for each fiscal year beginning in calendar year 2004 and for each fiscal year thereafter, an amount to be computed by the Secretary of Defense in accordance with section 523(a) of the Arms Export Control Act (22 U.S.C. 2761(a)) to provide for professional military education and training for resident training programs of the government of Israel.

SEC. 606. CONGRESSIONAL NOTIFICATION FOR COMPREHENSIVE DEFENSE EXPORT AUTHORIZATIONS.

Section 305(f) of the Arms Export Control Act (P.L. 90-629) is amended to add the following new sentence at the end after subsection (f): "Notwithstanding subsection 27(g) of this Act, the provisions of this subsection shall also extend to the case of an approval under section 38 of this Act of a comprehensive export authorization provided for in section 126.14 of the International Traffic in Arms Regulations (22 C.F.R. 126.14) in case of military sales of the United States to the government of Israel."

SEC. 607. EXPANSION OF AUTHORITIES FOR LOGISTICS, SURPLUS DEFENSE ARTICLES, AND EQUIPMENT FOR RESEARCH AND DEVELOPMENT PURPOSES.

Section 650 of the Arms Export Control Act (22 U.S.C. 2796d) is amended—

(a) by adding in appropriate places after the words "in subsection (a)" the following: 

"(2) The items referred to in paragraphs (1) and (2) of subsection (b) with respect to an applicant for an authorization provided for in section 126.14 of the International Traffic in Arms Regulations (22 C.F.R. 126.14) shall be considered for purposes of section 27(f)(2) of this Act.

(b) by adding in appropriate places after the words "in subsection (d) with respect to an applicant for an authorization provided for in section 126.14 of the International Traffic in Arms Regulations (22 C.F.R. 126.14)" the following: 

"(2) The items referred to in paragraphs (3) and (4) of subsection (b) with respect to an applicant for an authorization provided for in section 126.14 of the International Traffic in Arms Regulations (22 C.F.R. 126.14) shall be considered for purposes of section 27(f)(2) of this Act.

SEC. 608. ESTABLISH DOLLAR THRESHOLD FOR CONGRESSIONAL NOTIFICATION OF EXPORTS OF CATEGORIZED ITEMS THAT ARE SIGNIFICANT MILITARY EQUIPMENT.

Section 505(f) of the Foreign Assistance Act of 1961, as amended, (22 U.S.C. 2314(f)) is amended by striking the clause "excess defense articles that are significant military equipment (as defined in section 479 of the Arms Export Control Act)" and inserting the following:

"A waiver is required for a country to retain such net proceeds if the net proceeds are five percent or less of the original acquisition value of the defense articles transferred."

SEC. 609. WAIVER OF NET PROCEEDS RESULTING FROM THE DISPOSAL OF U.S. DEFENSE ARTICLES PROVIDED TO A FOREIGN COUNTRY ON A GRANT BASIS.

Section 505(f) of the Foreign Assistance Act of 1961, as amended, (22 U.S.C. 2314(f)) is amended—

(a) by striking in subsection (e) the words "net proceeds" and inserting "net proceeds if the net proceeds are five percent or less of the original acquisition value of the defense articles transferred.

(b) by adding at the end of subsection (c) the following:

"A waiver is required for a country to retain such net proceeds if the net proceeds are five percent or less of the original acquisition value of the defense articles transferred."

SEC. 610. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVE STOCKPILES FOR USE IN ISRAEL.

(a) AUTHORITY.—(1) Notwithstanding Section 514 of the Foreign Assistance Act of 1961, as amended, (22 U.S.C. 2321h), the President may transfer to Israel, in return for concessions to be negotiated by the Secretary of Defense, any or all of the items described in paragraph (2).

(b) CONCESSIONS.—The value of concessions negotiated pursuant to subsection (a) shall be at least equal to the fair market value of the items transferred.

(c) ADVANCE NOTIFICATION OF TRANSFER.—Not less than 30 days before making a transfer under the authority of this section, the President shall transmit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Armed Services Committee of the House of Representatives a notification of the proposed transfer, including the terms by which the items to be transferred and the concessions to be received.

SEC. 611. ADDITIONS TO U.S. WAR RESERVE STOCKPILES FOR ALLIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 as amended, (22 U.S.C. 2321h(b)) is amended—

(1) in subparagraph (A) by striking "$50,000,000" and inserting "$100,000,000" and "2004", respectively;

(2) by striking "]30 days" and inserting "]90 days".

SEC. 612. PROVISION OF CATALOGING DATA AND SERVICES.

Section 22(h)(2) of the Arms Export Control Act (22 U.S.C. 2766(h)(2)) is amended by striking "or to any member government of that Organization if that Organization or member government" and inserting "organization; or to the government of any other country if that Organization, or to the government of any other country if that Organization, or to any member government of that Organization,".

SEC. 613. PROVISION TO EXERCISE WAIVERS WITH RESPECT TO PAKISTAN.

Public Law 107-57, an Act to Authorize the President to Exercise Waivers of Foreign Assistance Restrictions with Respect to Pakistan, is amended—

(1) in section 1(a), by striking "2002", wherever appearing (including in the caption), and inserting in lieu thereof "2003";

(2) in section 1(b), by striking "2003", wherever appearing (including in the caption), and inserting in lieu thereof "2004";

(3) in section 2, by striking "prior to January 1, 2001;";

(4) in section 3, by striking "Foreign Operations, Export Financing, and Related Programs Appropriations Acts, 2002, as is" and inserting in lieu thereof "annual foreign operations, export financing, and related programs appropriations Acts for fiscal years 2002, 2003, 2004, and 2005, as are"; and

(5) in section 6, by striking "2003" and inserting in lieu thereof "2005".

This Act shall be cited as the "International Parental Child Abduction Prevention Act of 2003."
 SEC. 1001. REPORTS ON TERRORIST ACTIVITY IN COLOMBIA.

SEC. 1002. REPORTING PARADIGM FOR THE KILLING OF U.S. MILITARY PERSONNEL, DEFENDANTS, AND VICTIMS OF MADARIAGA CIVIL MILITARY COOPERATION PROGRAM IN THE AMERICAS.

SEC. 1003. REPORT ON PROGRESS IN CYPRUS.

SEC. 1004. REPORTS ON ACTIVITIES IN COLOMBIA.

SEC. 1005. REPORT ON EXTRADITION OF NARCO-TERRORISTS.

SEC. 1006. REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.

SEC. 1007. REPORT ON A WAIVER REGARDING EMERGENCY RENEWAL OF JERUSALEM.

SEC. 801. REPORTS ON BENCHMARKS FOR BOSNIAN ORTHODOX MILITANTS.


SEC. 803. REPORTS ON BENCHMARKS FOR BOSNIA.

SEC. 804. REPORT ON SENSITIVE TECHNOLOGY TO COUNTRIES.

SEC. 805. REPORT ON PROGRESS TOWARDS THE GROWTH OF THE EUROSATORY.

SEC. 806. REPORT ON THE DEVELOPMENT OF THE EUROPEAN SECURITY AND DEFENSE IDENTITY (ESDI) WITHIN THE NORTHERN ALLIANCE.

SEC. 807. REPORT ON THE狀態 OF THE EUROPEAN SECURITY AND DEFENSE IDENTITY (ESDI) WITHIN THE NORTHERN ALLIANCE.

SEC. 808. REPORT ON PROGRESS TOWARDS THE GROWTH OF THE EUROSATORY.

SEC. 809. REPORT ON THE STATE OF THE EUROPEAN SECURITY AND DEFENSE IDENTITY (ESDI) WITHIN THE NORTHERN ALLIANCE.

SEC. 810. ANNUAL FOREIGN MILITARY TRAINING REPORT.

SEC. 811. REPORT ON HUMAN RIGHTS VIOLATIONS AND POLITICAL PRISONERS.

SEC. 812. REPORT ON THE STATUS OF THE EUROPEAN SECURITY AND DEFENSE IDENTITY (ESDI) WITHIN THE NORTHERN ALLIANCE.

SEC. 813. REPORT ON TRANSFERS OF MILITARY SENSITIVE TECHNOLOGY TO COUNTRIES.
Section 105. CENTERS AND FOUNDATIONS.

This section authorizes appropriations for fiscal years 2004 and 2005 for U.S. contributions of its assessed share of funds necessary to enable the United States to meet its obligations as a participant in international commissions, including those dealing with American boundaries and related matters with Canada and Mexico, and international fisheries commissions.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

This section authorizes appropriations for fiscal years 2004 and 2005 under the heading "Migration and Refugee Assistance" to enable the Secretary of State to provide assistance and make contributions for migrants and refugees, including contributions to international organizations such as the United Nations, International Committee for Refugees and the International Committee for the Red Cross, through private volunteer agencies, governments, and bilateral assistance, as authorized by statute.

SEC. 105. CENTERS AND FOUNDATIONS.

This section authorizes appropriations for fiscal years 2004 and 2005 for the East-West Center, the National Endowment for Democracy, and the Asia Foundation.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

SEC. 201. REIMBURSEMENT RATE FOR AIRLIFT SERVICES PROVIDED TO THE DEPARTMENT OF STATE.

The Department of Defense provides a variety of airlift support for official Secretary of State overseas travel on a reimbursable basis. The airlift mission involves, for example, transporting armored vehicles necessary to provide security for the Secretary, when such vehicles are not available in country. The Department of Defense has a two-tiered rate structure for charging for such support. The Department of State is paying the higher rate, which is nearly twice as much as the lower. This section would authorize the Department of State to pay the Department of Defense for airlift services at the Department of Defense rate.

SEC. 202. GRANT AUTHORITY TO PROMOTE BIO-TECHNOLOGY.

The Department plays a critical role in U.S. Government efforts to ensure that foreign governments consider biotechnology and its applications in agriculture/food on the basis of science. Currently, the Department does not have grant authority for funds that the Bureau of Economic and Business Affairs (EB) receives for biotechnology policy programs. As noted in the Financial Incentive Fund. Unlike a contractual arrangement, where a contractor provides a good or service to the governmental agency in return for payment, the grant process allows the government and the grantee to enter into a partnership to achieve a shared objective that serves the national interest. Grant and cooperative agreement authority would enable the Department to use these funds more effectively, permitting it to work more closely with national and international organizations, scientific institutions, and other entities to promote high-visibility foreign policy objectives.

In recent years, the Department has experienced a need to stand up a diplomatic facility on very short notice to achieve urgent, high-visibility foreign policy objectives. The Department has used airlift for such cases as the U.S. response in Nairobi, Kenya, and Dar Es Salaam, Tanzania, immediately after the 1998 bombings. In such instances where advance notification would otherwise be required, the Department is required to notify and provide an explanation of the circumstances requiring the deployment of immediate assistance to the Committee on Appropriations and the Committee on Foreign Relations of the Senate as soon as practicable, but not later than 3 days after the obligation or expenditure of such funds. This post-notification procedure is similar to the one provided for in Section 34(c) of the Basic Authorities Act of 1956 for situations involving substantial risk to human health or safety.

This authority will not be used to circumvent advance notification where a facility is not an immediate response to an urgent situation. It will be used for existing posts or facilities, but not to stand up a new post or commit initial funds toward a long-term project, such as construction of a new Embassy Compound. Thus, for example, even though this authority existed at the time of the war in Afghanistan, it would have been appropriately used for the Phase 1 immersion program, but not for the Phase 2 embassy annex and reconstruction.

SEC. 204. MINE ACTION PROGRAMS GRANT AUTHORITY.

The Department, through its Office of Mine Action Initiatives and Partnerships (PM/MIAIP), is actively working with non-governmental organizations, religious organizations, and companies to raise awareness and resources for mine action. In particular, the
Department has developed over two dozen public-private partnerships which promote mine clearance; survivors assistance, education programs, and research and development technologies for understanding and destroying landmines. To maximize the effectiveness of these public-private partnerships, it is important that the Department have the flexibility to enter into grants and cooperative agreements. Unlike a contractual arrangement, where a contractor provides a good or service to the governmental agency in return for payment, the grant process allows the government and the grantee to enter into a partnership to achieve a shared objective that serves the public good. This section authorizes the Department to spend no more than $950,000 in grant authority each fiscal year.

By being able to provide grants and enter into cooperative agreements with organizations participating in the public-private partnership program, the Department would be able to provide support to such private sector projects as training demining personnel and mine-detecting dogs; developing training materials and mine risk education materials that teach children and adults about how to recognize, report, and avoid landmines. The legislation would also authorize the Department to enter into new technologies to increase the effectiveness and speed of detecting and removing landmines. To the maximum extent feasible, grants and cooperative agreements would be used to support mine action activities of non-governmental organizations. The Department will implement this authority in compliance with all statutory and regulatory guidelines governing grants and cooperative agreements.

SEC. 205. THE U.S. DIPLOMACY CENTER.

This section would provide necessary authorities for the operation of the new U.S. Diplomacy Center at the Department of State. As envisioned, this Center would be dedicated to a better understanding of the history and practice of United States diplomacy. The Center would organize and sponsor educational and outreach programs, including conferences, seminars, and educational materials. It would also include a museum area, focusing on the history of U.S. diplomacy in safeguarding U.S. security, searching for increasing prospects, promoting U.S. values, and protecting U.S. lives abroad. As is customary in connection with such activities, the Center should include space for services such as a museum shop, and should be able to pay for reasonable expenses in connection with conferences and outreach activities, such as refreshments and travel of participants. The legislation would provide clear statutory authority in these areas. Authority is also provided to retain fees to support the Center’s activities. It would also include authority to dispose and lend museum artifacts and materials, similar to the authority already provided to the Department of State for the Diplomacy Centers on the sixth and eighth floors of the Harry S. Truman Building. Consistent with the Code of Ethics for Museums of the American Association of Museums, the legislation provides that proceeds from disposition of museum holdings can only be used for collection purposes. This section also provides that, except as may be identified subject to reprogramming procedures, the Bureau of Public Affairs may not expend more than $950,000 in fiscal year 2004 and such sums as may be necessary in fiscal year 2005 for the U.S. Diplomacy Center.

SEC. 206. PUBLIC AFFAIRS GRANT AUTHORITY.

The Department is actively pursuing outreach activities to educate the American public about foreign affairs issues and the development and implementation of foreign policy. In particular, the Bureau of Public Affairs is working with a number of nonprofit organizations (such as academic institutions of higher learning, organizations representing American educators, local organizations or community groups, and broadcasting entities) in order to reach different sectors of the domestic audience.

In certain situations, a grant or cooperative agreement is more appropriate than a contractual agreement to meet the Department’s objective. For example, a grant arrangement, where a contractor provides a good or service to the governmental agency in return for payment, the grant process allows the government and the grantee to enter into a partnership to achieve a shared objective that serves the public good. In this case, the shared objective is to educate the American public about foreign affairs issues in a factual and fair manner.

The Department would continue to use its existing contract authority for many activities and would exercise authority to enter into grants and cooperative agreements only in those limited instances where appropriate. The Department will implement this authority in compliance with all statutory and regulatory guidelines governing grants and cooperative agreements.

TITLE III: ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 301. COST OF LIVING ALLOWANCES.

The proposed changes to the education allowance in 5 U.S.C. 5924(4) would: (1) allow for educational travel to the United States for children in kindergarten through 12th grade, when schools at post are not adequate; (2) allow for educational travel to a school outside the United States for children at the secondary and college level; (3) provide for educational travel at the graduate level for children who are still dependents; (4) permit payment of fees required by overseas schools for successful completion of a course or grade; and (5) allow the option of storing a child’s personal effects near the school during their trip home, rather than transporting it back and forth.

Currently, when families are serving in a post without adequate local school facilities, the U.S. education allowance provides the allowance to the host government to support the education of children in kindergarten through 12th grade, when schools at post are not adequate. This section amends the Foreign Service Act of 1980 to allow for educational travel to the United States for children in kindergarten through 12th grade, when schools at post are not adequate; (2) allow for educational travel to a school outside the United States for children at the secondary and college level; (3) provide for educational travel at the graduate level for children who are still dependents; (4) permit payment of fees required by overseas schools for successful completion of a course or grade; and (5) allow the option of storing a child’s personal effects near the school during their trip home, rather than transporting it back and forth.

This section clarifies the authority under Section 824(g) of the Foreign Service Act, and again to extend a waiver authority to the Secretary of State and heads of other relevant agencies to waive these restrictions for positions for which there is exceptional difficulty in recruiting or retaining highly qualified employees. This authority, which we do not expect to be used very often, would better enable the Department to hire and retain highly qualified persons necessary, for example, to meet our mission needs in the war on terrorism and in our public diplomacy efforts.

Subsection (b) indicates that effective October 1, 2005, section 824(g) will revert to its current form.

SEC. 302. WAIVER OF ANNUITY LIMITATIONS ON RE-EMPLOYED FOREIGN SERVICE ANNUITANTS.

Foreign Service annuitants hired on a full-time basis have their annuities terminated. Those employed on a part-time, intermittent or temporary basis on a statutory basis remain. Over time, the annuity is calculated based on the total sum of their salary and their retirement annuity. The “dual compensation restrictions” on Foreign Service annuitants, many of whom have unique employment situations, hamper the Department’s ability to hire these individuals to meet mission needs. This section amends the Foreign Service Act to allow the Secretary of State and heads of other relevant agencies to waive these restrictions for positions for which there is exceptional difficulty in recruiting or retaining highly qualified employees. Section 824(g) of the Foreign Service Act was last amended in 1988 to authorize the Secretary of State to waive the annuity limitations on re-employed Foreign Service annuitants on a case by case basis if the annuitant is re-employed on a temporary basis due to an emergency involving a direct threat to life or property or other unusual circumstances. This amendment extended the 10 Foreign Service waiver authority that had existed and currently exists for the Civil Service. This section would extend Section 824(g) of the Foreign Service Act, and again to extend a waiver authority to the Secretary of State and heads of other relevant agencies to waive these restrictions for positions for which there is exceptional difficulty in recruiting or retaining highly qualified employees. This authority, which we do not expect to be used very often, would better enable the Department to hire and retain highly qualified persons necessary, for example, to meet our mission needs in the war on terrorism and in our public diplomacy efforts.

SEC. 303. FELLOWSHIP OF HOPE PROGRAM.

This section clarifies the authority underlying a current exchange program between the foreign affairs agencies of the United States, the Organization, and its member states, created to promote collaboration among its young leaders. Under this very successful program, Foreign Service Officers will be placed on an annual basis to serve one-year details at the European Union in Brussels and designated European foreign ministries. After the Foreign Service Officer has completed one year, the exchange is under his/her control and in the foreign ministries, they are assigned to a position in the U.S. embassy in the relevant United States, as described in 5 U.S.C. 5924(4)(A). For example, students may be required to participate in a cultural studies trip that may include mandatory field trips. The proposed amendment would allow for this mandatory element to be paid with the education allowance. Finally, the proposed amendment would allow for local storage of a child’s effects near the school during their trip home, rather than transporting it back and forth. During school closings for students in kindergarten and elementary school as well as higher levels of education, provided that the cost of travel for local storage does not exceed the cost of the transport. Section 319 of the FY 2003 Foreign Relations Authorization Act (P.L. 107–228) added this option for educational travel under 5 U.S.C. 5924(4)(B), and this amendment would extend the option to educational travel under 5 U.S.C. 5924(4)(A).
European capital. Conversely, the State Department also will receive members of the diplomatic corps from the European Union and designated foreign nationals. While the present system is limited to EU nationals, it may be that this program could be extended to other designated countries.

This provision renders moot a potential legal challenge to the Emoluments Clause of the Constitution (Article I, section 9, clause 8). The Emoluments Clause provides that no person holding an office of profit or trust under the United States may, without the consent of Congress, accept an emolument from a foreign state. Under the Fellowship of Hope program, diplomats from the Commonwealth of Independent States are invited to accept an emolument from a foreign state through the course of compensation by their own government. However, these diplomats are also holding an office of profit or trust in the U.S. government. Explicit Congressional authority for the exchange program would obviate any issue regarding the Emoluments Clause.

The Secretary will be responsible for administering this program consistent with the national security and the foreign policy interests of the United States. In particular, the Secretary should be noted that information security considerations have been carefully considered in the establishment of this exchange program. Moreover, the Secretary will consult with the Department of Justice or the Central Intelligence Agency, as appropriate, to meet those responsibilities.

SEC. 304. CLAIMS FOR LOST PAY.

This section clarifies the Department's authority to make technical corrections or enter into settlements of claims or grievances of Foreign Service employees. The amended statute now provides that Foreign Service employees (other agencies) routinely retroactively correct the payment or make a payment as appropriate. Administrative adjustments also may be required in order, for example, that a member of the Foreign Service is made whole in connection with a retroactive payment.

In addition, the Department routinely settles non-TIle VII claims brought by Civil Service employees before the Merit Systems Protection Board, or those brought by Foreign Service employees before the Foreign Service Grievance Board. In settling or compromising such claims, the normal authority for the payment of back pay would be the Back Pay Act. However, as is the case with most settlements, the Department does not usually make any admission as to liability, and therefore does not make a finding of an unwarranted or unjustified personnel action under the provisions of the Back Pay Act. This section would make clear that no such finding would be necessary in a settlement or compromise of a claim or grievance which otherwise is in accordance with all provisions of the Back Pay Act.

The Department is seeking this provision as clarification to resolve back pay claims consistent with the spirit of conciliation that the settlement of these cases generally. This provision is not meant to question the current ability of agencies to settle claims without admitting fault.

SEC. 305. SUSPENSION OR ENFORCED LEAVE.

This section amends the Foreign Service parts of the Civil Service. Current statutes, in particular, 5 U.S.C. 7521 and 7513, permit an indefinite suspension or enforced leave of an employee during an investigation into the revocation of a security clearance, where a security clearance has been suspended, where there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed, or for such other cause as is authorized by the Civil Service. The due process requirements in this amendment are the same as those afforded Civil Service employees.

reasoning may include, but is not limited to, an indictment or circumstances attendant to an arrest or investigation conducted by the Department or criminal investigation by criminal law enforcement authorities. The Board is substantially constrained in what it may review with respect to suspensions and enforced leave authorized by this amendment. The Board does not have the authority to review the merits of any security clearance revocation investigation, which triggers a suspension under this amendment. In reviewing any suspension or enforced leave under this amendment, it is the Department's expectation that the considerable body of law interpreting 5 U.S.C. sections 7512 and 7513 will guide the Board. Decisions as to whether or not to grant the employee back pay upon the resolution of the underlying matter will be at the discretion of the Board. No circumstance may the Board grant prescriptive relief with respect to an indefinite suspension or enforced leave.

SEC. 306. HOME LEAVE.

This section reduces the time period for eligibility for home leave from 18 to 12 months. In addition, this amendment provides that members may take authorized home leave during tours of duty (including at R&R posts) rather than at the end of their tours of duty as is the Department's current practice. The Department does not plan, however, to change its current policies related to the authorization of home leave travel, i.e., that members may travel home leave normally at the end of a two-year tour or at the midpoint of a four-year tour. This amendment simply provides some flexibility.

SEC. 307. OMBUDSMAN FOR THE DEPARTMENT OF STATE.

In section 172 of the Foreign Relations Authorization Act, FY 1988 and 1989 (PL 100–232), the Congress established an Ombudsman for Civil Service Employees in the Office of the Secretary. This section is intended to enhance the responsibilities of the Ombudsman to better serve the Department's mission. This provision further ensures that the Ombudsman would continue to report directly to the Secretary, and will have the ability to participate in meetings regarding management of the Department in order to be able to protect the interests of all Department employees. The Ombudsman would be better serve the Department's mission.

The other Review of Designation provision requires the Secretary to submit a petition for revocation of any FTO designation to remain in effect until it is revoked by an Act of Congress or by the Secretary or set aside by the United States Court of Appeals for the District of Columbia Circuit. The Review of Designation upon Petition provision requires the Secretary to respond to a petition for redesignation of an FTO if a designated organization petitions the Secretary for revocation once two years have elapsed from the date of its designation. It also requires the Secretary to respond to a petition within 180 days.

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that terrorist groups have retained their character as terrorists significantly drain resources from other pressing counterterrorism work, including the pursuit of additional peace agreements. Pursuant to section 219 of the INA, section 212(a)(3)(B) of the INA (8 U.S.C. 1182) (designation of terrorist organizations for immigration purposes) and Executive Order 13224 (terrorist financing).

The proposed changes would streamline the current procedures and permit a more effective use of these resources, while ensuring that the Secretary would regularly review an organization’s designation to determine if it should be revoked. The terrorist threat we face has changed. The Administration in 2004 and 2005 enacted legislation that was enacted in 1996, and now more than ever, the USG needs to marshal its counterterrorism resources as efficiently as possible.

Aliases: Section 219 does not contain any explicit statutory authority or guidance for making additional alias designations after an organization is designated as an FTO. In designating FTOS, the Secretary of State routinely lists the names of the designated entities together with their aliases, while the President’s Aliases were first published by the United States Court of Appeals for the District of Columbia Circuit. Recently, certain groups that have been designated as FTOs have changed their names in an effort to evade asset freezing and other consequences of designations. Some FTOs have dissolved and reconstituted themselves under different names or, merged with other organizations, even while retaining the capability and intent to engage in terrorist activity or terrorism. The difficulty of identifying all of an organization’s aliases also can slow down the process of designating an organization as an FTO, creating unnecessary delays that weakens an otherwise powerful tool for combating international terrorism.

This section would enhance the effectiveness and efficiency of the designation process by adding explicit, streamlined procedures for adding new aliases to an underlying designation. It would allow the Secretary, or the Secretary’s designee if the Secretary subsequently delegates that authority, to amend the existing administrative record for an organization’s designation, rather than requiring the Secretary to create an additional administrative record in support of the amendment.

This section would require the Secretary of State (or the Secretary’s designee if the Secretary subsequently delegates that authority), ensuring that amendments reflect the expertise of Justice and Treasury. Because it is a criminal offense to provide material support or resources to a designated terrorist organization, amendments to the existing regulations, which set as a prerequisite for a foreign country qualifying for a country exemption from defense export licensing that the country have entered into a binding bilateral agreement, also would have the ability to seek judicial review of the amendment or submit a petition to the Secretary for revocation of an amendment.

TITLE VI—SECURITY ASSISTANCE

SEC. 603. BILATERAL AGREEMENT REQUIREMENTS RELATING TO LICENSING OF DEFENSE EXPORT TRANSACTIONS.

The Security Assistance Act of 2000 converted into a legal requirement the policy which set as a prerequisite for a foreign country qualifying for a country exemption from defense export licensing that the country have entered into a binding bilateral agreement. The specific defense export controls comparable to those of the United States. Fundamental differences between U.S. and the legal requirements which the U.S. commenced negotiations in July 2000. Australia and the U.K., have proven that the specific commitments required by the law are in many instances too strict or specific, making it very difficult, if not impossible, to conclude an agreement that will satisfy all the Act’s requirements.

To overcome this undue constraint on the President’s otherwise extremely flexible authorities to control commercial defense trade, it is imperative, at very least, that applicable authorities to waive any of the law’s specific requirements for the agreement. This would give the Administration a Department, latitude to conclude the best agreements that are achievable, and that represent in its judgment sufficient significant improvements in a country’s defense export regulatory regime so as to justify extending an exemption from U.S. defense export licensing, and enhance the effectiveness and efficiency of the defense export control system.

The proposed revision would in effect repeal the modest increases enacted last year and substitute in place new notification thresholds for defense sales and exports applicable to all countries as follows:

- $100,000,000 for Major Defense Equipment;
- $200,000,000 for other defense articles and services;
- $300,000,000 for defense-related construction services, sold via Foreign Military Sales. The Administration plans to enhance its process for consultation on cases of lesser value that may nonetheless be sensitive in order to ensure an opportunity for Congressional input and oversight. In that regard, the Administration would be prepared to an exchange of letters with the chairs and ranking members of the SFRCC and the HIRC, indicating that we would notify cases of concern to the committees even though they might be of a lesser value than the higher thresholds proposed in this amendment.

This section reflects the need for meaningfully increasing the congressional notification thresholds for arms sales and exports beyond the relatively modest increases for NATO and Japan, Australia and New Zealand enacted in section 1404 of the FY 2003 Foreign Relations Authorization Act. These recent increases will only minimally reduce the number of congressional notifications required and will, therefore, result in the continued transparency of arms sales. Rather than delay the significant sales of defense articles or services, particularly since the recent threshold increases apply to fiscal year 2004.

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This section would enhance the effective-
to that for the countries with which coopera-
tive activities may be conducted under sec-
tion 27.

SEC. 608. ESTABLISH DOLLAR THRESHOLD FOR CONGRESSIONAL CONSENT TO WAIVER OF SANCTIONS FOR EXCESS DEFENSE ARTICLES THAT ARE SIGNIFICANT MILITARY EQUIP-
MENT.

This proposal seeks to establish the same dollar limit for advance notification to Con-
gress for all excess defense articles. Cur-
rently, Congress requires advance notification of all transfers of excess defense articles that are Significant Military Equipment (SME), whereas Congress only receives ad-
ance notification for those transfers of other excess defense articles valued at $7 million or more. SME are articles for which special export controls are warranted be-
cause of their substantial mili-
tary utility of capability. This proposal would apply the $7 million advance notice threshold to all transfers of excess defense 22 articles, including SME. This would reduce the number of congressional notifications sent annually to Congress.

SEC. 609. WAIVER OF NET PROCEEDS RESULTS FROM DISPOSAL OF U.S. DEFENSE ARTICLES PROVIDED TO A FOREIGN COUNTRY ON A GRANT BASIS.

This proposal allows the President to waive the requirement that net proceeds re-
sulting from the disposal of defense articles provided to a foreign country on a grant basis be paid to the United States. Existing law limits the waiver authority to items de-
levered before 1985. This proposal supports the goal of reducing the volume of defense articles worldwide, and reduces the potential that Defense articles inadvertently may fall into the hands of parties hostile to the United States. This legislation would retain the requirement that the President may not grant more than 5 percent of the original acquisition value needs to be paid to the United States Government, absent a Presidential deter-
mination that a waiver is in the national in-
terest of the United States.

SEC. 610. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES THE WAR RESERVE STOCKPILES FOR ALLIES TO ISRAEL.

This proposal provides the United States increases its transfer of obsolete or sur-
plus defense items to Israel, in exchange for concessions to be negotiated by the Sec-
retary of Defense. Section 514 of the Foreign Assistance Act of 1961, as amended, provides that defense articles included in DoD War Reserve Stockpiles (WRS) or being transferred to foreign governments only through Foreign Military Sales (where the United States Government buys the articles) or through grant military assistance (where the value of the article is counted against military as-
sistance allocations provided for the recip-
tient country). The DoD maintains a WRS stockpile in Israel. This is a separate stock-
pile of U.S.-owned munitions and equipment set aside, reserved, or intended for use as war reserve stocks by the U.S. and which may be transferred to the Government of Israel in an emergency, subject to reimbursement. The DoD now seeks authority from Congress to transfer to Israel certain of these WRS stocks to Israel. In return for transferring these stocks to Israel, the U.S. would nego-
tiate equivalent value concessions from the Government of Israel. This initiative is not without precedent. During 1995-96 pursuant to section 509 of the FY 95 Foreign Relations Authorization Act (P.L. 104-7) the U.S. Government provided $66.62M (fair mar-
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other stockpile maintenance costs, and avoid millions in cost to demilitarize, destroy, or retrograde munitions and equipment back to the U.S.

SEC. 611. ADDITIONS TO U.S. WAR RESERVE STOCKPILES FOR ALLIES.

This proposal would allow the United States to transfer excess items to the DoD War Reserve Stockpile (WRS) under section 514(a) of the Foreign Assistance Act (FAA) of 1961, provides for DoD War Reserve Stockpiles in a host country that remain the property of the U.S. government these stockpiles en-
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hance U.S. and host country defense readi-
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pile in Israel that directly supports the U.S.
European Command’s strategy for the de-
fense of Israel. This proposal is necessary to allow the U.S. to transfer excess items to the War Reserve Stockpile in Israel. The transfer allows excess assets to remain under U.S. title but shifts the costs for maintenance, storage, transportation, and demilitarization of the excess munitions to Israel. By agree-
ment with Israel, the U.S. does not pay for the storage, maintenance, transport, and demilitarization of the pre-positioned War Re-
serve Stockpile in Israel, although the assets remain under U.S. title.

SEC. 612. Provision of Cataloging Data and War Reserve Stockpiles for Allies to Israel.

The United States provides cataloging data and services to the North Atlantic Treaty Organization (NATO) and member govern-
ments on a reciprocal basis. The United States also provides such services to several non-NATO countries, such as Australia and New Zealand, but on a reimbursable basis. There are in-
stances when the interests of the United States would best be served if such data and services could be provided to a non-NATO country under a reciprocal agreement. This section would authorize the President to provide such services to non-NATO countries on a reciprocal basis. For almost 50 years, the NATO Codifica-
tion System, which is based on United States standards for naming, describing and num-
bering items of supply, has served as the cor-

cable foreign assistance restrictions with respect to Pakistan.

This amendment would extend the authority contained in P.L. 107-57 to make explicit the Secretary of State's au-


cable foreign assistance restrictions with respect to Pakistan. This amendment would allow the United States to transfer excess items to the DoD War Reserve Stockpile in Israel. This is a separate stockpile of U.S.-owned munitions and equipment set aside, reserved, or intended for use as war reserve stocks by the U.S. and which may be transferred to the Government of Israel in an emergency, subject to reimbursement. The DoD now seeks authority from Congress to transfer to Israel certain of these WRS stocks to Israel. In return for transferring these stocks to Israel, the U.S. would nego-
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and (2) make clear that inadmissibility pursuant to subclauses (I) and (II) (which is not discretionary) will expire only on occurrence of the events specified in INA 212(a)(10)(C)(i) (the return of the abducted child or the child reaching age 21). These amendments will maximize the leverage available to the Department when inadmissibility is used to encourage foreign pressure on abductors for the return of abducted children.

New subsection (v) would require the Department of State to identify the persons potentially inadmissible under clause (ii) of INA 212(a)(10)(C).

New subsection (vi) would require the Department to enter the names of persons inadmissible under clause (ii) of INA 212(a)(10)(C) into the visa lookout system. Together, these requirements would codify what the Department does through its interagency procedures to ensure that individuals who may be inadmissible under the provisions of subsections (C)(i) and (ii) are identified and that their names are entered into the visa lookout system.

New subsection (vii) defines “child” in a way that would remove any ambiguity meaning throughout the INA while taking account of concerns about abducted or wrongfully retained children who marry at very early ages in the context of poverty. The definition proposed seeks to avoid the unintended consequences of potential alternatives. For example, H.R. 5715, introduced last session, would effectively create a class of permanent children for purposes of the visa ineligibility laws, frustrating the Department’s efforts to promote reconciliation and contact within what are often multinational families. The effect of the definition proposed in H.R. 5715 would have been to compromise the rights normally accorded adult children; it would have reduced the travel while doing little to promote the return of abducted or wrongfully removed children. This subsection also changes the definition of “sibling” to include step- and half-siblings.

Section 702(c). Finally, this Title includes a requirement that the Department of State report to Congress annually for five years with a description of the operation of 212(a)(10)(C), including data on the number of visas denied and names entered into the visa lookout system. Together these requirements would codify what the Department does through its interagency procedures to ensure that individuals who may be inadmissible under the provisions of subsections (C)(i) and (ii) are identified and that their names are entered into the visa lookout system.

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SEC. 806. REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CIVILIANS WERE KILLED AND RELATED MATTERS.

This section would eliminate this semi-annual report. The information is already available elsewhere: the Americans killed overseas attacks and the names are available on the State Department’s Rights web-site. PLO activities are also covered in the semi-annual PLO Compliance with Terms Measures Under the Oslo Accords Report. Moreover, the names and details of Americans killed overseas in terrorist attacks are well covered in the press. The separate compilation and preparation of a report on American casualties diverts scarce manpower resources from other activities to fight terrorism.

SEC. 807. REPORT ON WAIVER REGARDING EMBASSY IN JERUSALEM.

This section would make the waiver and accompanying report an annual, rather than semi-annual, requirement. The Jerusalem Embassy Act prohibits obligation of more than our annual overseas building acquisition and maintenance appropriation unless the State Department and the congressional committees in the United States have opened a embassy in Jerusalem. This prohibition may be waived for successive six-month periods on “national security interest.” As a result, the President must be accompanied by a report detailing progress made during the preceding six months on moving our embassy to Jerusalem. Although the reports have not significantly varied from one another, they still require a significant amount of work to draft and clear.

SEC. 808. REPORT ON PROGRESS TOWARD RECEIVING CONTROL UNDER THE ECONOMIC SECURITY ACT (ESDI) WITHIN THE NATO.

This section repeals section 620F(c) of the Foreign Assistance Act of 1961 which addresses efforts made by the United States to achieve regional agreement on nuclear nonproliferation in South Asia and a list of obstacles to such an agreement. The report is duplicative, since South Asia nonproliferation issues are covered extensively in other classified and unclassified reports by the State and the CIA. For example, India and Pakistan are included in the major nonproliferation issues covered by the July 13, 1989, Report of the Foreign Relations Authorization Act and in the CIA’s annual “721 Report” on proliferation activities.

SEC. 809. REPORT ON ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.

Section 222 requires the President to submit a report to the SFRC, HIRC, and the House and Senate Appropriations Committees by February 1 of each year listing all FMS and commercial sales of military hardware anticipated in the coming year. Preparation of this report is extremely labor-intensive, as security assistance officers at U.S. embassies are required to report the activities of individuals and companies that may be involved in the compromising data in October. Unfortunately, while this report grows in size and complexity each year, its value and utility are increasing. Perhaps the biggest problem since the report includes all possible U.S. sales of military equipment (760 in 2002) and has a dollar threshold for reporting sales that is half that required by the notification in the Arms Export Control Act.

SEC. 810. REPORT ON PROGRESS TOWARD RECEIVING CONTROL UNDER THE ECONOMIC SECURITY ACT (ESDI) WITHIN THE NATO.

This section seeks to bring the military training report required by section 656 of the Foreign Assistance Act of 1961 into conformity with the report required by the semi-annual Foreign Operations Appropriations Acts (FOAA) and to eliminate those portions of the section 656 requirement that make it duplicative, since South Asia nonproliferation obstacles to such an agreement. The report is immediately redundant as a reporting materialize. In recent years, less than 20% of the requiredFMS sales through sales” from the reporting requirement and changes the date upon which the report is due to the Congress from January 31 to March 1.

To eliminate the portions of the report that must be classified due to foreign policy or force protection concerns, this amendment would eliminate the requirement to report on projected training (i.e., “training proposed for the current fiscal year”), training that is not providing through sales, and training provided through sales. With these changes, a completely unclassified report could be produced that would be accessible to a wider public audience.

SEC. 811. REPORT ON HUMAN RIGHTS VIOLATIONS BY IMET PARTICIPANTS.

This section would repeal the report on human rights violations by IMET participants on section 1212 of the FY 2003 Foreign Relations Authorization Act. This report requires the Secretary of State to submit an annual report “describing, to the extent practicable, any involvement of any foreign military or defense ministry civilian participant in… [the IMET program] in a violation of internationally recognized human rights.” This provision sends the very dangerous signal that the U.S. will be tracking anyone ever engaged in human rights violations, which will deter people from participating in IMET and, thus, damage U.S. national security interests.

Moreover, the promotion of Democracy and Human Rights maintains data necessary to prepare the annual Human Rights Report, data is not systematically collected on individual human rights violators. As a result, the department were required to report on human rights violators who attended IMET courses prior to the enactment of the Leahy Laws, we would be forced to rely on the records and memories of security assistance officers in U.S. embassies around the world which would likely be of uneven quality.

SEC. 812. REPORT ON DEVELOPMENT OF THE EUROPEAN SECURITY AND DEFENSE IDENTITY (ESDI) WITHIN THE NORTO ALLIANCE.

The provision in section 1223 (22 U.S.C. 1908 note) requires the Secretary of Defense to provide Congress with reports on the development of the European Security and Defense Identity (ESDI) within the NATO Alliance. The ESDI would enable the Western European Union, with the consent of the NATO Alliance, to assume the political control and strategic direction of specified NATO assets and capabilities. This report is obsolete and provides information of limited utility. The requested information is no longer current and does not reflect the shift in focus between the European Union and NATO.

SEC. 813. REPORT ON TRANSFERS OF MILITARY SENSITIVE TECHNOLOGY TO COUNTRIES AND ENTITIES OF CONCERN.

The provision in section 122 (22 U.S.C. 2778) requires the Secretary of Defense, in consultation with the joint Chiefs of Staff and the Director of Central Intelligence, to provide Congress with a report on the cumulative impact of licenses granted by the U.S. for exports of technologies and technical information with potential military applications during the preceding 5-calendar year period on the military capabilities of such countries and entities, including their capacity to utilize such technology to overcome the use of such technologies and technical information. This report is redundant with reports already submitted to Congress by the Department of Commerce, and the Central Intelligence Agency.

Subtitle B—Other Matters

SEC. 814. NUCLEAR REPROCESSING TRANSFER WAIVER.

This section would amend section 102(a) of the Arms Export Control Act so as to permit Presidential waivers to be granted once again on a one-time, rather than the six-month, basis. When the Nuclear Non-Proliferation Prevention Act of 1994 (NNPPA) folded section 670 (which established an amendment to the so-called “Glenn Amendment”, dealing with nuclear reprocessing transfers) into the Arms Export Control Act as a new section 102(a), the section was changed to a semi-annual requirement, rather than our annual overseas building acquisition and maintenance appropriation unless the Senate Committee on Appropriations and the House Appropriations Committee have opened a embassy in Jerusalem. This prohibition was lasted by a report detailing progress made during the preceding six months on moving our embassy to Jerusalem. Although the reports have not significantly varied from one another, they still require a significant amount of work to draft and clear.
by the President that a complex emergency exists and that it is in the national interest to furnish assistance in response. These authorities will not be used to fund assistance activities in response to natural disasters because existing contingency funding is available for that purpose. This section authorizes appropriation of such sums as may be necessary.


Hon. Richard G. Lugar,
Chairman, Committee on Foreign Relations, U.S. Senate.

Dear Mr. Chairman: I am pleased to transmit proposed legislation to authorize appropriations for the Department of State to carry out its authorities and responsibilities in the conduct of foreign affairs for fiscal years 2004 and 2005.

The attached FY 2004-2005 Foreign Relations Authorization Bill also contains provisions related to Department of State authorities and activities, organization and personnel, international organizations, security assistance, child abduction prevention, and other miscellaneous provisions.

Key sections for the Department, in addition to the FY 2004-2005 Foreign Relations Authorization Bill also contains provisions related to Department of State authorities and activities, organization and personnel, international organizations, security assistance, child abduction prevention, and other miscellaneous provisions.

Title VII of the proposed legislation, the International Parental Child Abduction Prevention Act of 2003, is designed to deter international abductions and unlawful retenions and provide for the return of a child to the parent with lawful custody. This could provide an important new lever in addressing child abductions worldwide.

The bill contains the first step toward a capital security cost sharing program that will ensure that all agencies and departments pay a fair share of the cost of new, secure diplomatic and consular facilities. The full program implementation is now under development, and a legislative proposal may be forwarded at a later date. Other provisions may be submitted in the near future in a supplemental package. The Office of Management and Budget advises that there is no objection to the submission of this proposed legislation to the Congress and that its enactment would be in accord with the President’s program.

We are looking forward to working with the Committee on this important legislation.

Sincerely,

Paul V. Kelly, Assistant Secretary, Legislative Affairs.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 104—COMMEMORATING THE UNIVERSITY OF MINNESOTA DULUTH BULLDOGS FOR WINNING THE 2002-2003 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I NATIONAL COLLEGIATE WOMEN’S ICE HOCKEY CHAMPIONSHIP

Mr. DAYTON (for himself and Mr. COLEMAN) submitted the following resolution, which was considered and agreed to:

S. RES. 104

Whereas on Sunday, March 23, 2003, the two-time defending NCAA National Collegiate Women’s Ice Hockey Champions, the University of Minnesota Duluth Bulldogs, won the National Championship for the third straight year;

Whereas during the 2003 season, the Bulldogs won an impressive 31 games, while losing only 3 and tying 2;

Whereas forward Jenny Potter, Hanne Sikio, and Michelle McCool were selected to the 2003 All-Tournament team, and Caroline Ouellette was named the tournament’s Most Valuable Player;

Whereas the Bulldogs were the only team in the country to earn a berth to the National Collegiate Women’s Ice Hockey Championship Tournament in every year of its existence;

Whereas junior forward Jenny Potter was a top-three finalist for the Patty Kazmaier Memorial Award, given annually to the most outstanding college women’s ice hockey player;

Whereas seniors Jenny Hempel, Erika Holst, J oanne Eustace, Hanne Sikio, and Michelle McCool were selected to the 2003-2004 NCAA Women’s Ice Hockey all-Ameri can team, and was named to the Jofa Women’s University Division Ice Hockey All-American first team;

Whereas Head Coach Shannon Miller, after winning the National Championship in 3 consecutive years, has been named a finalist for the 2002-2003 Women’s Ice Hockey University Division Coach of the Year Award;

Whereas all of the team’s players showed tremendous dedication throughout the season toward the goal of winning the National Championship; Now, therefore, be it Resolved, That the Senate—

(1) commends the University of Minnesota Duluth Women’s Ice Hockey Team for winning the 2003 NCAA Division I National Collegiate Women’s Ice Hockey Championship;

(2) recognizes the achievements of all of the team’s players, coaches, and support staff, and invites them to the United States Capitol Building to be honored;

(3) requests that the President recognize the championships of the University of Minnesota Duluth Women’s Ice Hockey Team, and invite them to the White House for an appropriate ceremony honoring a national championship team; and

(4) directs the Secretary of the Senate to make available enrolled copies of this Resolution to the University of Minnesota Duluth for appropriate display, and to transmit an enrolled copy of this Resolution to every coach and member of the 2003 NCAA Division I National Collegiate Women’s Ice Hockey Championship Team.

AMENDMENTS SUBMITTED & PROPOSED

SA 471. Mr. ALLEN (for himself, Mr. HARKIN, and Mr. HOLLINGS) submitted an amendment intended to be proposed by him to the bill S. 762, to make additional appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table.

SA 472. Mrs. BOXER (for herself, Mr. SCHUMER, and Mr. KENNEDY) proposed an amendment to the bill S. 762, supra.

SA 473. Mr. ENSIGN proposed an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 474. Mr. BAYH (for himself, Mr. NELSON of Nebraska, Mr. SCHUMER, Ms. STABENOW, Mrs. CLINTON, Ms. MIKULSKI, and Mr. KENNEDY) proposed an amendment to the bill S. 762, supra.

SA 475. Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 476. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 477. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 478. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 479. Mr. HOLLINGS (for himself and Mr. BYRD) proposed an amendment to the bill S. 762, supra.

SA 480. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 481. Mr. McCAIN (for himself and Mr. KYL) proposed an amendment to the bill S. 762, supra.

SA 482. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 483. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 484. Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 485. Mrs. CLINTON (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 486. Mr. SANTORO (for himself, Mr. NELSON of Alaska, and Mr. LEAHY) submitted an amendment intended to be proposed by his to the bill S. 762, supra; which was ordered to lie on the table.

SA 487. Mrs. CLINTON (for herself and Mr. KENNEDY) submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 488. Mr. BOND submitted an amendment intended to be proposed by himself to the bill S. 762, supra; which was ordered to lie on the table.

SA 489. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 490. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 491. Mrs. CLINTON (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 492. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 493. Mr. LAUTENBERG submitted an amendment intended to be proposed by him
to the bill S. 762, supra; which was ordered to lie on the table.

SA 494. Mr. BREAUx (for himself, Mr. SCHUMER, MRS. CLINTON, MS. STABENOW, and Mr. KENNEDY) proposed an amendment to the bill S. 762, supra.

SA 495. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 496. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 497. MS. COLLINS submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 498. Mrs. HUTCHISON (for herself, Mr. ALLEN, Mr. DOLE, Mrs. DOLLE, Mr. COLUMAN, Mr. FITZGERALD, and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 499. Mr. TALENT (for himself, Mr. BOND, MRS. CLINTON, and Mr. SCHUMER) proposed an amendment to the bill S. 762, supra.

SA 500. Mr. SARBANES (for himself and Ms. LANDRIEU—FOR ILLUSTRATIVE PURPOSES) proposed an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 501. Mr. SARBANES (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 502. Mr. REID (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 503. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 504. Ms. LANDRIEU (for herself and Ms. MIKLUSKI) proposed an amendment to the bill S. 762, supra.

SA 505. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 506. Mr. WYDEN (for himself, MS. COLLINS, and MRS. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 507. Mr. KYL (for himself, Mr. MCCAIN, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 508. Mr. BYRD (for himself and Mr. HOLLINGS) proposed an amendment to the bill S. 762, supra.

SA 509. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 510. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 511. Mr. STEVENS (for Mr. INOUYE) submitted an amendment intended to be proposed by Mr. Stevens to the bill S. 762, supra; which was ordered to lie on the table.

SA 512. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 513. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 514. Mr. SCHUMER (for himself, MRS. CLINTON, MS. MIKLUSKI, MR. LIEBERMAN, MR. KENNEDY, MS. STABENOW, MRS. BOXER, MR. JOHNSON, MR. BINGAMAN, MR. NELSON OF NEBRASKA, MR. LEAHY, MR. BAUCUS, MR. AKAKA, MR. SARBANES, AND MR. LAUTENBERG) proposed an amendment to the bill S. 762, supra.

SA 515. Mr. SPECTER proposed an amendment to the bill S. 762, supra.

SA 516. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 517. Mr. STEVENS (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 518. Mr. STEVENS (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 519. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 520. Ms. COLLINS (for herself and Ms. SOWders) submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

SA 521. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, supra; which was ordered to lie on the table.

SA 522. Mr. STEVENS proposed an amendment to the bill S. 762, supra.

SA 523. Mr. FRIST (for Mr. BINGAMAN) proposed an amendment to the bill S. 302, to re- vise the boundaries of the Golden Gate National Recreation Area in the State of Cali- fornia, to restore and extend the term of the advisory commission for the recreation area, and for other purposes; which was ordered to lie on the table.

SA 524. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 762, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 471. Mr. ALLEN (for himself, Mr. HARKIN, and Mr. HOLLINGS) submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At an appropriate place insert the following:

TITLE V—GENERAL PROVISIONS, THIS ACT

SEC. 501. Section 1605 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(n) Claims for money damages for death or personal injury.—(1) Any United States citizen who dies or suffers injury caused by a foreign state’s act of torture, extrajudicial killing, slaving, or hostage taking committed on or after November 1, 1979, and any member of the immediate family of such citizen, shall have a claim for money damages against such foreign state, as authorized by subsection (a)(7), for death or personal injury (including economic damages, solatium, pain and suf-fering).

"(2) A claim under paragraph (1) shall not be subject to any other provision of law or any international agreement in effect on or after November 1, 1979, that would otherwise bar, preclude, terminate, extinguish, or susp end a claim for damages described in such paragraph."

SA 472. Mrs. BOXER (for herself, Mr. SCHUMER, and Mr. KENNEDY) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows: On page 89, between lines 4 and 5, insert the following:

"SEC. 501. This chapter is entitled as follows:

SEC. 501. This chapter is entitled ‘‘COUNTERTERRORISM FUND,’’ $30,000,000 shall be available for the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Federal Aviation Administration, for research and development on, and for the initial deployment of, technology to protect commercial aircraft from the threat posed by man-portable air defense systems in order to reduce the costs of such technology and to provide for the adaptation of military countermeasure systems to com- mercial aircraft.

SA 473. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At an appropriate place insert the follow- ing:

SEC. 501. This chapter is entitled as follows:

SEC. 501. This chapter is entitled ‘‘COUNTERTERRORISM FUND,’’ $30,000,000 shall be available for the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Federal Aviation Administration, for research and development on, and for the initial deployment of, technology to protect commercial aircraft from the threat posed by man-portable air defense systems in order to reduce the costs of such technology and to provide for the adaptation of military countermeasure systems to com- mercial aircraft.

SA 474. Mr. BAYH (for himself, Mr. NELSON of Nebraska, Mr. SCHUMER, MS. STABENOW, MRS. CLINTON, MS. MIKLUSKI, and Mr. KENNEDY) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows: On page 38, after line 24 add the following:

For additional expenses necessary to support grants to smallpox and other bioterrorism inoculation activities, $340,000,000, to remain available until September 30, 2004, for providing. That this amount is transferred to the Centers for Disease Control and Prevention.

SA 475. Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows: On page 38, after line 24 add the following:

For additional expenses necessary to support grants to smallpox and other bioterrorism inoculation activities, $340,000,000, to remain available until September 30, 2004, for providing. That this amount is transferred to the Centers for Disease Control and Prevention.
SA 476. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, line 20, strike ¶$2,486,300,000¶ and insert ¶$2,763,300,000¶.

On page 31, line 3, strike ¶"and (12)"¶ and insert ¶"(12) law enforcement, and (13)"¶.

SA 477. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 13, after ¶"funds"¶ insert ¶"funds"¶. Provided further, an additional amount under this heading of $295,000,000 of which $225,000,000 shall be for non-food humanitarian assistance to support relief efforts related to refugees, internally displaced persons, and other vulnerable individuals, including water and sanitation, health and nutrition assistance, shelter, education, de-mining, and other relevant activities, and $45,000,000 shall be for an international police force and judicial team to provide security during the post-war transition period and $25,000,000 shall be for increasing the Emergency Refugee and Migration Assistance Fund to cover unforeseen refugee and migration emergencies".

SA 478. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 10 and 11, insert the following:

GENERAL PROVISIONS

SEC. 329(a). (1)(A) the policy of the Secretary with respect to the Bill Emerson Humanitarian Trust established under the Bill Emerson Humanitarian Trust Act (U.S.C. 1440(a)), including whether that policy includes an intent to replenish the Trust; and

(B) whether, and to what extent, other food aid programs conducted by the Secretary and the Administrator will be a part of that strategy.

SA 479. Mr. HOLLINGS (for himself and Mr. BYRD) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

At the appropriate place, insert the following:

At the end of the bill, add the following:

LIMITATIONS ON OTHER PROVISIONS

Notwithstanding any other provision of this Act:

(1) amounts made available under sections 310, 312, and 313 of title I shall not be made available for the purposes stated in those sections.

(2) amounts made available for each of the following items elsewhere in this Act for fiscal year 2003 shall not be made available as provided in this Act.

A $50,000 for the Great Lakes Fisheries Commission to be used for sea lamprey control in Lake Champlain within the Procure- ment, Acquisition and Construction Account of the National Oceanic and Atmospheric Ad- ministration of the Department of Com- merce as provided for under chapter 2 of title II.

B $22,500,000 for Mental Health Associa- tion of Tarrant County, Ft. Worth, Texas, to provide school-based mental health edu- cation services under chapter 1 of title II.

C $2,763,300,000 for the Marine Protected Areas Research Program, under the Depart- ment of Commerce as provided for under chapter 2 of title II.

D $50,000,000 for the Great Lakes Fisheries Commission to be used for sea lamprey control in Lake Champlain within the Procure- ment, Acquisition and Construction Account of the National Oceanic and Atmospheric Ad- ministration of the Department of Com- merce as provided for under chapter 2 of title II.

(3) if the President does not submit such a proposal, the Committee on Finance shall put forward its own proposal to offset the funds spent in this supplemental appropriations Act for the war in Iraq.

SEC. 430. SENSE OF THE SENATE ON PAYING THE COSTS OF THE WAR WITH IRAQ.

It is the sense of the Senate that—

(1) the President should submit a proposal to the Committee on Finance to raise suffi- cient revenues to offset the funds spent in this supplemental appropriations Act for the war in Iraq;

(2) the President should submit this proposal not later than 60 days after the date of enactment of this Act; and

(3) if the President does not submit such a proposal, the Committee on Finance should put forward its own proposal to offset the funds spent in this supplemental appropriations Act for the war in Iraq.

SA 480. Mr. MCCONNEL submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, line 5, after the colon, insert the following:

Provided further, That up to $20,000,000 of the funds appropriated by this paragraph may be transferred to and merged with funds appropriated under the heading "Andean Counterdrug Initiative" for aircraft, train- ing, and other assistance for the Colombian Armed Forces:

SA 481. Mr. MCCAIN (for himself and Mr. KYL) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other pur- poses; as follows:

At the end of the bill, add the following:

LIMITATIONS ON OTHER PROVISIONS

Notwithstanding any other provision of this Act:

(1) amounts made available under sections 310, 312, and 313 of title I shall not be made available for the purposes stated in those sections.

(2) amounts made available for each of the following items elsewhere in this Act for fiscal year 2003 shall not be made available as provided in this Act.

A $50,000,000 for the Great Lakes Fisheries Commission to be used for sea lamprey control in Lake Champlain within the Procure- ment, Acquisition and Construction Account of the National Oceanic and Atmospheric Ad- ministration of the Department of Com- merce as provided for under chapter 2 of title II.

B $22,500,000 for Mental Health Associa- tion of Tarrant County, Ft. Worth, Texas, to provide school-based mental health edu- cation services under chapter 1 of title II.

C $2,763,300,000 for the Marine Protected Areas Research Program, under the Depart- ment of Commerce as provided for under chapter 2 of title II.

(3) if the President does not submit such a proposal, the Committee on Finance shall put forward its own proposal to offset the funds spent in this supplemental appropriations Act for the war in Iraq.

SEC. 430. SENSE OF THE SENATE ON PAYING THE COSTS OF THE WAR WITH IRAQ.

It is the sense of the Senate that—

(1) the President should submit a proposal to the Committee on Finance to raise suffi- cient revenues to offset the funds spent in this supplemental appropriations Act for the war in Iraq;

(2) the President should submit this proposal not later than 60 days after the date of enactment of this Act; and

(3) if the President does not submit such a proposal, the Committee on Finance should put forward its own proposal to offset the funds spent in this supplemental appropriations Act for the war in Iraq.

SA 482. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 36, between lines 3 and 4, insert the following:

(6) REPORT ON BILL EMERSON HUMANI- TARIAN TRUST AND FUTURE OF UNITED STATES FOOD AID.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture (in coordination with the Ad- ministrator of the Agency for International Development) shall submit to the Committee on Appropriations of the House of Representa- tives, the Committee on Agriculture, Nutri- tion, and Forestry of the Senate, and the Appropriations Committees of the House of Devel- opment, and Related Agencies of the Com- mittees on Appropriations of the House of Representatives and the Senate, a report that describes—

(1) the policy of the Secretary with respect to the Bill Emerson Humanitarian Trust est- established under the Bill Emerson Humanitarian Trust Act (U.S.C. 1440(a)), in- cluding whether that policy includes an in- tent to replenish the Trust; and

(2)(A) the means by which the Secretary proposes to ensure that the United States re- tains the long-term strategy and capability to respond to emergency international food shortages; and

(B) whether, and to what extent, other food aid programs conducted by the Secretary and the Administrator will be a part of that strategy.

SA 483. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other
purposes; which was ordered to lie on the table; as follows:

On page 38, after line 24, add the following:

SEVERE ACUTE RESPIRATORY SYNDROME (SARS).

For an additional amount for “Centers for Disease Control and Prevention, Disease Control Support, and Training”, $16,000,000 for costs associated with the prevention and control of Severe Acute Respiratory Syndrome (SARS).

SA 484. Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill S. 762, making supplements to the Omnibus Appropriations Bill, 2003, restoring funds to support the Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. BLUE RIDGE NATIONAL HERITAGE AREA.

(a) DEFINITIONS.—In this section:

(1) HERITAGE AREA.—The term “Heritage Area” means the Blue Ridge National Heritage Area established by subsection (b).

(2) MANAGEMENT ENTITY.—The term “management entity” means the management entity for the Heritage Area designated by subsection (d).

(3) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Heritage Area approved under subsection (e).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of North Carolina.

(b) ESTABLISHMENT.—There is established the Blue Ridge National Heritage Area in the State.

(c) BOUNDARIES.—The Heritage Area shall consist of the counties of Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey in the State.

(d) MANAGEMENT ENTITY.—

(1) IN GENERAL.—As a condition of the receipt of funds made available under subsection (i)(1), the Blue Ridge National Heritage Area Partnership shall be the management entity for the Heritage Area.

(2) BOARD OF DIRECTORS.—The management entity shall be governed by a board of directors composed of 9 members, of whom—

(A) 2 members shall be appointed by AdvantageWest;

(B) 2 members shall be appointed by Hand-Made In America, Inc.;

(C) 1 member shall be appointed by the Education and Research Consortium of Western North Carolina;

(D) 1 member shall be appointed by the Eastern Band of the Cherokee Indians; and

(E) 3 members shall—

(i) be appointed by the Governor of the State;

(ii) reside in geographically diverse regions of the Heritage Area;

(iii) be a representative of State or local governments or the private sector; and

(iv) have knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resources development, regional planning, conservation, recreational services, education, or museum services.

(3) TERMS.—(A) 2 members shall be appointed by the Secretary by the date described in paragraph (1), (B) 2 members shall be appointed by the Eastern Band of the Cherokee Indians; and (C) 3 members shall—

(i) be appointed by the Governor of the State;

(ii) reside in geographically diverse regions of the Heritage Area;

(iii) be a representative of State or local governments or the private sector; and

(iv) have knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resources development, regional planning, conservation, recreational services, education, or museum services.

(4) SECRETARY.—(A) 2 members shall be appointed by the Secretary by the date described in paragraph (1), (B) 2 members shall be appointed by the Eastern Band of the Cherokee Indians; and (C) 3 members shall—

(i) be appointed by the Governor of the State;

(ii) reside in geographically diverse regions of the Heritage Area;

(iii) be a representative of State or local governments or the private sector; and

(iv) have knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resources development, regional planning, conservation, recreational services, education, or museum services.

(5) STANDARDS.—The Secretary shall consider when approving a management plan submitted pursuant to subsection (j) that—

(A) a program of strategies and actions for the implementation of the management plan that identifies the roles of agencies and organizations that are involved in the implementation of the management plan;

(B) an interpretation and educational plan for the Heritage Area;

(C) an inventory of the cultural, historical, natural, and recreational resources of the Heritage Area, including a list of property that—

(i) relates to the purposes of the Heritage Area; and

(ii) should be conserved, restored, managed, developed, or maintained because of the significance of the property;

(D) a program of strategies and actions for the implementation of the management plan to the Secretary for approval a management plan for the State; and

(E) an analysis of ways in which Federal, State, and local programs may be best coordinated to promote the purposes of this Act.

(6) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date described in paragraph (1), the Secretary shall not provide any additional funding under this Act until a management plan is submitted to the Secretary.

(7) APPROPRIATION.—No funds made available under subsection (i)(1) shall be used to implement any amendment proposed by the management entity under subparagraph (A) of paragraph (2) until the Secretary approves the amendment.

(f) AUTHORITY AND DUTIES OF THE MANAGEMENT ENTITY.—

(1) AUTHORITY.—For the purpose of developing and implementing the management plan, the management entity may use funds made available under subsection (i)(1) to—

(A) develop and implement the management plan while considering the interests of diverse units of government, businesses, private property owners, and non-profit groups in the Heritage Area;

(B) conduct public meetings in the Heritage Area at least semiannually on the development and implementation of the management plan;

(C) give priority to the implementation of actions, goals, and strategies in the management plan, including providing assistance to units of government, non-profit organizations, and persons in—

(i) carrying out the programs that protect resources in the Heritage Area;

(ii) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(iii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iv) developing recreational and educational opportunities in the Heritage Area; and

(v) increasing public awareness of and appreciation for the cultural, historical, and natural resources of the Heritage Area, and

(D) for any fiscal year for which Federal funds are received under subsection (i)(1)—

(i) submit to the Secretary a report that describes, for the fiscal year—

(I) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which a grant was made;

(ii) make available for audit by Congress, the Secretary, and appropriate units of government, all records relating to the expenditure of funds and any matching funds; and

(iii) require, for all agreements authorizing expenditure of Federal funds by any entity, that the receiving entity make available for audit all records relating to the expenditure of funds.

(2) DUTIES.—In addition to developing the management plan, the management entity shall—

(A) develop and implement the management plan while considering the interests of diverse units of government, businesses, private property owners, and non-profit groups in the Heritage Area;

(B) conduct public meetings in the Heritage Area at least semiannually on the development and implementation of the management plan;

(C) give priority to the implementation of actions, goals, and strategies in the management plan, including providing assistance to units of government, non-profit organizations, and persons in—

(i) carrying out the programs that protect resources in the Heritage Area;

(ii) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(iii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iv) developing recreational and educational opportunities in the Heritage Area; and

(v) increasing public awareness of and appreciation for the cultural, historical, and natural resources of the Heritage Area, and

(D) for any fiscal year for which Federal funds are received under subsection (i)(1)—

(i) submit to the Secretary a report that describes, for the fiscal year—

(I) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which a grant was made;

(ii) make available for audit by Congress, the Secretary, and appropriate units of government, all records relating to the expenditure of funds and any matching funds; and

(iii) require, for all agreements authorizing expenditure of Federal funds by any entity, that the receiving entity make available for audit all records relating to the expenditure of funds.

(3) PROHIBITION.—The management entity shall not use Federal funds received under subsection (i)(1) to acquire real property or an interest in real property.
(1) IN GENERAL.—The Secretary may provide to the management entity technical assistance and, subject to the availability of appropriations, financial assistance, for use in developing and implementing the management plan.

(2) PRIORITY FOR ASSISTANCE.—In providing assistance under paragraph (1), the Secretary shall give priority to actions that facilitate—

(A) the preservation of the significant cultural, historical, natural, and recreational resources of the Heritage Area; and

(B) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources of the Heritage Area.

(3) LAND USE REGULATION.—

(A) In general.—Nothing in this Act—

(i) shall be construed to authorize or permit the transfer of zoning or land use regulations;

(ii) shall apply to regulations established by State or local government with respect to public property; or

(b) modifies, enlarges, or diminishes any authority of the Federal Government or any State or local government to regulate any use of land under any law (including regulations).

(2) PRIVATE PROPERTY.—Nothing in this Act—

(A) abridges the rights of any person with respect to private property;

(B) affects the authority of the State or local government with respect to private property; or

(C) imposes any additional burden upon any property owner.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) In general.—There is authorized to be appropriated for the Secretary, under this Act—

(i) the sum of $10,000,000, of which not more than $1,000,000 shall be appropriated to carry out this Act; and

(ii) not more than $1,000,000,000 for fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, line 16, after “Provided,” insert the following: “That, notwithstanding any other provision under this Act, the amount appropriated under this section, not more than $4,000,000,000 shall be made available to compensate College Park Airport in College Park, Maryland, Potomac Airpark in Ft. Washington, Maryland, and Washington Executive/Hyde Field in Clinton, Maryland, and the providers of general aviation services (such as aircraft rental, flight training, repair and other fixed base services) that are located at such airports for losses of incomes and revenues resulting from the airspace closures that occurred, or the flight restrictions that were imposed, following the September 11, 2001, terrorist attacks on the United States: Provided further,”.

SA 487. Mrs. CLINTON (for herself and Mr. KENNEDY) submitted an amendment intended to be proposed by her and Mr. LEAHY to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, after line 24, insert the following: SEC. 1. (a) Funds made available in this Act for purposes of reconstruction in Iraq may be provided to a person who is a citizen of or is organized under the laws of France or Germany, unless such person is a resident of or organized under the laws of the United States.

SA 488. Mr. ENSIGN proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At an appropriate place insert the following:

SEC. 1. (a) Funds made available in this Act for purposes of reconstruction in Iraq may be provided to a person who is a citizen of or is organized under the laws of France or Germany, unless such person is a resident of or organized under the laws of the United States.

SA 489. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

Insert on page 69, after line 24, the following:

SEC. 1. (a) Funds made available in this Act for purposes of reconstruction in Iraq may be provided to a person who is a citizen of or is organized under the laws of France or Germany, unless such person is a resident of or organized under the laws of the United States.
For an additional amount for Defense Environmental Restoration and Waste Management, $6,000,000, to remain available until expended.

DEFENSE ACTIVITIES

For an additional amount for “Other Defense Activities”, $18,000,000, to remain available until expended, for increased safeguards and security activities at nuclear and other facilities.

SA 491. Mrs. CLINTON (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 491. In accordance with section 107(b) of the Homeland Security Act of 2002 (6 U.S.C. 453(b)), the Bureau of Customs and Border Protection may accept donations of body armor for United States border patrol agents and United States border patrol canines if such donations would further the mission of protecting our Nation’s border and ports of entry.

The Under Secretary for Border and Transportation Security.

SA 493. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the end of chapter 6 of title I, add the following:

SEC. 601. GRANTS RELATING TO MOBILIZED FIRST RESPONDERS.—The Secretary of Homeland Security may make a grant of financial assistance to any State or local government or Indian tribe in order to reimburse the State or local government or tribe for costs incurred by the State or local government or tribe as a result of a call or order to active duty of one or more Reservists who are first responder personnel of the State or local government or tribe if the call or order to duty is issued under the authority of a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

(b) FIRST RESPONDER PERSONNEL.—For purposes of this section, the term “first responder personnel” means:

(1) police, fire, rescue, emergency medical service, and emergency hazardous material disposal personnel; and

(2) includes any other personnel as the Secretary may specify in regulations prescribed under this section.

(c) COVERED COSTS.—The costs that may be reimbursed by a grant under subsection (a) to a State or local government or Indian tribe in connection with a call or order to active duty of first responder personnel of the State or local government or tribe to active duty are any costs incurred by the State or local government or tribe as follows:

(A) Costs (including salary and benefits) of hiring first responder personnel to replace the first responder personnel called or ordered to active duty.

(B) Costs of overtime pay for other first responder personnel of the State or local government or tribe.

(C) Any other costs that the Secretary specifies in regulations prescribed under this section.

(2) Costs of a State or local government or tribe may be reimbursed by a grant under subsection (a) to a State or local government or tribe for costs incurred by the State or local government or tribe for which reimbursement is sought the amounts, if any, saved by the State or local government or tribe by reason of the absence of first responder personnel for active duty pursuant to a call or order to active duty described in this subsection.

(d) PERIOD COVERED BY GRANT.—A grant under subsection (a) shall cover a period of six or more consecutive months on active duty pursuant to a call or order to active duty issued under the authority of a provision of law referred to in subsection (a) at any time during the period beginning on January 1, 2003, and ending on December 31, 2003.

(e) MINIMUM GRANT ALLOCATION.—If the total amount made available under subsection (j) for grants under subsection (a) is less than the amount of grants that could otherwise be made under subsection (a), the aggregate amount available for grants under subsection (a) for each State (including grants to such State and local governments and Indian tribes in such State) shall be not less than the amount equal to 0.25 percent of the amount made available under subsection (j) for grants under subsection (a).

(g) APPLICATION.—(1) A State or local government or Indian tribe seeking a grant under subsection (a) shall submit to the Secretary an application therefor in such form, and containing such information, as the Secretary shall prescribe in the regulations prescribed under this section.

(2) An application for a grant under subsection (a) shall be submitted not later than December 31, 2003.

(h) REGULATIONS.—The Secretary shall prescribe regulations for purposes of the administration of this section.

(i) STATE DEFINED.—In this section, the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(j) FUNDING.—(1) Of the amount appropriated by this chapter under the heading “OFFICE FOR DOMESTIC PREPAREDNESS”, $200,000,000 shall be available for grants under this section.

(2) The amount available under paragraph (1) shall remain available until expended.

SA 494. Mr. BREAUX (for himself, Mr. SCHUMER, Mrs. CLINTON, Ms. STABENOW, and Mr. KENNEDY) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

At the end of the bill, insert the following:

TITLE III—FEDERAL HOMELAND SECURITY RESPONSIBILITIES
DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD
OPERATIONS

For an additional amount for “Operating Expenses”, $200,000,000, to remain available until December 31, 2003, for terrorism-related
prevention, preparedness, and response requirements associated with Operation Liberty Shield, including but not limited to operating expenses related to the increase in maritime patrol, the protection of critical infrastructure and enforcement of Security Zones, and the activation of Coast Guard Reserves.

**Border and Transportation Security**

For an additional amount for “Customs and Border Protection”, $306,000,000, to remain available until December 21, 2003, of which not less than $25,000,000 shall be for the Operation Iraqi Freedom Initiative, not less than $200,000,000 shall be for radiation portal monitors and other forms of non-intrusive inspection equipment to be deployed at the Nation’s borders, and not less than $131,000,000 shall be for increased border and maritime protection operations, overtime pay, and other activities resulting from the movement to the “Code Orange” terrorist threat level and in support of activities related to Operation Liberty Shield.

**Immigration and Customs Enforcement**

For an additional amount for “Immigration and Customs Enforcement”, $310,000,000, to remain available until December 31, 2003, for increased operations, overtime pay, and other activities resulting from the movement to the “Code Orange” terrorist threat level and in support of activities related to Operation Liberty Shield.

**Transportation Security Administration**

For additional amounts for necessary expenses of the Transportation Security Administration related to transportation security services pursuant to Public Law 107–71 and Public Law 107–296 and for other purposes, $1,346,000,000, to remain available until December 31, 2003, of which not less than $235,000,000 shall be available for costs associated with the modification of airports to comply with the provisions of the Aviation and Transportation Security Act, not less than $300,000,000 shall be available for grants to public transit agencies in urbanized areas for enhancing the security of transit facilities against chemical, biological and other terrorist threats, not less than $620,000,000 for shortfalls pursuant to Public Law 108–10, including the operation of airline cockpits, door, port security grants, and airport modifications, not less than $200,000,000 for railroad security grants including grants to the Northeast Corridor Passenger Corporation for capital expenses associated with tunnel and dispatch facility security enhancements; Federal Law Enforcement Training Center.

**Salaries and Expenses**

For an additional amount for “Salaries and Expenses”, $20,000,000, to remain available until December 31, 2003 for personnel, equipment and support for increased training requirements for Federal and State and local law enforcement personnel.

**Office for Domestic Preparedness**

For an additional amount for “Emergency Management Planning and Assistance”, $150,000,000, to remain available until December 31, 2003, for grants to States and localities to improve communications within and among first responders including law enforcement, firefighters, emergency medical services personnel, and other emergency personnel.

**Department of the Interior**

**National Park Service**

For an additional amount for “Operation of the National Park System”, $18,000,000, to remain available until December 31, 2003, for expenses related to enhanced security at nationally significant facilities.

**Department of Justice**

**United States Marshals Service**

**Salaries and Expenses**

For an additional amount for “Salaries and Expenses” of $250,000,000, to remain available until December 31, 2003 for security upgrades and backup operations of transportation, emergency response, energy, and communications infrastructure in the District of Columbia; and to carry out such purposes, $150,000,000, to remain available until December 31, 2003.

**District of Columbia**

**Federal Funds**

**FEDERAL PAYMENTS TO DISTRICT OF COLUMBIA**

For a Federal payment to the District of Columbia for critical infrastructure protection, $25,000,000, to remain available until December 31, 2003, for security upgrades and backup operations of transportation, emergency response, energy, and communications infrastructure in the District of Columbia; and to carry out such purposes, $150,000,000, to remain available until December 31, 2003.

**Indian tribes**

For an additional amount for “Indian tribes”, $10,000,000, to remain available until December 31, 2003, for public transit agencies in urbanized areas to enhance the security of transit facilities.

**Public Health**

For an additional amount for “Public Health”, $330,000,000, to remain available until December 31, 2003, for public health services related to infectious diseases, food and drug safety, and environmental public health.

**National Science Foundation Research and Related Activities**

For an additional amount for “Research and Related Activities”, $60,000,000, to remain available until December 31, 2003, for necessary expenses relating to courthouse security; Provided, That funds provided under this paragraph shall be available only after the Committees on Appropriations of the House of Representatives and Senate are notified in accordance with section 605 of the Department of Homeland Security Act, the Judiciary, and Related Agencies Appropriations Act, 2003.

**Federal Bureau of Investigation**

**Salaries and Expenses**

For an additional amount for “Salaries and Expenses”, $2,355,000,000, to remain available until December 31, 2003, for security upgrades and backup operations of transportation, emergency response, energy, and communications infrastructure in the District of Columbia; and to carry out such purposes, $1,355,000,000, to remain available until December 31, 2003, for security upgrades and the operation of the FBI Laboratory.

**Office of Justice Programs**

**Community Oriented Policing Services**

For an additional amount for the Community Oriented Policing Services’ Interoperable Communications Technology Program, for grants to States and localities to improve communications within and among law enforcement agencies, firefighters and emergency medical service personnel, $150,000,000, to remain available until December 31, 2003.

**District of Columbia**

**Federal Funds**

**FEDERAL PAYMENTS TO DISTRICT OF COLUMBIA**

For a Federal payment to the District of Columbia for critical infrastructure protection, $25,000,000, to remain available until December 31, 2003, for security upgrades and backup operations of transportation, emergency response, energy, and communications infrastructure in the District of Columbia; and to carry out such purposes, $150,000,000, to remain available until December 31, 2003.

**INDEPENDENT AGENCIES**

**Department of Homeland Security**

**Office of Health and Human Services**

**Agency for Toxic Substances and Disease Registry**

**Toxic Substances and Environmental Public Health**

For an additional amount for “Toxic Substances and Environmental Public Health”, $12,000,000, to remain available until December 31, 2003, for enhanced State’s capacity to respond to chemical and biological terrorist threats.

**Section**

Notwithstanding any other provision of this Act, funding under the heading “Department of Justice, General Administration, Counterterrorism”, shall be zero.

**Section**

Notwithstanding any other provision of this Act, funding under the heading “Department of Homeland Security, Department Management, Counterterrorism Fund, shall be zero.

**SA 495.** Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

Insert on page 69, after line 24 the following:

**NATIONAL SCIENCE FOUNDATION RESEARCH AND RELATED ACTIVITIES**

The first sentence under this heading in Public Law 108–7 is amended by striking “$330,000,000” and inserting in lieu thereof: “$330,000,000.”

**SA 496.** Mr. BUNNING submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 36, line 6 after the period insert: SEC. 4. It is the sense of the Senate that the President, while negotiating the terms and conditions of any loan guarantees to be extended to Egypt, should secure a firm commitment from the Government of Egypt to establish and implement political reforms that promote democracy, human rights and the rule of law in Egypt, and to safeguard the rights of non-government organizations to operate freely in Egypt.

**SA 497.** Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, between lines 4 and 5, insert the following:

**EC. 410.** **Homeland Security Grant Program.**

(a) REALLOCATION OF FUNDS.—The Director of the Office for Domestic Preparedness, Department of Homeland Security, shall transfer to any State any grant funds to reallocate pursuant to section 502(h) of the Homeland Security Act of 2002, that the Secretary of Homeland Security determines to be necessary.

(b) APPROVAL OF REALLOCATION REQUEST.—The Director shall approve reallocation requests under subsection (a) in accordance with the State plan and any other relevant factors that the Secretary of Homeland Security determines to be necessary.

(c) LIMITATION.—A waiver under this section shall not affect a State’s obligation to expend 80 percent of the grant amount appropriated for equipment to localities.

**SA 498.** Mr. HUTCHISON (for herself, Mr. ALLEN, Mr. MILLER, Mrs. DOLE, Mr. COLEMAN, Mr. FITZGERALD, and Mr. CORNYN) submitted an amendment intended to be proposed by her to
the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 409. COMPENSATION FOR CERTAIN AIRPORTS AND RELATED BUSINESSES.

There are appropriated to the Secretary of Transportation for fiscal years ending after September 30, 2003, more than $4,000,000 to compensate College Park Airport in College Park, Maryland, Potomac Airpark in Ft. Washington, Maryland, and Washington Executive Field in Clinton, Maryland, and the providers of general aviation services (such as aircraft rental, flight training, repair and other fixed base services) that are located near airports for losses of incomes and revenues resulting from the airspace closures that occurred, or the flight restrictions that were imposed, following the September 11, 2001, terrorist attacks on the United States.

SA 502. Mr. REID (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Title II, insert the following:

SEC. __. The Secretary of the Army, acting through the Chief of Engineers, shall use $3,300,000 of funds available under the Construction, General appropriation, Corps of Engineers, Civil, to continue dam safety and seepage stability correction measures for the Waterbury Dam, VT project.

SA 503. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Chapter 3, insert the following:

SEC. __. None of the funds appropriated by this Act may be obligated or expended to reduce the number of American Pathology personnel used by the Armed Forces Institute of Pathology for programs, projects, and activities of the Institute during Fiscal year 2002 below the number of personnel who are so used as of April 1, 2003.

(b) Of the total amount appropriated by chapter 3 of title I under the heading "Defensive Health Program", $7,500,000 shall be available for the Armed Forces Institute of Pathology.

SA 504. Ms. LANDRIEU (for herself and Ms. MIKULSKI) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

At the end of chapter 2 of title I, add the following:

SEC. 210. No provision of this Act may be construed as altering or amending the force or effect of any of the following provisions of law as currently applied:

(1) Sections 2631 and 2631a of title 10, United States Code;

(2) Chapters 90(b) and 91(b) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).
SA 505. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, line 9 strike everything after "expended" through "determine" on line 16. On page 13, line 12 after "appropriation" insert the following:

: Provided further, That of the funds made available under this heading, up to $500,000,000 shall be made available to support the military operations of foreign nations to combat international terrorism on such terms and conditions as the Secretary of State may determine, and shall remain available until September 30, 2003: Provided further, That funds provided under the previous proviso shall be made available to carry out the definitions in subsection (a) of section 309 of the Foreign Assistance Act of 1961 and the Arms Export Control Act, and shall be subject to section 8080 of Public Law 107-242.

SA 506. Mr. WYDEN (for himself, Ms. COLLINS, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, between lines 4 and 5, insert the following:

TITLE V—GENERAL PROVISIONS, THIS ACT

SEC. 501. (a) The Under Secretary of Arms Control and International Security Affairs is authorized to coordinate with the Department of the Treasury, the Department of Commerce, and the other agencies of the Federal Government with responsibilities in the areas of international trade, national security, and related policy matters, in order to carry out the purpose of this Act. The Under Secretary shall have all the powers and duties that are necessary and appropriate to carry out the purpose of this Act.

(b) The reports required by subsection (a) shall include the following:

(1) A description of the chemical, biological, and nuclear weapons programs of the Iraqi regime.

(2) A description of the sources of the technology, materials, or equipment that the Iraqi regime has used in—

(A) chemical, biological, or nuclear programs;

(B) missile or other delivery programs; and

(C) conventional military programs.

(3) A description of the amount of dollars appropriated for the construction program and a listing of any country importing such weapons, assets, materials, or scientific knowledge.

(4) An assessment of the efforts of the Iraqi regime to evade international weapons inspections programs.

(5) Any evidence that Iraq is exporting weapons, assets, materials, or scientific knowledge related to a weapons of mass destruction program and listing of any country importing such weapons, assets, materials, or scientific knowledge.

(c) AUTHORITY TO OBTAIN INFORMATION.—In order to ensure that all relevant information is reviewed and utilized in the preparation of the reports required by subsection (a), the Under Secretary may convene an interagency review of Iraq's weapons of mass destruction programs to review and analyze intelligence and other information necessary to complete such reports.

(d) FORM OF REPORTS.—Each report required by subsection (a) shall be submitted in unclassified form and may contain a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the Committee on Appropriations, the Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs.

SA 508. Mr. BYRD (for himself and Mr. HOLLINGS) proposed an amendment to the bill S. 506, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

On page 36, line 9, strike all through "," on page 36, line 25 and insert the following:

BORDER AND TRANSPORTATION SECURITY

CUSTOMS AND BORDER PROTECTION

For an additional amount for Customs and Border Protection, not to exceed $50,000,000, to remain available until December 31, 2003, of which not less than $35,000,000 shall be for the Container Security Initiative and not less than $25,000,000 shall be for installation of portal monitors and other forms of non-intrusive inspection equipment to be deployed at the Nation's ports-of-entry.

TRANSPORTATION SECURITY ADMINISTRATION

For additional amounts for necessary expenses of the Transportation Security Administration related to transportation security services pursuant to Public Law 107-71 and Public Law 107-208, to remain available until December 31, 2003, of which not less than $50,000,000 shall be for grants to public transit agencies in urbanized areas for enhancing the security of transit facilities against chemical, biological and other terrorist threats, not less than $47,000,000 shall be for grants to state and local governments for transportation security programs, and not less than $150,000,000 shall be for grants to other entities that shall be for installation design, installation, and FAA certification of a system to defend commercial airliners against portable, infrared, heat-seeking missiles, not less than $30,000,000 shall be for grants for the purpose of implementing the provision of the Maritime Transportation Act
Security Act, and not less than $100,000,000 shall be for railroad security grants including grants to the National Railroad Passenger Corporation for capital expenses associated with the establishment and dispatch facility security enhancements.

**FEDERAL LAW ENFORCEMENT TRAINING CENTER**

**SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, $72,000,000, to remain available until December 31, 2003 for personnel, equipment and support for training requirements for Federal and State and local law enforcement personnel.

**OFFICE FOR DOMESTIC PREPAREDNESS**

For additional amounts for “Office for Domestic Preparedness,” $300,000,000, to remain available until December 31, 2003, for which $100,000,000 shall be for “Emergency Management Planning and Assistance”, to improve communications within and among first responders including law enforcement, firefighters, and other medical services personnel, and $200,000,000 shall be for grants to high threat urban areas, which should be identified by criteria that include credible threat, vulnerability, the presence of infrastructure of national importance, and needs of public safety organizations.

**UNITED STATES COAST GUARD**

**OPERATING EXPENSES**

For an additional amount for “Operating Expenses”, $72,000,000, to remain available until December 31, 2003, of which not less than $42,000,000 shall be for Port Security Assessments and the Port Security Assessment Program, and not less than $7,000,000 shall be for the purchase of radiation detection equipment, and not less than $24,000,000 shall be for the establishment of Maritime Safety and Security Teams.

**ACQUISITION, CONSTRUCTION AND IMPROVEMENTS**

For an additional amount for “Acquisition, Construction and Improvements”, $40,000,000, to remain available until December 31, 2003, of which not less than $42,000,000 shall be for Port Security Assessments and the Port Security Assessment Program, and not less than $7,000,000 shall be for the purchase of radiation detection equipment, and not less than $24,000,000 shall be for the acquisition of technical assistance for conservation security programs.

**DOMESTIC PREPAREDNESS**

For an additional amount for the “Counterterrorism Fund,” for necessary expenses as determined by the Secretary of Homeland Security, $105,000,000, to remain available until December 31, 2003, and provided that the Mayor and the Chairman of the District of Columbia shall not be required to reimburse any Department of Homeland Security organization for the costs of providing support to prevent, counter, investigate, respond to, or procure unexpected threats or acts of terrorism: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives prior to the obligation of any amount of these funds: Provided Further: That of the total amount provided, $20,000,000, is provided under this heading which shall be used to establish a contingency fund with funds in the “Federal payment for emergency planning and security costs in the District of Columbia” appropriations account within the National Park Service in the Department of the Interior for fiscal years 2004 and subsequent years: Provided further: That of the total amount provided, not less than $10,000,000, shall be transferred to the “Operation of the National Park System” appropriations account within the National Park Service in the Department of the Interior for the fiscal year beginning not later than June 2, 2003: Provided Further: That of the total amount provided, $10,000,000, is provided under this heading which shall be transferred to the “Operation of the National Park System” appropriations account within the National Park Service in the Department of the Interior for the fiscal year beginning not later than June 2, 2003: Provided Further: That of the total amount provided, $10,000,000, is provided under this heading which shall be transferred to the “Operation of the National Park System” appropriations account within the National Park Service in the Department of the Interior for the fiscal year beginning not later than June 2, 2003.

**SA 509.** Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

- **At the appropriate place, insert the following:**

  At the appropriate place, insert the following:

  **SEC. 2. POSTAL PATRON POSTCARDS.**

  The matter under the subheading “MISCELLANEOUS ITEMS” under the heading “CONTINGENT EXPENSES OF THE SENATE” under title I of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7) is amended by striking “with a population of less than 250,000”.

  **SA 510.** Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

  On page 31, line 13, after “State” insert the following:

  - **At the end of Chapter 3, insert the following new provision:**

  **SEC. 314.** Of the funds appropriated in the Department of Defense Appropriations Acts, the following: $73,000,000, to remain available until December 31, 2003, to reimburse any Department of Homeland Security organization for the costs of providing support to prevent, counter, investigate, respond to, or procure unexpected threats or acts of terrorism: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives prior to the obligation of any amount of these funds: Provided Further: That of the total amount provided, $20,000,000, is provided under this heading which shall be used to establish a contingency fund with funds in the “Federal payment for emergency planning and security costs in the District of Columbia” appropriations account within the National Park Service in the Department of the Interior for fiscal years 2004 and subsequent years: Provided further: That of the total amount provided, not less than $10,000,000, shall be transferred to the “Operation of the National Park System” appropriations account within the National Park Service in the Department of the Interior for the fiscal year beginning not later than June 2, 2003: Provided Further: That of the total amount provided, $10,000,000, is provided under this heading which shall be transferred to the “Operation of the National Park System” appropriations account within the National Park Service in the Department of the Interior for the fiscal year beginning not later than June 2, 2003: Provided further: That of the total amount provided, not less than $10,000,000, shall be transferred to the “Operation of the National Park System” appropriations account within the National Park Service in the Department of the Interior for the fiscal year beginning not later than June 2, 2003.

  **SA 511.** Mr. STEVENS (for Mr. INOUYE) submitted an amendment intended to be proposed by Mr. STEVENS to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

  On page 31, line 13, after “State” insert the following:

  - **At the end of Chapter 3, insert the following new provision:**

  **SEC. 314.** Of the funds appropriated in the Department of Defense Appropriations Acts, the following:

  **SA 512.** Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

  At the appropriate place, insert the following:

  **SEC. 3. TECHNICAL ASSISTANCE FOR CONSERVATION PROGRAMS.**

  (a) In General.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (b) and inserting the following:

  **(b) TECHNICAL ASSISTANCE.—**

  In General.—Beginning on the date of enactment of the Agricultural Assistance Act of 2003, subject to paragraph (2), Commodity Credit Corporation funds made available under paragraphs (4) through (7) of section 1242(a) thereof for the provision of technical assistance (subject to section 1242) for the conservation programs specified in subsection (a).

  (2) CONSERVATION SECURITY PROGRAM.—Effective for fiscal year 2004 and subsequent fiscal years, Commodity Credit Corporation funds made available to carry out the conservation security program under subsection (a) are—

  (A) shall be available for the provision of technical assistance for conservation security programs and for the conservation security program under subsection (a) of the Conservation Security Program Amendment Act of 2002 (6 U.S.C. 807).

  (B) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the conservation security program under subsection (a) thereof.

  **SA 513.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

  On page 26, line 13, strike everything after “only” through “peace” on line 17 and insert in lieu thereof: “If the President determines and notifies Congress in accordance with the regular notification procedures of the Committees on Appropriations, that it is in the national interest to provide such sums on an emergency basis, consistent with authorities in the Foreign Assistance Act of 1961, for the purpose of responding to such crises, including support for peacekeeping”.

  On page 26, line 7, strike “funds” and everything thereafter through “tions’ on line 16, and insert in lieu thereof: “notifications required under this heading”.

  On page 24, line 3, after “(2)” insert the following:

  “not to exceed”.

  **SA 514.** Mr. SCHUMER (for himself, Mrs. CLINTON, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. KENNEDY, Ms. STABENOW, Mrs. BOXER, Mr. JOHNSON, Mr. BINGAMAN, Mr. NELSON of Nebraska, Mr. LEAHY, Mr. BAUCUS, Mr. AKAKA, Mr. SARBAES, and Mr. LAUTENBERG) proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

  On page 37, strike lines 3 through 5 and insert in lieu thereof: “For additional amounts for the “Office for Domestic Preparedness”, as authorized by
the Homeland Security Act of 2002 (Public Law 107–296), the USA PATRIOT Act of 2001 (Public Law 107–56), and the National Defense Authorization Act of 1996 (Public Law 104–201), the State and local governments, $3,000,000,000,000, to remain available until December 31, 2003: Provided, That of the total amount appropriated, $2,500,000,000 shall be used to fund one hundred and twenty grants distributed on a per capita basis, for the purchase of needed equipment, including interoperable communications equipment, and to provide training, exercise, planning, and personnel funds to State and local first responders: Provided further, That the Office for Domestic Preparedness (referred to under this heading as the "Office") shall transfer funds for such grants to States not later than 30 days after the date of enactment of this Act, and not less than 80 percent of funds made available to each State under this provision shall be made available to units of local government based on population within 30 days of receipt by the State: Provided further, That up to 20 percent of the amount made available under the first proviso shall be for costs of law enforcement, fire, emergency medical services, and other emergency personnel, including overtime expenses and reimbursement of States (in addition to personnel costs related to training), local governments, and Indian tribes for additional costs incurred to replace first responders who are called to active duty in the Reserves for periods of not less than 6 consecutive months: Provided further, That $500,000,000 shall be for personnel costs of States and units of local government, subject to the minimum grant amount requirement of section 1014 of the USA PATRIOT Act of 2001, and the requirement that remaining amounts be distributed on a per capita basis, for enhanced security around critical infrastructure (as that term is defined in section 1016 of the USA PATRIOT Act of 2001 (Public Law 107–56)), the Office shall transfer funds for such grants to States not later than 30 days after the date of enactment of this Act, and not less than 50 percent of such funds made available to each State shall be made available to units of local government within 30 days of receipt.

For additional amounts under the Acts referred to in the preceding paragraph for grants to urban areas, which should be identified by criteria that include credible threat, vulnerability, the presence of infrastructure of national importance, population, and needs of public safety organizations, for the purchase of equipment, including interoperable communications equipment, and to provide training, planning, personnel costs, $1,045,000,000, to remain available until December 31, 2003: Provided, That not less than 80 percent of funds made available under this provision shall be made available to units of local governments: Provided further, That up to 20 percent of this amount shall be for costs of law enforcement, fire, emergency medical services, and other emergency personnel, including overtime expenses (in addition to personnel costs related to training).

For additional amounts for such other for programs as authorized under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $155,000,000, to remain available until December 31, 2003.

For an additional amount, $130,000,000, which shall be transferred to, and merged with, funds in the "Community Oriented Police Grants" account of the Department of Justice, $60,000,000 for the purpose of the Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, for the hiring of law enforcement officers to prevent acts of terrorism and other violent and drug-related crimes, of which up to 30 percent shall be available for overtime expenses.

SA 515. Mr. SPECTER proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

At the end of chapter three, insert the following:

SEC. . (a) For a member of the Armed Forces medically evacuated for treatment in a medical facility, or for travel to a medical facility or the member’s home station, by reason of an illness or injury incurred or aggravated in the line of duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, the Secretary of the military department concerned may procure civilian attire suitable for wear by the member during the travel:

(b) The Secretary may not expend more than $250 for the procurement of civilian attire for any member under subsection (a).

SA 516. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; as follows:

At the appropriate place, add the following:

(a) The Secretary of the Army may accept funds from the State of Utah, and credit them to the appropriate account of the Army accounts of the Department of the Army for the funding of the costs associated with extending the runway at Michael Army Airfield, Dugway Proving Ground, Utah, as part of a previously authorized military construction project.

(b) The Secretary may use the funds accepted for the refurbishment, in addition to funds available under this section, for personnel costs related to training.

The authority provided in this section shall be effective upon the date of the enactment of this Act.

SA 517. Mr. STEVENS (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the end of chapter three, insert the following:

SEC. . In the case of a member of the Armed Forces who is ill or injured as described in section 413h of title 37, United States Code, as a result of service on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, the travel and transportation benefits under that section may be provided to members of the family of the ill or injured member, including the member's dependents, as an accommodation to whether there is a determination that the presence of the family member may contribute to the member's health and welfare.

SA 518. Mr. STEVENS (for himself and Mr. WARNER) submitted an amendement intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

SEC. . The authority provided in this section shall be effective upon the date of the enactment of this Act.

SA 519. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table; as follows:

SEC. . Provided, That up to 20 percent of the amount made available under this provision shall be for costs of law enforcement, fire, emergency medical services, and other emergency personnel, including overtime expenses (in addition to personnel costs related to training).
(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and by inserting after paragraph (1) the following:

"(2) GRANTS TO STATES.—For fiscal year 2003 and each subsequent fiscal year, the Secretary shall make grants available under this subsection, in proportion to the total amount of assistance that the Secretary determines all eligible applicants are eligible to receive under paragraph (1), and shall only be available until expended.

SA 522. Mr. STEVENS proposed an amendment to the bill S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes. 

At the appropriate place, insert the following:

SEC. 2. For an additional amount for the law enforcement technology programs authorized under the heading "Community Oriented Policing Services" in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003, $5,000,000 for the Louisville-Jefferson County, Kentucky Public Safety Communications System to implement a common interoperable voice and data communications system for public safety organizations in the metropolitan area.

At the appropriate place in the bill:
SEC. 704 of Division B of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7), is amended by inserting before the period at the end: "and, effective as of October 1, 2002, by inserting 'and sub-
ject to the provisions of Public Law 108–8', after 'until expended,'...".

On page 46, line 13 strike "$106,000,000" and insert "$117,060,000".

On page 47, line 5, before the "", insert the following:

Prohibited. That the amount made available under this heading, $10,000,000, to remain available until September 30, 2004, shall only be available for the incorporation of additional technologies for disseminating terrorism warning information within the All Hazards Warning Network.

At the appropriate place, insert the following:

DEPARTMENT OF VETERANS AFFAIRS
VETERANS HEALTH ADMINISTRATION
MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities: for furnishing, as authorized by law, impatient and outpatient care to beneficiaries of the Department of Veterans Affairs, and for domiciliary and domiciliary services, subject to the provisions of Public Law 108–7, amended by inserting before the period at the end: "and, effective as of October 1, 2002, by inserting 'and subject to the provisions of Public Law 108–8', after 'until expended,'...".

On page 46, line 9, strike "$106,000,000" and insert "$117,060,000".

On page 47, line 5, before the "", insert the following:

Prohibited. That the amount made available under this heading, $10,000,000, to remain available until September 30, 2004, shall only be available for the incorporation of additional technologies for disseminating terrorism warning information within the All Hazards Warning Network.

At the appropriate place, insert the following:

NATIONAL SCIENCE FOUNDATION
RESEARCH AND RELATED ACTIVITIES

For an additional amount for "Science for Money Damages for Death or Personal Injury.—(1) Any United States citizen who dies or suffers injury caused by a foreign state's act of torture, extrajudicial killing, aircraft sabotage, or hostage taking committed on or after November 1, 1979, and any member of the immediate family of such citizen, shall have a claim against the United States, a United States citizen who dies or suffers injury caused by a foreign state's act of torture, extrajudicial killing, aircraft sabotage, or hostage taking committed on or after November 1, 1979, and any member of the immediate family of such citizen, shall have a claim against the United States, a

On page 89, between lines 4 and 5, insert the following:

TITLE V—GENERAL PROVISIONS, THIS ACT

SEC. 501. Section 1605 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(9) A claim under paragraph (1) shall not be subject to any other provision of law or international agreement in effect on or after November 1, 1979, that would otherwise bar, preclude, terminate, extinguish, or suspend a claim for damages described in such paragraph...

On page 99, line 23, after paragraph (9), insert the following:

"(10) The Secretary of the Army, acting through the Chief of Engineers, shall use $3,300,000 of funds available under the Construction, General Appropriation, Corps of Engineers, To provide dam safety and seepage stability correction measures for the Waterburg Dam, VT project.

Provided, further, That $2,000,000 of the funds provided shall be available for monitoring additional technologies for dissemination of terrorism warning information within the All Hazards Warning Network.

On page 106, after paragraph (1), insert the following:

"(2) A claim under paragraph (1) shall not be subject to any other provision of law or international agreement in effect on or after November 1, 1979, that would otherwise bar, preclude, terminate, extinguish, or suspend a claim for damages described in such paragraph...

On page 107, line 10, strike all that follows through page 19, line 10 and insert the following:

"(A) IN GENERAL.—To provide assistance to eligible applicants under paragraph (2)(B), the Secretary shall provide grants to appropriate State departments of agriculture (or other appropriate State agencies) that agree to provide assistance to eligible applicants.

(B) Total amount of grants provided under subparagraph (A) shall be equal to the total amount of assistance that the Secretary determines all eligible applic-
ants are eligible to receive under paragraph (2)(B)."

On page 18, line 8, strike all that follows through page 20, line 10 and insert the following:

CHAPTER 4
DEPARTMENT OF DEFENSE—CIVIL
DEPARTMENT OF THE ARMY—CIVIL
CORPS OF ENGINEERS—CIVIL
OPERATIONS AND MAINTENANCE, GENERAL

For an additional amount for homeland security expenses, for "Operations and Maintenance, General", $29,000,000, to remain available until expended.

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WATER AND RELATED RESOURCES

For an additional amount for homeland security expenses, for "Water and Related Resources", $25,000,000, to remain available until expended.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS

For an additional amount for "Energy Programs" for expenses necessary to support safeguards and security activities at nuclear and other facilities, $6,000,000, to remain available until expended.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for "Defense Environmental Restoration and Waste Management", $18,000,000, to remain available until expended, for increased safeguards and security activities at nuclear facilities and personnel, including intelligence and counterintelligence activities: Provided, That this amount shall be available for transfer to other accounts within the Department of Energy for other expenses necessary to support elevated security conditions 15 days after a notification to the Congress of the proposed transfers.

On page 39, after line 4, add the following:

"(3) GRANTS.—

"(A) IN GENERAL.—To provide assistance to producers of additional technologies for disseminating terrorism warning information within the All Hazards Warning Network.

"(B)''.
At the appropriate place, insert the following:

**SEC. 5. USE OF ORGANICALLY PRODUCED FEED FOR CERTIFICATION AS ORGANIC FARM.**

Section 771 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2003 (division A of Public Law 108–7) is repealed.

At the appropriate place in the bill insert the following general provision:

**SEC. 6. WILD SEAFOOD.** Section 2107 of the Organic Foods Production Act of 1997 (7 U.S.C. 6503) is amended:

(a) redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and

(b) by inserting after section (b) the following:

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(c) WILD SEAFOOD—
  `(1) IN GENERAL.—Notwithstanding the requirement of section 2107(a)(1)(A) requiring products be produced only on certified organic farms, the Secretary shall allow, through regulations promulgated after public notice and opportunity for comment, wild seafood to be certified or labeled as organic.
  `(2) CONSULTATION AND ACCOMMODATION.—(A) consult with—`
  `1) the Secretary of Commerce;`
  `2) the National Organic Standards Board established under section 2119;`
  `3) producers, processors, and sellers; and`
  `4) other interested members of the public; and`
  `(B) to the maximum extent practicable, accommodate the unique characteristics of the industries in the United States that harvest and process wild seafood.''

At the appropriate place, insert the following:

**SEC. 7. POSTAL PATRON POSTCARDS.**

The matter under the subheading "MISCELLANEOUS ITEMS" under the heading "CONFLICTING EXPENSES OF THE SENATE" under title I of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7) is amended by striking "with a population of less than 250,000".

At the appropriate place in the bill insert the following general provision:

"SEC. 8. None of the funds in this Act may be obligated or expended to pay for transportation described in section 41106 of title 49, United States Code, to be performed by any air carrier that is not effectively controlled by citizens of the United States."

On page 12, line 9, after "expanded," insert the following:

"for ongoing military operations in Iraq, and those operations authorized by P.L. 107–040."

At the end of chapter 3, insert the following:

"SEC. 9. (a) None of the funds appropriated by this Act may be obligated or expended to reduce the number of American Registry of Pathology personnel used by the Armed Forces Institute of Pathology for programs, projects, and activities of the Institute during fiscal year 2003 below the number of such personnel who are so used as of April 1, 2003.

(b) Of the total amount appropriated by chapter 3 of title I under the heading "Defense Health Program", $7,500,000 shall be available for the Armed Forces Institute of Pathology.

At the end of chapter 3, insert the following new provision:

**SEC. 10.** Of the funds appropriated in the Department of Defense Appropriations Act, the funds hereby rescinded from the following account and program in the specified amount:

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Starting on page 2, line 11, strike all through line 6 on page 3, and insert in lieu thereof:

"DETECTION TRUSTEE

For an additional amount for "Detection Trustee" for the detention of Federal prisoners in the custody of the United States Marshals Service, $20,000,000 to remain available until September 30, 2003.

INTERAGENCY LAW ENFORCEMENT INTERAGENCY LAW ENFORCEMENT SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to administer and support joint Federal, State, local, and foreign law enforcement activities, including the design, development, test, deployment, maintenance, upgrade, or retirement of systems; the purchase, lease, loan, or maintenance of equipment and vehicles; the design, construction, maintenance, upgrade, or demobilization of facilities; and travel, overtime, and other support, $72,000,000, which shall remain available until December 31, 2003: Provided, That the funds provided under this heading shall not be available for obligation or expenditure except in compliance with the procedures set forth in Title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003: At the appropriate place in Title I, Chapter 6, insert the following:

"FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY PREPAREDNESS PLANNING AND ASSISTANCE


On page 89, between lines 4 and 5, insert the following:

"TITLE V—GENERAL PROVISIONS, THIS ACT

Sec. 501. Section 172(b) of title 10, United States Code, is amended by striking "2000" and inserting "2003".

At the appropriate place, insert the following:

"Sec. 626. Section 626 of title VI of division B of Public Law 108–7 is amended by striking "previously".

At the appropriate place in the bill add the following general provision:

"Sec. 7304 of Public Law 107–110 is amended by striking "such as", and inserting in lieu thereof "of".

At the end of chapter 5, after the colon, insert the following:

"Provided further, That up to $20,000,000 of the funds appropriated by this paragraph must be transferred to, and merged with funds appropriated under the heading "Andean Counterdrug Initiative" for aircraft, training, and other assistance for the Colombian Armed Forces."
same proportion as those Maintenance Fee collections authorized in Public Law 107-73.

At the appropriate place, add the following:

(a) The Secretary of the Army may accept funds from the State of Utah, and credit them to the appropriate Department of the Army accounts for the purpose of the funding or associated with extending the runway at Michael Army Airfield, bugway Proving Ground, Utah, as part of a previously authorized military construction project.

(b) The Secretary may use the funds accepted for the refurbishment, in addition to funds appropriated for the project. The authority to accept a contribution under this section does not authorize the Secretary of the Army to reduce expenditures for amounts appropriated for the refurbishment project. The funds accepted shall remain available until expended.

(c) The authority provided in this section shall be effective upon the date of the enactment of this Act.

Section 501(b) of title V of division N of the Consolidated Appropriations Resolution, 2003 is amended to read:

(1) by striking “program authorized for the fishery in Sec. 211” and inserting “programs authorized for the fisheries in sections 211 and 212 and materials allocated for the project. The authority to accept a contribution under this section does not authorize the Secretary of the Army to reduce expenditures for amounts appropriated for the refurbishment project. The funds accepted shall remain available until expended.”

(2) by striking “program in section 211” and inserting “programs in sections 211 and 212.”

On page 32, line 13 strike the period and insert the following: “Provided further, That of the funds appropriated under this heading, $4,300,000 shall be made available to the United States Agency for International Development Office of Inspector General for the purpose of monitoring and auditing expenditures, transactions, and related activities in Iraq: Provided further, That such sums are in addition to funds otherwise made available by this Act to such office.”

At the end of chapter three, insert the following:

SEC. 231. In the case of a member of the Armed Forces who is ill or injured as described in section 412b of title 37, United States Code, as a result of service on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, and as a result of injuries sustained in connection with activities to respond to emergency international food shortages; and

(b) whether and to what extent, other food aid programs conducted by the Secretary and the Administrator will be a part of that strategy.

At the end of chapter three, insert the following:

SEC. 212. (a) For a member of the Armed Forces medically evacuated in a medical facility, or for travel to a medical facility, to the member’s home station, by reason of an illness or injury incurred or aggravated by the member while on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, the Secretary of the military department concerned may procure civilian attire suitable for wear by the member during the travel.

(b) The Secretary may not expend more than $520 for the procurement of civilian attire for any member under subparagraph (a).

At the appropriate place, insert the following:

SEC. 212. TSA TO ISSUE LETTERS OF INTENT RE- CONSTRUCTION INSTALLATION OF EDS AT AIRPORTS.

(a) In General.—The Under Secretary of Homeland Security for Transportation and Border Security shall issue letters of intent to airports to provide assistance for the installation of explosive detection systems by the date prescribed by section 4900(d)(2)(i) of title 49, United States Code.

(b) Report.—Beginning 30 days after the date of enactment of this Act, and every 60 days thereafter, the Under Secretary shall transmit a classified report to the House of Representatives Committee on Appropriations, the Senate Committee on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation describing each letter of intent issued by the Under Secretary under subsection (a). At the appropriate place, insert the following:

SEC.... (c) In accordance with section 973(b) of the Homeland Security Act of 2002 (6 U.S.C. 433(b)), the Bureau of Customs and Border Protection may accept donations of body armor for United States border patrol agents and United States border patrol canines if such donations would further the mission of protecting our Nation’s border and ports of entry as determined by the Under Secretary for Border and Transportation Security.

On page 32, between lines 3 and 4, insert the following:

(e) REPORT ON BILL EMERSON HUMANITARIAN TRUST AND FUTURE OF UNITED STATES FOOD AID.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture (in coordination with the Administrator of the Agency for International Development) shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Subcommittees on Agriculture, Rural Development, and Related Agencies of the Committees on Appropriations of the House of Representatives and the Senate, a report that describes:

(1) the policy of the Secretary with respect to the Bill Emerson Humanitarian Trust established under the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736-1 et seq.), including whether that policy includes an intent to replenish the Trust; and

(2) the means by which the Secretary proposes to ensure that the United States retains the long-term strategy and capability to respond to emergency international food shortages; and

(3) whether and to what extent, other food aid programs conducted by the Secretary and the Administrator will be a part of that strategy.

At the end of chapter two of title I, add the following:

SEC. 210. No provision of this Act may be construed as altering or amending the effect of any of the following provisions of law as currently applied:

(a) Sections 2631 and 2631a of title 10, United States Code.

(b) Sections 901(b) and 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).

(c) Public Resolution Numbered 17, Seventy-third Congress (40 Stat. 500).

(d) Any other provision of law requiring the use of privately owned United States flag commercial vessels for certain transportation purposes.

On page 89, between lines 4 and 5, insert the following:

TITLe 5—GENeral PRovIsIONs, ThiS ACT

SEC. 501. Section 1605 of title 28, United States Code, is amended by adding at the end the following new subsection:

(2) CLAIMS FOR MONEY DAMAGES FOR DEATH OR PERSONAL INJURY.—(A) Any United States citizen who dies or suffers injury caused by a foreign state’s act of torture, extrajudicial killing, aircraft sabotage, or hostage taking committed on or after November 1, 1979, and any member of the immediate family of such United States citizen shall have a claim for money damages against such foreign state, as authorized by subsection (a)(7), for death or personal injury (including economic damages, solatium, pain and suffering).

(2) A claim under paragraph (1) shall not be barred or precluded by the Aligers Act.

At the appropriate place, insert the following:

SEC. 226. THE BUREAU OF CUSTOMS AND BORDER PROTECTION.—(a) The Secretary of the Treasury may use the funds authorized and appropriated for the fiscal year 2003, to develop a plan for the inspection of commercial vehicles at points along the U.S.-Canada border shall be:

(1) equipped with radiation detection equipment, and

(2) staffed by Bureau inspectors formally trained in the process of detecting radio-nuclide materials in cargo and equipped with both portal monitor devices and hand-held isotope identifiers.

At the appropriate place, insert the following:

SEC. 501. SAME.—Effective beginning on the date of enactment of the Agricultural Assistance Act of 2003, subject to paragraph (2), Commodity Credit Corporation funds made available under paragraphs (4) through (7) of subsection (a) shall be available for the provision of technical assistance (subject to section 1242) for the conservation programs specified in subsection (a).

(2) CONSERVATION SECURITY PROGRAM.—Effective for fiscal year 2004 and subsequent fiscal years, Commodity Credit Corporation funds made available for the conservation security program under subsection (a)(3) shall be:

(1) available for the provision of technical assistance for the conservation security program; and

(2) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the conservation security program.

(b) EFFECTIVE DATE.—The amendment made by this subsection (a) takes effect on February 20, 2003.

At the end of chapter four, insert the following:

SEC.... (a) It is the sense of the Senate that—

(1) the asset acquisition of Trans World Airlines by American Airlines was a positive action that should be commended;

(2) although the acquisition was a positive action, the combination of the 2 airlines has resulted in a difficult seniority integration and caused the majority of the employee groups involved;

(3) airline layoffs from American Airlines should be conducted in a manner that maintains maximum levels of trained and equitable treatment for all parties involved; and

(4) American Airlines should encourage its employee groups to integrate all employees in a manner that is fair and equitable for all parties involved.
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SEC. 410. DEPARTMENT OF HOMELAND SECURITY.

(a) DIRECTOR OF STATE AND LOCAL GOVERNMENT COORDINATION.—Section 801(a) of the Homeland Security Act of 2002 (Public Law 107-296) is amended to read as follows:

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established within the Office of the Secretary the Office for State and Local Government Coordination, to oversee and coordinate departmental programs for and relationships with State and local governments.

“(2) DIRECTOR.—The Office established under paragraph (1) shall be headed by the Director of State and Local Government Coordination, who shall be appointed by the President, and with the advice and consent of the Senate.”;

(b) OFFICE FOR DOMESTIC PREPAREDNESS.—

The Homeland Security Act of 2002 (Public Law 107-296) is amended—

(1) by redesigning section 430 as section 802 and transferring that section to the end of subtitle A of title VIII;

(2) in section 802, as redesignated by paragraph (1)—

(A) in subsection (a), by striking “the Director of Border and Transportation Security” and inserting “the Office for State and Local Government Coordination”;

(B) in subsection (b), by striking “who shall be appointed by the President” and all that follows and inserting “who shall report directly to the Director of State and Local Government Coordination”;

(C) in subsection (c)(7)—

(i) by striking “other” and inserting “the”; and

(ii) by striking “consistent with the mission and functions of the Director.”

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to conduct a hearing during the session of the Senate on Thursday, April 3, 2003. The purpose of this hearing will be to review the reauthorization of child nutrition programs.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, April 3, 2003, at 10 a.m., to conduct an oversight hearing on “The Federal Reserve Board Proposal on Check Truncation.”

The committee will also vote on the nominations of Mr. Alfred Plamann, of California, to be a member of the Board of Directors of the National Consumer Cooperative Bank; Mr. Thomas Waters Grant, of New York, to be a director of the Securities Investor Protection Corporation; Mr. Noel Hinojosa, Jr., of Texas, to be a director of the Securities Investor Protection Corporation; and Mr. William Robert Timken, J.r., of Ohio, to be a director of the Securities Investor Protection Corporation.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, April 3, 2003, at 9:15 a.m., to hear testimony on the Purchasing Health Care Services in a Competitive Environment.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 3, 2003, at 10 a.m. to hold a hearing on Western Hemisphere Nominations.

Nominees: Mr. Lino Gutierrez to be Ambassador to Argentina; Mr. James Foley to be Ambassador to Haiti; and Mr. Roland W. Bullen to be Ambassador to Guyana.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 3, 2003, at 2:30 p.m., to hold a hearing on NATO enlargement.

Witnesses: Latvia, Lithuania, and Estonia—Dr. F. Stephen Larrabee, Senior Staff Member, RAND, Arlington, VA; Bulgaria and Romania—Mr. Janusz Bugajski, Director, Eastern Europe Project, Center for Strategic and International Studies, Washington, DC; and Slovenia and Slovakia—Dr. J eff Simon, Senior Fellow, National Defense University, Washington, DC.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thurs-
Mr. FRIST. Mr. President, what I would prefer to do is refer that question to the manager of the bill because I am not familiar with that aspect of it. That will be Mr. SANTORUM, the Senator from Pennsylvania.

Mr. REED. Mr. President, again, I am also operating on the assumption that not complete knowledge, of why this provision is in the managers' amendment. I am prepared to accept the underlying agreement; I just have this one question which I find, at this point, important, in connection to this Compassionate Capital Fund.

But as far as your assertions, which I appreciate, and the underlying legislation, I have no problem with this consent; it is just that one point about the managers' amendment.

I don't know what you would like to do to try to resolve that, though.

Mr. FRIST. Mr. President, I am not in a position now to withdraw that amendment at this juncture. I am simply referring to it. I understand there was an agreement that it be there as part of it. I think we can continue the discussion on Monday when we are back in. But right now, I am not in a position to withdraw that.

Mr. REED. The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. If I could direct a question to the Senator from Rhode Island: Is this the understanding the Senator had with the Senator from Pennsylvania?

Mr. REED. The understanding that I had with the Senator from Pennsylvania, to be fair and accurate, did not reach the contents of the managers' amendment. It was my impression that the managers' amendment would simply be tax amendments with respect to the Internal Revenue Code and the jurisdiction of the Finance Committee.

I am a bit surprised, frankly, coming this evening and seeing something that is not part of the additional scope of the Finance Committee. Perhaps I might be wrong. This is something I didn't expect, but I must be very fair and accurate that this was not an issue we even discussed.

My presumption was that all the amendments would be strictly related to tax provisions and not to this Compassionate Capital Fund. I must say, I understand that the funds have been appropriated under the context of this Compassionate Capital Fund. This is an attempt to provide legislative language. I have not had a chance to look at the language. It is included within a managers' amendment without any opportunity to amend the managers' amendment. I am in an awkward position.

Mr. REID. Mr. President, if I could make a suggestion: If we could modify the leader's request that there be a motion to strike in order that the Senator from Pennsylvania and the Senator from Nevada can't work this out with the Senator from Rhode Island, this one provision.

Mr. FRIST. Mr. President, we can check on that. It is my understanding that this has been available to the other side, that this had been agreed to. If not, at this juncture I am just not in a position to agree to a motion to strike.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. REED. Mr. President, once again, reserving my right to object, I think both the majority leader and the Senator from Pennsylvania have been operating completely in good faith, have made sincere efforts to respond to our concerns. At this juncture, I would hope we could work out, through an amendment to the consent, a provision at least to give us the opportunity to look at it. I, frankly, having just seen this, this evening, I don't know if this simply codifies what is already operating and is, in a sense, innocuous or something more. It is not my intention to try at this point to upset the agreement because I think it was reached operating completely on both sides. It is a good-faith agreement.

I wonder if there is some way we can maintain the opportunity to look at this, agree to the consent this evening, look at it, and if it is something highly objectionable, at least have the opportunity to strike.

I think the suggestion by the Senator from Nevada is a good one. Frankly, I must say I am not prepared at this moment to offer a conclusion as to whether this should be here. We are just surprised that a nontax item is included in the managers' amendment along with others that are relatively noncontroversial.

Mr. REID. I apologize to the leader. If I could make a suggestion, I know how deeply the Senator from Pennsylvania feels about this legislation. I am confident he wouldn't do anything that was untoward purposely. So I hope the Senator from Rhode Island will accept this agreement, and we will work with Senator SANTORUM to see if something can be done. I will personally work with Senator SANTORUM to see if he would allow us a motion to strike, but that is not part of this deal.

Mr. REID. If I may reclaim my time, again, both the leader and the Senator from Pennsylvania have been extremely cooperative and helpful in trying to reach this point. I understand that once this legislation is passed by the Senate, it will be placed on the desk, and there are no more procedural opportunities there, I believe, to try to address this at least to somehow get an opportunity to look at this measure. Also with the opportunity to look at this over the course of the next few days, my apprehensions might be misplaced and we can proceed forward. But I think, again, the intention and the understanding we had have been met. I am just surprised about the inclusion of this particular provision in something like a technical managers' amendment.

Given the committee and the majority leader has made, certainly, about the overall status of this legislation, should it return from the other body,
then I would not object to the consent at this time.

Hopefully, over the next few days we will learn a little bit more about this compassionately funded and perhaps even deal with it if it is a problem on Monday.

Mr. Frist. Mr. President, my response is that we will work in good faith with the Senator from Rhode Island as well as the assistant Democratic leader. I hesitate at this juncture to speak on behalf of the Senator from Pennsylvania. Again, we are committed on both sides to working in good faith. We have been able to do that to date. So I would ask once again for the unanimous consent as proposed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECT ACT

Mr. Frist. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives to accompany S. 151 to amend title 18, United States Code, with respect to the sexual exploitation of children.

There being no objection, the Presiding Officer (Mr. Talent) laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendments to the bill (S. 151) entitled “An Act to amend title 18, United States Code, with respect to the sexual exploitation of children”, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the following Members be managers of the conference on the part of the House:

Mr. Coble, Mr. Smith of Texas, Mr. Green of Wisconsin, Ms. Hart, Mr. Conyers, and Mr. Coble.

Mr. Frist. Mr. President, I ask unanimous consent that the Senate disagree with the House amendments, and modifications committed to conference: Mr. Frost.

Mr. Frist. Mr. President, I ask unanimous consent that the Senate disagree with the House amendments, and modifications committed to conference: Mr. Frost.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Presiding Officer (Mr. Talent) appointed Mr. Hatch, Mr. Grassley, Mr. Sessions, Mr. Graham of South Carolina, Mr. Leahy, Mr. Kennedy, and Mr. Biden to confer on the part of the Senate.
that show promise of success with respect to the prevention, assessment, identification, and treatment of child abuse and neglect and hold the potential for broad scale implementation and replication.

(2) in paragraph (2), by striking the period and inserting a semicolon;

(3) by redesigning paragraph (2) as paragraph (3);

(4) by inserting after paragraph (1) the following:

"(2) maintain information about the best practices used for achieving improvements in child protective systems;"; and

(5) by adding at the end the following:

"(A) appropriate State and local officials to assist in training law enforcement, legal, judicial, medical, mental health, education, and child welfare personnel."

(b) COORDINATION WITH AVAILABLE RESOURCES.—Section 103(c)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5104(c)(1)) is amended—

(1) in subparagraph (E), by striking "105(a);" and inserting "104(a);"

(2) by redesigning subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

"(F) collect and disseminate information that describes best practices being used throughout the Nation for making appropriate referrals related to, and addressing, the physical, developmental, and mental health needs of abused and neglected children; and":

SEC. 112. RESEARCH AND ASSISTANCE ACTIVITIES.

(a) RESEARCH.—Section 104(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5105(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), in the first sentence, by inserting "to" immediately after "and"; and

(B) in subparagraph (A), by inserting before the semicolon the following: "including the incidence of abuse and neglect on a child's development and the identification of successful early intervention services or other services that are needed";

(C) in subparagraph (C)—

(i) by striking "judicial procedures" and inserting "judicial procedures and laws, medical and related research, and other data";

(ii) by striking "and" at the end; and

(iii) in clause (viii), by striking "and" at the end;

(iv) by redesigning clause (ix) as clause (x); and

(v) by inserting after clause (viii), the following:

"(ix) the incidence and prevalence of child maltreatment by a wide array of demographic characteristics such as age, sex, race, family structure, household relationship (including the living arrangement of the resident parent and family size), school enrollment and education attainment of the child and family, maltreatment by a wide array of demographic characteristics, and the linkages between maltreatment and the incidence and prevalence of child maltreatment;";

(b) in subparagraph (D)—

(1) by redesigning subparagraph (D) as subparagraph (I); and

(2) by inserting after subparagraph (C), the following:

"(D) the evaluation and dissemination of best practices consistent with the goals of achieving improvements in the child protective services systems of the States in accordance with paragraph (i)(1) of section 1006(a);"

"(E) effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems;";

"(F) an evaluation of the redundancies and gaps in the services in the field of child abuse and neglect prevention in order to make better use of resources;"

"(G) the nature, scope, and practice of voluntary relinquishment for foster care or State guardianship of low income children who need health services, including mental health services;"

"(H) the information on the national incidence of child abuse and neglect specified in clauses (i) through (x) of subparagraph (I); and"

(2) in paragraph (2), by striking subparagraph (B) and inserting the following:

"(B) Not later than 2 years after the date of enactment of the Keeping Children and Families Safe Act of 2003, and every 2 years thereafter, the Secretary shall provide an opportunity for public comment concerning the priorities proposed under subparagraph (A) and maintain an official record of such public comment.";

(3) by redesigning paragraph (2) as paragraph (4); and

(4) by inserting after paragraph (1) the following:

"(2) RESEARCH.—The Secretary shall conduct research on the national incidence of child abuse and neglect, including the information on the national incidence on child abuse and neglect specified in clauses (i) through (x) of paragraph (1)(I);"

(3) REPORT.—Not later than 4 years after the date of the enactment of the Keeping Children and Families Safe Act of 2003, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report that contains the results of the research conducted under paragraph (2)."

(b) PROVISION OF TECHNICAL ASSISTANCE.—Section 104(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5105(b)) is amended—

(1) in paragraph (1)—

(A) by striking "nonprofit private agencies and" and inserting "private agencies and community-based"; and

(B) by inserting "including replicating successful program models," after "programs and activities";

(2) in paragraph (2)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period and inserting ";"; and

(C) by adding at the end the following:

"(D) effective approaches being utilized to link child protective service agencies with health care, mental health care, and developmental services to improve forensic diagnosis and health evaluations, and barriers and shortages to such linkages.";

(c) DEMONSTRATION PROGRAMS AND PROJECTS.—Section 104 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106d) is amended—

(1) in the subsection heading, by striking "DEMONSTRATION" and inserting "DEMONSTRATION" and "private";

(2) in the matter preceding paragraph (1)—

(A) by inserting "States," after "contracts with";

(B) by striking "nonprofit"; and

(C) by striking "time limited, demonstration";

(3) in paragraph (1)—

(A) in subparagraph (A), by striking "law, education, social work, and other relevant fields" and inserting "law enforcement, judiciary, social work, child protection, education, and other relevant fields, or individuals as court appointed special advocates (CASA) guardian ad litem;";

(B) in subparagraph (B), by striking "nonprofit" and all that follows through "in the field of child abuse and neglect;";

(C) in subparagraph (C), by striking the period and inserting a semicolon;

(D) by adding at the end the following:

"(D) for training to support the enhancement of linkages between child protective service agencies and health care agencies, including physical and mental health services, to improve forensic diagnosis and health evaluations and for innovative partnerships between child protective service agencies and health care agencies that offer creative approaches to existing Federal, State, local, and private funding to meet the health evaluation needs of children who have been subjects of substantiated cases of child abuse or neglect;"

"(E) for the training of personnel in best practices to promote collaboration with the families and agencies from the initial time of contact during the investigation through treatment;"

"(F) for the training of personnel regarding the legal duties of such personnel and their responsibilities to protect the legal rights of children and families;"

"(G) for improving the training of supervisory and nonsupervisory child welfare workers;"

"(H) for initiatives to coordinate the provision of services with State and local health care agencies, alcohol and drug
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abuse prevention and treatment agencies, mental health agencies, and other public and private welfare agencies to promote child safety, permanence, and family stability; and
"(3) for child protective service workers in research-based methods for recognizing situations of substance abuse, domestic violence, and neglect; and
"(4) in paragraph (4)(D), by striking "nonprofit".
"(e) EVALUATION.—Section 105(c) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(c)) is amended—
"(1) in the first sentence, by striking "demonstration";
"(2) in the second sentence, by inserting "or contract" after "or separate grant"; and
"(3) by adding at the end the following:
"(i) professionals and paraprofessional personnel concerned with the welfare of disabled infants and children, including personnel employed in child protective services programs and health care facilities; and
"(ii) the parents of such infants.
"(f) TECHNICAL AMENDMENT TO HEADING.—The section heading for section 105 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106) is amended to read as follows:
"SEC. 105. GRANTS TO STATES AND PUBLIC OR PRIVATE AGENCIES AND ORGANIZATIONS.

SEC. 114. GRANTS TO STATES FOR CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAMS.
(a) DEVELOPMENT AND OPERATION GRANTS.—Section 106(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)) is amended—
"(1) in paragraph (3) —
"(A) by striking ", including ongoing case management and family support services";
"(B) by inserting and "alternative placement after "and treatment;";
"(C) by inserting the following:
"(i) professionals and paraprofessional personnel concerned with the welfare of disabled infants and children, including personnel employed in child protective services programs and health care facilities; and
"(ii) the parents of such infants.
"(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;
"(3) by inserting after paragraph (1), the following:
"(2) Triage Procedures.—The Secretary may award grants under this subsection to public and private agencies that demonstrate innovation in responding to reports of child abuse and neglect, including partnerships between the State child protective services agency, community social service agencies and family support programs, law enforcement agencies and mental disability agencies, substance abuse treatment entities, health care entities, domestic violence prevention entities, mental health service entities, schools, churches, businesses, and other community agencies, to allow for the establishment of a triage system that—
"(A) accepts, screens, and assesses reports received to determine whether such reports require an intensive intervention and which require voluntary referral to another agency, program, or project;
"(B) provides, either directly or through referral, a variety of community-linked services to assist families in preventing child abuse and neglect; and
"(C) provides further investigation and intensive intervention where the child's safety is in jeopardy.
"(4) in paragraph (3) (as so redesignated), by striking "(such Parents Anonymous)");
"(5) in paragraph (4) (as so redesignated)—
"(A) by striking the paragraph designation and heading designation;
"(B) by striking subparagraphs (A) and (C); and
"(C) in subparagraph (B)—
"(i) by striking "by "KINSHIP CARE."—" and inserting the following:
"(II) the development of a safe plan of care
"(ii) by striking "KINSHIP CARE.—"; and
"(iii) by striking "nonprofit"; and
"(D) by adding at the end the following:
"(5) Linkages Between Child Protective Service Agencies and Public Health, Mental Health, and Developmental Disabilities Agencies.—The Secretary may award grants to entities that provide linkages between State or local child protective service agencies and public health, mental health, and developmental disability agencies, for the purpose of establishing linkages that are designed to help assure that a greater number of substantiated victims of child maltreatment have their physical health, mental health, and developmental needs appropriately diagnosed and treated; and
"(B) DISCRETIONARY GRANTS.—Section 105(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(b)) is amended—
"(1) by striking paragraph (1);
"(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;
"(3) by inserting after paragraph (2) (as so redesignated), the following:
"(3) Programs based within children's hospitals and other high-volume children's health care facilities, that provide model approaches for improving medical diagnosis of child abuse and neglect and for health evaluations of children for whom a report of maltreatment has been substantiated; and
"(4) in paragraph (4)(D), by striking "nonprofit".
"(c) EVALUATION.—Section 105(c) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(c)) is amended—
"(1) in the first sentence, by striking "demonstration";
"(2) in the second sentence, by inserting "or contract" after "contract";
"(3) by adding at the end the following:
"(i) professionals and paraprofessional personnel concerned with the welfare of disabled infants and children, including personnel employed in child protective services programs and health care facilities; and
"(ii) the parents of such infants.
"(4) TEC...
or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;”;

(1) (A) by striking “public” and inserting “State and local”; and

(B) by inserting before the period the following:

“and”;

(2) by striking “as so redesignated,” by striking “the training, retention, and supervision of child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing such representatives of such duties;” and striking “the legal rights and the safety of children and families from the initial time of contact during investigation through treatment.”;

(xxix) provisions and procedures for referral of a child under the age of 3 who is involved in a home, and (xxx) by adding at the end the following:

“(xvii) provisions and procedures to require the State and local community and in order to meet its obligations to the State, the appropriate State agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the nature of the allegations made against the individual, in a manner that is consistent with laws protecting the rights of the informant;”;

(xxix) provisions addressing the training of representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing such representatives of such duties;” and

(xx) not later than 2 years after the date of enactment of the Keeping Children and Families Safe Act of 2003, provisions and procedures for requiring criminal background record checks for prospective foster and adoptive parents and other individuals who have contact with the individual subject to a child abuse and neglect investigation, and do not reside in the household;”;

and

(C) in paragraph (2), by adding at the end the following flush sentence:

“Nothing in subparagraph (A) shall be construed to limit the State’s flexibility to determine State policies relating to public access to court proceedings to determine child abuse and neglect except that such policies shall, at a minimum, ensure the safety and well-being of the child, parents, and family.”;

SEC. 112. AUTORIZATION OF APPROPRIATIONS.

(a) General Authorization.—Section 112(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116(e)(1)) is amended to read as follows:

“(1) Eligibility.—(A) in subparagraph (A)—

(1) by striking “State and local” and inserting “State and local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;”;

(2) by striking “public” and inserting “State and local”; and

(B) by adding at the end the following:

“and

(F) demonstrate a commitment to meaningful parent leadership, including among parents of children with disabilities, parents with disabilities, racial and ethnic minorities, and members of other underrepresented or underserved groups; and

(G) provide referrals to early health and development services;”;

and

(2) by inserting “through leveraging of funds” after “maximizing funding”; and

(B) by striking “a Statewide network of community-based, prevention-focused” and inserting “community-based and prevention-focused”;

(C) by striking “family resource and support program” and inserting “programs and activities designed to prevent child abuse and neglect (through networks where appropriate)”;

and

(c) Technical Amendment to Title Heading.—Title II of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116) is amended by striking the heading for such title and inserting the following:

“TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION OF CHILD ABUSE”;

SEC. 122. ELIGIBILITY.

Section 202 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116a) is amended—

(1) in subparagraph (A)—

(i) by striking “Statewide network of community-based, prevention-focused” and inserting “community-based and prevention-focused”;

and

(ii) by striking “family resource and support programs and all that follows through the dash, and inserting “community-based, prevention-focused”;

(B) in subparagraph (B)—

(i) by striking “3 years after the date of enactment of this Act,” and inserting “2 years after the date of enactment of this Act;”;

and

(C) in paragraph (2), by adding at the end the following:

“and

(B) by striking “through the dash, and inserting “community-based, prevention-focused”;

and

(C) by striking “family resource and support programs and all that follows through the dash, and inserting “community-based, prevention-focused”;

and

(D) by striking “through the dash, and inserting “community-based, prevention-focused”;

and

(E) by striking “through the dash, and inserting “community-based, prevention-focused”;

and

(F) provide referrals to early health and development services;”;

and

(G) provide referrals to early health and development services;”;

SEC. 121. PURPOSE AND AUTHORITY.

(a) Purpose.—Section 201(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116(a)(1)) is amended to read as follows:

“(1) General Authorization.—There are authorized to be appropriated $5116,000,000 for fiscal year 2004 and such sums as may be necessary for each of the fiscal years 2005 through 2008.”;

(b) Demonstration Projects.—Section 121(a)(2) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116(a)(2)) is amended—

(1) by striking “Secretary make” and inserting “Secretary shall make”;

and

(2) by striking “section 106” and inserting “section 106a”.

CITATION

Sec. 126. Local Program Requirements. Section 206(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116e(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “prevention-focused, family resource and support programs, and other community programs that provide activities that are designed to prevent or respond to child abuse and neglect” and inserting “prevention-focused, family resource and support programs, and other community programs that provide activities that are designed to prevent or respond to child abuse and neglect”;

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “services” and inserting “services”;

(ii) in clause (ii), by striking “and” at the end and inserting “and”;

(iii) by adding at the end the following: “voluntary home visiting and other activities designed to prevent and treat family abuse and neglect”;

(iv) in subparagraph (B)—

(i) in clause (i), by striking “(A) home visiting;” and inserting “(A) home visiting;”;

(ii) in clause (ii), by striking “and” at the end and inserting “and”;

(iii) by adding at the end the following: “transition, and redesign of community-based and prevention-focused programs and activities designed to prevent child abuse and neglect;”;

(B) by inserting “and” after “the lead agency” and inserting “the lead agency”;

(C) by striking “and support programs” and inserting “and support programs”;

(D) in subparagraph (C), by striking “prevention-focused, family resource and support programs” and inserting “prevention-focused, family resource and support programs”;

(E) by redesigning paragraph (3) as paragraph (4).

Sec. 127. Performance Measures. Section 207 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116f) is amended—

(1) by striking “statewide network of community-based, prevention-focused, family resource and support programs” and inserting “statewide network of community-based, prevention-focused, family resource and support programs”;

(2) by redesigning paragraph (2) as paragraph (3).

Sec. 128. National Network for Community-Based Family Resource Programs. Section 208(3) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116g(3)) is amended by striking “Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “Statewide network of community-based, prevention-focused, family resource and support programs”.

Sec. 129. Definitions. (a) Children With Disabilities.—Section 209(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h(1)) is amended by striking “(as a child)” and inserting “(as a child)”.

(b) Community-Based and Prevention-Focused Programs and Activities to Prevent Child Abuse and Neglect.—Section 209 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h) is amended—

(1) by striking paragraphs (3) and (4); and

(2) by inserting the following after paragraph (2)—

“(3) Community-Based and Prevention-Focused Programs and Activities to Prevent Child Abuse and Neglect.—The term ‘community-based and prevention-focused programs and activities to prevent child abuse and neglect’ includes organizations such as family resource programs, family support programs, voluntary home visiting programs, respite care programs, parenting education, mutual support programs, and other community programs that provide activities that are designed to prevent or respond to child abuse and neglect.”;

(3) by redesigning paragraph (5) as paragraph (6).

Sec. 130. Authorization of Appropriations. Section 210 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116b) is amended to read as follows:

“Sec. 210. Authorization of Appropriations. ‘There are authorized to be appropriated to carry out this title $80,000,000 for the fiscal year 2005 and such sums as may be necessary for each of the fiscal years 2006 through 2008.’”.

Subtitle C—Conforming Amendments

Sec. 141. Conforming Amendments. The table of contents of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116) is amended by striking the following:

“Sec. 105. Grants to States and public or private agencies and organizations.”.
(2) By striking the item relating to title II and inserting the following:

"TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT".

(3) By striking the item relating to section 204.

SECOND ADOPITION OPPORTUNITIES

SEC. 202. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

Section 201 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) through (4) and inserting the following:

"(1) the number of children in substitute care has increased by nearly 24 percent since 1994, as our Nation’s foster care population included more than 505,000 as of September 2001;"

(B) by inserting after "(C)" the following:

"(D) children entering foster care have complex problems that require intensive services, with many such children having special needs because they were born to mothers who did not receive prenatal care, are born with life threatening conditions or disabilities, are born addicted to alcohol or other drugs, or have been exposed to infection with the etiologic agent for the human immunodeficiency virus;"

(3) each year, thousands of children are in need of placement in permanent, adoptive homes;

(4) by striking paragraphs (6) through (8); and

(5) by inserting "waiting for adoption;";

(6) by inserting "exposed to infection with the etiologic agent for the human immunodeficiency virus;"

"(7)(A) currently, there are 131,000 children waiting for adoption;"; and

(8) respectively; and

(B) by striking "SEC. 203. (a) The Secretary"

(1) by striking the section heading and inserting the following:

"(7)(A) currently, there are 131,000 children waiting for adoption;"; and

(D) by redesignating paragraphs (5), (6), (7), and (10) as paragraphs (4), (5), (6), and (7) respectively; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting "including geographic barriers," after "barriers;"; and

(B) in paragraph (2), by striking "a national" and inserting an Internet-based national".

SEC. 203. INFORMATION AND SERVICES.

Section 203 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 203. INFORMATION AND SERVICES.

This title supports the local government agencies, public or private welfare agencies, agencies that facilitate the interjurisdictional adoption of foster children, and families, with a special emphasis on child-specific recruitment efforts, including social workers on preparing and moving children; and

D) by striking "care for such infants" and inserting "care for such infants and other special needs, including those who are infected with the human immunodeficiency virus (commonly known as ‘HIV’), those who have acquired immune deficiency syndrome (commonly known as ‘AIDS’), and those who have been exposed to dangerous drugs;"

(2) by striking "of this Act" and inserting "of the Keeping Children and Families Safe Act of 2003;"

(3) by striking "to determine the nature" and inserting "to determine—"

(A) the number of children who abuse drugs," after "deficiency syndrome;"

(B) by inserting "which are not licensed" and all that follows through "entity;" and

(5) by adding at the end the following:

"(4) how State policies in defining special needs children differ and group similar categories of children;"

SEC. 204. STUDIES ON SUCCESSFUL ADOPTIONS.

Section 204 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113) is amended by adding at the end the following:

"(b) DYNAMICS OF SUCCESSFUL ADOPTION.—The Secretary shall conduct research (directly or by grant to, or contract with, public or private nonprofit organizations) about adoption outcomes and the factors affecting those outcomes. The Secretary shall submit a report containing the results of such research to the appropriate committees of the Congress not later than the date that is 1 year after the date of the enactment of the Keeping Children and Families Safe Act of 2003;"

"INTERJURISDICTIONAL ADOPTION.—Not later than 1 year after the date of the enactment of the Keeping Children and Families Safe Act of 2003, the Secretary shall submit to the appropriate committees of the Congress a report that contains recommendations for an action plan to facilitate the interjurisdictional adoption of foster children;"

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

Section 205(a) of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113(a)) is amended to read as follows:

"(a) There are authorized to be appropriated $40,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008 to carry out programs and activities authorized under this subpart."
friends and families of victims to receive counseling services, and organizations that provide counseling and other services to victims of child abuse.

SEC. 501. FAMILY VIOLENCE PREVENTION AND SERVICES ACT.

(a) STATE DEMONSTRATION GRANTS.—Section 303(a)(2)(C) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)(C)) is amended by striking "underserved populations," and all that follows and inserting the following: "underserved populations, as defined in section 303 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2)."

(b) REPORT.—Section 303(a) of such Act (42 U.S.C. 10402(a)) is amended by adding at the end the following:

"(5) Upon completion of the activities funded by a grant under this title, the State grantees shall submit to the Secretary a report that contains a description of the activities carried out under paragraph (4)."

SEC. 402. SECRETARIAL RESPONSIBILITIES.

Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—

(1) AUTHORIZATION.—For the purpose of carrying out the purposes and policies of the Family Violence Prevention and Services Act, the Secretary is authorized to appropriate not more than $175,000,000 for each fiscal year for grants and contracts under this title.

(2) Duration.—Not later than 1 year after the date of enactment of this title, the Secretary shall complete the study required under paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.

(c) EVALUATION.—The Secretary shall evaluate the effectiveness of the family violence prevention and services programs and activities carried out under this title.

SEC. 502. FAMILY VIOLENCE PREVENTION AND SERVICES ACT.

(a) STATE DEMONSTRATION GRANTS.—Section 303(a)(2)(C) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)(C)) is amended by striking "underserved populations," and all that follows and inserting the following: "underserved populations, as defined in section 303 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2)."

(b) REPORT.—Section 303(a) of such Act (42 U.S.C. 10402(a)) is amended by adding at the end the following:

"(5) Upon completion of the activities funded by a grant under this title, the State grantees shall submit to the Secretary a report that contains a description of the activities carried out under paragraph (4)."

SEC. 402. SECRETARIAL RESPONSIBILITIES.

Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—

(1) AUTHORIZATION.—For the purpose of carrying out the purposes and policies of the Family Violence Prevention and Services Act, the Secretary is authorized to appropriate not more than $175,000,000 for each fiscal year for grants and contracts under this title.

(2) Duration.—Not later than 1 year after the date of enactment of this title, the Secretary shall complete the study required under paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.

(c) EVALUATION.—The Secretary shall evaluate the effectiveness of the family violence prevention and services programs and activities carried out under this title.

SEC. 502. FAMILY VIOLENCE PREVENTION AND SERVICES ACT.

(a) STATE DEMONSTRATION GRANTS.—Section 303(a)(2)(C) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)(C)) is amended by striking "underserved populations," and all that follows and inserting the following: "underserved populations, as defined in section 303 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2)."

(b) REPORT.—Section 303(a) of such Act (42 U.S.C. 10402(a)) is amended by adding at the end the following:

"(5) Upon completion of the activities funded by a grant under this title, the State grantees shall submit to the Secretary a report that contains a description of the activities carried out under paragraph (4)."

SEC. 402. SECRETARIAL RESPONSIBILITIES.

Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—

(1) AUTHORIZATION.—For the purpose of carrying out the purposes and policies of the Family Violence Prevention and Services Act, the Secretary is authorized to appropriate not more than $175,000,000 for each fiscal year for grants and contracts under this title.

(2) Duration.—Not later than 1 year after the date of enactment of this title, the Secretary shall complete the study required under paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.

(c) EVALUATION.—The Secretary shall evaluate the effectiveness of the family violence prevention and services programs and activities carried out under this title.


(4) The term ‘State lands’ means lands and interest in lands owned by the State of Wyoming that are identified for disposal under approved land use plans in effect on the date of enactment of this Act under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) that are of equal value to the State lands acquired in the exchange.

(b) In the event that the Secretary or the Governor determines that the Federal lands eligible for exchange under subsection (a)(3) are not sufficient or not acceptable for the acquisition of all the State lands identified in section 2(4), the Secretary shall identify
other Federal lands or interests therein in the State of Wyoming for possible exchange and shall identify such lands or interests together with their estimated value in a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives. Such lands or interests shall be eligible for exchange if authorized by an Act of Congress enacted after the date of submission of the report.

SEC. 4. VALUATION OF STATE AND FEDERAL INTERESTS.

(a) AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the value of any Federal lands eligible for exchange under section 3(a) of this Act, then the Secretary and the Governor may select a qualified appraiser to conduct an appraisal of those lands. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraiser.

(b) NO AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the selection of a qualified appraiser under subsection (a), then the Secretary and the Governor shall each designate a qualified appraiser. The two designated appraisers shall select a qualified third appraiser to conduct the appraisal with the advice and assistance of the two designated appraisers. The two designated appraisers or exchange under section 3(a) shall be conducted based on the values determined by the appraiser.

(c) APRAISERS.'—The Secretary and the State of Wyoming shall each pay one-half of the appraisal costs under subsections (a) and (b).

SEC. 5. ADMINISTRATION OF STATE LANDS ACQUIRED BY THE UNITED STATES.

The bill (S. 426) to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, authorized by the Act of August 3, 1968 (82 Stat. 624), as part of the Pick-Sloan Missouri River Basin program.

2. COMMISSION.—The term “Commission” means the Commission of Schools and Public Lands of the State.

3. NONPREFERENTIAL LEASE PARCEL.—The term “nonpreferential lease parcel” means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) was considered to be a nonpreferential lease parcel by the Secretary as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

4. PIERRE CANAL FEATURE.—The term “Pierre Canal feature” means the Pierre Canal feature of the Oahe Unit, James Division, authorized by the Act of August 3, 1968 (82 Stat. 624), as part of the Pick-Sloan Missouri River Basin program.

5. PREFERENTIAL LEASEHOLDER.—The term “preferential leaseholder” means a person or descendant of a person who held a lease on a preferential lease parcel as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

6. PREFERENTIAL LEASE PARCEL.—The term “preferential lease parcel” means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) was considered to be a preferential lease parcel by the Secretary as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

7. SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

8. STATE.—The term “State” means the State of South Dakota, including a successor in interest of the State.

9. UNLEASED PARCEL.—The term “unleased parcel” means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) is not under lease as of the date of enactment of this Act.

10. DEAUTHORIZATION.—The Blunt Reservoir feature is deauthorized.

11. ACCEPTANCE OF LAND AND OBLIGATIONS.—

(a) IN GENERAL.—As a condition of each conveyance under subsections (d)(5) and (e), respectively, the State shall agree to accept—

(A) in “as is” condition, the portions of the Blunt Reservoir Feature and the Pierre Canal Feature that pass into State ownership;

(B) any liability accruing after the date of conveyance as a result of the ownership, operation, or maintenance of the features referred to in subparagraph (A), including any liability associated with certain outstanding obligations associated with expired easements, or any other right granted in, on, over, or across either feature; and

(C) the responsibility that the Commission will act as the agent for the Secretary in administering the purchase option extended to preferential leaseholders under subsection (d).

12. RESPONSIBILITIES OF THE STATE.—An outstanding obligation described in paragraph (3)(B) shall inure to the benefit of, and be binding upon, the State.

3. OIL, GAS, MINERAL AND OTHER OUTSTANDING RIGHTS.—A conveyance to the State under subsection (d) for a sale to a preferential leaseholder under subsection (d) shall be made subject to—

(A) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by or in favor of a third party; and

(B) any permit, license, lease, right-of-use, or right-of-way of record in, on, over, or across a feature referred to in paragraph (3)(A) that is outstanding as to a third party and is of record on the date of enactment of this Act.

4. ADDITIONAL CONDITIONS OF CONVEYANCE TO STATE.—A conveyance to the State under subsection (d)(5) or (e) shall be subject to the reservations by the Secretary and the conditions specified in section 1 of the Act of May 19, 1948 (chapter 310, 62 Stat. 240), as amended (16 U.S.C. 667b), for the transfer of property to agencies for wildlife conservation purposes.

5. PURCHASE OPTION.—

(a) IN GENERAL.—A preferential leaseholder shall have an option to purchase from the Commission, acting as an agent for the Secretary, the preferential lease parcel that is the subject of the lease.

(b) TERMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a preferential leaseholder may elect to purchase a parcel on one of the following terms:

(i) Cash purchase for the amount that is equal to—

(I) the value of the parcel determined under paragraph (4); minus

(ii) ten percent of that value;

(ii) Installment purchase, with 10 percent of the value of the parcel determined under paragraph (4) to be paid on the date of purchase and the remainder to be paid over not more than 30 years at 3 percent annual interest.

(B) VALUE UNDER $10,000.—If the value of the parcel is under $10,000, the purchase shall be made on a cash basis in accordance with subparagraph (A)(i).

3. OPTION EXERCISE PERIOD.—

(a) IN GENERAL.—A preferential leaseholder shall have until the date that is 5 years after enactment of this Act to exercise the option under paragraph (1).

(b) CONTINUATION OF LEASES.—Until the date specified in subparagraph (A), a preferential leaseholder shall be entitled to continue to lease the parcel leased by the preferential leaseholder under the same terms and conditions as under the lease, as in effect as of the date of enactment of this Act.

4. VALUATION.—

(A) IN GENERAL.—The value of a preferential lease parcel shall be its fair market value for agricultural purposes determined by an independent appraisal, exclusive of the value of private improvements made by the leaseholders while the land was federally owned before the date of enactment of this Act, in conformance with the Uniform Appraisal Standards for Federal Land Acquisition.

(B) FAIR MARKET VALUE.—Any dispute over the fair market value of a property under subparagraph (A) shall be resolved in accordance with section 2004 of title 43, Code of Federal Regulations.

5. CONVEYANCE TO THE STATE.—

(A) IN GENERAL.—If a preferential leaseholder fails to purchase a parcel within the period specified in paragraph (3)(A), the Secretary shall convey the parcel to the State of South Dakota Department of Game, Fish, and Parks.

(B) WILDLIFE HABITAT MITIGATION.—Land conveyed under subparagraph (A) shall be used by the South Dakota Department of Game, Fish, and Parks for the purpose of maintaining and enhancing wildlife habitat that was lost as a result of the development of the Pick-Sloan project.
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(6) USE OF PROCEEDS.—Proceeds of sales of land under this Act shall be deposited as miscellaneous funds in the Treasury and such funds shall be made available, subject to appropriation, to the State for the establishment of a fund to pay the county taxes on the lands received by the State Department of Game, Fish, and Parks under the bill. (e) CONVEYANCE OF NONPREFERENTIAL LEASE PARCELS AND UNLEASED PARCELS.—(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall convey to the State Department of Game, Fish, and Parks nonpreferential lease parcels and unleased parcels of the Blunt Reservoir and Pierre Canal. (B) WILDLIFE HABITAT MITIGATION.—Land conveyed under subparagraph (A) shall be used by the South Dakota Department of Game, Fish, and Parks for the purpose of mitigating the wildlife habitat that was lost as a result of the development of the Pick-Sloan project. (C) EASEMENT FOR WATER CONVEYANCE STRUCTURE.—As a condition of the exchange of land of the Pierre Canal Feature under this paragraph, the United States reserves a perpetual easement to the land to allow for the right to design, construct, operate, maintain, repair, and replace a pipeline or other water conveyance structure over, across, or through the Pierre Canal feature. (D) RELEASE FROM LIABILITY.—(1) EFFECTIVE DATE.—Subject to the condition under paragraph (C), the United States shall not be held liable for any action, omission, or occurrence relating to the parcel, except for damages for acts of negligence committed by the United States or by an employee, agent, or contractor of the United States, before the date of conveyance. (2) NO ADDITIONAL LIABILITY.—Nothing in this section adds to any liability that the United States may have under chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"). (E) REQUIREMENTS CONCERNING CONVEYANCE OF LEASE PARCELS.—(1) INTERIM REQUIREMENTS.—During the period beginning on the date of enactment of this Act and ending on the date of conveyance under this section, the Secretary shall continue to lease each preferential lease parcel or nonpreferential lease parcel to be conveyed under this section to the holder of the right to the parcel in the absence of notice to the contrary from the Secretary. (2) PROVISION OF PARCEL DESCRIPTIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall provide the State a full legal description of all preferential lease parcels and nonpreferential lease parcels that may be conveyed under this section. (h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $750,000 to reimburse the Secretary for expenses incurred in implementing this Act, and such sums as are necessary to reimburse the Commission for expenses incurred in implementing this Act, not to exceed 10 percent of the cost of each transaction conducted under this Act.

Mr. REID. Mr. President, I wish to state how much I appreciate the cooperation of the ranking member and the Chairman of the Energy and Natural Resources Committee. It took a few minutes to do this, but it has taken weeks to get to this point. I express my appreciation to all Senators involved. It was very hard to do.

COMMENDING THE UNIVERSITY OF MINNESOTA DULUTH BULLDOGS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 104, submitted earlier today by Senator Dayton and Senator Coleman.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 104) commending the University of Minnesota Duluth Bulldogs for winning the 2002-2003 National Collegiate Athletic Association Division I National Collegiate Women’s Ice Hockey Championship. There being no objection, the Senate proceeded to consider the resolution.

Mr. DAYTON. Mr. President, I am proud to rise today with my colleague from Minnesota, Senator COLEMAN, to pay tribute to the University of Minnesota Duluth Women’s Ice Hockey Team, who just won their third consecutive National Collegiate Athletic Association championship. The Bulldogs defeated an outstanding Harvard team, 4 to 3, in the second sudden-death overtime.

I was once a hockey goalie, back in the days when we used dinosaur bones for goalie sticks. So I have experienced firsthand the incredible intensity and pressure of overtime in hockey. It truly is “sudden death.” For the Bulldogs to win their third straight national championship under that pressure, in front of their families, friends, and many fans in Duluth, is an extraordinary achievement.

I congratulate all the players on the University of Minnesota Duluth team, their head coach, Shannon Miller, who has spearheaded this incredibly successful hockey program, and UMD Chancellor Kathryn Martin. They have accomplished more than anyone could have imagined just 3 years ago, and they have made all Minnesotans extraordinarily proud of them.

Senator COLEMAN. Representative Jim Oberstar, and I have written to President Bush and asked him to invite the team to the White House. Two years ago, after the Bulldogs’ win their first national championship, I read that the NCAA men’s championship team had been invited to the White House. We asked the President then that the UMD women’s team be so honored. The President graciously extended that invitation to the Bulldogs team and personally hosted them at the White House.

Last year, we had the additional thrill of attending a White House ceremony honoring both the men’s and women’s NCAA hockey champions: the University of Minnesota Duluth men’s champions and the University of Minnesota’s men’s champions. Since the Gophers men’s team is now in the semifinals of their national tournament, I am hopeful that we will experience that same thrill again this year. Regardless of that outcome, the UMD women’s team are again the National Champions. A “Threepeat!”

Awesome! Congratulations, Bulldogs! Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to; that the motion to reconsider be laid upon the table, without intervening action or debate; and that any statements relating to the resolution be printed in the Record.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 104) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 104

Whereas on Sunday, March 23, 2003, the two-time defending NCAA National Collegiate Women’s Ice Hockey Champions, the University of Minnesota Duluth Bulldogs, won the National Championship for the third straight year;

Whereas Minnesota Duluth defeated Harvard University in double overtime of the championship game by the score of 4-3, having defeated Dartmouth College 5-2 in the semifinals;

Whereas sophomore Naura Tallus scored the game-winning goal in the second overtime, assisted by Erika Holst and Joanne Eustace;

EXECUTIVE CALENDAR

EXECUTIVE SESSION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on today’s Executive Calendar: Calendar Nos. 98, 99, 100, 101, 102, and 104. I further ask unanimous consent that the nominations be confirmed en bloc; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate’s action; and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

THE BILL

Mr. JIM OBERSTAR, from the State of Minnesota, to be a Judge of the United States Tax Court for a term of fifteen years after he takes office.
Robert Allen Wheezy, Jr., of Colorado, to be a Judge of the United States Tax Court for a term of fifteen years.

Harry A. Haines, of Montana, to be a Judge of the United States Tax Court for a term of fifteen years.

Diane L. Kroupa, of Minnesota, to be a Judge of the United States Tax Court for a term of fifteen years.

Mark Van Dyke Holmes, of New York, to be a Judge of the United States Tax Court for a term of fifteen years.

Raymond T. Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR MONDAY, APRIL 7, 2003

Mr. Frist. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 3 p.m., Monday, April 7. I further ask unanimous consent that the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business until 5 p.m., with the time until 4 p.m. to be equally divided between Senator Hutchison and the minority leader or their designees, and the remaining time until 5 p.m. be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. Frist. Mr. President, for the information of all Senators, the Senate will return for business on Monday. On Monday there will be a period for morning business to allow Members to continue to make statements in support of our troops. At 5 p.m. under a previous order, the Senate will proceed to a vote on the confirmation of a district court judge.

Next week, as I announced earlier this evening, the Senate will consider nominations, including judicial nominees, the CARE Act, the FISA bill, and, hopefully, under a unanimous consent agreement, the POW resolution, and conference reports as they are available.

Next week is the last week prior to the Easter recess. I expect a busy week as we attempt to finish the mentioned items and any other legislative or executive items that can be cleared.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 3, 2003:

THE JUDICIARY

Joseph Robert Goere, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years after he takes office.

Robert Allen Wheezy, Jr., of Colorado, to be a Judge of the United States Tax Court for a term of fifteen years.

Harry A. Haines, of Montana, to be a Judge of the United States Tax Court for a term of fifteen years.

Diane L. Kroupa, of Minnesota, to be a Judge of the United States Tax Court for a term of fifteen years.

Mark Van Dyke Holmes, of New York, to be a Judge of the United States Tax Court for a term of fifteen years.

DEPARTMENT OF THE TREASURY

Raymond T. Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted Committee of the Senate.
HIGHLIGHTS
Senate passed Wartime Supplemental Appropriations Bill.

Senate Chamber Action
Routine Proceedings, pages S4733–S4882

Measures Introduced: Eighteen bills and one resolution were introduced, as follows: S. 774–791, and S. Res. 104.

Measures Passed:
Wartime Supplemental Appropriations: By a unanimous vote of 93 yeas (Vote No. 125), Senate passed S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, after taking action on the following amendments proposed thereto:

Adopted:
Bayh Modified Amendment No. 474, to provide funding for grants to States for smallpox and other bioterrorism inoculation activities.

By 65 yeas to 32 nays (Vote No. 122), Specter Amendment No. 515, to increase funds for protection and preparedness of high threat urban areas under the Office for Domestic Preparedness.

By 67 yeas to 26 nays (Vote No. 124), Stevens (for Kohl) Amendment No. 455, to provide humanitarian food assistance in connection with U.S. activities in Iraq.

Stevens Amendment No. 522, to make certain improvements to the bill.

Rejected:
Boxer/Schumer Amendment No. 472, to set aside $30,000,000 for the Department of Homeland Security for research and development and deployment of technology to protect commercial aircraft from the threat posed by man-portable air defense systems.

(By 50 yeas to 47 nays (Vote No. 117), Senate tabled the amendment.)

By 38 yeas to 61 nays (Vote No. 118), McCain/Kyl Amendment No. 481, to remove unauthorized and earmarked appropriations.

Breaux Amendment No. 494, to allocate additional funds for certain federal homeland security programs. (By 52 yeas to 46 nays (Vote No. 119), Senate tabled the amendment.)

By 67 yeas to 32 nays (Vote No. 122), Specter Amendment No. 515, to increase funds for protection and preparedness of high threat urban areas under the Office for Domestic Preparedness.

By 51 yeas to 46 nays (Vote No. 120), Senate tabled the amendment.

Byrd/Hollings Amendment No. 508, to protect the prerogatives of the Congress in the allocation of homeland security funding. (By 51 yeas to 46 nays (Vote No. 123), Senate tabled the amendment.)

Schumer Amendment No. 514, to increase the appropriation for the Office for Domestic Preparedness, Department of Homeland Security, by $2,330,000,000. (By 51 yeas to 46 nays (Vote No. 123), Senate tabled the amendment.)

Withdrawn:
Graham (FL) Amendment No. 459, to appropriate an additional $375,000,000 for the Department of Veterans Affairs for Medical Care for costs of medical care for certain veterans of the current conflict in Iraq.

Ensign Amendment No. 488, to prohibit the use of funds in a manner that benefits citizens or businesses of France and Germany unless physically located in the United States.

Talent Amendment No. 499, to require certain air carriers that receive funds appropriated under this...
Act to accept procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers.

Pages S4769–71

Reid Amendment No. 440, to provide critical funding to safeguard nuclear weapons and nuclear material in the United States and around the world.

Pages S4737, S4805–06

Landrieu/Mikulski Modified Amendment No. 504, to make applicable provisions of law requiring the use of privately owned United States flag commercial vessels for the transportation of U.S. Aid and other materials.

Pages S4711–75, S4777–81, S4805–06

Bond Amendment No. 500, to state the sense of the Senate regarding procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers.

Pages S4771–75, S4805–06

Stevens Amendment No. 435, to increase the National Debt Ceiling of the United States.

Pages S4737, S4808–11

A unanimous-consent agreement was reached providing that it be in order for the Chairman and Ranking Member of the Committee on Appropriations, with the concurrence of both Leaders, be permitted to make technical, conforming, and clarifying changes as necessary to the supplemental appropriations bill.

A unanimous-consent agreement was reached providing that when the Senate receives H.R. 1559, House companion measure, the Senate proceed to its consideration, all after the enacting clause be stricken, the text of S. 762, as amended, be inserted in lieu thereof; provided further that the bill then be read a third time and passed, the motion to reconsider be laid upon the table, the Senate then insist on its amendment, request a conference with the House, and the Chair be authorized to appoint the following Members as conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Burns, Shelby, Gregg, Bennett, Campbell, Craig, Hutchison, DeWine, Brownback, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Reid, Kohl, Murray, Dorgan, Feinstein, Durbin, Johnson, and Landrieu; and that the passage of S. 762 be vitiated and the bill be placed back on the calendar.

Page S4811

Grand Teton National Park Land Exchange Act: Senate passed S. 273, to provide for the expeditious completion of the acquisition of land owned by the State of Wyoming within the boundaries of Grand Teton National Park.

Pages S4879–80

Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act: Senate passed S. 302, to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to restore and extend the term of the advisory commission for the recreation area, after agreeing to the following amendment proposed thereto:

Frist (for Bingaman) Amendment No. 523, to correct a map reference in the bill.

Blunt Reservoir and Pierre Canal Land Conveyance Act: Senate passed S. 426, to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission.

Pages S4880–81

Commending University of Minnesota Ice Hockey Team: Senate agreed to S. Res. 104, commending the University of Minnesota Duluth Bulldogs for winning the 2002–2003 National Collegiate Athletic Association Division I National Collegiate Women’s Ice Hockey Championship.

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of Cormac J. Carney, to be United States District Judge for the Central District of California, at 5 p.m., on Monday, April 7, 2003, with a vote to occur thereon.

Care Act Agreement: A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to consideration of S. 476, to provide incentives for charitable contributions by individuals and businesses, to improve the public disclosure of activities of exempt organizations, and to enhance the ability of low-income Americans to gain financial security by building assets, and it be considered under the following limitations: that there be 4 hours of debate equally divided, that the only amendments be a manager’s amendment and a Nickles amendment; provided further that there be 30 minutes of debate on the amendments equally divided; that following the disposition of the previously-mentioned amendments, the bill be read a third time and the Senate vote on passage of the bill, as amended, with no intervening action or debate; that no points of order be waived by this agreement and that following passage of the bill that it be held at the desk.

Pages S4870–72

Protect Act: Senate disagreed to the amendments of the House to S. 151, to prevent child abduction and
the sexual exploitation of children, and agreed to House request for a conference, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Hatch, Grassley, Sessions, Graham (SC), Leahy, Kennedy, and Biden.

**Keep Children and Families Safe Act:** Senate disagreed to the amendment of the House, to S. 342, to amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, requested a conference with the House, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Gregg, Alexander, DeWine, Kennedy, and Dodd.

**Nominations Confirmed:** Senate confirmed the following nominations:
- Raymond T. Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004.
- Joseph Robert Goeke, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years after he takes office.
- Robert Allen Wherry, Jr., of Colorado, to be a Judge of the United States Tax Court for a term of fifteen years.
- Harry A. Haines, of Montana, to be a Judge of the United States Tax Court for a term of fifteen years.
- Diane L. Kroupa, of Minnesota, to be a Judge of the United States Tax Court for a term of fifteen years.
- Mark Van Dyke Holmes, of New York, to be a Judge of the United States Tax Court for a term of fifteen years.

**Messages From the House:**

**Measures Referred:**

**Petitions and Memorials:**

**Executive Reports of Committees:**

**Additional Cosponsors:**

**Statements on Introduced Bills/Resolutions:**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 10:33 p.m., until 3 p.m., on Monday, April 7, 2003. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S4882.)

**Committee Meetings**

(Committees not listed did not meet)

**CHILD NUTRITION PROGRAMS AUTHORIZATION**
Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine proposed legislation authorizing funds for child nutrition programs, including the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), focusing on ensuring program access, fighting hunger and obesity, after receiving testimony from Eric M. Bost, Under Secretary of Agriculture for Food, Nutrition and Consumer Services; James D. Weill, Food Research and Action Center; Douglas J. Besharov, American Enterprise Institute for Public Policy Research, and Anne Curry, Food Marketing Institute, all of Washington, D.C.; Jill Leppert, North Dakota State WIC Program, Bismarck, on behalf of the National WIC Association; Karen Caplan, Frieda’s Inc., Los Alamitos, California, on behalf of United Fresh Fruit and Vegetable Association; Rod Hofstedt, Adult and Children’s Alliance, St. Paul, Minnesota, on behalf of National Child and Adult Care Food Program Forum; and Don Wambles, Alabama State Farmers Marketing Authority Montgomery, on behalf of the National Association of Farmers’ Market Nutrition Programs.

**APPROPRIATIONS: SCIENCE**
Committee on Appropriations: Subcommittee on Veterans’ Affairs, Housing and Urban Development, and Independent Agencies concluded hearings to examine proposed budget estimates for fiscal year 2004 for the National Science Foundation and the Office of Science and Technology Policy, after receiving testimony from John H. Marburger III, Director, Office of Science and Technology Policy; Rita R. Colwell, Director, and Christine Boesz, Inspector General, both of the National Science Board; and Warren M. Washington, National Center for Atmospheric Research, Boulder, Colorado, on behalf of the National Science Board.

**DEFENSE AUTHORIZATION: AIR-LAUNCHED WEAPONS PROGRAMS**
Committee on Armed Services: Subcommittee on Airland concluded hearings on proposed legislation authorizing funds for fiscal year 2004 for Department of
Defense and the Future Years Defense Program, focusing on Navy, Marine Corps, and Air Force aviation and air-launched weapons programs, after receiving testimony from John J. Young, Jr., Assistant Secretary of the Navy for Research, Development, and Acquisition; Marvin R. Sambur, Assistant Secretary of the Air Force for Acquisition; Vice Admiral John B. Nathman, USN, Deputy Chief of Naval Operations for Warfare Requirements and Programs; Lieutenant General Michael A. Hough, USMC, Deputy Commandant for Aviation; and Lieutenant General Ronald E. Keys, USAF, Deputy Chief of Staff for Air and Space Operations.

CHECK TRUNCATION
Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine the Federal Reserve Board proposal to facilitate check truncation by creating a new negotiable instrument called a "substitute check," which would permit banks to truncate the original checks, to process the check information electronically, and to print and deliver substitute checks to banks and bank customers that want to continue receiving paper checks, after receiving testimony from Roger W. Ferguson, Jr., Vice Chairman, Board of Governors of the Federal Reserve System; Lindsay A. Alexander, National Institutes of Health Federal Credit Union, Washington, D.C., on behalf of Credit Union National Association, Inc.; Janell Mayo Duncan, Consumers Union, Washington, D.C.; and Danne Buchanan, Zions Bancorporation, Salt Lake City, Utah.

NOMINATIONS
Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Thomas Waters Grant, of New York, Noe Hinojosa, Jr., of Texas, and William Robert Timken, Jr., of Ohio, each to be a Director of the Securities Investor Protection Corporation, and Alfred Plamann, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank.

HEALTH CARE
Committee on Finance: Committee held hearings to examine the issue of purchasing health care services in a competitive environment, focusing on the impact on administrative costs, profits, risk load, remote area providers, and senior citizens, receiving testimony from Abby L. Block, Senior Advisor for Employee and Family Policy, Office of Personnel Management; Tom Carrato, Deputy Assistant Secretary of Defense for Health Plan Administration; Bruce E. Bradley, General Motors, Washington, D.C.; and Lois E. Quam, UnitedHealth Group Company, Minnetonka, Minnesota.

Hearings recessed subject to call.

NOMINATIONS
Committee on Foreign Relations: Committee resumed hearings to examine the nominations of Lino Gutierrez, of Florida, to be Ambassador to Argentina; James B. Foley, of New York, to be Ambassador to the Republic of Haiti, and Roland W. Bullen, of Virginia, to be Ambassador to the Co-operative Republic of Guyana, after each nominee testified and answered questions in their own behalf.

NATO ENLARGEMENT
Committee on Foreign Relations: Committee held hearings to examine North Atlantic Treaty Organization (NATO) enlargement, focusing on qualifications and contributions, Latvia, Lithuania, Estonia, Bulgaria, Romania, Slovakia, and Slovenia and NATO membership, receiving testimony from F. Stephen Larrabee, RAND, Arlington, Virginia; and Janusz Bugajski, Center for Strategic and International Studies, and Jeffrey Simon, National Defense University, both of Washington, D.C.

Hearings will continue on Tuesday, April 8.

BUSINESS MEETING
Committee on the Judiciary: Committee ordered favorably reported the nominations of Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit, Richard D. Bennett, to be United States District Judge for the District of Maryland, Dee D. Drell, to be United States District Judge for the Western District of Louisiana, and Allen Garber, to be United States Marshal for the District of Minnesota, and Raul David Bejarano, to be United States Marshal for the Southern District of California, both of the Department of Justice.
House of Representatives

Chamber Action


Additional Cosponsors: Pages H2822–23

Reports Filed: Reports were filed today as follows: H.R. 760, to prohibit the procedure commonly known as partial-birth abortion (H. Rept. 108–58). Page H2618


Agreed To:

- Millender-McDonald amendment that makes available $8 million of surface transportation security initiatives funding for transit security programs; Page H2774
- Jackson-Lee amendment that provides up to $10 million of Immigration and Customs Enforcement funding for the Student and Exchange Visitor Information System; and Pages H2777–78
- Kennedy of Minnesota that prohibits funding for reconstruction efforts in Iraq to be used to procure goods or services from any entity than includes information on a response to a Request for Proposal that indicates that the entity is organized under the laws of France, Germany, Russian Federation, or Syria. Pages H2799–H2806

Rejected:

- Cunningham amendment that sought to strike $1 billion funding for grants to Turkey (rejected by recorded vote of 110 ayes to 315 noes, Roll No. 105); Pages H2747–57, H2759–60
- DeFazio amendment that sought to prohibit any funding to be used to initiate or launch military actions except as authorized by Article I, section 8 of the constitution; Pages H2785–87
- Hoekstra amendment that sought to delete the $64 million provided to the National Service Trust of the Corporation for National and Community Service to liquidate obligations that were previously incurred; Pages H2788–92
- McGovern amendment no. 2 printed in the Congressional Record of April 2 that sought to decrease Interdiction and Counter-Drug Activities funding and Andean Counter-Drug Initiative funding for Colombia by $61 million and increase funding for the Office for Domestic Preparedness by $34 million (rejected by recorded vote of 209 ayes to 216 noes, Roll No. 106); and; Pages H2764–69, H2807–08

DeFazio amendment that sought to reduce funding for the Economic Support Fund and the allocation within that amount for Turkey by $207 million and apply that funding to establish National Guard Weapons of Mass Destruction Civil Support Teams (rejected by recorded vote of 113 ayes to 312 noes, Roll No. 107). Pages H2787–88, H2808

Point of Order Sustained Against:

- Obey amendment that sought to increase funding for homeland security programs by $2.5 billion (agreed to sustain the ruling of the Chair as a judgment of the Committee that the amendment constituted legislation in an appropriation bill in violation of clause 2 of rule XXI by recorded vote of 217 ayes to 195 noes, Roll No. 104); Pages H2741–42
- Nadler amendment that sought to increase funding for port security by $15 billion (the Chair stated that the amendment was in violation of clause 2 of rule XXI); Pages H2774–75
- Wu amendment that sought to provide funding for an airline ticket voucher program (the Chair stated that the amendment was in violation of clause 2a of rule XXI); Pages H2775–76
- DeFazio amendment that sought to establish an unemployment assistance program for displaced air transportation employees (the Chair stated that the amendment was in violation of clause 2 of rule XXI); Pages H2784–85
- Waters amendment no. 7 printed in the Congressional Record of April 2 that sought to direct the United States Executive Director of the Inter-American Development Bank to use the influence of the United States to urge the bank to resume lending to Haiti (the Chair stated that the amendment was in violation of clause 2 of rule XXI); Pages H2793–94
- Waters amendment no. 9 printed in the Congressional Record of April 2 that sought to make available funding for urban and rural development and renewal projects (the Chair stated that the amendment was in violation of clause 2 of rule XXI); and Pages H2794–95
- Waters amendment no. 8 printed in the Congressional Record of April 2 that sought to prohibit senior government officials from participating in contract negotiations or procurement of good or services from companies where they had served as a member of the board of directors or senior management official in the preceding four year period (the Chair stated that the amendment was in violation of clause 2 of rule XXI); Pages H2795–96

Withdrawn:

- Kucinich en bloc amendment was offered but subsequently withdrawn that sought to reduce funding for the Operation Iraqi Freedom Response Fund; Pages H2744–47
Hoeffel amendment was offered but subsequently withdrawn that sought to increase funding for peacekeeping;

Pages H2763–64

Tauscher amendment was offered but subsequently withdrawn that sought to expand the use of cooperative threat reduction funds;

Pages H2770–71

Flake amendment was offered but subsequently withdrawn that sought to reduce funding for expenses related to aviation security;

Pages H2776–77

Jackson-Lee en bloc amendment was offered but subsequently withdrawn that sought to provide additional funding for substance abuse programs, domestic preparedness, and hazardous materials response teams;

Pages H2778–80

Crowley amendment was offered but subsequently withdrawn that sought to limit Foreign Military Financial Aid to Pakistan;

Pages H2782–83

Rothman amendment was offered but subsequently withdrawn that sought to establish flight restrictions to prohibit general aviation aircraft with a 15 mile radius of the City of New York, New York.

Pages H2788

Allen amendment was offered but subsequently withdrawn that sought to increase funding for the Individuals with Disabilities Education Act and the No Child Left Behind Act;

Page H2793

Nethercutt amendment no. 11 printed in the Congressional Record of April 2 was offered but subsequently withdrawn that sought to limit funding for reconstruction efforts in Iraq by a corporation organized under the laws of France, Germany, Russian Federation, People's Republic of China or Syria;

Pages H2798–99

Kucinich amendment was offered but subsequently withdrawn that sought to prohibit funding for the procurement of goods or services without the use of competitive procedures in accordance with the Federal Acquisition Regulation and the Agency for International Development Acquisition Regulation; and

Page H2799

Edwards amendment was offered but subsequently withdrawn that sought to prohibit funding for an air carrier if the carrier discontinues service to the Killeen, Texas Municipal Airport between April 4, 2003 and April 4, 2004.

Pages H2806–07

Agreed to H. Res. 172, the rule that provided for consideration of the bill by voice vote. Earlier, agreed to order the previous question by a yea-and-nay vote of 221 yeas and to 200 nays, Roll No. 103.

Pages H2810

Legislative Program: The Majority Leader announced the Legislative Program for the week of April 7.

Pages H2809–10

Meeting Hour—Monday, April 7: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, April 7.

Page H2810

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 9.

Page H2810

National Council on the Arts: Read a letter from the Minority Leader wherein she announced her appointment of Representative McCollum to the National Council on the Arts for the 108th Congress.

Page H2811

Page Board: Read a letter from the Minority Leader wherein she announced her appointment of Representative Kildee to the House of Representatives Page Board for the 108th Congress.

Page H2811

Board of Trustees of Gallaudet University: The Chair announced the Speaker's appointment of Representative Woolsey to the Board of Trustees of Gallaudet University.

Page H2811

Senate Messages: Message received from the Senate today appears on page H2707.

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H2717-18, H2741-42, H2760, H2707-08, H2808, and H2809. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:58 p.m.

Committee Meetings

COMMERCE, JUSTICE AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, and State, the Judiciary and Related Agencies held a hearing on State Department Management. Testimony was heard from the following officials of the Department of State: Richard L. Armitage, Deputy Secretary; and Grant S. Green, Under Secretary, Management.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Center for Medicare and Medicaid Services and on Agency for Healthcare Research Quality. Testimony was heard from the following officials of the Department of Health and Human Services: Tom Scully, Administrator, Center for Medicare and Medicaid Services; and Carolyn Clancy, M.D., Director, Agency for Healthcare Research Quality.

TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation and Treasury, and Independent Agencies held a hearing on Transportation Safety. Testimony was heard from the following officials of the Department of Transportation: Annette Sandberg, Acting Administrator, Federal Motor Carrier Safety Administration; and Jeffrey Runge, Administrator, National Highway Traffic Safety Administration; and Ellen...
Engleman, Administrator, National Transportation Safety Board.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS
Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies conducted appropriation hearings. Testimony was heard from Members of Congress.

NAVAL TRANSFORMATION AND FUTURE NAVAL CAPABILITIES
Committee on Armed Services: Subcommittee on Project Forces held a hearing on the Department of the Navy fiscal year 2004 research and development program in support of naval transformation and future naval capabilities. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Assistant Secretary (Research, Development and Acquisition); Vice Adm. John B. Nathman, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs; and Rear Adm. Jay M. Cohen, USN, Chief of Naval Research.

BUDGET REQUEST—DOD INFORMATION TECHNOLOGY PROGRAMS
Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the fiscal year 2004 national defense authorization budget request for Department of Defense Information Technology Programs. Testimony was heard from the following officials of the Department of Defense: John P. Stenbit, Assistant Secretary, Command, Control, Communications and Intelligence; Rear Adm. Nancy E. Brown, USN, Deputy Director, Command, Control, Communications and Intelligence; Lt. Gen. Harry D. Raduege, Jr., USAF, Director, Defense Information Systems Agency; Lt. Gen. Peter Cuvello, USA, Chief Information Officer, Department of the Army; John Gilligan, Chief Information Officer, Department of the Air Force; David M. Wennenburg, USN, Chief Information Officer, and Brig. Gen. John R. Thomas, USMC, Director, Command, Control, Communications and Computers (C4). Chief Information Officer, Marine Corps, both with the Department of the Navy.

VIEWS FROM THE FIELD—MOBILIZED RESERVISTS PERSPECTIVES
Committee on Armed Services: Subcommittee on Total Force held a hearing on Views from the Field Perspectives of Mobilized Reservists. Testimony was heard from Sg t. First Class Steven Davis, U.S. Army Reserve; Master Sgt. Gary L. Beaver, Virginia Army National Guard; Petty Officer Robert Lehman, Naval Reserve; Master Sgt. Kevin R. Smith, U.S. Air Force Reserve; Master Sgt. Paul Needham, Arkansas Air National Guard; Staff Sgt. Johnathan Stallings, North Carolina Air National Guard; and Gunner S gt. Nancy Jean Koehler, U.S. Marine Corps Reserve.

FAMILY TIME FLEXIBILITY ACT
Committee on Education and the Workforce: Subcommittee on Workforce Protections approved for full Committee action H.R. 1119, Family Time Flexibility Act.

ENERGY POLICY ACT

FIGHTING FRAUD: IMPROVING INFORMATION SECURITY
Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on Oversight and Investigations held a joint hearing entitled “Fighting Fraud: Improving Information Security.” Testimony was heard from Tim Caddigan, Special Agent in Charge, Financial Crimes Division; U.S. Secret Service, Department of Homeland Security; James Farnan, Deputy Assistant Director, Cyber Division, FBI, Department of Justice; J. Howard Beales III, Director, Bureau of Consumer Protection, FTC; and public witnesses.

RESTORING EXECUTIVE REORGANIZATION AUTHORITY
Committee on Government Reform: Held a hearing entitled “Toward a Logical Governing Structure: Restoring Executive Reorganization Authority.” Testimony was heard from Representative DeLay; David M. Walker, Comptroller General, GAO; Nancy Dorn, Deputy Director, OMB; and public witnesses.

PRESCRIPTION DRUG PARITY
Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled “International Prescription Drug Parity: Are Americans Being Protected or Gouged?” Testimony was heard from William K. Hubbard, Senior Associate Commissioner, FDA, Department of Health and Human Services; and public witnesses.

DEMOCRATIC REPUBLIC OF CONGO
Committee on International Relations: Subcommittee on Africa held a hearing on Democratic Republic of Congo: Key to the Crisis in the Great Lakes Region. Testimony was heard from Charles R. Snyder, Deputy Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES
Committee on International Relations: Subcommittee on Europe approved for full Committee action the following measures: H. Res. 165, amended, expressing support for a renewed effort to find a peaceful, just, and lasting settlement to the Cyprus problem; H.R. 854, amended, Belarus Democracy Act of 2003; H. Res. 154, amended, commending the Prime Minister of Great Britain for his stalwart leadership and unwavering support of the United States in the effort to disarm Saddam Hussein of weapons of mass destruction and free the Iraqi people of the scourge of
brutal dictatorship; and H. Con. Res 129, expressing appreciation for the longstanding support and friendship of the people and Government of the United Kingdom.

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT
Committee on the Judiciary: Ordered reported, as amended, H.R. 1036, Protection of Lawful Commerce in Arms Act.

U.S. PATENT AND TRADEMARK FEE MODERNIZATION ACT
Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 1561, United States Patent and Trademark Fee Modernization Act of 2003. Testimony was heard from James Rogan, Under Secretary, Intellectual Property and Director, U.S. Patent and Trademark Office, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES
Committee on Resources: Subcommittee on Water and Power approved for full Committee action the following bills: H.R. 901, to authorize the Secretary of the Interior to construct a bridge on Federal land west of an adjacent to Folsom Dam in California; and H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin Demonstration project; H.R. 135, Twenty-First Century Water Commission Act of 2003; and H.R. 495, Zuni Indian Tribe Water Rights Settlement Act of 2003.

SMALL BUSINESS EXPENSING
Committee on Small Business: Subcommittee on Tax, Finance, and Exports held a hearing on Small Business Expensing: Increasing Incentives for Small Companies to Grow and Invest in their Businesses. Testimony was heard from Gregg Jenner, Deputy Assistant Secretary and Senior Advisor for Tax Policy, Department of the Treasury; and public witnesses.

FEDERAL HIGHWAY AND TRANSIT PROGRAMS AUTHORIZATION
Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit, and Pipelines concluded hearings on Member Policy Initiatives and Project Requests for Reauthorization of Federal Highway and Transit Programs. Testimony was heard from Representatives Lucas of Kentucky, Stenholm, Baca, Lampson, Carson of Indiana, Gonzalez, Goodlatte, Rush, Davis of Illinois, DeGette, Weller, LaHood, Johnson of Illinois, Kirk, Franks of Arizona, Hayes, McCollum, Pitts, Capito, Loretta Sanchez of California, Herger, Burgess, Majette, Edwards, Boozman, John, McCrery, Ross, Vitter, Rogers of Michigan, Lewis of Kentucky, King of Iowa, Kind, Kanjorski, Schakowsky, Bell and Strickland.

SERVICEMEMBERS CIVIL RELIEF ACT; COLUMBIA ORBITER MEMORIAL ACT
Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 100, amended, Servicemembers Civil Relief Act; and H.R. 1297, Columbia Orbiter Memorial Act.

ENERGY TAX POLICY ACT; TAXPAYER PROTECTION AND IRS ACCOUNTABILITY ACT

JOINT MILITARY INTELLIGENCE/TACTICAL INTELLIGENCE AND RELATED PROGRAMS
Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Joint Military Intelligence Program/Tactical Intelligence and Related Programs. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 4, 2003

Senate
No meetings/hearings scheduled.

House
Committee on Armed Services, hearing on Iraq’s violations of the Law of Armed Conflict, 1 p.m., 2118 Rayburn.
Committee on Government Reform, hearing entitled “Project BioShield: Contracting for the Health and Security of the American Public,” 9:30 a.m., 2154 Rayburn.

CONGRESSIONAL PROGRAM AHEAD
Week of April 7 through April 12, 2003

Senate Chamber
On Monday, At 3 p.m., Senate will be in a period of morning business until 5 p.m.; following which, Senate will consider and vote on the nomination of Cormac J. Carney, of California, to be United States District Judge for the Central District of California.
During the balance of the week, Senate may consider S. 476, CARE Act of 2003, S. 113, Foreign Intelligence Surveillance Act, and a POW Resolution, and any other cleared legislative and executive business.

Senate Committees
Committee on Appropriations: April 7, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2004 for...
the Department Energy's Office of Environmental Management and Office of Civilian Radioactive Waste Management, 1:30 p.m., SD-124.

April 8, Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Securities and Exchange Commission, 10 a.m., S-146, Capitol.

April 8, Subcommittee on Homeland Security, to hold hearings to examine the fiscal year 2004 Emergency Preparedness and Response Budget Overview, 2 p.m., SD-124.

April 9, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Labor, 9:30 a.m., SD-138.

April 9, Subcommittee on Transportation, Treasury and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Internal Revenue Service, 2 p.m., SD-124.

April 10, Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Federal Bureau of Investigation, 10 a.m., S-146, Capitol.

April 10, Subcommittee on VA, HUD and Independent Agencies, to hold hearings to examine proposed budget estimate for fiscal year 2004 for Corporation for National and Community Service and Community Development Financial Institutions Fund, 10 a.m., SD-138.

April 10, Subcommittee on Interior, to hold hearings to examine proposed budget estimate for fiscal year 2004 for the Department of Interior, 10 a.m., SD-124.

April 10, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Library of Congress and the Open World Leadership Center, 1:30 p.m., SD-116.

April 10, Subcommittee on Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2004 for science and technology, 2 p.m., SD-192.

Committee on Armed Services: April 8, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, 10:15 a.m., SR-325.

April 8, Subcommittee on Strategic Forces, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, focusing on strategic forces and policy, to be followed by a closed session in SR-222, 2:30 p.m., SR-232A.

April 9, Subcommittee on Readiness and Management Support, to hold hearings to examine proposed legislation authorizing funds fiscal year 2004 for the Department of Defense, focusing on the readiness of the military services to conduct current operations and execute contingency plans, 2:30 p.m., SR-222.

Committee on Banking, Housing, and Urban Affairs: April 8, to hold oversight hearings to examine the impact of proposed RESPA rule on small business and consumers, 10 a.m., SD-538.

April 10, Full Committee, to hold hearings to examine recent developments in Hedge Funds, 10 a.m., SD-538.

Committee on Energy and Natural Resources: April 8, business meeting to consider comprehensive energy legislation, 10 a.m., SD-366.

April 9, Full Committee, business meeting to consider comprehensive energy legislation, 10 a.m., SD-366.

April 10, Full Committee, business meeting to consider comprehensive energy legislation, 10 a.m., SD-366.

Committee on Environment and Public Works: April 8, Subcommittee on Clean Air, Climate Change, and Nuclear Safety, to hold hearings to examine S. 485, to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, to provide an alternative regulatory classification for units subject to the cap and trade program, 2 p.m., SD-406.

April 10, Subcommittee on Fisheries, Wildlife, and Water, to hold oversight hearings to examine the designation of critical habitat under the Endangered Species Act, 9:30 a.m., SD-406.

Committee on Finance: April 8, to hold hearings to examine Enron, focusing on the Joint Committee on Taxation Report on compensation-related issues, 10 a.m., SD-215.

April 9, Full Committee, to hold hearings to examine the annual report for 2003 of the Board of Trustees of the Federal Old Age and Survivors Insurance and Disability Insurance Trust Funds, 10 a.m., SD-215.

Committee on Foreign Relations: April 8, to resume hearings to examine NATO enlargement, 9:30 a.m., SH-216.

April 8, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine global energy security issues, 2:30 p.m., SD-419.

April 9, Full Committee, business meeting to consider proposed legislation entitled "Foreign Relations Authorization Act", to authorize appropriations for the Department of State, and United States international broadcasting activities, 9:30 a.m., SD-419.

April 9, Full Committee, to hold hearings to examine the nominations of Joseph LeBaron, of Oregon, to be Ambassador to the Islamic Republic of Mauritania, Gregory W. Engle, of Colorado, to be Ambassador to the Togolese Republic, Wayne E. Nell, of Nevada, to be Ambassador to the Republic of Benin, and Helen R. Meagher La Lime, of Florida, to be Ambassador to the Republic of Mozambique, 3 p.m., SD-419.

April 9, Full Committee, to hold hearings to examine the nominations of Heathur M. Hodges, of Ohio, to be Ambassador to the Republic of Moldova, Eric S. Edelman, of Virginia, to be Ambassador to the Republic of Turkey, Ralph Frank, of Washington, to be Ambassador to the Republic of Croatia, Reno L. Harnish, of California, to be Ambassador to the Republic of Azerbaijan, and Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Lithuania, 4:30 p.m., SD-419.

Committee on Governmental Affairs: April 8, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Subcommittee on Civil Service and Agency Organization to examine the federal government's strategic human capital management and consider pending legislation on the federal workforce, 9:30 a.m., SD-342.

April 9, Full Committee, to hold hearings to examine Homeland Security, 9:30 a.m., SD-342.

April 10, Full Committee, to hold hearings to examine the nomination of Peter Elde, of Maryland, to be General Counsel of the Federal Labor Relations Authority, 9:30 a.m., SD-342.

April 10, Full Committee, to hold hearings to examine prosecuting Iraqi war crimes, 12 noon, SD-342.
Committee on Agriculture, April 10, Subcommittee on General Farm Commodities and Risk Management, hearing on implementation of the 2002 Farm Bill and 2003 Agriculture Assistance, 10 a.m., 1300 Longworth.

Committee on Appropriations, April 8, Subcommittee on Homeland Security, on Special Security Events, 2 p.m., 2359 Rayburn.

April 8, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, to continue on NIH, 2 p.m., 2358 Rayburn.

April 8, Subcommittee on Transportation and Treasury, and Independent Agencies, on Secretary of Transportation, 10 a.m., 2358 Rayburn.

April 8, Subcommittee on VA, HUD and Independent Agencies, on NASA, 9:30 a.m., 2359 Rayburn.

April 9, Subcommittee on Commerce, Justice, State and the Judiciary, and Related Agencies, on Supreme Court 10 a.m., and on FTC, 2 p.m., H-309 Capitol.

April 9, Subcommittee on District of Columbia, on Court Services and Offender Supervision Agency, 10 a.m., 2362A Rayburn.

April 9, Subcommittee on Foreign Operations, Export Financing and Related Programs, on AID, 2 p.m., 2359 Rayburn.

April 9, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Biotechnology, 10:15 a.m., 2358 Rayburn.

April 9, Subcommittee on Legislative, on House of Representatives, 2 p.m., on GAO, 3 p.m., on CBO, 4 p.m., on GPO, 4:30 p.m., and on Library of Congress, 5:30 p.m., H-144 Capitol.

April 9, Subcommittee on Transportation and Treasury, and Independent Agencies, on National Youth Anti-Drug Media Campaign, 10 a.m., and on FAA Personnel Costs and Management, 2 p.m., 2358 Rayburn.

April 9, Subcommittee on VA, HUD, and Independent Agencies, on public witnesses, 9:30 a.m., and 1:30 p.m., H-143 Capitol.

April 8, to hold hearings to examine proposed legislation authorizing funds for programs of the Mammography Quality Standards Act, focusing on patient access to quality health care, 10 a.m., SD-430.

April 9, Full Committee, business meeting to consider proposed legislation entitled "The Improved Vaccine Affordability and Availability Act" and pending nominations, 10 a.m., SD-430.

April 9, Full Committee, to hold hearings to examine the Severe Acute Respiratory Syndrome Threat, 1:30 p.m., SD-430.

April 10, Full Committee, to hold hearings to examine the teaching of American History and civics in the classroom, 9 a.m., SD-430.

Committee on the Judiciary: April 8, to hold hearings to examine S.J.Res.1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, 10 a.m., SD-226.

Committee on Rules and Administration: April 8, to hold oversight hearings to examine the operations of the Sergeant at Arms, the Library of Congress and the Congressional Research Service, 9:30 a.m., SR-301.

House Chamber

To be announced.

House Committees

Committee on Agriculture, April 10, Subcommittee on General Farm Commodities and Risk Management, hearing on implementation of the 2002 Farm Bill and 2003 Agriculture Assistance, 10 a.m., 1300 Longworth.

Committee on Appropriations, April 8, Subcommittee on Homeland Security, on Special Security Events, 2 p.m., 2359 Rayburn.

April 8, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, to continue on NIH, 2 p.m., 2358 Rayburn.

April 8, Subcommittee on Transportation and Treasury, and Independent Agencies, on Secretary of Transportation, 10 a.m., 2358 Rayburn.

April 8, Subcommittee on VA, HUD and Independent Agencies, on NASA, 9:30 a.m., 2359 Rayburn.

April 9, Subcommittee on Commerce, Justice, State and the Judiciary, and Related Agencies, on Supreme Court 10 a.m., and on FTC, 2 p.m., H-309 Capitol.

April 9, Subcommittee on District of Columbia, on Court Services and Offender Supervision Agency, 10 a.m., 2362A Rayburn.

April 9, Subcommittee on Foreign Operations, Export Financing and Related Programs, on AID, 2 p.m., 2359 Rayburn.

April 9, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Biotechnology, 10:15 a.m., 2358 Rayburn.

April 9, Subcommittee on Legislative, on House of Representatives, 2 p.m., on GAO, 3 p.m., on CBO, 4 p.m., on GPO, 4:30 p.m., and on Library of Congress, 5:30 p.m., H-144 Capitol.

April 9, Subcommittee on Transportation and Treasury, and Independent Agencies, on National Youth Anti-Drug Media Campaign, 10 a.m., and on FAA Personnel Costs and Management, 2 p.m., 2358 Rayburn.

April 9, Subcommittee on VA, HUD, and Independent Agencies, on public witnesses, 9:30 a.m., and 1:30 p.m., H-143 Capitol.

April 10, Subcommittee on Commerce, Justice, State and the Judiciary and Related Agencies, on Members of Congress, 10 a.m., H-309 Capitol.

April 10, Subcommittee on Homeland Security, on Science and Technology, 10 a.m., and on U.S. Coast Guard, 2 p.m., 2359 Rayburn.

April 10, Subcommittee on Labor, Health and Human Services and Related Agencies, on Secretary of Labor, 10:15 a.m., 2358 Rayburn.

April 10, Subcommittee on Transportation and Treasury and Independent Agencies, on Passenger Rail (Panel), 10 a.m., 2358 Rayburn.

April 10, Subcommittee on VA, HUD and Independent Agencies, on NSF, 10 a.m., H-143 Capitol.

Committee on Education and the Workforce: April 8, Subcommittee on Employer-Employee Relations, to mark up H.R. 660, Small Business Health Fairness Act of 2003, 11 a.m., 2175 Rayburn.

April 9, full Committee, to mark up H.R. 1350, Improving Education Results for Children With Disabilities Act of 2003, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce: April 8, Subcommittee on Health, hearing entitled "Designing a Twenty-First Medicare Prescription Drug Benefit," 10 a.m., 2123 Rayburn.

April 9, Subcommittee on Health, hearing entitled "Strengthening and Improving Medicare," 10 a.m., 2322 Rayburn.

April 9, Subcommittee on Telecommunications and the Internet, to mark up H.R. 1320, Commercial Spectrum Enhancement Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services: April 8, Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 1474, Check Clearing for the 21st Century Act, 10 a.m., 2128 Rayburn.

April 8, Subcommittee on Housing and Community Opportunity, hearing entitled "Promoting the American Dream of Homeownership through Down Payment Assistance," 2 p.m., 2128 Rayburn.

Committee on Government Reform: April 7, Subcommittee on National Security, Emerging Threats, and International Relations, hearing on "The President's Management Agenda: Rightsizing the U.S. Presence Abroad," 1 p.m., 2154 Rayburn.

April 8, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing entitled "ONDCP Reauthorization: The High-Intensity Drug Trafficking Areas Program and CTAC," 10 a.m., 2154 Rayburn.

April 8, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing on "California's Electricity Market: Refunds and Reform," 2 p.m., 2154 Rayburn.


April 9, full Committee, to consider immunity for William Bulger and Francis Salemme; followed by a hearing on "The SARS Threat: Is the Nation's Public Health Network Prepared for a Possible Epidemic," 10 a.m., 2154 Rayburn.
April 10, hearing entitled "Are We Ready for Prime Time? Assessing the State of Emergency Readiness in the Nation's Capital," 10 a.m., 2154 Rayburn.

Committee on International Relations, April 10, Subcommittee on Europe, hearing on The Balkans: Assessing the Progress and Looking to the Future, 1:30 p.m., 2172 Rayburn.

Committee on Resources, April 8, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 272, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries; H.R. 437, Coltsville Study Act of 2003, and H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument, 2 p.m., 1334 Longworth.

April 10, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on H.R. 1497, Sikes Act Reauthorization Act of 2003, 10 a.m., 1324 Longworth.

April 10, Subcommittee on Water and Power, oversight hearing on CALFED's Cross-cut Budget, 10 a.m., 1334 Longworth.

Committee on Science, April 9, hearing on The Societal Implications of Nanotechnology, 10 a.m., 2318 Rayburn.

April 10, Subcommittee on Environment, Technology, and Standards, hearing on Transportation Research and Development: Investing in the Future, 10 a.m., 2172 Rayburn.

Committee on Small Business, April 8, Subcommittee on Rural Enterprise, Agriculture and Technology, hearing on Litigating the Americans with Disability Act, focusing on H.R. 728, ADA Notification Act, 2 p.m., 2360 Rayburn.

April 9, full Committee, hearing entitled "Will We Have An Economic Recovery Without a Strong U.S. Manufacturing Base?" 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 8, Subcommittee on Water Resources and Environment, hearing on EPA Grants Management: Persistent Problems and Proposed Solutions, 2 p.m., 2167 Rayburn.

April 9, Subcommittee on Aviation, hearing on Reauthorization of the Federal Aviation Administration and The Aviation Programs: General Aviation, 2 p.m., 2167 Rayburn.

April 9, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Regional economic development authority issues relating to reauthorization of the Economic Development Administration, 2 p.m., 2253 Rayburn.

April 10, Subcommittee on Coast Guard and Maritime Transportation, hearing on the Coast Guard’s Consolidation of District Offices, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 9, Subcommittee on Benefits and the Subcommittee on 21st Century Competitiveness of the Committee on Education and the Workforce, joint hearing on the Troops to Teachers Program, 2 p.m., 334 Cannon.


April 10, Subcommittee on Health, oversight hearing on medical and prosthetic research programs in the Department of Veterans Affairs, 1 p.m., 334 Cannon.

April 10, Subcommittee on Oversight and Investigations, hearing on VA’s progress in the development of the medical education program mandated by Section 3 of the Department of Veterans Affairs Emergency Preparedness Act of 2002, 10 a.m., 340 Cannon.

Committee on Ways and Means, April 8, Subcommittee on Human Resources, hearing to examine implementation of the Adoption and Safe Families Act of 1997, 3 p.m., B-318 Rayburn.

April 8, Subcommittee on Oversight, hearing on the 2003 tax return filing season and IRS budget for fiscal year 2004, 9 a.m., 1100 Longworth.

April 9, full Committee, hearing on modernizing Medicare and integrating prescription drugs into the program, 10:30 a.m., 1100 Longworth.

April 10, Subcommittee on Human Resources, hearing on the Nation’s Unemployment program and the effect of benefits on recipients’ returns to work, 10 a.m., B-318 Rayburn.

Joint Meetings

Joint Meetings: April 8, Senate Committee on Governmental Affairs, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Subcommittee on Civil Service and Agency Organization to examine the federal government’s strategic human capital management and consider pending legislation on the federal workforce, 9:30 a.m., SD-342.

Joint Economic Committee, April 10, to hold hearings to examine Medicare’s financial crisis, focusing on the long-term financial viability of the program, proposals to add a prescription drug benefit and other reforms, 10 a.m., SD-562.
Extensions of Remarks, as inserted in this issue.

H O U S E
A c k e r m a n , G a r y L., N.Y., E 6 7 8
A n d r e w s , R o b e r t E., N.J., E 6 6 3
B a l d w i n , T a m m y , Wisc., E 6 7 9
B a r r e t t , J., Gresham, S.C., E 6 7 0
B e r e u t e r , D o u g , Neb., E 6 6 8
B e r m a n , H o w a r d L., Calif., E 6 7 3
B o m b e r , J o , Ala., E 6 6 7
B u y e r , S t e v e , Ind., E 6 6 7
C h r i s t e n s e n , D o n n a M., The Virgin Islands, E 6 8 2
C o n f u t t o n , J e f f , Tenn., E 6 6 9
C o s m o , A l a . C., Calif., E 6 7 6
D a v i s , J o A n n , Va., E 6 6 6
D a v i s , S u s a n A., Calif., E 6 8 0
D o o l e y , C a l v i n M., Calif., E 6 9 8
D o o l i t t l e , J o h n T., Calif., E 6 6 8
D u n c a n , J o h n J., J r., Tenn., E 6 6 9
F a r r , S a m , Calif., E 6 7 8
F i l n e r , B o b , Calif., E 6 8 3, E 6 8 5
F i l c h e r , E r n i e , Ky., E 6 6 5
G i l l m o r , P a u l E., Ohio, E 6 6 3
G o n z a l e z , C h a r l e s A., Tex., E 6 7 5
G o r d o n , B a r t , Tenn., E 6 6 7
G r a v e s , S a m , Mo., E 6 5 9, E 6 6 2
G r e e n , M a r k , Wisc., E 6 6 2
I s r a e l , S t e v e , N.Y., E 6 6 9
J a c k o n - L e e , S h e l i a , Tex., E 6 6 0, E 6 6 5
J o n e s , S t e p h e n n e T u b b s , Ohio, E 6 6 1
K a n j o r n s k i , P a u l E., Pa., E 6 6 0
K i n d , R o n , Wisc., E 6 6 2
K n o l l e m b e r g , J o e , Mich., E 6 6 4
K u c i n c h , D e n n i s J., Ohio, E 6 7 1, E 6 7 3, E 6 7 5
L a n t o s , T o m , Calif., E 6 7 6
L e a c h , J a m e s A., Iowa, E 6 7 9
L e w i s , J e r r y , Calif., E 6 7 7
M c C o l l o m , B e t t y , Minn., E 6 8 4
M c C l a s s i c h , S c o t t , Colo., E 6 7 0, E 6 7 2, E 6 7 4, E 6 7 6
M a l o n e y , C a r o l y n B., N.Y., E 6 6 2
M i l l e r , G e o r g e , Calif., E 6 9 9, E 6 8 3
M i l l e r , J e f f , Fla., E 6 6 0
M o o r e , D e n n i s , Kansas, E 6 6 7
N o r t o n , E l e n o r H o l m e s , D.C., E 6 6 7
N o r w o o d , C h a r l i e , Ga., E 6 6 5
O s e , D o u g , Calif., E 6 5 9, E 6 6 2, E 6 8 4
O t t e r , C. L. “B u t c h ”, Idaho, E 6 6 6
O w e n s , M a j o r R., N.Y., E 6 7 9
O x l e y , M i c h a e l G., Ohio, E 6 6 5
P i c k e r i n g e r , C h a r l e s W. “Ch i p ”, Miss., E 6 6 4
R a d a n o v i c h , G e o r g e , Calif., E 6 7 8
R o g e r s , M i k e , Ala., E 6 8 1
S a n d l i n , M a x , Tex., E 6 8 0
S c h i f f , A d a m B., Calif., E 6 6 6
S e r r a n o , J o s e E., N.Y., E 6 7 2, E 6 7 4
S m i t h , C h r i s t o p h e r H., N.J., E 6 6 9
S m i t h , N i c k , Mich., E 6 5 9, E 6 6 0, E 6 6 3, E 6 6 2, E 6 6 3, E 6 6 5, E 6 8 8
S o l i s , H i l d a L., Calif., E 6 8 2
S t a r k , F o r t n e y P e t e , Calif., E 6 7 0
U d a l l , M a r k , Colo., E 6 7 3, E 6 7 5
W a l s h , J a m e s T., N.Y., E 6 6 8
W e s t e r , R o b e r t , Fla., E 6 8 3

C O N G R E S S I O N A L R E C O R D — D A I L Y D I G E S T
April 3, 2003

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