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House of Representatives

The House met at 10 a.m.

The Reverend Michael Bentley, Pastor, First Baptist Church, Brevard, North Carolina, offered the following prayer:

Dear Heavenly Father, we praise You this morning for Your never ending mercies that are new to us every day. As we lift our hearts in prayer, I thank You for the diligence and faithfulness of the Members of Congress. I pray for God's wisdom to guide them in the decisions they have to make today, for God's discernment as they strive to bring out the truth in all the matters before them, and for God's peace that passes all human understanding to be spread throughout our country and all of the world. I ask that You bless our country's leaders with God's love that has been given to us as an awesome gift. I thank You for the power of prayer and for what God can accomplish through public servants who place their faith and trust in Him.

In Your holy name I pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

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

Mr. FROST led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 408. An act to provide for expansion of Sleeping Bear Dunes National Lakeshore.

H.R. 708. An act to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

H.R. 856. An act to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes.

H.R. 1598. An act 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.

H. Con. Res. 414. Concurrent resolution expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House if requested, bills of the House of the following titles:

H.R. 417. An act to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.

H.R. 1528. An act to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service.

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

S. 15. An act to amend the Public Health Service Act to provide protections and countermeasures against chemical, radiological,

or nuclear agents that may be used in a terrorist attack against the United States by giving the National Institutes of Health contracting flexibility, infrastructure improvements, and expediting the scientific peer review process, and streamlining the Food and Drug Administration approval process of countermeasures.

S. 213. An act to clear title to certain real property in New Mexico associated with the Middle Rio Grande Projects, and for other purposes.

S. 524. An act to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes.

S. 943. An act to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming.

S. 960. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii and to amend the Hawaii Water Resources Act of 2000 to modify the water resources study.

S. 1107. An act to enhance the recreational Fee Demonstration Program for the National Park Service, and for other purposes.

S. 1167. An act to resolve boundary conflicts in Barry and Stone Counties in the State of Missouri.

S. 1516. An act to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, and for other purposes.

S. 1576. An act to revise the boundary of Harpers Ferry National Historical Park, and for other purposes.

S. 1577. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming.

S. 1848. An act to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administrative Site in the State of Oregon.

S. 2178. An act to make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3393

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Requests for 1-minute speeches will be entertained later in the day.

RESIGNATION AS PARLIAMENTARIAN OF HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation as Parliamentarian of the House of Representatives:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 20, 2004.

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

DEAR MR. SPEAKER: After forty years of service in the Office of Parliamentarian, I believe that the time is appropriate for me to submit my resignation in completion of a wonderfully satisfying career under seven Speakers. By this action, I shall with your permission remain available to fulfill the requirement in law to publish precedents accumulated during my tenure and that of my beloved predecessor, the late Wm. Holmes Brown.

This decision is made especially difficult by the loyal support and friendship you have shown to me, Mr. Speaker. You have enabled my office to serve the House and all its Members at a time of profound institutional change, by coping with new pressures and realities while mindful of the importance of continuity of the practices and precedents of the House and of the dignity and integrity of its proceedings. Speaker Foley, who appointed me to this position, other Speakers, and Minority Leaders, whose personal friendships I have also cherished, have likewise been particularly supportive of this office.

One need only refer to the prefaces of Hinds', Cannon's, and Deschler's Precedents to gain a sense of the extent of the procedural evolution in the House for the first 190 years of the Republic, and then compare with that documented history the nature and pace of more recent changes, to understand the enormity of contemporary developments. Along the way, important matters of Constitutional separation of powers and continuity of government have occupied high profile status requiring the attention of my office. Numerous incremental changes have considerably altered the procedural landscape during my career. Examples include increased turnover in Membership, committee seniority status, budgetary disciplines, appropriations practices, an ethics process, televised proceedings, multiplicity of committee jurisdictions, oversight and authorization prerequisites, the impact of changing Senate processes, disposition of matters in conference, review of Executive actions, authorities to recess, to postpone and cluster votes and consolidate amendments, an issue-specific super-majority vote requirement, electronic capabilities, committee report availabilities, five-minute rule and other special rule variations, and the interaction between traditional spontaneity of the House's proceedings and trends toward relative predictability of time constraints and issues presented.

I believe that the longstanding tradition of the role of the Chair in rendering impartial and proper decisions has been maintained and appreciated despite the switch in party majorities and despite occasional efforts to appeal various rulings. It has been reassuring when bipartisan majorities understand and support the rulings of the Chair

solely on the basis of their propriety as non-partisan institutional standards with precedential significance. Respect for appropriate means of disagreement remains the foundation upon which so much depends. I express special gratitude to those Members on both sides of the aisle who served as fair and effective presiding officers during this time. We share a unique bond.

In fact, my decision is made easier by the certain realization that my office is immediately capable of providing all required services to the House. That is made possible by the total dedication and competence of my deputies, assistants and clerks. Beyond the fact that they offer to the House more than 100 years in cumulative nonpartisan professional experience, they are my dear friends whose institutional loyalty and commitment have been unailing. Together, with frequent infusions of humor and with an essential ability to communicate honestly with all who inquire, they serve in the public interest. In retrospect many of my own most valuable experiences were as Deputy and Assistant, in furtherance of the office's collective response to questions. I am particularly proud of the involvement of my office in the preparation of the recodification of the Rules in the 106th Congress working with a bi-partisan task force. By this letter through you Mr. Speaker, I also wish to honor the many staff who, over the years, have respected and protected the collegial traditions of the House by their professionalism and by being true to Speaker O'Neill's reminder of the abiding "importance of being nice".

My affection for the House which began when Parliamentarian Lewis Deschler hired me in 1964 has been sustaining. It has been nurtured by occasional skepticism, by the never-ending nuances of questions and responses which have confronted the House, by cherished relationships with Members and staff past and present, and by exchanges with parliamentarians from over the world. I expect to communicate the value of this unique experience to young people contemplating public service. Thank you, Mr. Speaker, for having permitted me this opportunity, and for your friendship.

With your permission, this resignation will take effect May 31, 2004.

Very respectfully yours,
CHARLES W. JOHNSON,
Parliamentarian.

The SPEAKER. With great regret, the Chair accepts the resignation of the distinguished Parliamentarian of the House, Charles W. Johnson, effective May 31, 2004.

APPOINTMENT AS PARLIAMENTARIAN OF HOUSE OF REPRESENTATIVES

The SPEAKER. Pursuant to section 287a of title 2, United States Code, the Chair appoints John V. Sullivan as Parliamentarian of the House of Representatives to succeed Charles W. Johnson, resigned.

Will the gentleman from Illinois (Mr. LAHOOD) kindly assume the Chair.

EXPRESSING THE GRATITUDE OF THE HOUSE OF REPRESENTATIVES TO ITS PARLIAMENTARIAN, THE HONORABLE CHARLES W. JOHNSON.

Mr. HASTERT. Mr. Speaker, I offer a resolution (H. Res. 651) expressing the

gratitude of the House of Representatives to its Parliamentarian, the Honorable Charles W. Johnson, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 651

Whereas Charles W. Johnson was appointed to the Office of the Parliamentarian of the House of Representatives in May 1964 and, over the ensuing 40 years has continuously served in that Office under seven successive Speakers, the past 10 years as Parliamentarian of the House of Representatives under the appointments of three successive Speakers;

Whereas Charles W. Johnson has unfailingly endeavored to apply pertinent precedent to every parliamentary question, in recognition of the principle that fidelity to precedent promotes procedural fairness and legitimacy; and

Whereas Charles W. Johnson has institutionalized in the Office of the Parliamentarian his demonstrated commitment to consistency in parliamentary analysis: Now, therefore, be it

Resolved, That the House of Representatives expresses its profound gratitude to the Honorable Charles W. Johnson for his unrivaled record of devoted service and steady, impartial guidance as its Parliamentarian.

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

There was no objection.

PARLIAMENTARY INQUIRY

Mr. DREIER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman may inquire.

Mr. DREIER. Mr. Speaker, is a motion to table this resolution in order at this time?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. HASTERT), the distinguished Speaker, will control 1 hour.

Mr. HASTERT. Mr. Speaker, I yield myself such time as I may consume, after which I yield my time to the gentleman from Texas (Mr. DELAY) and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. HASTERT. Mr. Speaker, 40 years ago Charlie Johnson, fresh out of Virginia Law School, came to work for the Office of the Parliamentarian. Little did he know that 40 years later, almost to the day, he would be announcing his retirement from that same office.

Charlie, we are going to miss you.

You have been a rock. You have advised seven different Speakers and countless Speaker pro tems on how they should rule on various parliamentary questions. You have advised thousands of Members and even more staff in how to draft their amendments. You have given us advice on committee jurisdiction, the favorite part of my job.

The Parliamentarian in the House takes on special significance, more so than any other legislative body. You

have to be exceedingly fair and judicious, and have to be seen as fair and judicious by both sides. And I know that is not always easy.

Charlie replaced Bill Brown as Parliamentarian. Bill started the process of demystifying the precedents used by his predecessor, Lew Deschler. That is a pretty good pedigree of institutional knowledge. Charlie has continued to make the Parliamentarian's office more accessible and more open to Members and staff.

Charlie is a man of many talents. He is dedicated to education and talks endlessly about his beloved Camp Dudley, a place for kids to learn about the great outdoors. He is a baseball fanatic, a southpaw who pitches batting practice for the Los Angeles Dodgers. And he has an avid interest in the English House of Commons. In fact, he is writing a book with his counterpart in London comparing our procedures with those of the Parliament.

I am sure he thinks he will get the chance to spend more time with his lovely wife Martha and his two boys, Charles and Drew, once he retires, but let us not kid ourselves. If I know Charlie Johnson, I know he will keep as active as he ever has with his many interests in many things.

I have asked John Sullivan to replace Charlie, and he has accepted the offer. John is well respected by both Republicans and Democrats and has served in the Parliamentarian's office since 1987. John is a graduate from the Air Force Academy and got his law degree from Indiana School of Law. John is an avid college basketball fan whose allegiance tends to flow to any team that Bobby Knight coaches. John is an able successor to Charlie Johnson, Bill Brown and Lew Deschler, and he will do a fine job.

Once again, best wishes to Charlie Johnson in his golden years. We wish you the best.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DELAY) is recognized.

Mr. DELAY. Mr. Speaker, I yield half of my time to the gentlewoman from California (Ms. PELOSI) and ask unanimous consent that she be allowed to control that time.

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

There was no objection.

□ 1015

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

To the gentleman from California's (Mr. DREIER) question as to whether it was appropriate to table the resolution, I think we should have tabled the letter.

Mr. Speaker, it is with personal and official pride that I rise to pay tribute to Charles Johnson on his retirement as House Parliamentarian and to thank him for his many years of outstanding service to this body.

To praise Charlie Johnson is easy, and it is one thing that brings Demo-

crats and Republicans together. I have only served for 17 years of Charlie's 40, and during that time I have observed, and we have all witnessed, profound changes in how this body conducts its business. But through every change and difficult time, the House has always been able to count on the expert, honest, and fair advice of Charlie Johnson.

Charlie began his service in the House in 1964, as acknowledged by the Speaker, shortly after graduating from the University of Virginia Law School. When he was appointed House Parliamentarian in 1994, he joined a distinguished line that includes Clarence Cannon, Lewis Deschler, and Bill Brown. Think of this, my colleagues: Charlie is just the third Parliamentarian since 1928.

Respected on both sides of the aisle, Charlie was first appointed by a Democratic Speaker, Speaker Tom Foley, and reappointed by Republican Speakers Newt Gingrich and the gentleman from Illinois (Mr. HASTERT).

Charlie exemplifies the best of this House. With his unquestioned integrity and keen intellect, he has consistently maintained the highest standards of nonpartisanship and scholarship for the Office of Parliamentarian. Charlie has guided us carefully, but firmly, through turbulent floor debates; and he knows of what we speak here and has provided sound and discreet advice to individual Members and staff.

He has served as a mentor to the outstanding Parliamentarians that serve under him, among them his respected successor, John Sullivan. And we are all pleased with the Speaker's announcement that John Sullivan will be named the Parliamentarian; and that, of course, is the suggestion of Charlie Johnson. So respected is he that he can even suggest his own successor.

On top of everything, Charlie Johnson is truly a kind man. The Speaker and others will reference Camp Dudley, one of his acts of kindness.

As a San Franciscan, and, Charlie, I am going to spill the beans on you, I am delighted that Charlie is also a devoted San Francisco Giants fan. But Charlie is not just a fan. When he leaves us, he will take up his true calling as a major league batting practice pitcher, beginning with a Dodgers-Expos game soon.

Perhaps, Mr. Leader, we can use our collective influence to have this event covered by C-SPAN. Maybe we could just do it right here on the floor and then it will be covered by C-SPAN.

Although Charlie will relinquish his daily duties here, Charlie's dedication to this House, of course, will remain. Charlie will continue the difficult, but essential, work on the Precedents of the House of Representatives.

Earlier this week when the Speaker told me of the news of Charlie's submitting this letter, which I agree should be tabled, I received the news with mixed emotions. We all know how great Charlie is as the Parliamentarian

and what a great friend he is to many of us, but of course we want to see him go on after 40 years to fulfill himself personally in other ways. And so we know he will teach professionally at the University of Virginia Law School and he will collaborate with the Parliamentarian in the House of Commons of the U.K. on a book of parliamentary procedures that will surely be a great contribution on that important topic.

But I was delighted to hear Charlie talk about his own personal plans. Of course he will have more time with his wonderful family, and he is very lucky his grandchildren live in the region. In fact, we are lucky his grandchildren live in the region because hopefully that will mean that Charlie will visit us frequently.

As you leave us, Charlie, please go forth with the knowledge that anyone who values the work of this House of Representatives indeed values the work of democracy, is deeply in your debt, and that goes well beyond those of us who have served here, with the knowledge that you will be deeply missed and with the hope for us that you will visit us often. Good luck to you. Congratulations. Thank you. Thank you. Thank you. And thank you to your family for sharing you with us.

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

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

Mr. Speaker, it is with mixed feelings that I come to the House today to wish farewell to our respected and beloved Parliamentarian Charlie Johnson. It is a happy day because it provides us with an opportunity to recognize one of the true giants of the United States House of Representatives and finally give one of our often underappreciated officials his due and also because we know he is on his way to a happy retirement.

But it is a sad day, as well, for the House is losing one of its true institutions. For more than 4 decades, Charlie has provided Members of both parties the benefit of his guidance and his judgment and his experience. Charlie is an honest man, one of the few in Washington whose staff can honestly claim that they rarely make mistakes and honestly claim that they take responsibility for them when they do.

For instance, when I took over as majority leader, Charlie and I often butted heads over the length of floor votes. I urged the Chair to gavel votes closely right at 15 minutes, even as Members were scrambling to the floor to cast their votes. I thought that imposing a little discipline in the voting would encourage a more efficient use of floor time in the House.

But Charlie's experience taught him the value of tolerance and understanding in these matters; and particularly during certain votes late last year, I finally saw the wisdom of Charlie's way of thinking in leaving some of those votes open. For those of you on the other side of the aisle, that was a TOM DELAY's idea of a joke.

Along with Charlie's experience, we will also miss his undying support for the Amherst College Lord Jeffs, which, to those of you who follow the perennial NESAC, the cellar-dwellers, know, is vocal, enthusiastic, and honestly a little sad.

Seriously, Mr. Speaker, the job of the Parliamentarian is a job of trust, of integrity, and of honesty. These are the qualities without which no description of Charlie Johnson would be complete. The House has been honored by his service, and we have been honored by his presence.

Good luck, Charlie. God bless you and your family, and of course we always thank you for your exemplary and distinguished service to the House of Representatives and to this Nation.

Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. DREIER) and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Ms. PELOSI. Mr. Speaker, I yield the balance of my time to the very distinguished gentleman from Texas (Mr. FROST), ranking member on the Committee on Rules. He and the Committee on Rules and staff, as well as other Members, know full well the quality of the excellence of the work of Charlie Johnson, and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the distinguished gentleman from Texas, the ranking member of the Committee on Rules, for yielding me this time.

Those who will speak have been here for some years. Most of us who speak are known as institutions. We love this House. We believe this House plays a very unique role in this democracy. It is called the People's house, a House to which one can be elected but not appointed. It is a House where the passions and wisdom of the people are joined in this crucible of decision-making process. It is a House that is composed of persons of different views, different regions, indeed different races and nationalities. It is a House where our Founding Fathers designed American democracy to be realized.

And in that context it is extraordinarily important to have a House that plays by the rules. Our Founding Fathers knew that if we were to have democracy, it would have to be governed by rules.

The gentleman from Missouri (Mr. GEPHARDT), my good friend, the former majority leader, is on the floor; and I

have heard him say so often that democracy is a substitute for war.

In that context, it is sometimes confrontational; and we need a wise person helped by wise staff to, in effect, be the referee, to say to both sides that we are a democracy and we resolve questions in a peaceful way, perhaps animated, perhaps heated, but nevertheless in a way that seeks to realize the dream of our Founding Fathers, a dream which has been sustained now since 1789 because of people like Charles W. Johnson, III. Not elected to serve but selected, selected by persons who themselves are elected and who know the value of this institution and the absolutely essential position that Charles Johnson III was called to serve in.

I am not objective. Those of us who speak will not be objective. We are his friends. We are his admirers. We are appreciative of the service that he has given to this House but, much more importantly, to this country. He is wise. He is also thoughtful. He is also caring of the institution, its staff and its Members but, most of all, of his country.

Mr. Speaker, I rise with my colleagues to thank Charlie Johnson for his service. Charlie's service will be long remembered. He will write a book, and like his predecessors, that book will be used for generations to come to help manage this center of democracy, the people's House.

I somewhat lament the fact that Charlie is leaving and will be replaced by John Sullivan, not because John Sullivan is not a worthy successor, but because I prefer Gary Williams to Bobby Knight, and Drew went to the University of Maryland and therefore leavened Charlie Johnson's University of Virginia experience.

But, Charlie, as you leave, as we honor you, as we thank you, we wish you God speed and wish you many years of the kind of productivity and success that you have enjoyed here in this House. You have been and continue to be a great American in the tradition of your predecessors who ensured that the people's House would be revered by its Members and respected by those it serves. Godspeed.

□ 1030

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

Mr. Speaker, this is a very challenging time for all of us, because Charlie has been such a great friend and enormous asset to this institution.

Many of us are proud to be institutionalists, and as the gentleman from Maryland (Mr. HOYER) said, I am one of them; and there are an awful lot of people here who, over the last decades have seen attacks made on this institution itself, but many of us, you included, Mr. Speaker, have had a strong commitment to this institution.

The Office of the Parliamentarian began in 1857 when Speaker James L. Orr of South Carolina appointed Thad-

deus Morrice as "Messenger." Morrice was said to have a marvelous memory and his ability to recall the House precedents and other decisions of the Chair required him to be near the Speaker in his role as presiding officer of the House.

The title was later changed to "Clerk to the Speaker," then to "Clerk at the Speaker's Table," and in 1927 to "House Parliamentarian." The first person to actually have the title of Parliamentarian was Lehrn Fess.

Today, we are honoring Charles W. Johnson, III as he steps down from that most important position. There are few people, including those Members who have been elected to serve, who have contributed more to this institution than Charlie Johnson.

In fact, Mr. Speaker, I believe that Charles W. Johnson, III is the greatest Parliamentarian to have served this House and our country. His dedication and service to this great institution is unparalleled in our history.

Oh, yes, great men have served before, as we have heard, but he has distinguished himself from them by his desire and ability to not only assist the Speaker and other presiding officers, but to reach out and teach Members and staff the rules of this institution.

Moreover, he has been an example as to how we should conduct ourselves in office and in life. He has always been a gentleman who has dealt with Members honestly and fairly. He has worked with Members from both sides of the aisle evenhandedly and without prejudice. His advice and counsel have always been sound and thoughtful. He has been steady and consistent, even when there has been turmoil in the House and in the country at large.

Charlie has helped this institution during some of the most trying times that our country has endured. He has competently served this House and our country by assuring that this great Chamber proceeds in order when there has been chaos and conflict in the world around us. He has been at our side from the Vietnam War to the War on Terror.

There is not enough time to ever fully explain how much Charlie has contributed. Every piece, every single piece of legislation, every amendment considered, every motion, every floor event, every law enacted over the past several decades, bears his mark. Who else among us can actually say that?

I am humbled at the thought of how much he has done for me personally as a Member of this body and as chairman of the Committee on Rules. He has assisted me through major reforms and minor jurisdictional squabbles.

But today I want to say thank you very much, Charlie, not only for what you have done for me, but I want to thank you for what you have done for this great institution, the greatest deliberative body known to man and to our country as a whole.

Yesterday morning, not unusually, the House Committee on Rules convened at 7 a.m. to proceed with consideration of the Department of Defense authorization rule and the conference report on the budget. At the end of that meeting, I joined with the gentleman from Texas (Mr. FROST), the ranking minority member of the Committee on Rules, in asking for an agreement to be unanimous, and, thank heavens for you, Charlie, no one did call a vote, but we unanimously did pass a resolution that had been crafted by our able Staff Director, Billy Pitts, who, as you know, is a great institutionalist and very committed to this body, and Kristi Walseth, who worked in fashioning the resolution.

I should say that we actually have many more staff people on the House floor, I think, than Members at this moment, because there are so many staff members with whom you have worked closely. I mentioned Billy Pitts, but I want to say on behalf of the bipartisan staff membership of the House Committee on Rules, working closely with you and your team, I see here on the floor Seth Webb and a number of people from the Speaker's office who work, I know, very closely with you. These staff members will not have an opportunity to speak here on the House floor, but I know that every single one of them would want us to express our appreciation to you for your effort.

I would like to take just a moment to read the resolution, which we overnight have gotten on parchment, and I am going to personally present to you here. This was voted unanimously by the Committee on Rules at 7 o'clock, foggy, yesterday morning.

Whereas Charles W. Johnson, III has served the House of Representatives with dedication and devotion in the Office of the Parliamentarian since May 20, 1964; and

Whereas Charles W. Johnson, III learned the Rules, practices and precedents of the House under the tutelage of Lewis Deschler, who served the House as Parliamentarian from 1928 until 1974, and his good and great friend W. Holmes Brown, who served as the House Parliamentarian from 1974 until 1994; and

Whereas Charles W. Johnson, III has used those lessons to honorably serve as a universally respected Parliamentarian of the House from 1994 until today; and

Whereas Charles W. Johnson, III has, as a teacher of House rules, its practices and precedents, taught respect for the institution of the United States House of Representatives to countless Members of Congress and their staff; and

Whereas Charles W. Johnson, III has provided to the Committee on Rules countless hours of advice and counsel as well as assistance in its work as the traffic cop of the House; and

Whereas Charles W. Johnson, III has ensured that the Office the Parliamentarian will continue to operate with the high standards and non-partisan manner that he and his predecessors have demanded by assembling a knowledgeable, skilled and experienced staff who serve as a vital part of the operation of the House; and

Whereas Charles W. Johnson, III, or "Charlie" as he is known in the House, will con-

tinue to serve the House as he continues the work of Lew Deschler and Bill Brown by finishing the Precedents of the House; and

Whereas his good humor, kind smile and love of baseball will be missed by all who know him in the House of Representatives; and

Whereas Charles W. Johnson, III will officially retire from the United States House of Representatives on May 20, 2004, exactly 40 years after he first came to this body: Now, therefore be it

Resolved, That the Members of the Committee on Rules express their deep and lasting appreciation for the service Charles W. Johnson, III has given to the Committee, the House of Representatives and the people of the United States of America.

I look forward to giving this to you personally, Charlie.

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

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

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

Mr. FROST. Mr. Speaker, I want to thank you and the Democratic leader for bringing this resolution to the Floor this morning so that Members of the House may pay tribute to our friend Charles W. Johnson.

Charlie is taking leave of his position as Parliamentarian of the House today, exactly 40 years after he began as a young lawyer fresh out of law school in the Parliamentarian's office. On his last day in the House it is only fitting that the Members of this body can take the floor to pay tribute to him and express our gratitude and our friendship.

To say that Charlie is a creature of the House or a servant of this institution does him a disservice, for without him, many of us would never have learned the intricacies of the Rules of the House, its practices and its procedures. Without his sage advice and counsel, so many of us, as well as our staff, would be lost in the maze of legislative practice.

His office, just off this floor, is more than just an office; it has served as a focal point for discussions both pointed and prosaic, political and procedural, but always, always, non-partisan.

Quite frankly, Mr. Speaker, Charlie is the institution. During his 40 years as a Parliamentarian, he has served Democratic Speakers and Republican Speakers. He has shown fairness to all and malice to none. Not an easy task, where tempers can run high and where blame is easily cast.

He has served through peace and war and through times of great national triumph and tragedy. Charlie has always risen to the challenge, and in doing so, has challenged so many of us to do so as well.

Charlie took over the job as the Parliamentarian in 1994 following the retirement of his dear friend and colleague Bill Brown. Just as Bill was a voice of calm, deliberative reason, so is Charlie. Far too often we, as Members, fail to recognize the importance of those qualities in the people who ensure that the business of the House can

proceed, regardless of which political party holds the majority. I know that it is often the case with regard to Charlie and the entire staff of the Office of the Parliamentarian.

Charlie is so good at what he does that he makes the job look easy. But I, for one, know it is not. But his talents, his intellect and his love for this institution have made our job as legislators all the more easy, and I am grateful.

When I was first elected to the House 26 years ago, I became only the second freshman Member in the 20th century to take a seat on the Committee on Rules. Had it not been for Bill and Charlie, my acclimation to that difficult post would have been far more difficult. I know because of their patient tutelage, their willingness to just sit down and talk, their careful guidance, my knowledge of the Rules and how to use them now runs both deep and wide.

I want to take just a moment, Mr. Speaker, to kind of talk about my personal experience with Charlie and his office.

From time to time, I, my staff, would go to see Charlie and we would ask very direct questions, questions that were vital to formulating strategy on our side of the aisle. What he would do would be to respond to every question and to answer every question truthfully. He did not go beyond that. He did not try to suggest what strategic steps we should take. He only answered what we asked. And I know he did that for the other side as well.

He was truly acting in the best, non-partisan position in helping us as partisans understand what we could and could not do. But he never went beyond that. He never said, "By the way, you know, you could do this also." And that is the role of a Parliamentarian, to answer truthfully the questions of both sides of the aisle, and then let those Members on both sides of the aisle figure out where they go with the information.

I cannot tell you how important that is to the functioning of this body and how important it has been to me as a Member to know that I can go to someone and get an honest answer; who will answer my questions, but who will not necessarily go beyond that. And I respect that.

I know we will all miss Charlie, but I also know we all wish him well. He has earned the respect of hundreds of Members and more staff than he can count. He is a man of the House and a deep and true friend of the House. He has ensured that his office will continue to serve the House by assembling a talented staff.

I owe him so much, and there are not words to express my deep gratitude and affection. I can only wish you the best, Charlie. And while I know he has taken great pains to ensure the institution will go on without him, I know it will not be the same.

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

Mr. DREIER. Mr. Speaker, at this time, I am happy to yield 1 minute to my friend, the gentleman from Sanibel, Florida (Mr. GOSS), the very distinguished vice chairman of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank the distinguished chairman for yielding me time.

I too wish to associate myself with the praise and gratitude for the man and his service to our institution. I would characterize Charlie as the true north on the compass of this institution and the man who had the good judgment to understand when magnetic declinations were in order. He has had seasoned patience with seasoned Members, and he has had extraordinary patience with new Members, to try to explain how things happen here. I think many of us feel that his personal judgment is as much a hallmark as the knowledge of the institution, which is matched by none.

The reason I asked for time to speak is that Charlie will always be in my memory on a fateful day in this country, September 11, 2001. The Speaker of the House desired that the House be opened for a prayer on that fateful day even as events were transpiring around us. It was not the right time, there was concern about precedent. Parliamentarians always worry about precedent.

□ 1045

Charlie found a way for us to get the House opened, the prayer said, and the House evacuated. And I have, to this day, that official RECORD hanging on my wall in my office and it will always be a memory of my life. Because I think it was very important that that day was recorded that way about this institution, and it would not have happened without him, of course.

Charlie is well regarded here and overseas, as we know. I have talked to parliamentarians, as I am sure others will testify, who come and wonder how this democracy works; how the people's House works. He has imparted that knowledge and wisdom and judgment around the globe, and I have heard it expressed many times from visitors who come here.

He has added value. He has brought credit to our institution. We are going to miss you a lot, Charlie, and I wanted to say thanks.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL), the dean of the House.

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

Mr. DINGELL. Mr. Speaker, I rise with great personal sadness about the departure from this institution of a great friend, wise counselor, mentor, and superb public servant. I do speak, however, with pride about the accomplishments of Charlie Johnson, who has served us, the House, and his country well.

He is in all particulars a great patriot and a great American. He has

been wise counselor to us, mentor; he has given us good advice; and he has seen to it that we understood the history and the traditions of this institution.

He has served us in the great traditions of Clarence Cannon, Lewis Deschler, Bill Brown, and now the fine work which he has done. He is going to be missed by this institution. He has served as an example to all of us and to those who will follow in his particular task as Parliamentarian.

It has been his responsibility to see to it that the House function as it should, in accord with the great traditions that we have here of respect, of decency, and of love of this institution. And for that and all of the other things that we can say good about Charlie, we have to recognize that we should say thank you; that we should say well done; that we should wish him well for what it is that he has accomplished.

The House is a better institution for his wonderful service to this body. And all of us here, as individual Members, particularly those of us who have had frequent occasion to consult with him about the rules, about the traditions, about how this institution does work and how it should work have a special reason to be grateful to him and to have a special burden of gratitude to him for what he has done.

I am proud, indeed, that he has been my friend. I am grateful to him as my mentor. I am appreciative to him of his wise counsel and guidance. And I know that I am not alone in feeling a singular debt of gratitude to my good friend, our Parliamentarian, as he leaves us.

I would note that other Members have these same feelings and all have good reasons. And I would note that the House of Representatives is a better institution, and one more in keeping with the traditions and with the principles and practices, and in keeping with what it is we would like to say it was, a great institution, the House of the people, and a place which serves all of us.

All of us have reason to miss him, and we will indeed. We will wish him well. We will pray that God will be good to him and that He will give him many years to enjoy a reflection upon the great service which he has given to this great country.

I say again to him, Charlie, well done, good and faithful servant. You have made this a great institution, and we are all grateful to you. Thank you, my friend.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. PETRI).

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

Mr. PETRI. Mr. Speaker, it is with a sense of real loss that I first heard the news that Charlie Johnson was leaving after so many years of dedicated service to all of us in the House, and I want to take this occasion to join with my

colleagues in paying tribute to him today.

I personally take great comfort in seeing Charlie each day at his post on the Speaker's podium, monitoring our proceedings, guiding the Member who has been appointed to preside over the House, and making the determinations and rulings needed to keep this House running in a manner that respects the rights and the privileges of all Members. I know that we are in good hands.

The person who serves as Parliamentarian influences the daily activities of the House, and though not known by many Americans, has had a great impact on some of the most dramatic moments that have occurred in this Chamber. From his perch, he literally has a front seat to history. I am sure at times he found himself in situations he never expected; but through it all, his behavior was beyond reproach.

Perhaps what impressed me most as I got to know Charlie over the years was his commitment to and interest in parliamentary procedure, not only here in the U.S. but in other legislative bodies as well. Charlie often traveled to consult with others and has participated in conferences and hearings explaining our rules and procedures.

Speaking from my own experience, he joined us on trips to London as part of the British-American Parliamentary Group. He spent at least part of the time consulting with his counterpart in the British Parliament regarding a cooperative project on parliamentary procedures and comparing the two institutions.

Charlie was an educator. In addition to writing and editing books about parliamentary procedure, he spent a lot of time meeting with school kids and others to explain how our House works and the importance of parliamentary procedure and its literal impact on the history of our House and this Nation.

As he leaves us, we can thank him too for the way he ran the Office of Parliamentarian and mentored the deputy and assistant Parliamentarians under his direction. His deputy, John Sullivan, will become the Parliamentarian next month. This also reflects well on the standards Charlie set for his office.

I will miss Charlie, but I will value always his integrity, professionalism, his attention given to each Member no matter what party they may have represented, his principled advice and conduct, his love and respect for the House and its traditions, and, most importantly, for his friendship.

Mr. FROST. Mr. Speaker I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the former Democratic leader of the House.

Mr. GEPHARDT. Mr. Speaker, I found out something I did not know about Charlie today. I found out from our leader that he is a San Francisco Giants fan. If I had known that, I would not have come today.

On a more serious note, I have had some time lately to do some things

that I usually have not had time to do, so I have been watching on television the early part of the proceedings here in the House, and I hear these rules being explained. I have tried to put myself in the shoes of an average citizen, and I think it is gobbledygook, and I do not understand what they are talking about. But that really is the magic of this place.

As the gentleman from Maryland (Mr. HOYER) said earlier, I am fond of saying that politics is a substitute for violence. It really is. And the only thing that allows us to resolve our differences peacefully is that we have a process. We have rules. We have laws. We have parliamentary procedure. And that process is what makes this place work and makes democracy work in our country.

The keeper of those rules has been our subject today, Charles Johnson. He has done it, in my view, as well as it can be done. He has always been fair. No one questions his judgment or his enunciation of the precedents of the House, whether it comes down in your favor or it does not. He is a professional. No one ever doubts his knowledge or his dedication to knowledge about the process.

Finally, his character, his human character, has been impressive to everybody who has come in contact with him. Whether a Member, staff, people visiting, everyone knows that this is a man of great character.

I guess the best story I can tell to kind of sum up my feelings about Charlie is that we had a common friend, someone that I went to Northwestern University with and was one of my best friends there, wound up at the University of Virginia Law School and became a friend of Charlie's. So we, in that common friendship, got somewhat of a personal relationship; and we, unfortunately, saw our friend die of cancer some years back. But even with that personal relationship I had with Charlie, I never, ever felt that in anything he did while I was leader or in anything I have done here was anything other than fair. Never prejudiced. Never giving in to human relationships. Always calling it the way he saw it and making judgments on the process, which is at the heart of our democratic experiment, fairly and with honesty and good character.

Charlie, we truly will miss you. We welcome the successor, who is going to do a great job; and we wish you the greatest time in retirement that anybody could ever have. Thank you.

Mr. DREIER. Mr. Speaker, I am very happy to yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER), a Member who has chosen to retire at the end of this term but has served extraordinarily well on both the Committee on International Relations and the Committee on Financial Services.

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

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from California

for yielding me this time and for his statement.

It is people that make an institution function, that make it great, that sustain and build respect for it; and Charles W. Johnson is certainly one of those people. He has helped the Congress respect and assert the best traditions and decorum of the House.

I said to him, Charlie, you cannot retire before I do. I will miss you too much. And yet I guess we were born in the same vintage year. Nevertheless, we have great respect for John Sullivan, and we look forward to his service here as Parliamentarian.

I think it was just a few minutes ago that the distinguished gentleman from Maryland (Mr. HOYER) said Charlie Johnson is not only a knowledgeable man but he is a wise man and a caring man, and that is certainly the case. I respect the contributions so much that he has made to help young people who have less advantages than most others.

Charles Johnson has had a tremendous and very positive impact on the U.S. House of Representatives during his service here, 40 years to the month in the Office of the Parliamentarian, and 10 years as our Parliamentarian. Tremendous service!

I remember a day back on January 21, 1997. I do not preside over the House that much, but it has been my lot to preside on some of the most difficult days, and I recall that difficult and historic day. And it was the strategy and advice of Charles Johnson that helped set the tone and the order and demeanor of the House that day, through me, which was so crucial. I thank him for that and for so many other occasions.

It has been my privilege to travel with Charlie as I led the House delegation to the NATO-Parliamentary Assembly, and not only going to Brussels but, as the gentleman from Wisconsin (Mr. PETRI) said, visiting the House of Commons where Charles Johnson is very well known. Charlie has lots of friends there and in the leadership of the House of Representatives.

If Charlie and this Member ever talk about nonessential things here, like sports, we have talked about college football. And I have never until yesterday really known how much of an interest Charlie Johnson had in baseball. But I think I am shortly going to join him as a fan of the San Francisco Giants. A couple of years ago, the Wall Street Journal ran a piece on the chronic shortage of left-handed batting practice pitchers in major league baseball. So shortly thereafter, Charlie's ability to throw strikes from the port side was tested as he auditioned and then he started pitching for the Los Angeles Dodgers when they came to Camden Yards to play the Orioles. Then he pitched for them in Philadelphia, helping the Dodgers, and soon they became better hitters of left-handed pitchers.

If it had not been for yesterday's rework of the schedule because of rain, I

understand he would have been doing the same thing for the Dodgers in the Phillies' new stadium. So that is a remarkable side of Charlie that I did not know about at all.

Mr. Speaker, as he leaves here, our outgoing Parliamentarian is going to be working with the recently retired Clerk of the British House of Commons, William McKay, on an updated comparative book on Parliament and Congress. Charlie's appreciation of the value of comparative studies through his work with counterparts in other countries, especially with that Mother of all Parliaments, has played an essential role in the development of programs of mutual exchange. You have heard that already referenced. People on every continent know Charlie Johnson because they have worked with him in their parliamentary efforts. So he is going to be working with Sir William in that respect.

Mr. Speaker, if it were consistent with American tradition, we would make you Sir Charles. But, nevertheless, we know that this is going to be another major contribution and it has some impact here. As you leave the House, Charlie Johnson should feel good to know that the recently established Office of Interparliamentary Exchange reflects his interest in improving not only the conduct of activities here in this parliament but in parliaments around the world.

□ 1100

So Charlie Johnson, best wishes to you and your family. Thank you for your public service and your service to the U.S. House of Representatives. You will be greatly missed.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, parliamentary inquiry, is it correct that the Speaker accepted Mr. JOHNSON's resignation?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman is correct.

Mr. OBEY. Mr. Speaker, I appeal the ruling of the chair.

Mr. Speaker, I often refer to Archie the cockroach. This is my political bible, and Archie has something for almost every occasion. One thing he said once was "Boss, I believe the millennium will come, but there is a long list of people who have to go first." I think Charlie misunderstood. Charlie, Archie was not talking about you, and I hope you reconsider.

Mr. Speaker, for 40 years Charlie has been at the center of every effort of this institution to live up to the responsibility which it has to the oldest democracy in the world. Democracy can thrive only when all of our citizens believe that there is at least one place, some forum to which they can go in order to make their case and to have their arguments heard. They do not have to win, but they have to know that there is a place where they will receive a fair hearing. When that happens, democracy thrives; and when it does not, democracy dies a little.

I think more than anyone in this institution, Charlie Johnson has dedicated himself to see to it that on this floor, democracy thrives. He has been dedicated to the proposition that the rules ought to be applied in a way that enabled the majority to meet their responsibilities to govern and at the same time to enable the minority to offer and be heard on its alternative visions.

To the extent that the House has on occasion not been used that way, the fault certainly does not lie on the shoulders of Charlie Johnson. Charlie Johnson, I think, has met his responsibility to the institution, to the country, to both political parties; and we are all the better for it.

I know people have said a lot of good things about him today, and I know that on occasions like this people often exaggerate. For instance, I understand that Charlie's own wife was watching this on C-SPAN, and she heard so many good things about him that she rushed to the Chamber to see if we were talking about the same fellow. We are, Charlie. We are all talking about you. If Dick Bolling were here, who was my mentor in this place and who as a Member I think knew more about the rules than any other Member I ever knew, if Dick Bolling were here today, he would say, "Well done, thou good and faithful servant."

Mr. DREIER. Mr. Speaker, I yield 2½ minutes to the gentleman from Savannah, Georgia (Mr. KINGSTON), the very distinguished vice chairman of the Republican Conference.

Mr. KINGSTON. Mr. Speaker, I want to say a few remarks about our great friend and departing parliamentarian. If Members think about the world we live in today and all the technology and all the feats of engineering, we take so much for granted. We get in our cars, and our cars are almost a mechanical and a computer platform now, and we never marvel, we never question. We just flip a switch, and we expect something to happen. We take it all for granted.

That is somewhat how we are as we come down to the floor of the House. As 435 independent contractors, we come down here and we expect bills to be on the table, we expect to have a learned staff who can ask why a certain amendment was germane and why it was allowed and why it was not allowed. We expect to have some professionals who can keep their eyes on our distinguished brethren and sisters on the Committee on Rules, for example.

We need a neutral body as our motions flow that can say this is how the procedure must go on. And I think the House should be very proud of what Charlie and his entire team have done and all of the staff members that make this body click. Lord knows what would happen if we did not have this. We might look like the U.S. Senate.

I do not know if my words will be taken down, Charlie. I know there is a whole list of things I am not supposed

to say. For example, I cannot turn to my friend, DAVID OBEY or JOHN LEWIS and say, JOHN. I have to say my distinguished friend from. Right now, this is like fingernails going against a blackboard. He keeps Members like me who can be somewhat flippant, who might say the wrong thing, who may deserve to have words taken down. He is the guy who says I may agree with what he just said about the fellow Member of the House, I might agree with his politics, I might disagree, but I am going to stick with the rule books. We need to have somebody like that. And he keeps people like the gentleman from Illinois (Mr. LAHOOD) watching that clock.

There was a great TV commercial of Motel 6 years ago. Tom Bodett made famous the line, "I am going to keep the light on for you." I always liked that because my mom would keep the light on for us when we were teenagers going home because the light represented security, the light represented home and wisdom and fairness. Charlie has kept the light on for all of us for many, many years, a source of wisdom, a source of fairness, a bright spot no matter what the legislative agenda of the day was; and we thank Charlie for all of his hard work.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, so much of the time in this institution in recent years has been partisan, rancorous comments back and forth, difficult feelings among the Members; and this year, which is an election year, has exacerbated all of that. So it is important to note that Democrats and Republicans are joined together because what we are all experiencing is a significant loss for this institution, for the people's House, the House of Representatives.

Charlie Johnson has served as an integral part of the legislative process, and I feel privileged to have had the opportunity to work with him over the years. We have been the beneficiaries of his intellect, thoughtfulness, and integrity time and time again. Several years ago, Charlie noted that his predecessor, William Brown, had set a standard of "intellectual vigor, sharing of information, and a sharing of responsibility with a grace that was accompanied by a total devotion to the House of Representatives." Charlie has more than met that standard.

He does serve an important role, but it is more than just the role he serves. He has embodied the person that all of us can look to as one who will judge the issues with fairness based on the rules, based on the idea that laws govern not just individuals, and that when he makes his determination on all of the precedents and the exact wording of the rules, we know that is the course that we all have to agree to.

I came here from the California State legislature, and I think many legislatures are like this, the speaker has

complete control. The speaker gets to appoint the Members to the committees and the chairmen, and assigns the members' offices and staff, and the speaker can make the rulings, and it is the speaker's authority alone to make the rulings.

So when I came here, I was surprised to find out that the Speaker could not just make a decision that benefited those of us on a certain side of the issue. He had to go to Charlie Johnson to find out what the rules were, and he had to abide by that decision.

I have come to realize how important that is for an institution to be able to have someone with such integrity and knowledge that we can look to to be the final say on what the rules are because we have to follow the rules in this institution and in a country that looks to the rule of law as essential.

I have come to recognize that as important, just as I have come over the years to recognize even the importance of seniority, which I more and more appreciate the longer I am here.

I want to say that I have not only benefited from Charlie's wisdom and advice but from his friendship. I have not had the opportunity to travel with him. Maybe now that Charlie is leaving, we will have to go on an Elder Hostel trip together because we are advancing in age. He has been a terrific friend to me, someone I have tremendous respect for, and it is shared by everyone in this institution. He is certainly going to be missed.

This is a change that many of us hoped we would not see, not only with Charlie's absence but a change in his guidance for all of us; and I join all of my colleagues, Democrats and Republicans, liberals and conservatives, in supporting this resolution to thank him for a job well done.

Mr. DREIER. Mr. Speaker, I yield 1½ minutes to the gentleman from Buffalo, New York (Mr. QUINN), another Member who unfortunately has chosen to retire at the end of this term.

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

Mr. QUINN. Mr. Speaker, I want to join my colleagues this morning, mostly in leadership positions, who have come to the floor this morning, Charlie, to talk about your wisdom and fairness and work ethic; and I want to associate myself with their remarks, of course. But I am one of those dozens of the Speaker pro tempore. Charlie has made us all look good, both on C-SPAN and back home for our constituents, and for our colleagues here in the Chamber.

I was in the chair one day and some rule question came up. After I answered it, my mother called me on the phone and said, "How did you know all of those rules so quickly?"

I said, "It was easy, Charlie Johnson was there."

She said, "Who is he?"

I said, "Well, he is the guy that does the trick. He talks into the microphone

so you hear him, but so nobody else hears him, and he explains the rules.”

Charlie, on behalf of all of the Speaker pro tempores, some with a little more experience than others, who you have made look good across the country and in front of our colleagues, I want to thank you for knowing those rules, for sharing those rules, and for keeping this place a place of order when we are in the chair trying to keep order.

I guess the trick for you then and your staff is to be heard, but not to be heard when you do your job best. And I would submit to my colleagues here in the Chamber that we all can take a lesson from this gentleman as he leaves us. When we do our business, we should try to be heard, and maybe not be heard so loud during those times of emotion, during those times of debate, during those times of political arguments, to be heard, of course, but to not be heard. And Charlie, for that service to us as that group of people that chair these sessions, and on behalf of all our constituents across the country, I want to say thanks for a job well done. We appreciate it. We will always remember you.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I have served in the House for more than half of the 40 years that Charlie Johnson has served as Parliamentarian. As a matter of fact, I had just become a Member of the House with no more than 3 weeks of experience when I wandered onto the floor one day, having mistaken the bells and thought there was about to be a vote.

Before I could get off the floor and go back about my business, Charlie beckoned me to the chair; and the next thing I knew I was wielding the gavel, presiding over the House, never having done that before in my life. I was never more thankful to have someone who knew what he was doing sitting behind me whispering instructions, and I have been thankful ever since that Charlie Johnson was in that position.

□ 1115

For all those 22 years that I have known him, his chair behind the Speaker, his office across the hall have been sources of civility in a House that is often contentious, sometimes bitter and pugnacious and embattled. For all those years, the Parliamentarian has been an authority that everyone in this House, both sides of the aisle, have recognized and respected because his rulings and his advice and his good judgment have always been based on precedent and on sound thinking.

His office made him powerful. Anyone who became the Parliamentarian of the House would be powerful inherently, but his knowledge, his ability and his manner made him authoritative. The House could not be the House that the Framers intended us to be, the people's House, without some-

times passionate, hard-hitting debate; but the House could not operate in that mode, sometimes pushing the envelope of civility, without a referee that everybody trusted and respected. For a long, long time, Charlie has been such a referee.

My respect for Charlie Johnson on our side, the Democratic side of the aisle, was established over the years and well-founded, but his great ability, his inherent decent fairness, was recognized to his credit and theirs when our Republican colleagues moved into the majority and made him their Parliamentarian, too. He proved his fairness, his basic inherent fairness, by serving both parties without ever breaking stride. I do not think anyone in the years that I have served here has ever accused him of bending with partisan winds. Charlie Johnson has called them the way he saw them for the last 40 years.

The House of Representatives is losing, we should not fool ourselves, a huge amount of institutional memory with the loss and retirement of Charlie Johnson. Four decades in the Parliamentarian's office, 10 years as Chief Parliamentarian, and during all those 40 years he has embodied those qualities that we need most in a parliamentarian: erudition and evenhandedness, great authority and great good humor, too, and overall a keen understanding of this great institution of the Republic.

He has made the people's House deserve its name. He has helped us make this complex system that we call democracy work and work well.

Though he is leaving, he leaves behind him a legacy that will inform the proceedings of this House for a long time to come, and he is leaving a well-trained staff of Parliamentarians.

The SPEAKER pro tempore (Mr. LAHOOD). The time of the gentleman from Texas (Mr. FROST) has expired.

Mr. DREIER. Mr. Speaker, I ask unanimous consent, in light of the fact that we have so many requests to talk about Charlie, that we extend the debate on this for an additional 5 minutes; and I would like to yield that 5 minutes to the control of my friend from Dallas, Texas (Mr. FROST).

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, there will be an additional 5 minutes.

There was no objection.

Mr. FROST. Mr. Speaker, I yield 30 additional seconds to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I remember when John Sullivan was first appointed and moved from the House Committee on Armed Services. The day after he took his office as the Deputy Parliamentarian, the staff on the House Committee on Armed Services concocted a convoluted parliamentary problem, which I presented to him as an innocent junior Member of the House, which John was immediately stumped by before he realized that it was all a hoax. Today, if we presented

him that Gordian knot, I think he could probably cut it.

Charlie, you have taught us not just the procedures of the House and taught us well, but you have taught us the reasons that those rules must prevail. That is a legacy that will last for a long, long time. I think the brooding omnipresence of Charlie Johnson will loom over this House for a long time to come.

Thank you for everything you have done for us and this great institution.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Texas (Mr. THORNBERRY), who often presides very ably over this institution.

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

Mr. THORNBERRY. Mr. Speaker, Members come to this Congress with a policy agenda or a political agenda. We spend our time and effort trying to make some change we think is good for the country. Yet there is something bigger and more enduring than any one of us or any one of our issues. That something is the institution of the House of Representatives.

I believe that every elected Member has a responsibility to that institution, but it is the professionals who serve as the officers and staff of the House that make sure it is preserved and protected. They serve the House and the Nation day and night through heated debates and even through long, dull special orders.

Nobody has served this House more faithfully and more nobly than our Parliamentarian, Charles Johnson. He is smart and insightful as his job required, but he also has the integrity to be trusted by both sides of the aisle during heated debate and controversial rulings. He has a sense of history and, I think, a sense of responsibility for this institution going back 217 years to the Constitutional Convention on through today and on through generations to come.

The House has been in good hands during Charlie Johnson's tenure, and part of his legacy, part of his lasting influence, will be felt through his successor. I join in expressing sadness at his leaving, but also admiration and gratitude for his service.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I rise to join my colleagues in paying tribute to and saying a word of thank you to Charles Johnson, the distinguished Parliamentarian of the House of Representatives.

This is my 18th year of serving in this House, and this Member can testify to the fact that Charles Johnson has been a fair, hardworking, committed and dedicated public servant. When new Members were given the chance to preside over the House, he was always patient and eager to help Members make it through the process.

The House is a better House, and the country is a better country because of Charles Johnson.

It is my belief that when historians pick up their pens and write the history of this House during the latter part of the 20th century and the beginning of the 21st century, they will have to write that a man called Charles Johnson made a lasting contribution to maintaining order and peace in this House.

But he did more than maintain order and peace with his talents, skills and ability. He helped guide this House through some of the most important and sometimes bitter debates and discussions. Charles Johnson has helped guide this House through the discussion and debate on voting rights, civil rights, Medicare, the Higher Education Act, war and peace.

I want to join my colleagues to thank Charles Johnson for all of his good work and for his contribution toward the strengthening of our democracy. Charles Johnson, Mr. Parliamentarian, we wish you well in the days and years to come.

Mr. DREIER. Mr. Speaker, I am very happy to yield 1 minute to the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. LATOURETTE. Mr. Speaker, when we are all here on the floor, there are often calls for regular order. The fellow who has kept regular order has been Charlie Johnson during my 10 years.

A lot of platitudes have been spoken and they are all well deserved. I want to extend my voice in saying thanks for giving me the guidance when I have had the honor of presiding over the House from time to time.

I do want to tell just one quick story in the minute that I have been given because the majority leader made sort of a joke about the 3-hour vote on prescription drugs and some Members in the House, when they scream regular order, because we are all busy, we do not take time to read the rules, do not know that the votes are a minimum of 15 minutes and not a maximum of 15 minutes.

But I can recall during a rather contentious vote the Republicans were up 206-204 and time had expired. A rather excited Member from the West Coast, California, came running up, it was not the gentleman from California (Mr. DREIER), and said, "You've got to close this thing down. We have to win this vote. You need to shut it down."

We looked and saw that earlier in the day 420 Members had voted, we were about 10 Members short; it was late in the evening, everybody was out having dinner, coming back; it was raining in the Capital. Charlie Johnson then said, "When you're in the minority, you understand that you're not going to win a lot of votes here, and when you're in the majority you can and probably should win most votes, but what you

can't do when you're in the majority is steal a vote. We need to keep this vote open to make sure that those 10 Members who voted just a half an hour ago have the opportunity to be here and cast their ballots."

We wound up winning and the Member on that occasion who was excited came up later and apologized for screaming. Charlie Johnson has been fair, fair to the Republicans, fair to the Democrats, and I shall miss him very much.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I take this time to say thank you to Charlie Johnson for his public service. He has never been elected as a Member of this body, but he has had as much influence as anyone who has ever been elected to this House in preserving the traditions of this great democratic institution, and I thank him for that. His contributions go well beyond the 40 years of service because what he has done in his service will be a lasting tradition in this body and will serve future generations.

He cannot duck a single tough issue, but he has ruled every time on the basis of sound precedent without partisan considerations. He is a person of the highest integrity, an encyclopedic mind, a person who is totally committed to our country and this legislative body.

Mr. Speaker, I just wanted to take this 1 minute as one Member of this body to thank Charlie Johnson for what he has done to make this great institution a better place for the future.

I thank you, I thank you for your friendship, and I thank you for your commitment.

Mr. DREIER. Mr. Speaker, I am very pleased to yield 1 minute to my good friend, the gentleman from Atlanta, Georgia (Mr. ISAKSON).

Mr. ISAKSON. Mr. Speaker, I, first of all, associate myself with all the kind remarks that have been made about Charlie, but I thought back to my first day here. I was elected on a special election, came in, I knew no one, and it was a hustle and bustle. Charlie Johnson was the guy who got me through that in what was a blur to me.

Secondly, I am reminded of how great this institution is, and I am reminded of three silent factors the public never sees. First is the scone of Moses that looks down upon the Speaker as an inanimate object, but as a constant reminder of the integrity we all need. Second is our Founding Father, George Washington, whose portrait hangs on this side of our Capitol to remind us of where we come from.

The third silent but very present, day in and day out, person that guides the integrity of this most important institution is the quiet but effective leadership of Charlie Johnson. This institution has been blessed to have leaders of great capability from elected office,

but from that seat next to the Speaker, we have been blessed to have a man who has the excellent commitment to fairness, integrity, responsibility and the preservation of this Republic, and that is Charlie Johnson.

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. McNULTY).

Mr. McNULTY. Mr. Speaker I am honored to stand here today and associate myself with the remarks of Speaker HASTERT and Leader PELOSI and all of the other Members in thanking Charlie Johnson for his 40 years of outstanding service to the House of Representatives and to the country.

When I first came to the Congress in the 1980s, I served on a regular basis as one of the Speaker pro tems. At that time I knew very little about parliamentary procedure and almost nothing about the House rules. I thank Charlie and my friend the late Bill Brown and John and Tom and Muftia and Gay and all of the others who helped through the years to educate me about the House rules and to have that wonderful experience which, incidentally, I hope I have again someday.

Charlie, I would sum it up this way: You are the very definition of outstanding public service. I wish you good health and happiness for many, many years to come.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, we have many, many Members who want to have an opportunity to be heard on this and so, at this moment, I am going to ask unanimous consent that general leave be provided so that all Members may include statements in the RECORD upon Charlie Johnson's retirement.

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

There was no objection.

Mr. DREIER. Mr. Speaker, I ask unanimous consent that my friend from Texas (Mr. FROST) be given an additional 1½ minutes for debate.

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

There was no objection.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to my very, very good friend, the gentleman from Idaho (Mr. SIMPSON).

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

Charlie, we are certainly going to miss you. Sometimes that does not seem like enough, but all of the Members of the House and the fellow staff members here in the House are certainly going to miss you. Sometimes simple words are the best.

Parliamentary procedure, as has been stated here, the Rules of the House equally and uniformly applied to all, are what make this emotional and sometimes polarized place work. Charlie and I have sometimes disagreed about the interpretation of those rules and we have debated it a little bit.

Yielding to the superior wisdom of Charlie, I found out that you can end debate with a nondebatability motion here in the House, but if we were back in Idaho, you could not do that. We have had some very interesting debates.

I always found, when I practiced dentistry, that when I was hiring a new chairside assistant, it was sometimes often easier to hire somebody that had no experience because then you did not have to untrain them before you retrained them. Sometimes I think Charlie's toughest job here is to take some of us who have been presiding officers in State legislatures and untrain us of the rules that we learned in our State legislatures before he retrained us about the Rules of the House.

I know that you have done a fantastic job. We have all enjoyed working with you. Sometimes the measure of an individual's performance is what those around him think about the job that he has done. As I have talked to other staff members here, I can tell you one of the things that was said yesterday, someone said, "If I had to think of one word to describe Charlie, it would be 'integrity.'" That is not a bad legacy to leave.

Thank you, Charlie. We are going to miss you.

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. PASCRELL).

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

Mr. PASCRELL. Charlie, you have served your country and you have served this wonderful House. At a time when we have lost something in terms of ritual and ceremony, you have always brought us back to reality.

□ 1130

Thomas Jefferson, I am sure, would be very proud of you. Our laws and our rules are based upon what he wrote.

We were brought together 8 years ago when I came into this House by a mutual friend. It was the right move. The first person I met on this floor was Charlie Johnson.

And I know you have wished well your successor. I know he will do well. I know John will do very well. This is a great institution, Charlie, and we will never forget how you served your country.

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

Mr. FROST. Mr. Speaker I yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, we have talked about the contribution that our friend Charlie Johnson has made to the rules of the House, and that he has provided the context to understand the rules. But I think the thing that I have come to appreciate is the human face that he puts on it. It is the dimension provided by the outstanding men and women who make this place work behind the scenes, that we all come to appreciate.

Charlie, you epitomize those people; and ultimately it is that human face that is going to provide the strength to make sure that the House follows through on the path that you have charted so ably in the past 40 years. We greatly appreciate your contributions.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Peoria, Illinois (Mr. LAHOOD), who, as has been pointed out, time and time again so ably presides over this institution as Speaker pro tempore.

Mr. LAHOOD. Mr. Speaker, I think people watching this would find it kind of odd that I would have to step down off the podium in order to speak, but Charlie would never allow me to speak from up there because it is not according to the rules of the House.

And I think people would find it odd that Charlie cannot speak today. Charlie has spoken many, many times on this floor through those of us who have had the great opportunity and privilege to serve as Speaker pro tempore. But it is not according to the rules. And if it is not according to the rules, it does not happen. And if it is not according to the rules by Charlie Johnson, it does not happen.

I was quoted in CQ as saying that Charlie runs the House, and I hope our leadership does not take offense at that; but Charlie really has run the House for many years, and thank goodness for that.

I think many people do not realize that in 1994 not one of us in the majority presided. When we were sworn in in 1995, not one of us in the majority had ever presided over the House. And if it were not for the magnificent work of Charlie and his entire staff, think of the chaos that could be created when we turn over an entire House to a new majority of people who obviously maybe know a little bit about the rules but not much. And if it were not for the great work of Charlie and all of his people, think of the kind of chaos.

And we were dealing with some really important issues here. I know you do not like to hear about the Contract with America, but that was the agenda for 3 months, and that was major legislation. And we could not have done it, and those of us who had the privilege early on of presiding could have never done it. It would not have been possible for us if we had not really paid attention to Charlie Johnson and the people that work in his office, and they really are the ones that allow us to do the things that we were able to do throughout the 10 years that we have been in the majority.

When people say to me, How did you get so good at presiding? It is a very simple answer. I listened to Charlie Johnson. That is the answer. And when one listens to Charlie, they get good advice.

I want to say one word about these jobs that we have: we could not do without the kind of spouses that allow us to do them, and I want to say a word about Martha. Martha is here.

And, Martha, I want to say to you, thank you for giving us this extraordinary human being who has given us so much. We are in your debt for the kind of, I think, tolerance that you have lent to the job that Charlie has done, the long nights, the late nights, and the good work.

Charlie, job well done. God speed.

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, on the night of September 11, I began to think about what might happen if this institution were to perish in an attack, and I asked, who should we talk to to learn the answer to that question? And the answer to that was Charlie Johnson.

Charlie, I want to thank you and your entire staff for your help on that issue but, more importantly, for how you help us every single day.

People around the country see us disagree and bicker all the time here, and they say is there not anything you people can agree on? Today, my friends, we have agreed on something. We have agreed to honor this magnificent individual, his service to our country and the principle of the rules that keep our democracy, our Republic, and this great body functioning.

I thank you, Charlie, and I thank my colleagues for their great words today. God speed, Charlie.

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. KIND).

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

Charlie, they say that politics is a sea of conflict. If that is true, then you have been the steady hand that has guided this ship of state, our democratic process, through so many years of calm and troubled waters. You will be missed. We have appreciated your service. You are the epitome of what public service is all about.

And, as I encouraged Terry just before his retirement, and I have enjoyed the conversations that we have had in regards to the tradition and the history and the culture of this place, I encourage you to record your memories and maybe put it in book form to share with the rest of the world because in so many ways, you are also the repository of a lot of the knowledge and memories that are embodied in this place.

So we all wish you well today. We wish you Godspeed and may you have a very long and happy and healthy retirement. Thank you.

Mr. DREIER. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. LINDER), the chairman of the Subcommittee on Technology and the House of the Committee on Rules.

Mr. LINDER. Mr. Speaker, when the Republican transition occurred in December of 1994, I was charged with the responsibility of interviewing people and finding hires for the top five positions in the House, and one of those was Parliamentarian. I frankly came at it with some suspicion. If someone

could be working so long for the other party in control, could that person be fair? And he convinced me over two meetings that his job was not to be fair or unfair, but to know the rules. He has proven that he does, with an even hand; and I join all my colleagues in thanking him in his service to his country.

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

I would like to close again by expressing appreciation on behalf of all of the many staff members here in this institution who work so closely with Charlie Johnson, all of those who are working for us here today and the members of committee staffs and personal staffs who have worked so closely with him.

And I would like to close by sharing with our colleagues a note that was handed to me a few minutes ago. It says: "Dear Charlie, thanks for your 40 years of service to the House and our country. I wish you all the best. Keep your arm loose. We may need to call you in from the bullpen." This is a handwritten note from the President of the United States, George W. Bush, which I will give to you, Charlie, as soon as we have the resolution.

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to congratulate Parliamentarian Charles Johnson on four decades of service to the U.S. House of Representatives, and to wish him the very best for a well-earned retirement.

As all Members are aware, the job of House Parliamentarian is an exceedingly difficult one. One must have a scholarly grasp of the rules governing this institution, the integrity to be an honest and fair judge, and an ability to work with both sides of the aisle in contentious moments. Throughout my twenty-five years of service in the House, I have seen Charlie exhibit these qualities with the highest distinction.

Charlie began his service in the Parliamentarian's office in 1964, shortly after graduating from the University of Virginia School of Law. In 1994, he was appointed Parliamentarian by a Democratic Speaker, Tom Foley. In a testament to his character, he was then reappointed by two Republican Speakers, Newt Gingrich and Dennis Hastert. All Members of this body have relied on Charlie's keen intellect and sound judgment, day in and day out. He has served with the greatest integrity and will be missed. However, all Members welcome his respected successor John Sullivan, who Charlie has mentored.

Fittingly, Charlie will continue to serve our country in other ways when he retires from this institution. In collaboration with the Parliamentarian of the House of Commons in the United Kingdom, he plans to produce a book on parliamentary procedure that will be a welcome addition to the field. In addition, after an activity that is dear to my heart, he will lend his talents to the San Francisco Giants as a batting practice pitcher.

I want to thank Charlie for his wisdom, his commitment to being a nonpartisan advisor, and above all his forty years of service to the United States House of Representatives. We thank him for sharing his life with us these many years, and wish him the very best in his endeavors to come.

Mr. RAHALL. Mr. Speaker, as many have already stated, and as many more Members are eager to express, Charlie Johnson's departure will be a loss to this great institution we serve, and which Charlie has served so well for 22 years.

I am actually one of the few Members of the House who can say I was already here before Charlie was, although he arrived here within only a couple of short years after I did. Since that time, we've had the opportunity to grow older together.

Throughout his tenure, Charlie has been a wise counselor, a trusted confidant, and an impartial adjudicator who has served both parties without pride or prejudice.

For those who don't readily grasp the significance of the role of Parliamentarian, it is the Parliamentarian who makes sure that we can continue to conduct the House's business every hour of every day.

Those visiting, or watching at home on C-SPAN, may understand the importance of the House Parliamentarian as Members come and go from the Speaker's Chair. When they see Members in the Chair making procedural decisions, they also see the Parliamentarian's staff providing helpful advice on a timely basis.

For those of us who serve in the House, the Parliamentarian is an absolute lifeline. He's also the occasional judge, father confessor, and calm in the storm of the House floor as Members and parties seek to advance their own interests.

Although it seems that we increasingly can't find ourselves in agreement on many things, too many things for that matter, one thing that is beyond dispute is that Charlie has embodied the ideal of the civil servant who tirelessly has served the interests of the American people.

I, like so many others, am proud to have served with him.

Mr. SENSENBRENNER. Mr. Speaker, it is with both gratitude and sadness that I rise to honor the Parliamentarian of the House, Charles W. Johnson, on his upcoming retirement. Charlie has long served the House, and he has done so with distinction, integrity, and honor. He has embodied the nonpartisan traditions that make the Parliamentarian's Office one of the most respected institutions in this House.

Through our constant debating of matters large and small, Charlie has remained a calm head guiding us through our differences with a quiet grace. His abiding love for the institution and his knowledge of the rules are unparalleled. He will be greatly missed. I deeply appreciate his service and wish him well. As he passes into retirement, we all bid a fond farewell to an unsung hero who kept the great wheels of this democracy turning.

Mr. OXLEY. Mr. Speaker, I rise today in support of the resolution, and to thank Mr. Charles Johnson, the Parliamentarian, for his service to this institution and its members. Those of us who have the privilege to serve as committee chairmen know first hand the good work done by Charlie and his team of professionals. In many ways, the Parliamentarian and his deputies are the grease which makes our legislative machine work a little more smoothly.

Charlie's dedication to this institution spans his 40-year career. Beginning his career fresh out of the University of Virginia law school in 1963, he guided members of both parties

through the shoals of the legislative process. Charlie was particularly helpful to those of us who were newly elected committee and subcommittee chairmen in 1995 and beyond. His advice and counsel have served us all well as we learned the sometimes difficult lessons of legislating in the 21st century.

As anyone who knows Charlie knows, his only greater love than this institution is his love of baseball. As he begins his retirement after 40 years of crouching behind home plate, we all hope he enjoys watching the rest of the game from the stands.

Mr. Speaker, I wish Mr. Johnson well in his retirement, and extend my heartfelt thanks for his service.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minute speeches on each side.

ARE WE WINNING THE WAR ON TERROR?

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

Mr. TURNER of Texas. Mr. Speaker, it has been almost 3 years since the September 11 attacks by a small, but deadly, network of terrorists; and America is asking, are we winning the war on terror? Are we better off today than we were 4 years ago?

To win the war on terror, we must succeed on three fronts simultaneously: we must attack the terrorists, we must protect the homeland, and we must prevent the rise of future terrorists.

Our protracted conflict in Iraq has overextended our military and limits our capacity to confront the emerging threats around the world. The terrorist threat is growing into an even larger network of loosely affiliated groups whose common thread is their hatred of America.

We have yet to pursue a strategy to strengthen the voices of moderation in the Muslim world that are our best hope for preventing the rise of future terrorists.

Serious security gaps remain at our ports, in the air, on our trains, at our borders. Chemical, biological, nuclear, and conventional threats are increasing.

We are fighting the war on terror, but are we winning? To make Americans safer, we must move faster and be stronger than we are today.

WEAPONS OF MASS DESTRUCTION HAVE BEEN FOUND IN IRAQ

(Mr. PENCE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, despite the national media's best efforts to minimize the news, I am here to report, as the United States military confirmed in Iraq on Monday, weapons of mass destruction have been found in Iraq in the form of two separate artillery shells containing sarin and mustard gas, shells that had been used by insurgents to create roadside bombs. A 155 millimeter shell found last week included nearly a gallon of a deadly gas, a drop of which would kill a human being. Not that we should be surprised. Saddam Hussein killed or injured over 70,000 Iraqi Kurds using sarin gas munitions in 1988.

Where are the WMDs? We have been asked again and again. Mr. Speaker, they are where they have always been, hidden in Iraq, within the reach of terrorists, a threat to the Iraqi people, U.S. soldiers, and the world.

THE HOUSE REPUBLICAN LEADERSHIP'S MISPLACED PRIORITIES

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

Mr. EDWARDS. Mr. Speaker, American military families will be disappointed to find out what the House Republican leadership is doing today. Unbelievably, during a time of war, they will pass this afternoon generous tax cuts for Members of Congress but put a freeze on military children's education funding and a freeze on the most important military housing improvement program in American history.

It is shameful that the House Republican leadership is saying that we can afford to give Members of Congress and families making up to \$250,000 a year a new \$1,000 tax credit per child, but we must freeze education funding for our military kids and put a 1-year hold on military housing improvements for 24,452 military families.

The House Republican leadership's misplaced and self-serving priorities make a mockery of the principle of shared sacrifice during time of war. Military families, and Americans who respect their sacrifices, have a right to be outraged.

□ 1145

TRIBUTE TO AGUSTIN VELASCO

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Mr. Agustin Velasco, a valued Member of our South Florida community. Agustin's contribution to our community dates back over 4 decades, serving as a leader, entrepreneur, and an example of determination to succeed.

Agustin is currently the president and original founder of the Inter-Amer-

ican Bank, a bank with humble beginnings, now proudly celebrating its 25th anniversary of service to the people of South Florida.

After fleeing Communist Cuba in 1961, Agustin sought refuge in Miami and quickly became a dynamic and flourishing member of our community. Joining the ranks of thousands of very hard-working Americans, Agustin became the realization of the American dream.

A father of two and a grandfather of five beautiful girls, I invite my colleagues to join me in congratulating Mr. Agustin Velasco and wishing him continued success.

Felicidades, Agustin.

CHANGE AND A NEW DIRECTION NEEDED FOR AMERICA

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

Mr. EMANUEL. Mr. Speaker, last night the House passed a \$2.3 trillion budget, leaving a \$500 billion hole and deficit, and showing that it is impossible to finance three wars with three tax cuts and get a different result.

In the 2000 election, President Bush said he was against nation-building. Who knew it was America he was talking about?

Let us look at the results of their economic program. An additional 2.5 million Americans are now unemployed since he has taken office; 44 million Americans without health care; 2 million more middle-class families have entered the rolls of poverty from the middle-class; we have the worst and most anemic wage growth since World War II at this time; and nearly \$1 trillion worth of corporate individual assets have been foreclosed on.

We have spent nearly \$112 billion in Iraq at this point, and we will vote today on another \$25 billion. With this budget, the administration is telling the American people they have two values, two principles, two sets of books; one for Iraq and one for the United States.

Mr. Speaker, we need a change, a new direction, to balance our values and our budget priorities for America's future and our children.

WE WERE NOT AT WAR IN 2000?

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

Mr. PITTS. Mr. Speaker, one of the distressing things about this partisan election year is to hear our friends on the other side politicizing national security. One of my colleagues on the other side of the aisle said that we were not at war when President Clinton was in office, suggesting that it was President Bush's fault that we are at war today.

I would like to ask, what would you call it then in the 1990s when terrorists

attacked our country, not once, but four times? In 1993, they killed innocent Americans at the World Trade Center; in 1996, they killed Americans at the Khobar Towers; in 1998, they attacked two U.S. embassies in Africa; in 2000, they attacked a U.S. Naval vessel, the USS *Cole*, again killing Americans.

Terrorists have been at war with us for years. We failed to admit it, despite the body bags.

Then in 2001, 9/11 happened.

We were at war long before President Bush came to Washington. All President Bush did was muster the courage and moral vision to admit it and fight back.

These political games only cloud the true issue that we are at war, and the more we hesitate to fight it, the more aggressive our enemies become.

CHALABI A CORRUPT ALLY

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

Mr. MCGOVERN. Mr. Speaker, this morning we learned U.S. military personnel and Iraqi police raided the home and party headquarters of Iraqi Governing Council member Ahmed Chalabi.

I am not surprised. Chalabi's past is riddled with allegations and convictions for fraud and corruption. That he may now be under investigation in Iraq for corruption or other crimes is hardly unexpected. Chalabi has always been a favorite at the Pentagon, even though the State Department sees him as divisive and untrustworthy.

Under the Iraqi Liberation Act, the Pentagon has fed him a steady stream of money in return for information. It was Chalabi who was the principal source for the false intelligence about weapons of mass destruction in Iraq. When Saddam fell and the U.S. flew Chalabi and his cronies to Iraq to take up positions of power, it was he who championed the plan to rid Iraq of all Baath Party influence, including civil servants, a policy that angered many an Iraqi and deprived the coalition of experienced workers.

Mr. Speaker, it is time to distance ourselves from this man once and for all. Cut off his money. The taxpayers deserve a refund.

BENEFIT OF HEALTH SAVINGS ACCOUNTS AFTER JUST 6 MONTHS

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

Mr. BURGESS. Mr. Speaker, this weekend we are going to mark the 6-month anniversary where we in this House passed the conference report to modernize Medicare. Since that time, in 6 months' time, we are now on the threshold of having the Medicare prescription drug discount card, which will come to us June 1, and that will

make a user-friendly database available to seniors across the country. For the first time, seniors will be able to comparison shop for their prescription drugs, just like they do for cruises, shoes and other necessities.

Also, since that time, we have seen the growth of Health Savings Accounts that were part of that legislation. There are some interesting figures about Health Savings Accounts. Almost half of the people signing up for Health Savings Accounts earn under \$50,000 a year, hardly a program that just benefits the rich, but we hear that over and over again.

Fifty-six percent of the people that have signed up for Health Savings Accounts are under 40 years of age. Sixty-two percent are families, as opposed to just individuals, and there are comparable benefits after the deductibles are met.

The most important thing, though, Mr. Speaker, is this is money that patients own and they control. It is their accounts, not the government's.

HELPING HARD-PRESSED FAMILIES IS CRITICAL

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

Mr. BLUMENAUER. Mr. Speaker, helping hard-pressed families is a valuable activity here on the floor of the House. We have an opportunity to do it today. Yet my Republican friends are advancing a fundamentally flawed proposal.

For two families each with three children, one making minimum wage, the other over \$300,000 a year, my Republican friends propose a new benefit for the family that makes over \$300,000. They will however slam the door on the family at minimum wage earning \$10,300; no benefit for them.

I keep hoping my Republican friends will show the same compassion for the people who need our help the most as they shower new benefits on those who need our help the least.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The SPEAKER pro tempore (Mr. BURGESS). Pursuant to House Resolution 648 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4200.

□ 1152

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, and for other purposes,

with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, May 19, 2004, a request for a recorded vote on Amendment No. 14 printed in House Report 108-499, offered by the gentleman from Missouri (Mr. SKELTON) had been postponed.

Pursuant to the order of the House of that day, the amendments numbered 29, 30, 31 and 32 are in order as though printed in the report and Amendment No. 13 is modified.

It is now in order to consider Amendment No. 7 printed in House Report 108-499.

It is now in order to consider Amendment No. 8 printed in House Report 108-499.

REQUEST TO INCLUDE MEMBER AS COSPONSOR OF AMENDMENT

Mr. KENNEDY of Minnesota. Mr. Chairman, I ask unanimous consent that the name of the gentleman from Arkansas (Mr. SNYDER) be added as a cosponsor of the amendment.

The CHAIRMAN pro tempore. While a Member may not designate a co-officer of an amendment, the RECORD will reflect his request.

AMENDMENT NO. 8 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. KENNEDY of Minnesota:

Strike section 2821 (page 514, beginning line 19) and insert the following new section:

SEC. 2821. PREPARATION OF REPORTS AS PART OF 2005 BASE CLOSURE ROUND REGARDING FUTURE INFRASTRUCTURE REQUIREMENTS FOR THE ARMED FORCES.

Section 2912 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as added by section 3001 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1342), is amended by adding at the end the following new subsection:

“(e) INFRASTRUCTURE-RELATED REPORTS.—

“(1) REQUIRED REPORTS.—The Secretary shall prepare the following reports related to infrastructure requirements for the Armed Forces:

“(A) A report containing the Integrated Global Presence and Basing Strategy of the Department of Defense, including the location of long-term overseas installations, installations to be used for rotational purposes, and forward operating locations, anticipated rotational plans and policies, and domestic and overseas infrastructure requirements associated with the strategy.

“(B) A report describing the anticipated infrastructure requirements associated with the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) for each of the Armed Forces resulting from force transformation.

“(C) A report describing the anticipated infrastructure requirements related to expected changes in the active component

versus reserve component personnel mix of the Armed Forces.

“(D) A report describing the anticipated infrastructure requirements associated with the so-called ‘10-30-30 objective’ of the Secretary to ensure that military forces are capable of deployment overseas within 10 days in sufficient strength to defeat an enemy within 30 days and be ready for redeployment within 30 days after the end of combat operations.

“(E) A report containing the results of a complete reassessment of the infrastructure necessary to support the force structure described in the force-structure plan prepared under paragraph (1) of subsection (a) and describing any resulting excess infrastructure and infrastructure capacity, which were previously required by paragraph (2) of such subsection. The reassessment shall be based on actual infrastructure, facility, and space requirements for the Armed Forces rather than a comparative study between 1989 and 2003.

“(F) A report describing the anticipated infrastructure requirements associated with the assessment prepared by the Secretary pursuant to section 2822 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1726), in which Congress required the Secretary to assess the probable threats to national security and determine the potential, prudent, surge requirements for the Armed Forces and military installations to meet those threats.

“(2) TIME FOR SUBMISSION OF REPORTS.—The Secretary shall submit the reports required by paragraph (1) to the congressional defense committees at the same time as the Secretary transmits the recommendations for the closure or realignment of military installations under section 2914(a).”

The CHAIRMAN pro tempore. Pursuant to House Resolution 648, the gentleman from Minnesota (Mr. KENNEDY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. I yield myself 3 minutes.

Mr. Chairman, I rise today to urge my colleagues to support the amendment I am offering with my friend, the gentleman from Arkansas (Mr. SNYDER). The Kennedy-Snyder amendment repeals the 2-year BRAC delay that was included in the Defense Authorization Act reported out by the committee.

Our amendment also requires DOD to report to Congress on our overseas basing posture and other issues raised by the committee in March of 2005 when DOD transmits its base closure and realignment recommendations to the BRAC Commission.

Under the terms of our amendment, Congress would have 6 months to consider the report before a potential vote to disapprove the recommendations of the BRAC Commission. This would give the House ample time to hold hearings and decide if DOD paid attention to such important issues as our overseas basing structure. Furthermore, estimates show that the 2-year delay of BRAC could waste as much as \$16 billion in lost savings.

Mr. Chairman, this is money that would be better used to modernize our weapons systems and improve the quality of life for our service men and women.

I know some of my colleagues on this floor are opposed to the BRAC process. They argue that now is not the time to conduct a round of base closures, not while the country is at war. I disagree. I believe that now is as important a time as ever.

The critical nature of our war on terrorism and our military actions in Iraq and Afghanistan demand we go forward with BRAC. Right now, we have a perfect opportunity to see what infrastructure the military really needs for our modern-day challenges. After all, if it is not essential where our military is engaged in two countries simultaneously, in addition to all of our other responsibilities being undertaken by our men and women in uniform, when will it be needed?

But that is not just my opinion. The Chairman and Vice Chairman of the Joint Chiefs of Staff, along with the Army Chief of Staff, the Air Force Chief of Staff, the Chief of Naval Operations and the Commandant of the Marine Corps recently warned a delay in the BRAC amendment will seriously undermine our ability to fundamentally reconfigure our infrastructure to best support the transformation of our forces to meet the security challenges we face now and will continue to face for the foreseeable future.

For this reason, the administration has issued a statement of administration policy that says anything that delays, weakens or repeals the BRAC would trigger a veto.

Mr. Chairman, we cannot afford that risk. For those of my colleagues really concerned about BRAC, I would ask them to remember that the BRAC process works. Congress and the President each must act to accept or reject the recommendations of the BRAC Commission. They do not take effect until both Congress and the President accept the list. That means a vote for the Kennedy-Snyder amendment is not a vote to close any base; it is a vote for a process proven to work, free from political posturing, that puts the needs of the military and taxpayers ahead of parochial interests.

Mr. Chairman, the BRAC process is a significant innovation that relies upon shared oversight to strengthen our military and produce significant savings in the defense budget. We have had significant savings in the past BRAC closings.

The CHAIRMAN pro tempore. Who seeks time in opposition?

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

The CHAIRMAN pro tempore. The gentleman is recognized for 10 minutes.

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

Mr. Chairman, the 2-year delay that is in the bill is in direct response to widespread concern that the Department of Defense is experiencing too many stresses and changes to make effective base closure decisions by May of 2005. Our Nation cannot afford to close a base in the 2005 BRAC round

only to discover in 2010 that the assets at that base were both irreplaceable and now lost forever.

We have had this happen in the past, at Cecil Field in Florida, and we also lost port space down in Charleston Harbor that we could very well use today.

The press releases, what I have heard from the gentleman from Minnesota, seems to be that he is mostly concerned about the saving of money. I would like to share with the gentleman from Minnesota (Mr. KENNEDY) the BRAC math that we get by serving on the committee.

The DOD's claim that BRAC will result in a savings of \$3 billion are only half the story. It is like looking at a financial sheet and just seeing the assets and not the deficits. In truth, 3 years after the next BRAC round, we can expect DOD to have spent approximately \$5 billion more than they have saved.

In other words, DOD will have realized a cumulative savings of \$4 billion, but they will have spent \$9 billion in the process. Even 6 years after the BRAC rounds, we can expect DOD BRAC costs to exceed their cumulative savings by more than \$100 million.

These figures are real. These are not my figures. They are based on GAO's reports on costs and savings from the past two BRAC rounds.

Let me repeat. DOD will actually need increased budgets to implement base closures, and by 2011, DOD will actually have spent more than it has saved from base closure actions.

□ 1200

Let me share two additional reasons for why delaying the BRAC until 2007 is the responsible thing to do. First, we are undergoing the most significant realignment of overseas forces and bases since World War II. And these changes may result in tens of thousands of military personnel returning to the United States. We do not know what this is going to amount to. In addition, I am concerned about the Department's overseas proposals. According to CBO, all the proposals under consideration have substantial upfront cost, as much as \$9 billion; and several of the approaches under consideration would actually result in decreased operational capability.

DOD plans to roll these overseas realignment decisions into BRAC. This is too significant an issue for Congress to accept without time for consultation, oversight, and approval.

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

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, I rise in support of the Kennedy amendment. It just maintains current law to move ahead with the process of necessary base closure.

With regard to the previous statements made about BRAC math, GAO, CBO, the Department of Defense, and

the Army Audit Agency have all concluded that prior rounds have indeed saved substantial sums of money and more savings are expected. But just as important is the realignment, the R in the BRAC. Our forces are currently going through readjustments as they come back home, as we are fighting a war. We need to give the authority to go ahead and do this process to enable more jointness and more effectiveness in crossing service lines.

We also have to remember that both former-President Clinton and President Bush have supported moving ahead with another line of base closures. This is a bipartisan effort from both administrations.

We also hear the argument that this is a difficult time to do this, that we are at war, that the military is under stress. But the world is not going to take a time-out for 3 or 4 years while we do this. That is not how the world works. It is time to move ahead with this. There is not going to be a perfect time to do it.

I have great concerns about communities, as we all do. I do not see how another delay of 2 years, forcing these communities to be apprehensive about this, to hire more lobbyists, to be involved in this process for an additional 2 years, a prolongation of this process, how that helps communities. They probably are in as good shape now as they are ever going to be.

The most important point I want to make is that this is a bipartisan effort that has gone on through multiple Secretaries of Defense from both Republican and Democratic administrations, from both President Clinton and President Bush. Now is not the time to delay another round of base closures.

The gentleman from Colorado (Mr. HEFLEY) in his amendment before the Committee on Armed Services wanted six additional reports. The language in the Kennedy amendment retains those six reports. If his amendment passes, that would be added to the current base closure process.

I encourage a vote of "yes" on the Kennedy amendment.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, it is hard to add anything to what the chairman said, but I have found over the years it has cost us more in many cases to close these bases than we have saved. But in this particular case, I think we have got a different problem. About a year ago, General Jones of NATO and the Supreme Allied Commander said to me, we will realign the troops in Europe. Secretary Rumsfeld not long ago spent some time talking to me about the realignment in Europe and in the United States. For us to start to look at base closing before they get the realignment done would be a real mistake. I think it would be counterproductive.

In the first place, we do not know when these troops come back. We are

going to increase the size of the forces. We have already increased the Army by 30,000. They want to increase the brigades by about 25 percent. All those things have to be stationed someplace. Until they get the global strategy, the global footprints set up, I do not think there is any way we should make a decision like this.

When it comes to savings, we spent in the Presidio, they talk about how much money we will save when we close the base. We spent \$100 million in cleaning up that base afterwards. In Southern California, we spent almost \$100 million cleaning up the base.

We have ammunition depots, ammunition targets where we spend. The Navy Yard in Philadelphia, they figure to clean it up it would cost \$1 billion. So it leaves a hole in Philadelphia where if you do not clean it up, you lose the jobs; and in addition to that you spend an awful lot of extra money.

I think as all the chiefs say in the letter dated 18 November 2004, this is not the time to do a BRAC. Naturalization of our domestic infrastructure as conducted by BRAC must closely follow the global posture review. I agree with that. I would urge Members to vote against this amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I stand in support of the Kennedy-Snyder amendment. This is an area that is inherently controversial, but we have finally put a process in place that helps depoliticize it. The bill, in its current form, represents an unfortunate step backward.

I want to speak to a point my friend from Pennsylvania (Mr. MURTHA) raised because I have talked to him repeatedly about what I think is a scandal. We do not deal with the unexploded ordnance and the military clean-up. Yes, there will be some costs that are associated with base closures, but they are costs that are our responsibility now. If we did a better job of cleaning up after ourselves with the toxics, the unexploded ordnance and the pollution, we would save money in the long run and we would not have communities go ballistic. In fact, they would have a resource that could be recycled.

Ultimately, we will have to pay the cost for the military clean-up. Delaying another round of BRAC is not going to save money; it is going to cost money. It is going to delay returning that land to productive use, and it is going to have us engage in politics that will be unseemly and very difficult.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Chairman, I want to thank the chairman, and I want to say that this debate is always very interesting; and I want to rise in strong opposition to the Kennedy-Snyder amendment. I want to say

as a member of the Committee on Armed Services that this was debated and discussed in the committee, and I do not remember anyone raising any opposition in the committee about this language that is in the bill today.

I want to say also that I believe and disagree with the gentleman that just spoke that actually what this one year will do, this 1-year extension will make the process less political and make it more of a streamlined business process where the Congress can really analyze the needs, working with the military, the needs of our defenses. Because this world we live in is very unsafe, and I can say that we will not know until we analyze the needs overseas, the needs here in this country as to what we should do that will be the right decision for the American people and the future defense of America.

Mr. Chairman, again I am in opposition to this amendment, and I hope that we can defeat it at the proper time.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK), a Reserve member of the U.S. Navy.

Mr. KIRK. Mr. Chairman, a base in my district was the poster child for the first base closings bill. People back home demanded that the base be saved, but it was closed and our civilian economy took off. Over \$300 million was invested in that community by the new housing and activity at the closed base.

We lost another base in the second base closings bill. New investment there was not \$300 million; it was \$800 million in new investment. Over 20,000 soldiers are needed for the war on terror, but instead soldiers guard bases we do not need. We are at war, and it is time for the Congress to treat the military budget as a defense bill and not a jobs bill. Base closings save the taxpayer \$1.7 billion and the next round will save \$3 billion.

This amendment supports the policy of President Bush, Secretary Rumsfeld, and Joint Chiefs Head General Myers. We need more beans and bullets for Americans in uniform, not pointless guard duty outside an empty building at a base that died long ago.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. ORTIZ), the ranking member on the Subcommittee on Military Readiness which oversees base closures.

Mr. ORTIZ. Mr. Chairman, this is a time to step back and see what is being done, to look at, like we say, the whole ball of wax.

The base closure legislation was created back in 1989. We are now involved in two very serious wars. We are going to increase the troop level by 39,000 people. We have now begun to rely so much on the National Guard and Reserve. We have got 40,000 contractors all over the place.

Is it not time to step back and look at what is happening? When the service Secretaries appear before us, we ask

them, Which base do you want to close? They have yet to name one base.

Savings? If there were so much savings, how come we have got a \$419 billion budget?

Let us do the responsible thing and vote against this amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I rise in strong support of the Kennedy-Snyder amendment. I urge its adoption.

This debate we are having right now points up the importance of having a nonpolitical process. That is why the BRAC came about. That is why we have to stick to the schedule.

The Chairman of the Joint Chiefs of Staff representing all the chiefs want the Congress to continue the 2005 rounds of the base alignment and closures as authorized by Congress. They do not want us to leave this issue in because of the savings they want to accrue. This will be essential for the restructuring of the military forces. To delay all the efforts of the military, to accomplish this restructuring, to leave our bases and local communities in doubt for another 2 years is not doing either the military or the community any favor.

Delaying the transformation of military bases overseas and at home, it ties the hands of our military at the same time they are fighting the war on terrorism.

We owe it to our Armed Forces to give them the savings and the restructuring reprocess that they need. I urge strong adoption of this amendment. I thank the gentleman for offering it.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, as a member of the House Committee on Armed Services, I stand in strong support of the BRAC provision in the committee report, and I oppose the Kennedy amendment because it is the wrong time. It sends the wrong message to our men and women in uniform to close bases at a time when we are at war. When this round of BRAC was signed, Congress had no idea that we would be fighting a war against terrorism, and our Armed Forces need our support now more than ever.

My colleagues who offered this amendment have said we need it to save money. But the estimated cost to implement BRAC is somewhere between 10 and \$20 billion, and any savings would not be seen until after 2011. We are at war right now. Our men and women need the money now. And we are not even sure what those savings would be.

The GAO report completed on Monday on the need for a BRAC found that while the potential exists for substantial savings from the upcoming round, it is difficult to conclusively project the expected magnitude of the savings because there are too many unknowns at this time.

I urge my colleagues to do the right thing and to support our men and women in uniform today. Vote “no” on the Kennedy amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the very distinguished member and chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, former Navy Reservist and Vietnam veteran.

Mr. KOLBE. Mr. Chairman, I rise in support of the Kennedy amendment to delete the provision that would delay the BRAC process for 2 years.

Some people say if you are for that you must not have any military bases in your district. Nothing could be further from the truth. I have Davis-Monthan Air Force Base, Fort Huachuca, the 162nd Fighter Wing of the Arizona Air National Guard which is the largest air guard unit in the United States, and the Western Army Aviation Training site near Marana. But I support the BRAC process in 2005 because I think the BRAC is good public policy.

A delay in BRAC postpones a savings that would be gained from shuttering unneeded facilities. Clearly, we are wasting money on unneeded capacity. BRAC rounds conducted in 1988, 1991, and 1993, 1995 closed 97 major installations, reducing DOD infrastructure by 21 percent. But we have reduced the size of the military by 36 percent and DOD maintains it still has more than 23 percent excess infrastructure.

Maintaining excess bases is very expensive. Closing unneeded bases produces long-term savings. It is a key component in the military transformation, and it reshapes the military to respond to new global missions.

BRAC is good public policy. I encourage my colleagues to support this amendment and to vote in favor of the underlying bill.

I oppose any delay to the Base Realignment and Closure (BRAC) process and support the amendment offered by Representative MARK KENNEDY of Minnesota.

H.R. 4200 is an excellent bill. I commend Chairman HUNTER, Ranking Member SKELTON, the Members of the committee and the staff on both sides of the aisle. I am, however, opposed to the provision in H.R. 4200 that delays the BRAC process for two years. We should not endanger H.R. 4200 to a possible Administration veto by retaining this provision.

Some people may think I must not have any bases in my district if I support BRAC. Nothing could be further from the truth. My district is home to Davis-Monthan Air Force Base; Fort Huachuca; the 162nd Fighter Wing of the Arizona Air National Guard at Tucson Airport (the Nation's largest Air National Guard unit); and the Western Army Aviation Training Site near Marana. These bases are operationally interdependent with other Arizona bases, including Luke Air Force Base, Yuma Proving Grounds, Marine Corps Air Station Yuma, and the Barry M. Goldwater Range. Arizona bases provide over 83,000 jobs and contribute over \$5.6 billion annually to the State's economy. Yet, I

support the BRAC process in 2005 because BRAC is good public policy.

A delay in BRAC postpones the savings to be gained from shuttering unneeded facilities. The Department of Defense (DoD) estimates that the 2005 BRAC round will yield net savings of \$21 billion over 10 years and \$3.6 billion annually thereafter. A GAO study of BRAC dated just three days ago states, “We believe the potential for significant savings exist,” and “We found no bases to question the [Defense] Secretary's certification of the need for an additional BRAC round. . . .” These savings can be better spent elsewhere; for example, increasing soldiers' pay, improving health care for military families, modernizing equipment, or fixing buildings on the bases that are not closed.

Clearly, DoD is wasting money on unneeded capacity. BRAC rounds conducted in 1988, 1991, 1993, and 1995 closed 97 major installations, reducing DoD infrastructure by 21 percent. At the same time, however, the size of our military has declined by 36 percent. DoD maintains it still has approximately 23 percent excess infrastructure.

Maintaining these excess bases is very expensive. We criticize DoD constantly for not being as efficient as a private sector corporation, but delaying BRAC would not allow the department of perform the most essential business management action of shedding unnecessary infrastructure.

Closing unneeded bases produces long term savings. Previous BRAC rounds generated net savings—that is, savings after accounting for the cost of closure—of about \$16.7 billion through fiscal year 2001 and about \$6.6 billion in annual recurring savings expected thereafter. Failure to close unneeded facilities wastes taxpayer dollars and impedes DoD's efforts to allocate resources in the most effective manner. BRAC is a key component of transformation and is essential to reshape the military to respond to new global missions. BRAC helps realize significant savings by cutting excess infrastructure and enables the armed forces to maximize opportunities to train, deploy and fight jointly. Yesterday I received a copy of a letter supporting the 2005 BRAC round signed by the chairman and each of the joint chiefs of the military services.

Some people argue we should not close bases while we are fighting a war and while we are uncertain of future force structure changes. I disagree. Excess bases are not needed for the war on terrorism; in fact, they waste scarce dollars needed for our battle against terrorists. Furthermore, the BRAC process will fully consider potential force structure growth, “surge capacity,” and repositioning of forces stationed overseas.

In closing, I wish to impress upon my colleagues that delaying BRAC is not good public policy. I encourage my colleagues to support this amendment and to vote in favor of the underlying bill.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Chairman, I rise to support the committee and to support the 2-year delay in the BRAC process and oppose the Kennedy amendment.

Why? Number one, BRAC's estimated costs are \$15 billion and savings are not expected to be realized until at least

2011. These funds can be better used to equip our Humvees or pay hazard duty pay for members of our military or any other function today in winning the war on terror.

□ 1215

Furthermore, the dynamics of the 2005 BRAC process are very different from previous rounds. There will not be a requisite force structure reduction as before. Our military will have to do the same or more in the future on a smaller footprint, with a smaller industrial base and with fewer critical assets. These assets cannot be reconstituted. BRAC will result in the permanent loss and knowledge of skills and industrial capacity.

I urge my colleagues to support the committee and oppose the amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield the final minute to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding the time, and I rise in support of the Kennedy amendment, and not easily.

I think it is a very important amendment. This is a very important debate, but as we look at BRAC as we go into it, and I want to say also I have five military installations in my district. I think I have more military than any other Member of the House. I am not certain about that, but I am in there, we have got to let the Pentagon, we have got to let the Defense Department run the military.

We cannot do it in Congress. This is not our job. We get involved in it. It is very, very important to support their efforts and work with them, but we also have other issues, Medicare, education, Social Security, taxes, that we have to delve into, and right now, we have a lot of Members delving into the military.

BRAC was set up to be nonpolitical, to be fair. In our office, we work on military issues at our bases, not during BRAC years, but every single year. We work on issues of the cost return on the bases, environmental issues, encroachment issues, military construction issues, community support. We work with our military all the time.

If Members of Congress want to help the bases in their districts, they need to be doing it year around, not just during an election year and on the eve of BRAC.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Chairman, I rise in opposition to the Kennedy amendment and in support of the common-sense and consensus and bipartisan committee mark that wisely and reasonably and with common sense postpones the next round of BRAC for 2 years.

This week, I went to Walter Reed Hospital, and I met with Mississippians who have been the victims of IEDs as they drove their Humvees, as they

served their country, and I asked this question: Do we want to spend \$5 billion more over the next 5 years to close bases or do we want to give the young men and women who are serving in Afghanistan and Iraq today the body armor and the Humvee armor that they need to protect themselves so that their legs and their ability to walk and to go through rehab will be avoided for other men and women? It is a clear choice of priorities.

The world has changed since 9/11. BRAC was called for before 9/11. We are now at war; we need all resources for that effort. We need to wisely wait for the realignment internationally before we choose how to go forward with the transformation domestically. This is a wise course, a reasonable course for a 2-year delay.

Mr. HEFLEY. Mr. Chairman, let me just point out very quickly that the committee that works with this issue and struggles with it every day overwhelmingly supports the defeat of the Kennedy amendment.

Mr. Chairman, I yield the remainder of the time to the gentleman from Mississippi (Mr. TAYLOR), a very fine member of our committee.

Mr. TAYLOR of Mississippi. Mr. Chairman, the Constitution of the United States gives the elected Members of Congress the responsibility to provide for an Army and a Navy. Every person in this body was elected to fulfill those requirements.

I did not come here to delegate my responsibility to some bureaucrat to decide where or when bases should be closed. If Members want to give away their responsibilities, they should not seek this job.

For that reason, I encourage my colleagues to vote against the Kennedy amendment, to keep that responsibility here in Congress and to do our jobs.

Ms. CORRINE BROWN of Florida. Mr. Chairman, what a horrifying message to send to our troops and to our adversaries right now to close bases during a time of war. It is not prudent to shut down these bases at this time. I support postponing BRAC until the defense needs of the nation are more settled than they are at present.

Particularly during this time of economic crisis, we do not need to close bases. There should never have been any discussion about this in the first place. Base closures are devastating to communities. Our resources should be used to improve our current defense system, not for arbitrarily closing bases because of political decisions.

Mr. VITTER. Mr. Chairman, I rise today in opposition to the amendment offered by Representative KENNEDY.

Our nation is a war against terrorism; our military is deployed across the globe in 139 different countries with close to 160,000 fighting in Iraq as part of Operation Iraqi Freedom. Simultaneously, the Department of Defense is contemplating some of the most significant changes to its force and overseas posture since World War II. Now is not the time to rush to close our military bases. The responsible approach to base closing would be to delay the next round of BRAC until 2007.

By moving forward before resolving major infrastructure issues, a 2005 BRAC decision would increase a significant level of risk that DOD will close a base only to discover that it needs that same base just a few years later. Once a base is closed, it's gone forever.

The language as it stands now would not eliminate BRAC. Rather, it reflects widespread bipartisan concern that DOD should close no bases until several issues effecting base infrastructure requirements have been resolved and reviewed by Congress.

During my time in Congress I have been focused on preparing Louisiana for BRAC, and have helped secure more than \$76 million for Belle Chasse in New Orleans. As a member of the Military Construction Appropriations Subcommittee I vigorously worked to secure \$160 million more for infrastructure improvement to protect both Fort Polk and Barksdale Air Force Base.

I cannot underscore the importance of delaying the next round of BRAC. A 2-year delay will greatly reduce the risk of making an irreversible mistake in the BRAC process.

Mr. Chairman, I strongly urge a "no" vote on the Kennedy Amendment to H.R. 4200.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I must rise to oppose this amendment. We are now increasing the number of troops because the U.S. military is stretched too thin to meet its ongoing military commitments. In recognition of this fact, H.R. 4200 authorizes the DOD to increase military end-strength by 39,000. In addition, the DOD recently announced that it is considering rotating 3,800 troops from South Korea to augment the U.S. forces in Iraq.

DOD's estimate of the level of excess capacity that exists in military infrastructure was determined in 1998 by then Defense Secretary Bill Cohen. Many significant events that have occurred since 1998, i.e. September 11, 2001, the global war on terrorism, and military operations in Afghanistan, Iraq and Haiti. In pursuing the 2005 BRAC, the DOD fails to recognize the profound impact that these events are having upon the United States military's ability to fulfill its national security obligations. Under Secretary of Defense for Installations and Facilities Raymond DuBois has stated that the 2005 BRAC will cost the taxpayers between \$10 billion to \$20 billion over next 7 years. Savings, if any, are not expected until 2011. Those funds could be used now for the equipment needed by our military personnel. Important decisions affecting military force structure and infrastructure should not be left to an unelected commission. Article 1, section 8 of the U.S. Constitution entrusts Congress with the responsibility to make these decisions.

It is for these reasons that I oppose this amendment.

Ms. HARMAN. Mr. Chairman, after careful consideration I have decided to support a 2-year delay in the BRAC process. Let me be clear that I remain a supporter of BRAC and my vote against this amendment is not a vote against base closures.

BRAC plays a vital role in ensuring that we have a modern military that is prepared to fight the next war, not re-fight the last war. It is critically important that the tooth-to-tail ratio of the armed services be reduced, with unnecessary facilities eliminated and resources directed to where they will be most effective in fighting the war on terror. However, I believe there are several reasons why a stay in the

process would be the most sensible course at this time.

First, our military forces are currently stretched to the limit as they fight the war on terror on more than one front. We have asked our forces to fight a global war and they have risen to the occasion and performed admirably. But as they fight the global war on terrorism, they are encountering uncertain circumstances and unforeseen obstacles. The real-time lessons that we are learning in the war on terror will help the BRAC determine what our military priorities should be in the future.

The BRAC law was adopted before September 11, 2001. The terrorists attacks on this country significantly altered U.S. national security priorities. Our armed forces are responding to these new demands, but I am afraid that if BRAC moves forward with the next round of base closures as planned, it will be during a period when the U.S. military is undergoing critical changes in tactics and organization. As a result, any reduction will be done without knowing what kind of base structure will be needed in the future.

Second, I am extremely concerned by the way this Administration is funding the war in Iraq and the global war on terror. This President has funded the entire Iraq war by supplemental and, by all accounts, he plans to continue funding in this manner in the future. The funding-by-supplemental-only process prevents Congress from determining the exact costs of the war. It also makes it impossible for Congress to determine, by proper oversight, whether the President's priorities are the right priorities for our military to win the war on terror. If Congress has difficulty determining what our armed forces' needs and requirements are, the next round of BRAC commissioners will find it even more difficult to decide which facilities are vital to winning the war on terror.

I am also concerned that the current BRAC guidelines do not accurately reflect the military's priorities for fighting the next war. For instance, the BRAC guidelines should include recognition of the value of intellectual capital and the synergy between the skilled civilian workers in various communities. Especially the critically important roles and missions the civilian workers support at our military bases.

In the post-9/11 environment, I would like to see the BRAC guidelines broaden the concept of joint operations to include base functions and installations currently or potentially critical to the Department of Homeland Security. BRAC should also consider the costs of base closures as they relate to finding new sources for supplies and professional expertise at military bases.

Finally, Mr. Chairman, I am concerned about the disproportionate contribution California has already made to the streamlining of the military's base infrastructure. Obviously, no state wants to have bases closed. Bases mean jobs and increased income for states and local municipalities. In the past BRAC rounds, California has experienced 29 base closures, including the closure of Ft. Ord—the largest closure in history. This is a factor that should be considered in the next round of closures.

For all of these reasons, I believe it would be prudent for Congress to postpone the next round of BRAC to allow for a study of the needs of our post-9/11 military and the guidelines that best reflect those priorities.

The CHAIRMAN pro tempore (Mr. LAHOOD). All time has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY).

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

RECORDED VOTE

Mr. KENNEDY of Minnesota. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, this 15-minute vote on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) will be followed by 5-minute votes on amendment No. 4, offered by the gentleman from Pennsylvania (Mr. WELDON), and amendment No. 14, offered by the gentleman from Missouri (Mr. SKELTON) as the designee of the gentleman from New York (Ms. SLAUGHTER).

The vote was taken by electronic device, and there were—ayes 162, noes 259, not voting 12, as follows:

[Roll No. 200]

AYES—162

Aderholt	Edwards	Oberstar
Akin	Ehlers	Obey
Andrews	English	Ose
Bachus	Eshoo	Otter
Baker	Feeney	Oxley
Baldwin	Flake	Pence
Ballenger	Frank (MA)	Peterson (PA)
Barrett (SC)	Garrett (NJ)	Petri
Barton (TX)	Gilchrest	Pitts
Berkley	Gillmor	Porter
Berman	Goode	Portman
Biggert	Goodlatte	Price (NC)
Blackburn	Gordon	Radanovich
Blumenauer	Granger	Ramstad
Blunt	Graves	Renzi
Boehner	Green (WI)	Reynolds
Bonner	Greenwood	Rogers (KY)
Boozman	Gutknecht	Rogers (MI)
Boswell	Harris	ROHRBACHER
Brady (TX)	Hastings (WA)	Royce
Brown (SC)	Hayworth	Ruppersberger
Brown, Corrine	Hensarling	Rush
Brown-Waite,	Herger	Ryan (WI)
Ginny	Hoekstra	Sabo
Burgess	Inslee	Sanchez, Loretta
Camp	Isakson	Schrock
Cantor	Istook	Sensenbrenner
Capito	Johnson (CT)	Sessions
Cardin	Johnson (IL)	Shadegg
Case	Kelly	Shays
Castle	Kennedy (MN)	Sherman
Chabot	King (IA)	Simpson
Choccola	Kingston	Smith (TX)
Coble	Kirk	Smith (WA)
Collins	Kline	Snyder
Cooper	Knollenberg	Stark
Cox	Kolbe	Stenholm
Cramer	Kucinich	Taylor (NC)
Crane	Larsen (WA)	Terry
Cubin	Latham	Thomas
Culberson	Lee	Thornberry
Davis (FL)	Lewis (CA)	Toomey
Davis (IL)	Lewis (KY)	Upton
Davis, Tom	Linder	Van Hollen
Deal (GA)	Lucas (KY)	Vitter
DeFazio	McColum	Walden (OR)
DeGette	McCrery	Walsh
DeLay	McDermott	Wamp
DeMint	McHugh	Waxman
Dicks	Miller (NC)	Weldon (PA)
Doggett	Moran (VA)	Weller
Doolittle	Myrick	Whitfield
Dreier	Neugebauer	Wilson (SC)
Duncan	Northup	
Dunn	Nussle	

NOES—259

Abercrombie	Baca	Becerra
Ackerman	Baird	Bell
Alexander	Bartlett (MD)	Bereuter
Allen	Bass	Berry

Bilirakis	Houghton	Paul
Bishop (GA)	Hoyer	Payne
Bishop (NY)	Hulshof	Pearce
Bishop (UT)	Hunter	Pelosi
Boehert	Hyde	Peterson (MN)
Bonilla	Israel	Pickering
Bono	Issa	Platts
Boucher	Jackson (IL)	Pombo
Boyd	Jackson-Lee	Pomeroy
Bradley (NH)	(TX)	Pryce (OH)
Brady (PA)	Jefferson	Putnam
Brown (OH)	Jenkins	Quinn
Burns	John	Rahall
Burr	Johnson, E. B.	Rangel
Burton (IN)	Jones (NC)	Regula
Buyer	Jones (OH)	Reinberg
Calvert	Kanjorski	Reyes
Cannon	Kaptur	Rodriguez
Capps	Keller	Rogers (AL)
Capuano	Kennedy (RI)	Ros-Lehtinen
Cardoza	Kildee	Ross
Carson (IN)	Kilpatrick	Rothman
Chandler	Kind	Roybal-Allard
Clay	King (NY)	Ryan (OH)
Clyburn	Klecza	Ryun (KS)
Cole	LaHood	Sánchez, Linda
Conyers	Lampson	T.
Costello	Langevin	Sanders
Crenshaw	Lantos	Sandlin
Crowley	Larson (CT)	Saxton
Cummings	LaTourette	Schakowsky
Cunningham	Levin	Schiff
Davis (AL)	Lewis (GA)	Scott (GA)
Davis (CA)	Lipinski	Scott (VA)
Davis (TN)	LoBiondo	Serrano
Davis, Jo Ann	Lofgren	Shaw
Delahunt	Lowe	Sherwood
DeLauro	Lucas (OK)	Shimkus
Diaz-Balart, L.	Lynch	Shuster
Diaz-Balart, M.	Majette	Simmons
Dingell	Maloney	Skelton
Doyle	Manzullo	Slaughter
Emanuel	Markey	Smith (MI)
Emerson	Marshall	Smith (NJ)
Engel	Matheson	Solis
Etheridge	McCarthy (MO)	Souder
Evans	McCarthy (NY)	Spratt
Everett	McCotter	Stearns
Farr	McGovern	Strickland
Ferguson	McInnis	Stupak
Filner	McIntyre	Sullivan
Foley	McKeon	Sweeney
Forbes	McNulty	Tancredo
Ford	Meehan	Tanner
Fossella	Meek (FL)	Tauscher
Franks (AZ)	Meeks (NY)	Taylor (MS)
Frelinghuysen	Menendez	Thompson (CA)
Frost	Mica	Thompson (MS)
Gallegly	Michaud	Tiahrt
Gephardt	Millender	Tiberi
Gerlach	McDonald	Tierney
Gibbons	Miller (FL)	Towns
Gingrey	Miller (MI)	Turner (OH)
Gonzalez	Miller, Gary	Turner (TX)
Goss	Miller, George	Udall (CO)
Green (TX)	Mollohan	Udall (NM)
Grijalva	Moore	Velázquez
Gutierrez	Moran (KS)	Visclosky
Hall	Murphy	Waters
Harman	Murtha	Watson
Hart	Musgrave	Watt
Hastings (FL)	Nadler	Weiner
Hayes	Napolitano	Weldon (FL)
Hefley	Neal (MA)	Wexler
Hill	Nethercutt	Wicker
Hinchev	Ney	Wilson (NM)
Hinojosa	Nunes	Wolf
Hobson	Olver	Woolsey
Hoeffel	Ortiz	Wu
Holden	Osborne	Wynn
Holt	Owens	Young (AK)
Honda	Pallone	Young (FL)
Hooley (OR)	Pascrell	
Hostettler	Pastor	

NOT VOTING—12

Ballance	Deutsch	Leach
Beauprez	Dooley (CA)	Matsui
Carson (OK)	Fattah	Norwood
Carter	Johnson, Sam	Tauzin

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD) (during the vote). There are 2 minutes remaining in this vote.

□ 1246

Messrs. TURNER of Ohio, FARR, STUPAK, PLATTS, NADLER, EVERETT, OWENS, and HALL, Ms. KILPATRICK, and Messrs. RYUN of Kansas, BASS, SULLIVAN and TIAHRT changed their vote from “aye” to “no.”

Messrs. OBERSTAR, SMITH of Washington, ROHRBACHER, OBEY, GOODE, Ms. McCOLLUM, Mr. DAVIS of Florida, Ms. HARRIS, Mr. RUSH and Mr. WAXMAN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARTER. Mr. Chairman, on May 20, 2004, during rollcall vote 200, I was unavoidably detained. If I had been present, I would have voted “yea” on rollcall vote 200.

Stated against:

Mr. BEAUPREZ. Mr. Chairman, on rollcall No. 200, I was unavoidably detained. Had I been present, I would have voted “no.”

Mr. VITTER. Mr. Chairman, on rollcall vote 200, regarding the Mark Kennedy Amendment to H.R. 4200, the Department of Defense Authorization bill, I inadvertently voted “yea”, but intended to vote “nay”. I ask for unanimous consent that the RECORD reflect my intentions to have voted “nay” and that I can place a statement in the RECORD at the appropriate place.

PERSONAL EXPLANATION

Ms. CORRINE BROWN of Florida. Mr. Chairman, on rollcall vote number 200, the Kennedy Amendment, I inadvertently voted “yes,” when I meant to vote “no.” I support delaying BRAC.

□ 1246

AMENDMENT NO. 4 OFFERED BY MR. WELDON OF PENNSYLVANIA

The CHAIRMAN pro tempore (Mr. LAHOOD). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. WELDON of Pennsylvania:

At the end of subtitle A of title XII (page 424, after line 12), insert the following new section:

SEC. 12 . SENSE OF CONGRESS ON DESTRUCTION OF ABU GHRAIB PRISON IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) Under the regime of Saddam Hussein, the Abu Ghraib prison in Iraq was one of the world’s most notorious prisons.

(2) Under that regime, as many as 50,000 men and women were jammed into the prison at one time in 12 feet by 12 feet cells.

(3) Under that regime, many people were tortured and executed in the Abu Ghraib prison.

(4) Recent activities have further highlighted the horrible memories that Abu Ghraib stands for.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary of Defense should assist the Iraqi Government, with the approval of that government, in destroying the Abu Ghraib prison and replacing it with a modern detention facility.

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 308, noes 114, not voting 11, as follows:

[Roll No. 201]

AYES—308

Abercrombie	Dunn	Lampson
Ackerman	Edwards	Langevin
Akin	Ehlers	Lantos
Alexander	Emanuel	Larsen (WA)
Allen	Emerson	Larson (CT)
Andrews	Engel	Latham
Baca	English	LaTourette
Bachus	Eshoo	Lee
Baird	Etheridge	Levin
Baldwin	Evans	Lewis (GA)
Ballenger	Farr	Lewis (KY)
Bass	Ferguson	Lipinski
Becerra	Filner	LoBiondo
Bell	Foley	LoGren
Bereuter	Forbes	Lowe
Berkley	Ford	Lucas (KY)
Berman	Frank (MA)	Lynch
Berry	Frelinghuysen	Maloney
Biggert	Frost	Manzullo
Bishop (GA)	Gallely	Markey
Bishop (NY)	Gephardt	Matheson
Bishop (UT)	Gerlach	McCarthy (MO)
Blumenauer	Gibbons	McCarthy (NY)
Boehrlert	Gilchrest	McCollum
Boehner	Gillmor	McDermott
Boswell	Gonzalez	McGovern
Boucher	Gordon	McHugh
Boyd	Goss	McIntyre
Bradley (NH)	Green (TX)	McNulty
Brady (PA)	Green (WI)	Meehan
Brown (OH)	Greenwood	Menendez
Brown (SC)	Grijalva	Mica
Brown, Corrine	Gutierrez	Michaud
Burns	Gutknecht	Millender-
Burr	Hall	McDonald
Burton (IN)	Harman	Miller (NC)
Buyer	Harris	Miller, George
Camp	Hart	Mollohan
Cantor	Hastings (FL)	Moore
Capito	Hastings (WA)	Moran (VA)
Capps	Hayworth	Murphy
Capuano	Hill	Murtha
Cardin	Hinches	Musgrave
Cardoza	Hinojosa	Myrick
Carson (IN)	Hobson	Nadler
Castle	Hoeffel	Napolitano
Chandler	Holden	Neal (MA)
Chocola	Holt	Nunes
Clay	Hoolley (OR)	Nussle
Clyburn	Hostettler	Oberstar
Cole	Hulshof	Obey
Costello	Hyde	Olver
Cox	Inslie	Ortiz
Cramer	Israel	Osborne
Crane	Issa	Owens
Crenshaw	Jackson (IL)	Oxley
Crowley	Jackson-Lee	Pallone
Culbertson	(TX)	Pascarell
Cummings	Johnson (CT)	Pastor
Davis (AL)	Johnson (IL)	Pearce
Davis (CA)	Johnson, E. B.	Pelosi
Davis (FL)	Jones (OH)	Pence
Davis (IL)	Kanjorski	Peterson (PA)
Davis (TN)	Kaptur	Pickering
Davis, Jo Ann	Kelly	Pitts
Davis, Tom	Kennedy (MN)	Platts
DeFazio	Kennedy (RI)	Pomeroy
DeGette	Kildee	Porter
Delahunt	Kilpatrick	Portman
DeLauro	Kind	Price (NC)
DeMint	Kirk	Pryce (OH)
Diaz-Balart, L.	Kleczka	Quinn
Diaz-Balart, M.	Kline	Rahall
Dicks	Knollenberg	Ramstad
Dingell	Kolbe	Regula
Doyle	Kucinich	Rehberg
Dreier	LaHood	Renzi

Reyes	Shaw
Reynolds	Shays
Rogers (KY)	Sherman
Rogers (MI)	Sherwood
Ros-Lehtinen	Shimkus
Ross	Shuster
Rothman	Skelton
Roybal-Allard	Slaughter
Royce	Smith (NJ)
Ruppersberger	Smith (TX)
Rush	Smith (WA)
Ryan (OH)	Solis
Ryan (WI)	Souder
Ryun (KS)	Spratt
Sabo	Stark
Sánchez, Linda	Strickland
T.	Stupak
Sanchez, Loretta	Tancredo
Sanders	Tauscher
Sandlin	Taylor (MS)
Schakowsky	Taylor (NC)
Schiff	Terry
Schrock	Thomas
Scott (GA)	Thompson (CA)
Scott (VA)	Thompson (MS)
Serrano	Tiberi
Shadegg	Tierney

Toomey	Turner
Towns	Turner (OH)
Turner (OH)	Turner (TX)
Turner (TX)	Udall (CO)
Udall (CO)	Udall (NM)
Udall (NM)	Van Hollen
Van Hollen	Velázquez
Velázquez	Visclosky
Visclosky	Walden (OR)
Walden (OR)	Walsh
Walsh	Watson
Watson	Waxman
Waxman	Weiner
Weiner	Weldon (FL)
Weldon (FL)	Weldon (PA)
Weldon (PA)	Weller
Weller	Wexler
Wexler	Whitfield
Whitfield	Wicker
Wicker	Wilson (NM)
Wilson (NM)	Wilson (SC)
Wilson (SC)	Wolf
Wolf	Woolsey
Woolsey	Wu
Wu	Wynn

NOES—114

Aderholt	Gingrey
Baker	Goode
Barrett (SC)	Goodlatte
Bartlett (MD)	Granger
Barton (TX)	Graves
Beauprez	Hayes
Bilirakis	Hefley
Blackburn	Hensarling
Blunt	Herger
Bonilla	Hoekstra
Bonner	Honda
Bono	Houghton
Boozman	Hunter
Brady (TX)	Isakson
Brown-Waite,	Istook
Ginny	Jefferson
Burgess	Jenkins
Calvert	John
Cannon	Jones (NC)
Carter	Keller
Case	King (IA)
Chabot	King (NY)
Coble	Kingston
Collins	Lewis (CA)
Conyers	Linder
Cooper	Lucas (OK)
Cubin	Majette
Cunningham	Marshall
Deal (GA)	McCotter
DeLay	McCrery
Doggett	McInnis
Doolittle	McKeon
Duncan	Meek (FL)
Everett	Meeks (NY)
Feeney	Miller (FL)
Flake	Miller (MI)
Fossella	Miller, Gary
Franks (AZ)	Moran (KS)
Garrett (NJ)	Nethercutt

Neugebauer	Peterson (MN)
Ney	Petri
Northup	Pombo
Ose	Putnam
Otter	Radanovich
Paul	Rangel
Payne	Rodriguez
Peterson (MN)	Rogers (AL)
Petri	Rohrabacher
Pombo	Saxton
Putnam	Sensenbrenner
Radanovich	Sessions
Rangel	Simmons
Rodriguez	Simpson
Rogers (AL)	Smith (MI)
Rohrabacher	Snyder
Saxton	Stearns
Sensenbrenner	Stenholm
Sessions	Sullivan
Simmons	Sweeney
Simpson	Tanner
Smith (MI)	Thornberry
Snyder	Tiahrt
Stearns	Upton
Stenholm	Vitter
Sullivan	Wamp
Sweeney	Waters
Tanner	Watt
Thornberry	Young (AK)
Tiahrt	Young (FL)
Upton	
Vitter	
Wamp	
Waters	
Watt	
Young (AK)	
Young (FL)	

NOT VOTING—11

Ballance	Fattah
Carson (OK)	Hoyer
Deutsch	Johnson, Sam
Dooley (CA)	Leach

Matsui
Norwood
Tauzin

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

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

□ 1257

Messrs. GINGREY, CONYERS, DOOLITTLE, FOSSELLA, Ms. WATERS, Mrs. BONO, and Ms. GRANGER changed their vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. SKELTON

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. SKELTON) on which further pro-

ceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SKELTON: At the end of title V (page 200, after line 24), insert the following new section:

SEC. 598. DEPARTMENT OF DEFENSE POLICY AND PROCEDURES ON PREVENTION AND RESPONSE TO SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) COMPREHENSIVE POLICY ON PREVENTION AND RESPONSE TO SEXUAL ASSAULTS.—(1) Not later than January 1, 2005, the Secretary of Defense shall develop a comprehensive policy for the Department of Defense on the prevention of and response to sexual assaults involving members of the Armed Forces.

(2) The policy shall be based on the recommendations of the Department of Defense Task Force on Care for Victims of Sexual Assaults and on such other matters as the Secretary considers appropriate.

(b) ELEMENTS OF COMPREHENSIVE POLICY.—The policy developed under subsection (a) shall address the following matters:

(1) Prevention measures.

(2) Education and training on prevention and response.

(3) Investigation of complaints by command and law enforcement personnel.

(4) Medical treatment of victims.

(5) Confidential reporting of incidents.

(6) Victim advocacy and intervention.

(7) Oversight by commanders of administrative and disciplinary actions in response to substantiated incidents of sexual assault.

(8) Disposition of victims of sexual assault, including review by appropriate authority of administrative separation actions involving victims of sexual assault.

(9) Disposition of members of the Armed Forces accused of sexual assault.

(10) Liaison and collaboration with civilian agencies on the provision of services to victims of sexual assault.

(11) Uniform collection of data on the incidence of sexual assaults and on disciplinary actions taken in substantiated cases of sexual assault.

(c) REPORT ON IMPROVEMENT OF CAPABILITY TO RESPOND TO SEXUAL ASSAULTS.—Not later than March 1, 2005, the Secretary of Defense shall submit to Congress a proposal for such legislation as the Secretary considers necessary to enhance the capability of the Department of Defense to address matters relating to sexual assaults involving members of the Armed Forces.

(d) APPLICATION OF COMPREHENSIVE POLICY TO MILITARY DEPARTMENTS.—The Secretary shall ensure that, to the maximum extent practicable, the policy developed under subsection (a) is implemented uniformly by the military departments.

(e) POLICIES AND PROCEDURES OF MILITARY DEPARTMENTS.—(1) Not later than March 1, 2005, the Secretaries of the military departments shall prescribe regulations, or modify current regulations, on the policies and procedures of the military departments on the prevention of and response to sexual assaults involving members of the Armed Forces in order—

(A) to conform such policies and procedures to the policy developed under subsection (a); and

(B) to ensure that such policies and procedures include the elements specified in paragraph (2).

(2) The elements specified in this paragraph are as follows:

(A) A program to promote awareness of the incidence of sexual assaults involving members of the Armed Forces.

(B) A program to provide victim advocacy and intervention for members of the Armed Force concerned who are victims of sexual assault, which program shall make available, at home stations and in deployed locations, trained advocates who are readily available to intervene on behalf of such victims.

(C) Procedures for members of the Armed Force concerned to follow in the case of an incident of sexual assault involving a member of such Armed Force, including—

(i) specification of the person or persons to whom the alleged offense should be reported;

(ii) specification of any other person whom the victim should contact;

(iii) procedures for the preservation of evidence; and

(iv) procedures for confidential reporting and for contacting victim advocates.

(D) Procedures for disciplinary action in cases of sexual assault by members of the Armed Force concerned.

(E) Other sanctions authorized to be imposed in substantiated cases of sexual assault, whether forcible or nonforcible, by members of the Armed Force concerned.

(F) Training on the policies and procedures for all members of the Armed Force concerned, including specific training for members of the Armed Force concerned, including specific training for members of the Armed Force concerned who process allegations of sexual assault against members of such Armed Force.

(G) Any other matters that the Secretary of Defense considers appropriate.

(f) ANNUAL ASSESSMENT OF POLICIES AND PROCEDURES.—Not later than January 15, 2006, and each year thereafter, each Secretary of a military department shall conduct an assessment of the implementation during the preceding fiscal year of the policies and procedures of such department on the prevention of and response to sexual assaults involving members of the Armed Forces in order to determine the effectiveness of such policies and procedures during such fiscal year in providing an appropriate response to such sexual assaults.

(g) ANNUAL REPORTS.—(1) Not later than April 1, 2005, and January 15 of each year thereafter, each Secretary of a military department shall submit to the Secretary of Defense a report on the sexual assaults involving members of the Armed Force concerned during the preceding year.

(2) Each report on an Armed Force under paragraph (1) shall contain the following:

(A) The number of sexual assaults against members of the Armed Force, and the number of sexual assaults by members of the Armed Force, that were reported to military officials during the year covered by such report, and the number of the cases so reported cases that were substantiated.

(B) A synopsis of and the disciplinary action taken in each substantiated case.

(C) The policies, procedures, and processes implemented by the Secretary concerned during the year covered by such report in response to incidents of sexual assault involving members of the Armed Force concerned.

(D) A plan for the actions that were to be taken in the year following the year covered by such report on the prevention of and response to sexual assault involving members of the Armed Forces concerned.

(3) Each report under paragraph (1) in 2006, 2007, and 2008 shall also include the assessment conducted by the Secretary concerned under subsection (f).

(4) The Secretary of Defense shall transmit to the Committees on Armed Services of the Senate and the House of Representatives each report submitted to the Secretary under this subsection, together with the comments of the Secretary on each such re-

port on 2004 not alter than May 1, 2005, and shall transmit the report on any year after 2004 not later than March 15 of the year following such year.

(h) REQUIREMENT TO DEVELOP DEFINITION OF SEXUAL ASSAULT.—Prior to developing policies and programs on the prevention of and response to sexual assaults, the Department of Defense, in consultation with the Service Secretaries, shall develop a definition of sexual assault that is uniform for all the Armed Forces, including but not limited to rape, acquaintance rape, sexual assault, and other criminal offenses.

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 410, noes 0, not voting 23, as follows:

[Roll No. 202]

AYES—410

Abercrombie	Clyburn	Gillmor
Ackerman	Coble	Gingrey
Aderholt	Collins	Gonzalez
Akin	Conyers	Goode
Alexander	Cooper	Goodlatte
Allen	Costello	Gordon
Andrews	Cox	Goss
Baca	Cramer	Granger
Bachus	Crane	Graves
Baird	Crenshaw	Green (TX)
Baker	Crowley	Green (WI)
Baldwin	Cubin	Greenwood
Ballenger	Culberson	Grijalva
Barrett (SC)	Cummings	Gutierrez
Bartlett (MD)	Cunningham	Gutknecht
Barton (TX)	Davis (AL)	Hall
Bass	Davis (CA)	Harman
Beauprez	Davis (FL)	Harris
Becerra	Davis (IL)	Hart
Bell	Davis (TN)	Hastings (FL)
Bereuter	Davis, Jo Ann	Hastings (WA)
Berkley	Davis, Tom	Hayes
Berman	Deal (GA)	Hayworth
Berry	DeFazio	Hefley
Biggert	DeGette	Hensarling
Bilirakis	Delahunt	Herger
Bishop (GA)	DeLauro	Hill
Bishop (NY)	DeLay	Hinchev
Bishop (UT)	DeMint	Hinojosa
Blackburn	Diaz-Balart, L.	Hobson
Blumenauer	Diaz-Balart, M.	Hoeffel
Blunt	Dicks	Hoeke
Boehlert	Dingell	Holden
Boehner	Dogett	Holt
Bonilla	Doolittle	Honda
Bonner	Doyle	Hooley (OR)
Bono	Dreier	Hostettler
Boozman	Duncan	Houghton
Boswell	Dunn	Hulshof
Boucher	Edwards	Hunter
Boyd	Ehlers	Hyde
Bradley (NH)	Emanuel	Inslee
Brady (PA)	Emerson	Isakson
Brady (TX)	Engel	Israel
Brown (SC)	English	Issa
Brown, Corrine	Eshoo	Istook
Brown-Waite,	Etheridge	Jackson (IL)
Ginny	Evans	Jackson-Lee
Burgess	Everett	(TX)
Burns	Farr	Jefferson
Burr	Feeney	Jenkins
Burton (IN)	Ferguson	John
Buyer	Filner	Johnson (CT)
Calvert	Flake	Johnson (IL)
Camp	Foley	Johnson, E. B.
Cannon	Forbes	Jones (NC)
Capito	Ford	Jones (OH)
Capps	Fossella	Kanjorski
Capuano	Frank (MA)	Kaptur
Cardin	Franks (AZ)	Keller
Cardoza	Frelinghuysen	Kelly
Carson (IN)	Frost	Kennedy (MN)
Case	Gallegly	Kennedy (RI)
Castle	Garrett (NJ)	Kildee
Chabot	Gephardt	Kilpatrick
Chandler	Gerlach	Kind
Chocola	Gibbons	King (IA)
Clay	Gilchrest	King (NY)

Kingston	Northup	Shadegg
Kirk	Nunes	Shaw
Kleczka	Nussle	Shays
Kline	Oberstar	Sherman
Knollenberg	Obey	Sherwood
Kolbe	Oliver	Shimkus
Kucinich	Ortiz	Shuster
LaHood	Osborne	Simmons
Lampson	Ose	Simpson
Langevin	Otter	Skelton
Lantos	Owens	Slaughter
Larsen (WA)	Oxley	Smith (MI)
Larson (CT)	Pallone	Smith (NJ)
Latham	Pascrell	Smith (TX)
LaTourette	Pastor	Smith (WA)
Lee	Paul	Snyder
Levin	Payne	Solis
Lewis (CA)	Pearce	Souder
Lewis (GA)	Peterson (MN)	Stark
Lewis (KY)	Peterson (PA)	Stearns
Linder	Petri	Stenholm
Lipinski	Pickering	Strickland
LoBiondo	Pitts	Sullivan
Lofgren	Platts	Sweeney
Lowey	Pombo	Tancredo
Lucas (KY)	Pomeroy	Tanner
Lucas (OK)	Porter	Tauscher
Lynch	Portman	Taylor (MS)
Majette	Price (NC)	Taylor (NC)
Maloney	Pryce (OH)	Terry
Manzullo	Putnam	Thomas
Markey	Quinn	Thompson (CA)
Marshall	Rahall	Thompson (MS)
Matheson	Ramstad	Thornberry
McCarthy (MO)	Rangel	Tiahrt
McCarthy (NY)	Regula	Tiberi
McCollum	Rehberg	Tierney
McCotter	Renzi	Toomey
McDermott	Reyes	Towns
McGovern	Reynolds	Turner (OH)
McHugh	Rodriguez	Turner (TX)
McInnis	Rogers (AL)	Udall (CO)
McIntyre	Rogers (KY)	Udall (NM)
McKeon	Rogers (MI)	Upton
McNulty	Rohrabacher	Van Hollen
Meehan	Ros-Lehtinen	Velázquez
Meek (FL)	Ross	Visclosky
Meeks (NY)	Rothman	Vitter
Menendez	Roybal-Allard	Walden (OR)
Mica	Royce	Walsh
Michaud	Ruppersberger	Wamp
Millender-	Rush	Waters
McDonald	Ryan (OH)	Watson
Miller (FL)	Ryan (WI)	Watt
Miller (MI)	Ryun (KS)	Waxman
Miller (NC)	Sabo	Weiner
Miller, Gary	Sánchez, Linda	Weldon (FL)
Mollohan	T.	Weldon (PA)
Moore	Sanchez, Loretta	Weller
Moran (KS)	Sanders	Wexler
Moran (VA)	Sandin	Whitfield
Murtha	Saxton	Wicker
Musgrave	Schakowsky	Wilson (NM)
Myrick	Schiff	Wilson (SC)
Nadler	Schrock	Wolf
Napolitano	Scott (GA)	Woolsey
Neal (MA)	Scott (VA)	Wu
Nethercutt	Sensenbrenner	Wynn
Neugebauer	Serrano	Young (AK)
Ney	Sessions	Young (FL)

NOT VOTING—23

Ballance	Fattah	Norwood
Brown (OH)	Hoyer	Pelosi
Cantor	Johnson, Sam	Pence
Carson (OK)	Leach	Radanovich
Carter	Matsui	Spratt
Cole	McCrery	Stupak
Deutsch	Miller, George	Tauzin
Dooley (CA)	Murphy	

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

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

□ 1304

So the amendment was agreed to. The result of the vote was announced as above recorded.

Stated for: Mr. MURPHY. Mr. Chairman, on rollcall No. 202 I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. COLE. Mr. Chairman, on May 20, 2004, for rollcall vote 202, I was unavoidably detained. If I had been present, on rollcall vote No. 202, I would have voted "aye."

PERSONAL EXPLANATION

Mr. STUPAK. Mr. Chairman, earlier today I was unavoidably detained and missed rollcall vote 202. I wish the RECORD to reflect I would have vote "yes" on that amendment.

PERSONAL EXPLANATION

Mr. BROWN of Ohio. Mr. Chairman, I was unavoidably detained and missed rollcall vote 202. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. CARSON of Oklahoma. Mr. Chairman, on Thursday, May 20, 2004, I regret that I was unable to cast my floor vote on rollcall Nos. 200, 201, and 202. The votes I missed include rollcall vote 200 to eliminate the 2-year Base Realignment and Closure (BRAC) delay contained in H.R. 4200; rollcall vote 201 expressing the sense of Congress that the Secretary of Defense should assist the Iraqi Government in destroying the Abu Ghraib prison and replacing it with a modern detention facility; and rollcall vote 202 requiring the Secretary of Defense to develop a comprehensive policy to prevent and respond to sexual assaults involving members of the Armed Forces.

Had I been present, I would have voted "nay" on rollcall vote 200; I would have voted "aye" on rollcall vote 201; and I would have voted "aye" on rollcall vote 202.

Mr. HUNTER. 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. SIMPSON) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, and for other purposes, had come to no resolution thereon.

MOMENT OF SILENCE IN HONOR OF MEMORIAL DAY AND OUR FALLEN HEROES

The SPEAKER pro tempore. The Chair would ask the House to observe a moment of silence in honor of Memorial Day and our fallen heroes.

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on a special order speech on the topic of fallen heroes and that all such remarks be printed in the CONGRESSIONAL RECORD of May 20, 2004.

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

Mr. RANGEL. Mr. Speaker, reserving the right to object and I will not ob-

ject, I just want to take this opportunity to thank my friend and colleague from New York for affording this House the opportunity to express ourselves on this Memorial Day in honor of these fallen heroes. I appreciate working with him and I thank him very much for this opportunity.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1047, MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2003

Mr. CRANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1047) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and without objection, appoints the following conferees:

From the Committee on Ways and Means, for consideration of the House bill and the Senate amendment, and modifications committed to conference: MESSRS. THOMAS, CRANE, SHAW, RANGEL, and LEVIN.

There was no objection.

REPUBLICANS WIN GREAT CONGRESSIONAL SHOOTOUT

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

Mr. HAYES. Mr. Speaker, believe it or not, this House works together on a bipartisan basis on a number of things.

This past Monday my colleague and cochair of the Sportsmen's Caucus, the gentleman from California (Mr. THOMPSON), and I got together and enjoyed a wonderful day afield. The Sportsmen's Caucus is the largest group of a bipartisan nature on the Hill for anyone who enjoys the out-of-doors.

In this particular instance, it was the Great Congressional Shootout. Fortunately, the Republicans won, but our Democratic friends, including the gentleman from Minnesota (Mr. PETERSON) who was top gun for the Democrats and the gentleman from California (Mr. CUNNINGHAM), top gun for our side, did a great job.

Mr. Speaker, I yield to my colleague and cochairman the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I thank my friend from North Carolina for yielding.

I too want to express appreciation to everyone in the Sportsmen's Caucus

who came out, put aside the partisan battles and entered into some good fun and sportsmanship in advance of the shooting sports and to congratulate everyone who participated.

This year we had a record turnout, 13 Democrats, 13 Republicans. Most important, a whole group of new Members who came out had never participated in the event in the past. Next year, I would only ask that you not spray the Democrats' targets with the bullet-proof spray paint so we have at least a chance.

Mr. HAYES. I thank my colleague and I thank everyone who participated. Our cochairs, also, the gentleman from Iowa (Mr. BOSWELL) for the Democrats and the gentleman from Nevada (Mr. GIBBONS) on our side.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE SUPPLEMENTAL REPORT ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to file a supplemental report on H.R. 4200, the National Defense Authorization Act for Fiscal Year 2005 for the purpose of providing the Ramseyer Report as prepared by the House Office of Legislative Counsel.

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

There was no objection.

GENERAL LEAVE

Mr. EVERETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4200.

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

There was no objection.

PERMISSION TO INCLUDE EXCHANGE OF LETTERS BETWEEN COMMITTEE ON WAYS AND MEANS AND COMMITTEE ON ARMED SERVICES ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to include in the RECORD a letter from the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), regarding section 585 of H.R. 4200, the National Defense Authorization Act for Fiscal Year 2005, and my response, and ask that it be printed as part of the debate on H.R. 4200.

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

There was no objection.

PERMISSION TO INCLUDE LETTER FROM CHAIRMAN OF COMMITTEE ON INTERNATIONAL RELATIONS ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to include in the RECORD a letter from the chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE), regarding H.R. 4200, the National Defense Authorization Act for Fiscal Year 2005, and ask that it be printed as part of the debate on that bill.

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

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The SPEAKER pro tempore. Pursuant to House Resolution 648 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4200.

□ 1309

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, and for other purposes, with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, amendment No. 14 printed in House Report 108-499 offered by the gentleman from Missouri (Mr. SKELTON) had been disposed of.

It is in order to consider amendment No. 9 printed in House Report 108-499.

AMENDMENT NO. 9 OFFERED BY MRS. TAUSCHER

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

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

The text of the amendment is as follows:

Amendment No. 9 offered by Mrs. TAUSCHER:

At the end of title II, insert the following new section:

SEC. 2. ADDITIONAL AMOUNTS FOR ORDNANCE TECHNOLOGY AND FOR STRATEGIC CAPABILITY MODERNIZATION.

(a) AIR FORCE CONVENTIONAL MUNITIONS.—The amount in section 201(3) for research, development, test, and evaluation for the Air Force is hereby increased by \$25,000,000, of which—

(1) \$10,000,000 is to be available in program element 0602602F, Conventional Munitions, for ordnance technology applicable to defeat of weapons of mass destruction and hardened, deeply buried targets; and

(2) \$15,000,000 is to be available in program element 0603601F, Conventional Weapons Technology, for ordnance technology applicable to defeat of weapons of mass destruction and hardened, deeply buried targets.

(b) DEFENSE-WIDE STRATEGIC CAPABILITY MODERNIZATION.—The amount in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by \$11,557,000, to be available for program element 0603910D8Z, Strategic Capability Modernization.

(c) OFFSET.—The amount in section 3101(a)(1) for weapons activities is hereby reduced by \$36,557,000, of which—

(1) \$27,557,000 is to be derived from the Stockpile Services Robust Nuclear Earth Penetrator study; and

(2) \$9,000,000 is to be derived from the Stockpile Services Advanced Concepts program.

The CHAIRMAN pro tempore. Pursuant to House Resolution 648, the gentlewoman from California (Mrs. TAUSCHER) and the gentleman from Alabama (Mr. EVERETT) each will control 10 minutes.

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

Mrs. TAUSCHER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, my amendment redirects funds in the defense authorization bill from new nuclear weapons to conventional programs that meet the same threats. The amendment that I am offering with the gentleman from Missouri (Mr. SKELTON), the gentleman from Massachusetts (Mr. MARKEY), the gentleman from South Carolina (Mr. SPRATT) the gentleman from Washington (Mr. DICKS) and the gentleman from Maine (Mr. ALLEN) transfers funds for the Robust Nuclear Earth Penetrator and advanced concepts to, instead, improve conventional capabilities and intelligence required to defeat hardened targets.

The President called for international cooperation to control the proliferation of weapons of mass destruction in a February speech at the National Defense University, but his vision is directly undermined by the contents of this defense bill. By calling for new, more usable nuclear weapons, the United States sends a message to the world that nuclear weapons are legitimate weapons that should be acquired. Resorting to nuclear weapons to destroy hardened targets is a disproportionate response with too many negative ramifications and little benefit.

There are several reasons not to consider new nuclear bunker busters. Here are a few:

First of all, the military has not asked for them.

Second, they will produce massive collateral damage and expose our own troops to massive doses of radiation.

Third, a nuclear strike against a WMD stockpile could release deadly agents into the atmosphere.

Fourth, even the most powerful nuclear weapons cannot destroy bunkers over a certain depth, and rogue regimes will just dig deeper to avoid them.

Fifth, an RNEP will cause mass casualties miles away from the targeted bunker and potentially harm our allies.

And sixth and furthermore, developing new nuclear bunker busters would undermine decades of United States leadership aimed at preventing non-nuclear states from acquiring nuclear weapons and encouraging nuclear states to reduce their stockpiles.

They are also unnecessary because the United States already has conventional programs to defeat hardened targets.

My amendment strengthens these conventional programs and improves intelligence needed to get at hardened targets. The costs of missing the target with a conventional weapon is bad enough, but missing it with a nuclear warhead is far worse. Even the hawkish Defense Science Board that advises the Pentagon recently stated that U.S. interests are best served by preserving into the future the half-century-plus nonuse of nuclear weapons.

I urge my colleagues to support this amendment.

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

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

Mr. Chairman, I rise today in strong opposition to the amendment offered by the gentlewoman from California. The \$27.6 million included in the bill by the House Committee on Armed Services for RNEP would support the Air Force-led study concerning the feasibility of modifying an existing nuclear weapon to destroy what are known as hardened and deeply buried targets.

It has long been recognized that these hardened targets are increasingly being used by potential adversaries to conceal and protect leadership, command and control, weapons of mass destruction and ballistic missiles. I believe it is imperative that we finish this review as a part of a larger effort to ensure that we further our technological edge.

I would like to take this opportunity to remind my colleagues that this funding does not authorize the production of any weapons. In fact, as a result of the compromise reached in last year's defense bill, any effort beyond a study is prohibited unless the President approves it and the necessary funds are authorized and appropriated by Congress. Some will claim that the military does not have a requirement for this weapon. I would have to disagree with that.

Just yesterday, I spoke with the commander of STRATCOM, Admiral James Ellis, who assured me that a military requirement does exist for the RNEP study. Specifically, a military requirement for this study can be traced back 10 years to the Clinton administration when STRATCOM and the Air Combat Command both issued a mission needs statement for a method to defeat these hardened and buried targets. Since then, the Quadrennial Defense Review, the Nuclear Posture

Review, the Defense Science Board and the Vice Chairman of the Joint Chiefs of Staff have all identified a need for this study to go forward.

Mr. Chairman, this is not a new issue. We debated this same topic last year when we considered the defense bill and we, as a Congress, decided to go forward with this study. Furthermore, we rejected a similar amendment in full committee last week that would have cut funding for this study.

□ 1315

Mr. Chairman, I would urge my colleagues to defeat this amendment.

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

Mrs. TAUSCHER. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri (Mr. SKELTON), the ranking member of the full committee.

Mr. SKELTON. Mr. Chairman, I strongly support the Tauscher amendment. Let us talk common sense on this issue. The key to neutralizing hard and deeply buried bunkers is solid and accurate and detailed intelligence. So let us remember. Remember the political fallout when we accidentally bombed the Chinese embassy in Belgrade? We should remember that. Imagine the fallout literally and figuratively if we were to use a nuclear weapon to take out a bunker and we got the location wrong. No President would authorize the use of a nuclear weapon on a bunker without having solid rock intelligence on it. We need to have strong intelligence, and this should not go forward.

Mr. EVERETT. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON), who is both knowledgeable on this subject and a valued member of our subcommittee as well as the full House Committee on Armed Services.

Mrs. WILSON of New Mexico. Mr. Chairman, there is a fundamental question here, and that is what is the role of nuclear weapons in America's national defense?

Nuclear weapons have been an important part of deterrence over the last 40 years, and the key to their effectiveness is that we need to be able to hold at risk the things that people most value, particularly the leaders of countries whose interests and whose values are very different from our own. And the reality is that those countries are burrowing in their command and control facilities, their chemical weapons, their missiles; and we must continue to hold those at risk.

Over 10 years ago under the Clinton administration, they identified the need for this new capability and had begun the process of studying it. But let us be very clear. This is not a new nuclear weapon. In fact, under the Clinton administration, they looked at using an existing nuclear bomb called a B-61 and hardening it. This is an extension of that idea so that it would be hardened even further so that it could penetrate further and hold those targets at risk.

Bipartisan majorities of the Congress and two Presidents from two different parties have seen this need and the need to study whether this can be done. But the military has as well. In 1994 the Strategic Command came out with a missions-need statement that said they have to develop new ways to hold these targets at risk. The Air Force has requested this study, and the Nuclear Weapons Council, dominated by the Defense Department, has approved that request. Therefore, both the military and the political leadership over a long period of time have recognized the importance of this work.

In addition, I think we need to understand what the other program, Advanced Concepts, is for. We used to do a lot of studying of nuclear weapons, their effects, the robustness and safety and security of our own weapons, but we stopped doing that a while ago; and we need to restart that because other countries, particularly Russia, are continuing to develop new nuclear weapons, and the United States must maintain its understanding of nuclear weapons, how they work, how they function over time so that we can understand and advise our own leadership about those capabilities. We can never be in a position to lose that expertise when other countries are continuing to develop it.

I would urge my colleagues to oppose this amendment. It has been opposed in the committee, and both the RNEP program and Advanced Concepts have received long-time support from this Congress.

Mrs. TAUSCHER. Mr. Chairman, I yield 1½ minutes to the gentleman from the State of Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in support of the Tauscher amendment for two reasons. Conventional precision-guided munitions are a better technical solution than the Robust Earth Penetrator for hardened and deeply buried targets; and because the fallout, both figurative and literal, from the use of nuclear weapons will make the Robust Nuclear Earth Penetrator an extensive showpiece rather than a usable weapon.

We have the B-2. We have the means of delivering a JDAM missile, a 5,000-pound bunker buster, and the EGBU-28. All of these are a better approach than a nuclear option. Henry Kissinger, former Secretary of State, says that nuclear weapons are for deterrence, that we are not entering an era of nuclear war-fighting; and so if we are going to have to use something, then we want to make sure it is a conventional weapon to go after these deep underground targets.

We have seen the fallout from what has happened in Iraq in this prison. Did the United States use tactics that were questionable? Think of what the fallout politically would be if we were using nuclear weapons in a war-fighting context. Conventional weapons are a much better choice. Let us approve the Tauscher amendment. Let us im-

prove our intelligence. Let us improve the conventional capabilities. Why? Because they are usable. Nuclear weapons are not usable; conventional weapons are.

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

I remind the gentleman from Washington that we are not proceeding down the path of building. We are simply studying this weapon.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), another great member of our subcommittee and the House Committee on Armed Services, who is very knowledgeable also on this subject.

Mr. THORNBERRY. Mr. Chairman, this amendment tries to eliminate a research program designed to explore whether or not we can threaten deeply buried targets with an existing nuclear warhead. As the chairman of the subcommittee just said, to build an actual weapon requires Congress's approval. That is not what this amendment is about. This amendment is about whether we want to know what our options may be. And to stick our head in the sand and pretend that we are somehow safer if we do not know or to pretend we are somehow safer if we limit our options seems to me not only foolish but actually dangerous.

I agree with the gentleman from Washington, it is about deterrence. But we do not deter anybody if they know we are not going to use a weapon. They have to have a realistic expectation that we might in order to discourage them to do something.

Clearly, there is a trend toward burying things. It may be a leadership bunker. It may be a weapon-production facility. It may be weapons themselves. And today we are very limited in our ability to threaten things which are buried. The more limited we are, and especially the more we limit ourselves, the more it encourages potential adversaries to go underground.

We have heard all these conclusions giving reasons why we should not use such a weapon. The problem is these are conclusions not based on scientific study and scientific fact, and they come with a political agenda. We ought to step back from political agendas and objectively study what the pros and cons of this approach are and then collectively make a judgment call on whether it is a good idea or not. But we are not anywhere close to that at this point.

I am for putting all the money we need into research into conventional weapons that can accomplish the same goal; and if more money is needed to effectively and productively take advantage of those programs this year, then I am all for it. But this is so important that to limit our options at this time, to not even explore what the options are and what may be available to us, I think, is extremely shortsighted. Therefore, I urge Members to again this year, as we did last year, reject this amendment and vote "no."

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentlewoman from California (Mrs. TAUSCHER) has 6 minutes remaining. The gentleman from Alabama (Mr. EVERETT) has 2 minutes remaining.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Chairman, I rise in support of this amendment for a number of reasons. First, there are serious doubts within the scientific community about whether the so-called bunker busters will actually be able to destroy deeply buried targets. Second, why would we even want to use a first-strike nuclear weapon? The RNEP would result in high levels of radioactive fallout and would put civilians and U.S. troops in harm's way. And, finally, if we decide to develop new tactical nuclear weapons, that means resume testing at the Nevada test site; and for those of us who live downwind, those are fighting words.

Supporters of these weapons say that they do not necessarily lead to testing. But if we are going to spend a half billion dollars over the next 5 years on a new weapons program, we are going to have to test it at some point or, quite frankly, we are just throwing away taxpayer dollars that should go to other weapons programs that actually stand a chance of defending Americans.

I close with a comment from an editorial in today's Salt Lake Tribune: "If the strategic foolishness of the project were not enough to condemn it, the waste of money should be. At a time when we have so many genuine national security needs, every dime piddled away on Cold War technology not only fails to save lives, it actually endangers them."

I thank the gentlewoman from California (Mrs. TAUSCHER) for her leadership on this issue.

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

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, I rise in support of the Tauscher amendment, which I am pleased to cosponsor. The amendment improves the military's ability to penetrate deeply buried targets by redirecting funds from nuclear options that will never be used to conventional methods that could be.

For too long, the debate over the Robust Nuclear Earth Penetrator has focused on the utility of the weapon and not its consequences.

In the real world, no President or operational commander is going to be launching a nuclear device to strike a deep bunker. The fallout would render the target area off limits to reconnaissance by U.S. troops for too long. The harm to any local population would be devastating. The geopolitical reaction would be severe.

The Tauscher amendment invests \$25 million in conventional penetrating technologies, which represent a much more realistic alternative to meeting the requirement.

Why on Earth should we spend millions of dollars to study or produce a weapon we will never use? It is a definition of wasteful government spending. Vote for the Tauscher amendment.

Mr. EVERETT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HUNTER), our distinguished chairman of the full Committee on Armed Services.

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

Mr. Chairman, this is about the most basic part of our military strategy. The gentleman who just spoke said if we do not use these weapons, they are a total waste, and people used to say why do we have all these nuclear weapons that could kill the Russians 100 times over? The reason we had them was so we would never have to kill a single Russian because we would have a deterrent.

Whom do we have to deter? Do we deter a private in a barracks? Do we deter a housewife in her home in the land of our adversary? Do we deter children in a school or people in a hospital?

The answer is no. The very best deterrent target is the people who pull the trigger, and that is the leadership of the adversarial nation, that is, the people who make the decision to attack the United States. Those are the people who like to go deep.

Hitler had a bunker. Saddam Hussein had a bunker. The people in North Korea have bunkers. We have to have this type of a program to hold the leadership at risk. This is deterrence. Vote "no" on this amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I think the point that the gentleman from Maine (Mr. ALLEN) was making and that I am making is that we think there are conventional alternatives to a nuclear weapon that are usable. So my concern is if we have a conventional approach with JDAMs, with the 5,000-pound bunker buster, EGBU-28, three very good conventional approaches to go after deeper targets, we should keep working and spending our money on those options.

My concern is his concern. We will not use this weapon. Even if we build it, we will not use it, because nuclear weapons are the weapon of last resort for deterrence.

We have improved our military capability by having developed our conventional capability with the B-2, with the B-1s, the B-52s, with JDAMs, with the small diameter bomb, because they are usable; and that is more of a deterrent. When the enemy knows we can use that weapon and it will be effective, it is more of a deterrent than a nuclear

weapon. We just will not use it. That is the problem, and it is a waste of money.

Mr. EVERETT. Mr. Chairman, I yield 30 seconds to the gentlewoman from New Mexico (Mrs. WILSON).

□ 1330

Mrs. WILSON of New Mexico. Mr. Chairman, the gentleman from Washington (Mr. DICKS) is right that we do need to develop our conventional intelligence capabilities, and that is why there is such a significant commitment in this bill to continuing those programs that do so. But we also recognize that there are limitations to what we can do with those conventional weapons and what we can hold at risk.

Nuclear weapons are useful because they are unusable. That is the core of deterrence.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT), another cosponsor of the amendment.

Mr. SPRATT. Mr. Chairman, let me just pick up on where we left off. We have got thousands of nuclear weapons in order to achieve deterrence. This weapon is not necessary. It is not only unnecessary, it is counterproductive at a time when we are trying to get countries like Iran and North Korea and countless other want-to-be nuclear countries to give up their nuclear ambition.

And it raises a fundamental question: How long can we move the world in one direction while we move in another direction, and do we want to backslide into an era that we finally emerged from where we had a nuclear weapon for every tactical mission?

They are not practical, they are not necessary, and this weapon will not come close to destroying or hardening up the hardened, deep geological targets for which they are reputedly available. To the extent we want to go after a target like that, we have bombs for that effect, and you can dial a yield. In addition, we have conventional weapons that serve this purpose.

This is not necessary. And anyone who thinks this is a minor item, the justification indicates that \$480 million needs to be spent for this particular program over the next 5 years. This is a major item in the defense budget.

This amendment should be adopted.

Mrs. TAUSCHER. Mr. Chairman, as our final speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY), a cosponsor of the amendment.

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, the gentlewoman and I have been making this amendment for 3 years, \$500 million on a program for a weapon which is unusable. Can you imagine on the first day of Shock and Awe if we had dropped a nuclear bunker buster in the middle of Baghdad to get Saddam Hussein, and he was not in the command bunker, he was not there at all? The catastrophe for our

country across the whole world would have been disastrous. We found him in a spider hole, 5 feet deep.

You cannot drop a nuclear bomb in the middle of a city. It is an unusable weapon.

Our threat is that Iran and North Korea and other terrorist groups are trying to get a nuclear weapon. We cannot preach temperance from a bar stool; you cannot tell a kid not to smoke while holding a Camel cigarette in your hand.

If we want other countries to disavow the desire to develop nuclear weapons, we cannot be developing new usable nuclear weapons, which is what the Republican majority, the Bush administration, wants to do. We must use our political and our moral high ground to convince every other country in the world to disavow that interest.

This is the worst public policy decision that the Bush administration is making. We started a war in Iraq because of our fear of him having nuclear weapons. We are sending a signal to Iran, to North Korea, to Syria, to Egypt, to every other country in the world, that nuclear weapons are usable and we will use them. Well, they will develop them as well, Mr. Chairman, and the next generations of Americans will be less secure, not more secure.

Vote for the Tauscher amendment if you care about the security of the children and the grandchildren in our country. It is the only way in which we can convince this military-industrial complex that they could not have won in Iraq if they had used nuclear weapons. They would have destroyed our capacity for evermore to be a political and moral force in the world.

The CHAIRMAN pro tempore. The gentleman from Alabama (Mr. EVERETT) has 30 seconds remaining.

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

Mr. Chairman, let me just simply say that we are not spending half a billion dollars to develop a new weapon. First of all, this is a modification of an old weapon, and everyone very well knows that.

Secondly, the study period is only \$122 billion.

Thirdly, the proponents of this amendment are saying, let us just stick our heads in the sand and not study this.

Mr. Chairman, I urge the defeat of this amendment. This amendment is not worthy of passing this House.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I wholeheartedly support the Amendment being offered by a number of my distinguished colleagues including Ranking Members SKELTON and SPRATT, both of whom played large roles in crafting the Defense Authorization Act. This Amendment would take the responsible course of action by transferring \$36.6 million for studying the feasibility of developing new nuclear weapons, including the Robust Nuclear Earth Penetrator, and direct it instead towards increasing both intelligence capabilities to get at heard and deeply buried targets and providing improved conventional bunker-bust-

ing capabilities. This Amendment allows our nation to develop a strategy and the proper equipment to fight our enemies even when they go below ground to evade us. However, where this Amendment truly succeeds is in the fact that it keeps our nation from breaking our long held belief in nuclear disarmament.

This Defense Authorization in its present form that endorses the development of new nuclear weapons sets a dangerous precedent that will be seen worldwide. This Administration seeks to lift the ban on developing low-yield nuclear weapons which so far have not yet proven effective. The goals we hope to achieve with these low-yield nuclear missiles can also be accomplished by conducting research on the use of conventional missiles in penetrating and destroying enemy bunkers. If we allow ourselves to research and develop these more accessible nuclear weapons it will only encourage other foreign nations to do so as well. Our nation already faces great challenges in keeping traditional nuclear weapons out of the hands of rogue nations, if we allow ourselves to develop these new low-yield nuclear weapons our nuclear disarmament efforts will be seen by the global community as hypocrisy.

Ever since the use of nuclear weapons in World War II our nation and the global community has realized the devastating potential that a nuclear war poses. With the end of the Cold War, our nation has rightfully sought the course of nuclear disarmament. While this effort is far from complete, what we do know is that the grave danger of a nuclear war is still very much a possibility. If we allow this Defense Authorization to pass without this Amendment then we will have retarded our nuclear disarmament efforts of the past few decades.

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

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

Mrs. TAUSCHER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 9 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Mrs. TAUSCHER) will be postponed.

AMENDMENTS EN BLOC OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN pro tempore. The Clerk will designate the amendments en bloc.

The Clerk designated the amendments en bloc, as follows:

Amendments en bloc offered by Mr. HUNTER printed in House Report 108-499 consisting of amendment No. 10; amendment No. 12; amendment No. 13; amendment No. 15; amendment No. 16; amendment No. 17; amendment No. 18; amendment No. 19; amendment No. 20; amendment No. 21; amendment No. 22; amendment No. 23; amendment No. 24; amendment No. 26; amendment No. 27; amendment No. 28; amendment No. 29; amendment No. 30; amendment No. 31; and amendment No. 32.

AMENDMENT NO. 10 OFFERED BY MR. HUNTER

The text of the amendment is as follows:

At the end of title X (page 409, after line 13), insert the following new section:

SEC. ____ . AUTHORITY TO ACCEPT CERTAIN VOLUNTARY SERVICES.

Section 1588 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(8) Voluntary services to support programs of a committee of the Employer Support of the Guard and Reserve as authorized by the Secretary of Defense.”; and

(2) in subsection (f)(1), by inserting “and (a)(8)” before the period at the end.

At the end of subtitle G of title X (page 385, after line 10), insert the following new section:

SEC. ____ . PHASED IMPLEMENTATION OF NEW PROGRAM FOR TRANSPORTING HOUSEHOLD GOODS OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense may not implement the new program for the transportation of household goods of members of the Armed Forces and their dependents beyond phase I of the program, which includes the testing of electronic bill processing at 14 sites, until the Secretary submits to Congress a report evaluating whether Phase I met its objectives and whether it is in the best interest of the Department of Defense and members of the Armed Forces to move forward to Phase II of the program.

In section 1001(b)(3) (page 350, line 5), strike “section 1522” and insert “section 1519”.

At the end of subtitle A of title X (page 358, after line 2), insert the following new sections:

SEC. ____ . FISCAL YEAR 2004 TRANSFER AUTHORITY.

Section 1001(a)(2) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1582) is amended by striking “\$2,500,000,000” and inserting “\$3,000,000,000”.

SEC. ____ . REPORT ON AMOUNTS REMITTED AND REIMBURSED DURING FISCAL YEAR 2004 UNDER SECTION 1007 OF PUBLIC LAW 108-136.

Not later than 30 days after the end of fiscal year 2004, the Secretary of Defense shall submit to the congressional defense committees a report on amounts remitted and reimbursed during fiscal year 2004 under section 1007 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1585; 10 U.S.C. 2241 note).

Page 393, line 17, insert “by striking” after “is amended”.

Page 456, line 20, insert after “title” the following: “are available upon the enactment of this Act and”.

At the end of title I (page 27, after line 10), insert the following new section:

SEC. 1 ____ . ADDITIONAL AMOUNT FOR PATRIOT MISSILE PROCUREMENT.

(a) ADDITIONAL AMOUNTS.—The amount in section 101 for Army procurement, missiles, is hereby increased by \$90,000,000, to be available for Patriot missiles.

(b) OFFSETTING REDUCTIONS.—(1) The amount in section 101 for Other Support Space Programs is hereby decreased by \$27,000,000, to be derived from Titan Space Boosters (SPACE).

(2) The amount in section 301(4) for operation and maintenance, Air Force, is hereby reduced by \$15,000,000, to be derived from the transportation working capital fund.

(3) The amount in section 201(4) for research, development, test, and evaluation, defense-wide, is hereby reduced by \$48,000,000, to be derived from the Ballistic Missile Defense System Interceptor program element (PE 63886C).

At the end of subtitle A of title II (page 28, after line 14), insert the following new section:

SEC. 2 ____ . PROGRAM INCREASES.

(a) NANO-COMPOSITE HARD-COAT FOR AIRCRAFT CANOPIES.—The amount provided in

section 201(2) for research development, test and evaluation, Navy, is hereby increased by \$5,000,000, to be available for Nano-composite hard-coat for aircraft canopies in Program Element 0205633N.

(b) **COMMAND-AND-CONTROL SERVICE LEVEL MANAGEMENT.**—The amount provided in section 201(3) for research development, test and evaluation, Air Force, is hereby increased by \$5,000,000, to be available for command-and-control service level management in Program Element 0207443F for best-commercial practices and enterprise wide architectures for military command-and-control applications.

At the end of subtitle A of title III (page 43, after line 3), insert the following new section:

SEC. 3. REDUCTION IN AUTHORIZATION FOR AIR FORCE OPERATIONS AND MAINTENANCE.

The amount authorized to be appropriated in section 301(4) is hereby reduced by \$10,000,000, to be derived from the transportation working capital fund.

Strike section 215 (page 36, lines 1 through 9).

Strike section 2818 (page 514, lines 1 through 16) and insert the following new section:

SEC. 2818. REPORT ON FEASIBILITY OF VETERANS MEMORIAL AT MARINE CORPS AIR STATION, EL TORO, CALIFORNIA.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to Congress a report on whether the City of Irvine's anticipated future uses of the former MCAS El Toro property would permit the establishment and maintenance of a veterans memorial at no cost to the Federal Government.

AMENDMENT NO. 12 OFFERED BY MR. DICKS

The text of the amendment is as follows:

In section 117(b) insert "no later than March 1, 2005" after "program" (page 25, line 10).

AMENDMENT NO. 13 OFFERED BY MR. HASTINGS OF WASHINGTON

The text of the amendment is as follows:

At the end of title XXXI (page 556, after line 10), insert the following new section:

SEC. 31. ADDITIONAL AMOUNT FOR DEFENSE SITE ACCELERATION COMPLETION.

(a) **ADDITIONAL AMOUNT.**—The amount in section 3102 is hereby increased by \$50,000,000, to be available under section 3102(1) for defense site acceleration completion.

(b) **OFFSET.**—The amount in section 301(4), operation and maintenance, Air Force, is hereby reduced by \$50,000,000, to be derived from the transportation capital fund.

AMENDMENT NO. 15 OFFERED BY MRS. MALONEY

The text of the amendment is as follows:

At the end of subtitle A of title III (page 43, after line 3), insert the following new section:

SEC. 3. ELIMINATION OF BACKLOG IN PROCESSING FORENSIC EVIDENCE COLLECTION KITS AND ACQUISITION OF SUFFICIENT STOCKS OF SUCH KITS.

The Secretary of Defense shall take such steps as may be necessary to eliminate the current backlog in the processing of forensic evidence collection kits used by the Department of Defense, to shorten the time period between the use of such kits and their processing in the future, and to ensure an adequate supply of such kits for all domestic and overseas United States military installations, including the military service academies, and for units of the Armed Forces deployed in theaters of operation.

AMENDMENT NO. 16 OFFERED BY MR. CHABOT

The text of the amendment is as follows:

At the end of title VIII, insert the following new section:

SEC. 825. REQUIREMENT TO TREAT SURETIES IN SAME MANNER AS FINANCING INSTITUTIONS WHEN CONTRACTORS DEFAULT.

(a) **AMENDMENT TO TITLE 31.**—Section 3727(c) of title 31, United States Code, is amended by inserting "surety on a bond provided in connection with a contract or other" before "financing institution".

(b) **AMENDMENT TO REVISED STATUTES.**—Section 3737(b) of the Revised Statutes (41 U.S.C. 15) is amended in the first sentence by inserting "surety on a bond provided in connection with a contract," before "or other financing institution".

AMENDMENT NO. 17 OFFERED BY MR. MANZULLO

The text of the amendment is as follows:

At the end of title VIII (page 337, after line 15), insert the following new section:

SEC. 825. PROVISIONS RELATING TO CREATION OF JOBS IN THE UNITED STATES BY DEFENSE CONTRACTORS.

(a) **AUTHORITY TO EXCLUDE CERTAIN SOURCES ON BASIS OF CREATION OF JOBS IN UNITED STATES.**—Section 2304(b)(1) of title 10, United States Code, is amended—

(1) by striking "or" at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting "; or"; and

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

"(G) would create jobs in the United States."

(b) **REQUIREMENT TO INCLUDE CREATION OF JOBS IN UNITED STATES AS EVALUATION FACTOR.**—(1) Section 2305(a)(3)(A) of title 10, United States Code, is amended—

(A) by striking "and" at the end of clause (ii);

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause:

"(iii) shall include the creation of jobs in the United States as an evaluation factor that must be considered in the evaluation of proposals; and"

(2) Section 2305(a)(3)(B) of such title is amended by striking "clause (iii)" and inserting "clause (iv)".

AMENDMENT NO. 18 OFFERED BY MR. DAVIS OF ILLINOIS

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE XXXVI—SMALL BUSINESS ADMINISTRATION

SEC. 3601. ADDITION OF LANDSCAPING AND PEST CONTROL SERVICES TO LIST OF DESIGNATED INDUSTRY GROUPS PARTICIPATING IN THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM.

(a) **IN GENERAL.**—Subsection (a) of section 717 of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

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

"(5) landscaping and pest control services."

(b) **LANDSCAPING AND PEST CONTROL SERVICES.**—Section 717 of the Small Business

Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) by redesignating subsection (e) as subsection (f), and

(2) by inserting after subsection (d) the following new subsection:

"(e) **LANDSCAPING AND PEST CONTROL SERVICES.**—Landscaping and pest control services shall include contract awards assigned to North American Industrial Classification Code 561710 (relating to exterminating and pest control services) or 561730 (relating to landscaping services)."

AMENDMENT NO. 19 OFFERED BY MR. WELDON OF PENNSYLVANIA

The text of the amendment is as follows:

At the end of title X (page 409, after line 13), insert the following new section:

SEC. . . . TRANSFER OF EXCESS DEPARTMENT OF DEFENSE PERSONAL PROPERTY SUITABLE FOR FIREFIGHTING USE TO SUPPORT FEDERAL EXCESS PERSONAL PROPERTY PROGRAM.

(a) **IN GENERAL.**—Section 2576b of title 10, United States Code, is amended—

(1) in subsection (a)—
(A) by striking "Subject" and inserting "Notwithstanding any other provision of law and subject"; and

(B) by striking "a firefighting agency in a State" and inserting "the United States Forest Service";

(2) in subsections (b)(2) and (c), by striking "recipient firefighting agency" and inserting "Forest Service"; and

(3) by striking subsection (d) and inserting the following new subsections:

"(d) **PRIORITY FOR RURAL FIREFIGHTING AGENCIES.**—(1) Subject to paragraph (2), the Secretary of Defense shall enter into an agreement with the Secretary of Agriculture to use the existing property disposal program of the Forest Service, known as the Federal Excess Personal Property Program, to facilitate the reutilization of Department of Defense personal property described in subsection (a) by firefighting agencies in rural areas.
(2) An agreement under paragraph (1) shall not provide for the reutilization of Department of Defense aircraft by the Forest Service until the end of the one-year period beginning on the date on which the Secretary of Agriculture submits a report to the Committee on Agriculture and the Committee on Armed Services of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Armed Services of the Senate detailing measures taken by the Forest Service in response to National Transportation Safety Board Recommendations A-04-29 through A-04-33.

"(3) The transfer of Department of Defense personal property described in subsection (a) to the Forest Service for reutilization by firefighting agencies in rural areas shall be afforded a property disposal priority at least equal to the priority given the military departments and other entities within the Department of Defense.
(e) **DEFINITION OF STATE.**—The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States."

(b) **CLERICAL AMENDMENTS.**—(1) The heading of such section is amended to read as follows:
"§ 2576b. Excess personal property: reutilization to assist firefighting agencies."

(2) The table of sections at the beginning of chapter 153 of such title is amended by striking the item relating to section 2576b and inserting the following new item:

“2576b. Excess personal property: reutilization to assist firefighting agencies.”.

AMENDMENT NO. 20 OFFERED BY MR. BROWN OF SOUTH CAROLINA

The text of the amendment is as follows:

At the end of title X, insert the following new section:

SEC. 2576b. EXPANSION OF DEPARTMENT OF DEFENSE EXCESS PERSONAL PROPERTY DISPOSAL PROGRAM TO INCLUDE HEALTH AGENCIES.

(a) INCLUSION OF HEALTH AGENCIES.—Section 2576b of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) TRANSFER TO STATE HEALTH AGENCIES.—The Secretary of Defense may expand the program authorized by this section to include the transfer to State health agencies of personal property of the Department of Defense that the Secretary determines is—

“(1) excess to the needs of the Department of Defense; and

“(2) suitable for use in responding to health or environmental emergencies.”.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

“§ 2576b. Excess personal property: reutilization to assist firefighting agencies and health agencies

(2) The table of sections at the beginning of chapter 153 of such title is amended by striking the item relating to section 2576b and inserting the following new item:

“2576b. Excess personal property: reutilization to assist firefighting agencies and health agencies.”.

AMENDMENT NO. 21 OFFERED BY MR. BROWN OF SOUTH CAROLINA

The text of the amendment is as follows:

At the end of subtitle A of title XXVIII, insert the following new section:

SEC. 28. CONSIDERATION OF COMBINATION OF MILITARY MEDICAL TREATMENT FACILITIES AND HEALTH CARE FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) DEPARTMENT OF DEFENSE CONSIDERATION OF JOINT CONSTRUCTION.—(1) Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2816. Consideration of joint construction and use of military medical treatment facilities and health care facilities of the Department of Veterans Affairs

“In the case of the budget submitted under section 1105 of title 31 for any fiscal year, the Secretary of Defense shall include in the budget justification materials submitted to Congress in support of the budget a certification that, in evaluating for inclusion in the budget for that fiscal year any military construction project for construction in the United States (or a territory or possession of the United States) of a new military medical treatment facility, the Secretary, after consulting with the Secretary of Veterans Affairs, evaluated the feasibility of carrying out the project so as to establish with the Department of Veterans Affairs a joint medical facility that—

“(1) could serve as a facility for health resources sharing between the Department of Defense and the Department of Veterans Affairs; and

“(2) would be no more costly to each Department to construct and operate than separate facilities for each Department.”.

(2) The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2816. Consideration of joint construction and use of military medical treatment facilities and health care facilities of the Department of Veterans Affairs.”.

(b) DEPARTMENT OF VETERANS AFFAIRS CONSIDERATION OF JOINT CONSTRUCTION.—Section 8104(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(9) In the case of a prospectus proposing the construction of a new or replacement medical facility, the Secretary’s certification that the Secretary, after consulting with the Secretary of Defense, evaluated the feasibility of carrying out the project so as to establish with the Department of Defense a joint medical facility that—

“(A) could serve as a facility for health resources sharing between the Department of Defense and the Department of Veterans Affairs; and

“(B) would be no more costly to each Department to construct and operate than separate facilities for each Department.”.

AMENDMENT NO. 22 OFFERED BY MR. JOHNSON OF ILLINOIS

The text of the amendment is as follows:

At the end of title V (page 200, after line 24), insert the following new section:

SEC. 598. AUTHORITY FOR REMOVAL OF REMAINS OF CERTAIN PERSONS INTERRED IN UNITED STATES MILITARY CEMETERIES OVERSEAS.

(a) REMOVAL AND TRANSPORTATION OF REMAINS.—Upon receipt from a qualifying survivor of an application with respect to a person interred in a United States overseas military cemetery, the Secretary of Defense may, upon approval of such application, provide for—

(1) the removal of the remains of that person from the cemetery in which interred; and

(2) transportation of such remains to a location in the United States selected by such qualifying survivor.

(b) REQUIREMENT FOR APPROVAL OF APPLICATIONS.—(1) An application under this section may be approved only if the application presents sufficient evidence that, at the time of the initial disposition decision (as defined in paragraph (2)), there was a misunderstanding or error related to that disposition decision that the Secretary finds warrants approval of the application.

(2) In paragraph (1), the term “initial disposition decision”, with respect to the remains of a person who died outside the United States and was interred in a United States overseas military cemetery, means a decision by a family member (or other designated person) as to the disposition (in accordance with laws and regulations in effect at the time) of the remains of the person with respect to whom the application is submitted, such decision being to have the remains interred in a United States overseas military cemetery (rather than to have those remains transported to the United States for interment or other disposition in the United States).

(c) ABMC ASSISTANCE.—The American Battle Monuments Commission shall provide the Secretary of Defense with such assistance as the Secretary may require in carrying out this section with respect to cemeteries under the jurisdiction of the Commission.

(d) TIME FOR APPLICATION.—An application under subsection (a) must be submitted to the Secretary of Defense not later than the end of the two-year period beginning on the date of the enactment of this Act.

(e) NO EXPENDITURE OF FEDERAL FUNDS.—No costs associated with the removal and transportation of remains provided for under subsection (a) may be paid by the United States.

(f) DEFINITIONS.—For purposes of this section:

(1) UNITED STATES OVERSEAS MILITARY CEMETERY.—The term “United States overseas military cemetery” means a cemetery located in a foreign country that is administered by the Secretary of a military department or the American Battle Monuments Commission.

(2) QUALIFYING SURVIVORS.—The term “qualifying survivor” means the following, in the order specified.

(A) The surviving spouse.

(B) All surviving children (including adoptive children), acting concurrently.

(C) A birth parent or, if both survive, both birth parents, acting concurrently.

AMENDMENT NO. 23 OFFERED BY MR. BAIRD

The text of the amendment is as follows:

At the end of title VII (page 306, after line 13), insert the following new section:

SEC. 723. STUDY OF MENTAL HEALTH SERVICES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of mental health services available to members of the Armed Forces.

(b) PERSONS COVERED.—The study shall evaluate the availability and effectiveness of existing mental health treatment and screening resources—

(1) for members of the Armed Forces during a deployment to a combat theater;

(2) for members of the Armed Forces returning from a deployment to a combat theater, both—

(A) in the short-term, post-deployment period; and

(B) in the long-term, following the post-deployment period;

(3) for the families of members of the Armed Forces who have been deployed to a combat theater during the time of the deployment;

(4) for the families of members of the Armed Forces who have been deployed to a combat theater after the member has returned from the deployment; and

(5) for members of the Armed Forces and their families described in this subsection who are members of Reserve components.

(c) ASSESSMENT OF OBSTACLES.—The study shall provide an assessment of existing obstacles that prevent members of the Armed Forces and military families in need of mental health services from obtaining these services, including—

(1) the extent to which existing confidentiality regulations, or lack thereof, inhibit members of the Armed Forces from seeking mental health treatment;

(2) the implications that a decision to seek mental health services can have on a military career;

(3) the extent to which a social stigma exists within the Armed Forces that prevents members of the Armed Forces and military families from seeking mental health treatment within the Department of Defense and the individual Armed Forces;

(4) the extent to which logistical obstacles, particularly with respect to members of the Armed Forces and families residing in rural areas, deter members in need of mental health services from obtaining them; and

(5) the extent to which members of the Armed Forces and their families are prevented or hampered from obtaining mental health treatment due to the cost of such services.

(d) IDENTIFICATION OF PROBLEMS UNIQUE TO RESERVES.—The study shall identify potential problems in obtaining mental health treatment that are unique to members of Reserve components.

(e) REPORT.—The Secretary of Defense shall submit to Congress a report on the

study conducted under this section not later than 90 days after the date of the enactment of this Act. The report shall contain the results of the study and make specific recommendations—

(1) for improving the effectiveness and accessibility of mental health services provided by Department of Defense to the persons listed in subsection (b), including recommendations to ensure appropriate referrals and a seamless transition to the care of the Department of Veterans Affairs following separation from the Armed Forces;

(2) for removing or mitigating any obstacles identified under subsection (c); and

(3) for steps that can be taken by the Department of Defense or Congress to bring parity to mental health services available to members of Reserve components and members of the Armed Forces on active duty.

AMENDMENT NO. 24 OFFERED BY MR. HEFLEY

The text of the amendment is as follows:

At the end of subtitle F of title V, insert the following new section:

SEC. 560. BOARD OF VISITORS OF UNITED STATES AIR FORCE ACADEMY.

Section 9355 of title 10, United States Code, is amended to read as follows:

“§ 9355. Board of Visitors

“(a) A Board of Visitors to the Academy is constituted annually. The Board consists of the following members:

“(1) Six persons designated by the President.

“(2) Four persons designated by the Speaker of the House of Representatives, three of whom shall be members of the House of Representatives and the fourth of whom may not be a member of the House of Representatives.

“(3) Three persons designated by the Vice President or the President pro tempore of the Senate and the third of whom may not be a member of the Senate.

“(4) The chairman of the Committee on Armed Services of the House of Representatives, or his designee.

“(5) The chairman of the Committee on Armed Services of the Senate, or his designee.

“(b)(1) The persons designated by the President serve for three years each except that any member whose term of office has expired shall continue to serve until his successor is designated. The President shall designate persons each year to succeed the members designated by the President whose terms expire that year.

“(2) At least two of the members designated by the President shall be graduates of the Academy.

“(c)(1) If a member of the Board dies or resigns or is terminated as a member of the board under paragraph (2), a successor shall be designated for the unexpired portion of the term by the official who designated the member.

“(2) If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance, for good cause, by the Board chairman, such failure shall be grounds for termination from membership on the Board. A person designated for membership on the Board shall be provided notice of the provisions of this paragraph at the time of such designation.

“(d) The Board should meet at least four times a year, with at least two of those meetings at the Academy. The Board or its members may make other visits to the Academy in connection with the duties of the Board. Board meetings should last at least one full day. Board members shall have ac-

cess to the Academy grounds and the cadets, faculty, staff, and other personnel of the Academy for the purposes of the duties of the Board.

“(e)(1) The Board shall inquire into the morale, discipline, and social climate, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy that the Board decides to consider.

“(2) The Secretary of the Air Force and the Superintendent of the Academy shall provide the Board candid and complete disclosure, consistent with applicable laws concerning disclosure of information, of all institutional problems.

“(3) The Board shall recommend appropriate action.

“(f) Within 30 days after any meeting of the Board, the Board shall submit a written report concurrently to the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives with its views and recommendations pertaining to the Academy.

“(g) Upon approval by the Secretary, the Board may call in advisers for consultation.

“(h) While performing duties as a member of the Board, each member of the Board and each adviser shall be reimbursed under Government travel regulations for travel expenses.”.

AMENDMENT NO. 26 OFFERED BY MR. FLAKE

The text of the amendment is as follows:

At the end of subtitle G of title V (page 174, after line 15), insert the following new section:

SEC. ____ . REQUIREMENTS FOR AWARD OF COMBAT INFANTRYMAN BADGE AND COMBAT MEDICAL BADGE WITH RESPECT TO SERVICE IN KOREA AFTER JULY 28, 1953.

(a) STANDARDIZATION OF REQUIREMENTS WITH OTHER GEOGRAPHIC AREAS.—(1) Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 3757. Korean defense service: Combat Infantryman Badge; Combat Medical Badge

“The Secretary of the Army shall provide that, with respect to service in the Republic of Korea after July 28, 1953, eligibility of a member of the Army for the Combat Infantryman Badge or the Combat Medical Badge shall be met under criteria and eligibility requirements that, as nearly as practicable, are identical to those applicable, at the time of such service in the Republic of Korea, to service elsewhere without regard to specific location or special circumstances. In particular, such eligibility shall be established—

“(1) without any requirement for service by the member in an area designated as a ‘hostile fire area’ (or by any similar designation) or that the member have been authorized hostile fire pay;

“(2) without any requirement for a minimum number of instances (in excess of one) in which the member was engaged with the enemy in active ground combat involving an exchange of small arms fire; and

“(3) without any requirement for personal recommendation or approval by commanders in the member’s chain of command other than is generally applicable for service at locations outside the Republic of Korea.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3757. Korean defense service: Combat Infantryman Badge; Combat Medical Badge.”.

(b) APPLICABILITY TO SERVICE BEFORE DATE OF ENACTMENT.—The Secretary of the Army shall establish procedures to provide for the implementation of section 3757 of title 10, United States Code, as added by subsection (a), with respect to service in the Republic of Korea during the period between July 28, 1953, and the date of the enactment of this Act. Such procedures shall include a requirement for submission of an application for award of a badge under that section with respect to service before the date of the enactment of this Act and the furnishing of such information as the Secretary may specify.

AMENDMENT NO. 27 OFFERED BY MR. SHIMKUS

The text of the amendment is as follows:

At the end of subtitle G of title V, insert the following new section:

SEC. ____ . ARMY COMBAT RECOGNITION RIBBON.

(a) REQUIREMENT SIMILAR TO THAT FOR NAVY COMBAT ACTION RIBBON.—(1) Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 3757. Combat recognition ribbon

“(a) REQUIREMENT.—The Secretary of the Army shall establish a combat recognition ribbon to recognize participation by members of the Army in combat. The Secretary shall award the combat recognition ribbon to each member of the Army who meets the criteria for that ribbon based upon service performed after August 1, 1990.

“(b) CRITERIA FOR AWARD.—The Secretary shall establish the criteria for award of the combat recognition ribbon. To the maximum extent practicable, the criteria for the award of such ribbon shall be based upon, and be similar to, the criteria for award of the Navy Combat Action Ribbon, including any special criteria for service during a particular period of time or in a specific location.

“(c) LIMITATION.—The combat recognition ribbon may not be awarded to a member of the Army with respect to the same period of service as service for which the member was awarded the Combat Infantryman Badge or the Combat Medical Badge.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3757. Combat recognition ribbon.”.

(b) IMPLEMENTATION FOR SERVICE BEFORE DATE OF ENACTMENT.—The Secretary of the Army shall establish procedures to provide for the implementation of section 3757 of title 10, United States Code, as added by subsection (a), with respect to service during the period beginning on August 1, 1990, and ending on the date of the enactment of this Act. Such procedures shall include a requirement for submission of an application for award of a ribbon under that section with respect to service before the date of the enactment of this Act and the furnishing of such information as the Secretary may specify. Such procedures shall be established not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 28 OFFERED BY MR. SMITH OF WASHINGTON

The text of the amendment is as follows:

At the end of part I of subtitle D of title XXVIII (page 535, after line 7), insert the following new section:

SEC. 28 ____ . MODIFICATION OF LAND EXCHANGE AND CONSOLIDATION, FORT LEWIS, WASHINGTON.

(a) PROPERTY TO BE TRANSFERRED TO SECRETARY OF THE INTERIOR IN TRUST.—Subsection (a)(1) of section 2837 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1315) is amended—

(1) by striking “may convey to” and inserting “may transfer to the Secretary of the Interior, in trust for”; and

(2) by striking “Washington, in” and all that follows through the period and inserting “Washington. The Secretary of the Army may make the transfer under the preceding sentence, and the Secretary of the Interior may accept the property transferred in trust for the Nisqually Tribe under the preceding sentence, only in conjunction with the conveyance described in subsection (b)(2).”

(b) INCREASE IN ACREAGE TO BE TRANSFERRED.—Such subsection is further amended by striking “138 acres” and inserting “168 acres”.

(c) QUALIFICATION ON PROPERTY TO BE TRANSFERRED.—Subsection (a)(2) of such section is amended—

(1) by striking “conveyance” and inserting “transfer”; and

(2) by striking “or the right of way described in subsection (c)” and inserting “located on the real property transferred under that paragraph”.

(d) CONSIDERATION.—Subsection (b) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “conveyance” and inserting “transfer”; and

(2) in paragraph (2), by striking “fee title over the acquired property to the Secretary” and inserting “to the United States fee title to the property acquired under paragraph (1), free from all liens, encumbrances or other interests other than those, if any, acceptable to the Secretary of the Army”.

(e) TREATMENT OF EXISTING PERMIT RIGHTS; GRANT OF EASEMENT.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) TREATMENT OF EXISTING PERMIT RIGHTS; GRANT OF EASEMENT.—(1) The transfer under subsection (a) recognizes and preserves to the Bonneville Power Administration, in perpetuity and without the right of revocation except as provided in paragraph (2), rights in existence at the time of the conveyance under the permit dated February 4, 1949, as amended January 4, 1952, between the Department of the Army and the Bonneville Power Administration with respect to any portion of the property transferred under subsection (a) upon which the Bonneville Power Administration retains transmission facilities. The rights recognized and preserved include the right to upgrade those transmission facilities.

“(2) The permit rights recognized and preserved under paragraph (1) shall terminate only upon the Bonneville Power Administration’s relocation of the transmission facilities referred to in paragraph (1), and then only with respect to that portion of those transmission facilities that are relocated.

“(3) The Secretary of the Interior, as trustee for the Nisqually Tribe, shall grant to the Bonneville Power Administration, without consideration and subject to the same rights recognized and preserved in paragraph (1), such additional easements across the property transferred under subsection (a) as the Bonneville Power Administration considers necessary to accommodate the relocation or reconnection of Bonneville Power Administration transmission facilities from property owned by the Tribe and held by the Secretary of the Interior in trust for the Tribe.”

(f) CONFORMING AMENDMENTS.—(1) Subsection (c) of such section is amended by inserting “of the Army” after “Secretary”.

(2) Subsection (e) of such section (as redesignated by subsection (e)(1)) is amended—

(A) by striking “conveyed” and inserting “transferred”;

(B) by inserting “of the Army” after “Secretary”; and

(C) by striking “the recipient of the property being surveyed” and inserting “the Tribe, in the case of the transfer under subsection (a), and the Secretary of the Army, in the case of the acquisition under subsection (b)”.

(3) Subsection (f) of such section (as redesignated by subsection (e)(1)) is amended—

(A) by inserting “of the Army” after “Secretary” both place it appears; and

(B) by striking “conveyances under this section” and inserting “transfer under subsection (a) and conveyances under subsections (b)(2) and (c)”.

AMENDMENT NO. 29 OFFERED BY MR.

CUNNINGHAM

The text of the amendment is as follows:

At the end of title X (page 409, after line 13), insert the following new section:

SEC. 1077. PLACEMENT OF MEMORIAL IN ARLINGTON NATIONAL CEMETERY HONORING NONCITIZENS KILLED IN THE LINE OF DUTY WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of the Army shall place in Arlington National Cemetery a memorial marker honoring the service and sacrifice of noncitizens killed in the line of duty while serving in the Armed Forces of the United States.

(b) APPROVAL OF DESIGN AND SITE.—The Secretary of the Army, in consultation with Secretary of Veterans Affairs, shall approve an appropriate design and site within Arlington National Cemetery for the memorial marker provided for under subsection (a).

(c) USE OF FEDERAL FUNDS.—Federal funds shall not be required or permitted to be used for the design and construction of the memorial marker provided for under subsection (a).

(d) AUTHORITY TO ACCEPT DONATIONS.—(1) The Secretary of the Army may accept gifts and donations of services, money, and property (including personal, tangible, or intangible property) for the design and construction of the memorial marker provided for under subsection (a).

(2) The authority of the Secretary of the Army to accept gifts and donations under paragraph (1) shall expire on the date that is five years after the date of the enactment of this Act.

AMENDMENT NO. 30 OFFERED BY MR. SKELTON

The text of the amendment is as follows:

Page 479, in the table following line 9—

(1) in the item for Robins Air Force Base, strike “\$15,000,000” and insert “\$21,570,000”; and

(2) in the total at the bottom of the table, strike “\$398,714,000” and insert “\$405,284,000”.
Page 483, line 2, strike “\$2,493,679,000” and insert “\$2,500,249,000”.

Page 483, line 5, strike “\$398,714,000” and insert “\$405,284,000”.

Page 492, line 7, strike “\$114,090,000” and insert “\$107,520,000”.

AMENDMENT NO. 31 OFFERED BY MR. ISRAEL

The text of the amendment is as follows:

At the end of title I (page 27, after line 10), insert the following new section:

SEC. ____ . TRANSFER OF CERTAIN ARMY PROCUREMENT FUNDS.

(a) INCREASE FOR CERTAIN HELICOPTER ITEMS.—The amount provided in section 101(1) for procurement of aircraft for the Army is hereby increased by \$4,000,000, of which—

(1) \$2,000,000 shall be available for procurement of the Aircraft Wireless Intercom System; and

(2) \$2,000,000 shall be available for procurement of bladefold kits for Apache Helicopters.

(b) OFFSET.—The amount provided in section 101(5) for Other Procurement, Army, is hereby reduced by \$4,000,000, to be derived from amounts for Information Systems.

AMENDMENT NO. 32 OFFERED BY MR. HOBSON

The text of the amendment is as follows:

At the end of subtitle F of title V (page 172, after line 9), insert the following new section:

SEC. 5 ____ . ESTABLISHMENT OF COLLEGE FINANCIAL ASSISTANCE PROGRAM FOR DISTRICT OF COLUMBIA NATIONAL GUARD.

(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may, in recognition of the unique position of the District of Columbia in the Federal system, provide financial assistance to eligible members of the National Guard of the District of Columbia for expenses of such a member while enrolled in an approved institution of higher education in a degree, certificate, or other program (including a program of study abroad approved for credit by the institution of higher education) leading to a recognized educational credential at the institution of higher education. Any such assistance may be provided only during the program applicability period specified in subsection (i).

(b) AUTHORITY SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The authority provided in subsection (a) is subject to the availability of appropriations for that purpose.

(c) ELIGIBILITY.—To be eligible for financial assistance under this section, a member of the National Guard of the District of Columbia must—

(1) be a member of the National Guard of the District of Columbia for not less than the 12 consecutive months preceding the commencement of the tuition assistance and continue to be such a member while receiving such assistance;

(2) agree to serve one year in the National Guard of the District of Columbia for each academic year of assistance provided;

(3) be enrolled or accepted for enrollment in a program of education referred to in subsection (a) at an institution of higher education; and

(4) if already enrolled, maintain satisfactory progress in the course of study the member is pursuing in accordance with section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)).

(d) COVERED EXPENSES.—Expenses for which financial assistance may be provided under this section are the following:

(1) Tuition and fees charged by an approved institution of higher education involved.

(2) The cost of books.

(3) Laboratory expenses.

(e) AMOUNT.—(1) The amount of financial assistance provided to a member of the National Guard of the District of Columbia under this section shall be prescribed by the Secretary concerned, but may not exceed \$2,500 for any academic year. The Secretary concerned shall prorate assistance under this section for members who pursue a program of education on less than a full-time basis.

(2) A member may not receive more than \$12,500 under this section.

(f) CONSTRUCTION.—Nothing in this section shall be construed to require an institution of higher education to alter the institution’s admissions policies or standards in any manner to enable a member of the National Guard of the District of Columbia to enroll in the institution.

(g) DEFINITIONS.—In this section:

(1) The term “approved institution of higher education” means an institution of higher

education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A) is eligible to participate in the student financial assistance programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(B) has entered into an agreement with the Secretary concerned containing such conditions as the Secretary may specify, including a requirement that the institution use the funds made available under this section to supplement and not supplant assistance that otherwise would be provided to eligible students from the District of Columbia National Guard.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of the Army, in the case of the Army National Guard of the District of Columbia; and

(B) the Secretary of the Air Force, in the case of the Air National Guard of the District of Columbia.

(h) ANNUAL REPORT.—At the close of each year during which the program under this section is in effect, the Secretary of Defense shall submit to the congressional defense committees a report on the effectiveness of the program in improving recruiting and retention for the District of Columbia National Guard. Each such report shall include such recommendations for changes in law or policy as the Secretary considers appropriate. In the first such report, the Secretary shall include an analysis of means for improving the effectiveness as a recruitment and retention incentive of any program providing tuition assistance for members of the District of Columbia National Guard in existence as of the date of the enactment of this Act.

(i) PROGRAM APPLICABILITY PERIOD.—Financial assistance may be provided under this section to eligible members of the National Guard of the District of Columbia for periods of instruction that begin during the three-year period beginning on the date of the enactment of this Act.

The CHAIRMAN pro tempore. Pursuant to House Resolution 648, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

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

Mr. Chairman, this is a number of amendments, some of them technical in nature, others amendments cleared with both sides. They include amendments by myself, the gentleman from Washington (Mr. DICKS), the gentleman from Washington (Mr. HASTINGS), the gentlewoman from New York (Mrs. MALONEY), the gentleman from Ohio (Mr. CHABOT), the gentleman from Illinois (Mr. MANZULLO), the gentleman from Pennsylvania (Mr. WELDON), the gentleman from South Carolina (Mr. BROWN), the gentleman from Illinois (Mr. JOHNSON), the gentleman from Washington (Mr. BAIRD), the gentleman from Colorado (Mr. HEFLEY), the gentleman from Arizona (Mr. FLAKE), the gentleman from Illinois (Mr. SHIMKUS), the gentleman from Illinois (Mr. DAVIS), the gentleman from Washington (Mr. SMITH), the gentleman from California (Mr. CUNNINGHAM), the gentleman from Missouri (Mr. SKELTON), the gentleman from Georgia (Mr. MARSHALL), the gentleman from New

York (Mr. ISRAEL), the gentleman from Ohio (Mr. HOBSON) and by the gentlewoman from the District of Columbia (Ms. NORTON).

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

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

Mr. Chairman, I happen to agree with the en bloc amendments put forward by the chairman. We have examined them thoroughly and discussed them thoroughly. I think they are certainly worthy of passing.

However, if I may comment on other amendments, much has been said, Mr. Chairman, about the contractor situation in Iraq and Afghanistan. I would like at this moment to make reference to two amendments that were adopted in the committee that were passed out onto the floor, and I would like to make reference to them now, two outstanding amendments.

The gentleman from Tennessee (Mr. COOPER) had an amendment that requires the chairman or ranking member of the Committee on Armed Services, the Secretary of Defense to provide copies of contract documents within 14 days to the committee, and it also allows greater transparency in the contracting system, particularly when we have been having so many problems in Iraq and elsewhere. This is critical to our oversight responsibility, and I compliment the gentleman from Tennessee (Mr. COOPER).

There was another amendment that was adopted in the committee that we should make reference to today offered by the gentleman from Hawaii (Mr. ABERCROMBIE), which requires guidance previously recommended by the GAO on how to manage contractors that support deployed forces.

It requires report and contractor oversight, rules of engagement in Iraq, and requires better information gathering on how many security contractors are in Iraq. It directly responds to concerns raised in a letter that I sent to the Secretary of Defense on April 2.

We are on top, I think, as a result of these two amendments by the gentleman from Tennessee (Mr. COOPER) and the gentleman from Hawaii (Mr. ABERCROMBIE), to make sure that we are tending to the deep concern we have about the contractor use and the contractor hiring in those two countries.

I do agree with the chairman on the en bloc amendments.

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

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

Mr. Chairman, I just want to take this time, because I always have to follow the leadership of the gentleman from Missouri (Mr. SKELTON) in this area, to just thank all the staff that have been working this armed services bill. The committee staff has been tirelessly working this bill, putting it together in the subcommittees, full committee and now on the floor, and I

want to thank everyone who has been part of this product.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I understand that the gentleman from Texas (Mr. ORTIZ) offered an amendment at full committee markup on May 12, 2004, and that the amendment was passed by the committee within a manager's amendment. Unfortunately, however, the amendment offered by the gentleman from Texas (Mr. ORTIZ) was not printed in the committee report 108-491.

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

Mr. REYES. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, that is correct. It is an unfortunate error that the amendment was not printed in the report. The Ortiz amendment was adopted by the full committee.

Mr. REYES. Mr. Chairman, in light of that, I ask unanimous consent that a copy of the amendment accepted at full committee be made part of the record.

Mr. HUNTER. Mr. Chairman, I support that request.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SKELTON. Mr. Chairman, I yield, for the purpose of making a unanimous consent request, to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I rise in favor of the en bloc amendment, and especially my amendment dealing with the Comp Demo.

Mr. Chairman, I appreciate the opportunity to briefly review my proposed amendment to H.R. 4200.

My amendment is a simple, highly targeted, and non-controversial effort to better balance the way that small business set aside, SBSA, goals are met by Federal agencies, including the Department of Defense. Presently, these goals are unevenly distributed with some product and service sectors experiencing a disproportionate rate of small business set aside while other small businesses in other product or service sectors see little in small business set-aside contracts come their way, despite the fact that there are capable small businesses involved in those industries. This can obviously work to deny a large number of small businesses the benefits of the small business set aside program that Congress has long supported.

My amendment would address this problem through a small, targeted improvement of an existing Federal law called the Competitiveness Demonstration Program (P.L. 100-656), also known as the “Comp Demo” law.

The legislative history of Comp Demo shows that it was enacted to prevent disproportionate assignment of small business set aside goals into a small, unrepresentative number of NAICS codes. It began when Congress took major steps to enhance competition

and diversity in small business procurement opportunities by enacting section 921 of P.L. 99-661, which requires that small businesses receive a "fair proportion" of Government contracts in each industry.

That effort later led to the enactment of the Comp Demo law. Essentially, Comp Demo recognized that in certain NAICS codes, work was being disproportionately set aside, even though overall small business participation in the open market-place in these industries was high. While these industries had too much work set aside, many more industries have seen little or no set-aside contracts come their way, despite representation of capable small firms in those other industries.

My amendment would build on the existing Comp Demo law by adding the NAICS codes for landscaping services and exterminating & pest control services to the existing Comp Demo list. These two NAICS codes would be added to the existing Comp Demo list which presently includes the NAICS codes for: (1) construction, (2) refuse systems and related services; (3) architectural and engineering services; and (4) non-nuclear ship repair.

Under the Comp Demo law, Federal agencies may not set aside procurements for small businesses in these designated NAICS codes, provided small businesses otherwise win 40 percent of all prime contract awards in that NAICS code. This means that small businesses are required to win a minimum of 40 percent of the prime contract awards. If they do not win that minimum amount, small business set-aside for that NAICS code would be automatically reimposed.

The effective result of both the current Comp Demo law and my amendment is to assure that small business set aside awards are more evenly distributed across all NAICS codes and benefit the greatest number of small businesses in the largest number of product and service sectors possible.

Indeed, the existing Comp Demo law has shown that small businesses in the four NAICS codes on the current Comp Demo list compete for, and win, large numbers of contracts, though on an unrestricted basis. The intent of the Comp Demo program is to ensure that each agency balances its procurement needs so that set aside contracting opportunities for small businesses are as widely distributed as possible across as many industries as possible.

Also important is the fact that the Comp Demo amendment does not affect 8(a) or HUB Zone set asides. They are not impacted by either the current Comp Demo program or my amendment's proposed improvement of the current law.

It is also worthy to note that my proposed amendment of the Comp Demo law has no budgetary impact—that is, amending the program to include landscape services and exterminating and pest control services will not increase the federal deficit.

In sum, Mr. Chairman, the existing Comp Demo program and my amendment to it will require a more even distribution of small business set asides across a larger number of NAICS codes. It does not change or reduce the size of agency small business aside goals; it just makes the programs benefits available to a greater number of small businesses across a larger number of industries.

Mr. HUNTER. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I want to compliment the gentleman from California (Chairman HUNTER) and the ranking member, the gentleman from Missouri (Mr. SKELTON) and their outstanding staffs on both sides for working with us on this tanker amendment.

One of the things that I am convinced of, and I am even more convinced today, is we need to start a program of tanker replacement. Every single airplane that bombed in Afghanistan and in Iraq had to be refueled multiple times.

One of the reasons we are a superpower is because we have got these tankers. All of the original planes were built between 1957 and 1963. I have been to Tinker Air Force Base, I have seen the condition of these planes. The corrosion is significant and the cost of maintenance is going right through the roof. It is time to move out on this program.

The people who made mistakes in the contracting are being disciplined in the process, in the criminal process, and we should look at this on the merits. The chairman's amendment lays out a process whereby we can go forward.

If the chairman wants to explain it, I would be glad to yield to him. But basically we are going to have an analysis of alternatives, then we are going to have a negotiation session on the contract, then we are going to have a panel review with the Secretary of Defense; and we hope that by March 1, we will be able to finalize this and enter into an agreement to go forward with the 767 tanker.

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

Mr. DICKS. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think the gentleman has analyzed it correctly. We call this "Fresh Start." It is based on the premise that the tanker fleet is the keystone to the projection of American air power. Even our tactical air, coming off of carriers in Afghanistan, for example, had to drink four or five times from tankers going to target and coming back. Of course, the long-range stuff, all of our deep-strike capability hinges on tankers.

So our idea was, we take the mess, that is, all the personalities, all of the charges and countercharges, and we move that all aside; and we say, we are going to address the one thing we should be addressing, which is the requirement for our country.

We are going to take the requirement, and we are going to have a "Fresh Start" on tankers and use a blue ribbon panel of people with good judgment, and they are going to pass judgment on the business deal.

Mr. DICKS. Mr. Chairman, reclaiming my time, the key thing here is, we are buying an off-the-shelf aircraft. That means no development costs whatsoever.

I asked the chairman of the Boeing Company today what it would cost if

we had to develop a new airplane, just in development before we got into production. He said \$15 billion to \$18 billion, and it would take a number of years to do that. So that option is not good.

I do not believe this House wants to buy this airplane from AirBus, so therefore before the 767 line goes down next year, we have got to enter into this agreement, militarize that line, and use it for tankers, which are so critical to our national security.

Mr. HUNTER. Mr. Chairman, if the gentleman will yield further, let me just say to the gentleman, I think it would be a massive mistake for the United States to buy foreign in this very important part of our national security.

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Mr. SKELTON. Mr. Chairman, I yield 30 seconds to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, this is a point we want to make. If we can get this done, we can do this for a lot less money than any of the other options, and we can do it with an American airplane; and we have blocked obsolescence before in the C-141s. If we had that problem, we will undermine our military capabilities. So this amendment in this en bloc is very important for us to move forward. And I commend the chairman and ranking member for their leadership on this issue.

Mr. HUNTER. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from New Mexico (Mrs. WILSON).

(Mrs. WILSON of New Mexico asked and was given permission to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Mr. Chairman, I am going to support the en bloc amendments. I do have some reservations about one of the amendments included in it.

I oppose the amendment offered by my friend and colleague from Washington State.

DOE does not have the authority to reclassify, on its own, high level waste as low level waste. Yet, they proposed to do just that so that they could send some of this waste to WIPP. The \$350 million DOE requested for the "high level waste proposal" cleanup projects included funds for activities that a Federal court has ruled violated the Nuclear Waste Policy Act.

To address this, we did two things: (1) We required an external scientific study (the National Academy of Sciences) before any laws regarding high level waste are rewritten; (2) We removed \$100 million for activities clouded by litigation, but allowed for the possibility of reprogramming if additional funds are needed, and asked DOE to provide the House and Senate defense committees with a list of projects it feels it can proceed with and why.

While my colleague's amendment retains the external scientific study, it restores DOE's high level waste cleanup funds to \$300 million by transferring \$50 million from the transportation capital fund for Air Force operations and maintenance.

I continue to oppose this amendment. First, because this could have a negative effect on

a number of bases, including those in New Mexico, and, second, to the extent that this softens the message we sent to DOE that we do not want them reclassifying waste on their own.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank the distinguished ranking member and the chairman for including in this en bloc amendment an amendment drafted by the gentleman from Rhode Island (Mr. KENNEDY) and me.

In essence, what our amendment does is ask the Department of Defense to study the availability of mental health services for our returning soldiers and their families. I have been to Walter Reed on many occasions, and we are providing outstanding physical health care and mental health care for those folks. But when people come back to their small rural towns, we need to make sure if they are suffering the emotional after-effects from the things they have seen and experienced, that they get the help they need, so they can return to their families, return to their work and not suffer lasting impacts.

For 23 years before serving in Congress, I worked as a psychologist, often with veterans and in VA hospitals; and I know we can provide care that will help our warriors return home. We need to do that.

I thank the chairman and ranking member for making sure this will happen and look forward to working with them when the report is returned from the DOD.

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

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT), a member of the Committee on Armed Services and ranking member of the Committee on the Budget.

Mr. SPRATT. Mr. Chairman, among the amendments included in the en bloc is an amendment known as the Hastings amendment.

The Department of Energy requested \$350 million for accelerated clean-up of defense sites, old nuclear weapons production sites, where some of the world's most radioactive nuclear waste is stored.

The chairman's mark authorizes 250 of the \$350 million that DOE asks for. I am glad to see us go close to at least 300. I wish we could have gone to 350. But the amendment before us does leave out the fence or the conditions or the limitations that DOE would have imposed.

Both of these provisions, both the additional money taking us to \$300 million and the lack of any fence of conditions are steps in the right direction, and I commend the gentleman for his amendment and urge everyone to support it.

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

Mr. HUNTER. Mr. Chairman, we have no further requests for time.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I thank the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) for including my amendment in the en bloc amendments.

My amendment directs the Secretary of Defense to eliminate the backlog in rape and sexual assault evidence collection kits, reduce the processing time of those kits, and provide an adequate supply of those kits at all domestic and overseas military installations and military academies.

This amendment is similar to legislation this House passed earlier with the gentleman from Wisconsin (Mr. SENBRENNER), the gentleman from Michigan (Mr. CONYERS), and the gentlewoman from New York (Ms. SLAUGHTER) and the gentlewoman from Ohio (Ms. PRYCE) that uses DNA technology to really convict rapists and to put them behind bars.

We know from the Department of Defense report that there are many kits that are gathering dust, that are not being processed. We know that rapists will strike up to eight times according to the FBI. They rate it the second worst crime preceded only by murder. And it is unconscionable that these are not being processed.

This merely helps convictions and helps protect men and women in the military. I thank very much the gentleman from Missouri (Mr. SKELTON) for working to have this included.

Mr. HASTINGS of Washington. Mr. Chairman, my amendment will restore \$50 million cut by the House Armed Services Committee from the Department of Energy's proposed nuclear waste cleanup budget.

It is important that the Federal government meet its legal and contractual cleanup obligations.

By returning \$50 million to the Defense Site Acceleration Completion account, this amendment helps make certain that funds are available to ensure the Federal government continues the progress being made at cleaning up our Nation's nuclear waste sites.

Although the Committee decreased the portion of the nuclear waste cleanup budget related to high-level liquid waste, the remainder of the cleanup budget was fully authorized by the Committee. I am grateful for the support shown for cleanup by Armed Services Committee Chairman HUNTER and Subcommittee Chairman EVERETT. However, I offered this amendment because I believe Congress ought to make certain that the funds deemed necessary for cleanup next year by the Department of Energy, and included in the President's budget, are made available.

The Committee's action to cut funding for high-level liquid waste cleanup comes after a Federal district court ruling on high-level waste. While agreement on this matter has not yet been realized between the Department of Energy and the States in which affected waste sites are located, I believe it is important for the Congress to make available the funding so that planned cleanup activity does not have to be postponed due to unavailability of funds.

By adding back \$50 million, my amendment helps advance cleanup progress next year.

The Federal government has a responsibility—a responsibility under the law...a contractual responsibility with the affected States...and a moral responsibility—to cleanup its nuclear waste sites.

At the Hanford cleanup site in my Washington State congressional district, there are 177 underground tanks containing more than 50 million gallons of liquid waste that are affected by this funding.

For many, those figures may be difficult to imagine—but for the people I represent in Washington State, the more than 50 million gallons of radioactive, nuclear waste is very real.

The citizens of Washington State did not invite this waste into our State—in the 1940s as part of the Manhattan Project, the Federal government moved farmers from their land and uprooted several small communities from a 586 square mile area along the Columbia River to make room for a top-secret effort that ultimately helped lead to an end of the Second World War, and over the decades that followed, to victory in the Cold War. The legacy of this nuclear production is the more than 50 million gallons of liquid waste.

It is the Department of Energy's obligation to cleanup these wastes—and I will hold the Department responsible for getting this work done. I pushed this amendment to restore \$50 million to the cleanup budget because it is essential that the funds be available to keep cleanup on track. I also firmly believe that the State of Washington must be involved in these decisions. I have opposed and will oppose any effort to force a solution on Washington State. Department of Energy officials have expressed their commitment not to pursue a change in the law that does not have the support of the affected states—and that commitment is constructive to resolving this matter.

It has been my consistent view that the Department of Energy and States have a shared responsibility to resolve the current situation—and I want to strongly reiterate that for the sake of cleaning up this massive volume of waste, reducing its potential threat to health and the environment, and to make certain cleanup progress is not jeopardized, that the sooner this matter is resolved, the better. I know the Department of Energy and States are committed to cleaning up these wastes—and continued disagreement only makes that shared goal more difficult. I will keep pushing for a resolution and I will continue working to make certain funds are available for cleanup work.

I also want to express my great respect and appreciation to Mr. SIMPSON of Idaho and Mr. BARRETT of South Carolina for the assistance and support they provided for this amendment and for success in adding \$50 million to the cleanup budget.

Mr. BARRETT of South Carolina. Mr. Chairman, I rise in support of the amendment offered by my esteemed colleague, Representative DOC HASTINGS of Washington. For over 50 years, the United States has stored the legacy of our Nation's nuclear weapons programs at sites throughout the Nation. For example, the Savannah River Site, which is located in my district, has 35 million gallons of radioactive nuclear waste in 49 storage tanks. Like the Savannah River Site, other facilities throughout our Nation must ensure the American public is protected against the environmental risk

posed by such waste. However, we all bear this responsibility because this waste represents a security created on behalf of all Americans. As a result, this Congress has the duty to reduce the environmental risk posed by this waste in a safe, expeditious, and cost effective manner.

A vote in favor of the Hastings amendment fulfills this obligation because it maintains the current accelerated cleanup schedules and saves the American taxpayers billions of dollars across our Nation's nuclear complexes. The problem of nuclear waste will not solve itself. There is no doubt the less priority we give to cleaning up our nuclear waste today, the greater costs we impose on the public tomorrow. The Hastings amendment responsibly places our country in a better position to fulfill its duty of expediting environmental cleanup to save costs in the long run.

I urge my colleagues to support the American taxpayer by voting in favor of the Hastings amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am pleased to add my voice in support of the Baird-Kennedy amendment that will ensure that mental health services are available to our troops. Just like it would be crazy to send troops into a prolonged battle without medics and surgeons to tend to their physical wounds, it would also be inappropriate to send soldiers to the battlefield without support from professionals capable of dealing with their mental health issues. Poor mental health can hamper a soldier's ability to do his or her job, and can thus jeopardize the safety of comrades, and the success of the mission. Moreover, mental health issues can persist even after the soldier comes home, affecting their families, their workplace, our VA hospitals, and our society. Our troops deserve top-quality mental health services, for their own sake and for the sake of the Nation.

Such support and resources must include adequate and appropriate mental health care to minimize the impact that the trauma of combat, separation from one's family, and other stresses associated with deployment have on the health of our troops. We also owe it to those who sacrifice for the country to give them every opportunity to return to their families intact, mentally as well as physically.

In pursuit of these goals, this amendment to the House's National Defense Authorization Act for FY2005 would require the Pentagon to conduct a comprehensive study of the availability, accessibility, cost and effectiveness of the mental health services available to U.S. military personnel deployed to combat theaters. In addition, it requires the Secretary to examine the post-deployment mental health screening procedures used for soldiers returning from combat theaters, as well as treatment availability for families of deployed servicemembers.

This is a sensible approach to an important problem. We have seen in Abu Ghraib, and in recent reports of sexual promiscuity and abuse in our military—that the stresses of war can bring about behaviors and emotional responses that are fundamentally incompatible with American values and our mission overseas. We need to prevent these problems whenever possible, through mental health interventions, and treat victims when others go astray. First we need to find out the need for and availability of care.

I commend my colleague from the Science Committee, Congressman BAIRD, for his leadership on this issue.

Mr. JOHNSON of Illinois. Mr. Chairman, today is a significant day for families throughout the United States. Not just because the House of Representatives is passing the National Defense Authorization Act for Fiscal Year 2005, but also because 3½ years of perseverance are beginning to pay off. Thanks to Chairman DUNCAN HUNTER of the House Armed Services Committee, Chairman CHRIS SMITH of the House Veterans' Affairs Committee, Chairman DAVID DRIER of the Rules Committee, their staffs, and mine, family members of those who are buried in an overseas United States military cemetery will finally have an avenue into the Department of Defense to present evidence that the decision to leave the remains of their loved ones overseas was based on a misunderstanding or error.

My amendment is simple and straightforward. It gives families with loved ones buried in an overseas military cemetery a way to present to the Department of Defense that they should be allowed to bring the remains of their family member home and, if ultimately approved, to do so at no cost to the United States. There is a 2 year period from the date of enactment of this bill for application and I believe that amount of time is sufficient and fair. In the coming weeks as this bill moves into conference, I will be commenting on my amendment and what I believe a "misunderstanding" or "error related to the disposition decision" means. I merely wanted to take this opportunity to thank the respective chairmen and my colleagues for supporting my amendment.

Mr. CUNNINGHAM. Mr. Chairman, first, I want to thank the Committee Chairman and Ranking Member for allowing this amendment to be considered. I have had great bipartisan support in raising this issue, most notably my colleague from California, Ms. HARMAN.

My amendment directs placement of a memorial in Arlington National Cemetery honoring noncitizen service members killed in the line of duty while serving in the United States Armed Forces. The amendment designates the Secretary of the Army to coordinate and direct this effort. In addition, the amendment allows for the collection of private donations for design and construction, while restricting the use of Federal funds. It is no cost to the taxpayers and has no budgetary implications for the DoD bill. Finally, authority for accepting donations and pursuing the memorial expires 5 years after the date of enactment.

Honoring our service members is a process that begins on the battlefield through ensuring that our troops have the best equipment and other essentials. It continues as we welcome them home upon returning from war, when we fly the POW-MIA flag, when we care for them and their families and, ultimately, when we lay them to rest with appropriate remembrance and tribute.

Many American military heroes, past and present, were born outside of the United States. From the thousands of noncitizens who fought for our independence as a Nation, to those who fought for the Union Army during the Civil war, to the more than 36,000 noncitizen members of today's Armed Forces, these men and women have sacrificed for our country and the preservation of our precious freedom.

Our country is united in its support for our service men and women who are prepared to make the ultimate sacrifice to defend our freedom. As of the end of March, we have lost 24 noncitizen service members in Operation Iraqi Freedom, including a member of my district, Lance Corporal Jesus Suarez Del Solar.

It is time that we appropriately recognize their bravery, valor, and patriotism. Arlington, the Nation's premier military cemetery and shrine honoring the men and women who served in the Armed Forces, is a particularly fitting place for this tribute. I encourage you to support this bipartisan effort.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to give bipartisan support to the gentleman from Illinois, Mr. MANZULLO, on his amendment to H.R. 4200, the Defense authorization bill. This proposal would allow for procurement officials within the Department of Defense to include the creation of jobs in the United States as an evaluation factor.

The House Armed Services Committee and Chairman HUNTER's office have reviewed this proposal and has found it to be acceptable.

As Mr. MANZULLO has indicated, procurement officials don't have the ability to consider whether procurement will add jobs or take away jobs from U.S. shores. They can't consider it in a Best Value determination and analysis of the impact on U.S. jobs is not part of acquisition planning schemes. The premise behind this proposal is to help our procurement agents to help the American job market and our workers by using taxpayer dollars to support them.

The amendment is included as an evaluation factor and doesn't require vendors to create jobs here. It does, however, give an incentive to companies—foreign and domestic—to foster job creation here. It supports insourcing and gives the job-creators an edge in the evaluation process.

For example, if there are multiple firms that are competing for a contract, companies that create jobs here in the United States get extra consideration versus those that don't. It becomes a competitive advantage. You can also have a solicitation where no firm creates jobs. Thus, the solicitation would be unaffected by the provision. Finally, a foreign firm could be in the final selection process with a domestic firm, where the foreign company wins the contract because they pledge to create jobs in the United States while the domestic company plans not to add any new jobs. Enforcement would be done by past performance evaluations.

With this amendment, we would demonstrate that this Congress is committed to creating more jobs in the United States and providing the necessary environment to entice business to stay here.

I am particularly concerned with the huge disparity that exists in the awarding of procurement contracts to minority and women-owned businesses—or M/WBES here in the United States. Mr. MANZULLO's amendment, if passed, would yield positive benefits that would work to repair this disparity by a significant margin.

I offer as a snapshot of the disparity that exists on a nationwide scale a study of one State.

A primary complaint heard from the business owners interviewed in connection with the study released in 2001 was that large firms tended to be favored for selection as

contractors because of their experience, size, certain bidding practices and selection procedures. Nonminority male firms were seen as the recipients of State contracts because a large percent of them had been in business longer, had more resources, and generated significantly greater revenues than M/WBES. Some key examples are listed below:

Discrepancies existed between the numbers of employees of M/WBES compared to nonminority firms. Nine percent of M/WBES had more than 50 employees, whereas nonminority male firms had a more even distribution among the staff size categories, with 16 percent of nonminority male firms having more than 50 employees.

Thirty-eight percent of the businesses earned \$1 million or less in gross revenues for the year 2000. Twenty-three percent of nonminority male firms earned greater than \$10 million, while 12 percent of nonminority women firms and 10 percent African American firms earned more than \$10 million in 2000. A very small number of Native American firms were surveyed, thereby creating unreliable data. Nonetheless, of the 7 Native American firms surveyed, 2 (40 percent) of these firms had gross revenues greater than \$10 million.

African American firms had the highest percentage of applicants of any ethnicity for a business start-up loan. However, only 25 percent of the African American applications were approved at least once, while nonminority male firms had a success rate of 75 percent.

Generally, M/WBES were more likely to bid as subcontractors than were nonminority male firms. For example, 69 percent of African American firms reported bidding as a subcontractor 1 or more times since 1995. Even greater percentages were found for Hispanic American firms (100 percent), Native American firms (100 percent), Asian American firms (80 percent), and nonminority women-owned firms (78 percent). In contrast, fewer firms owned by nonminority males reported bidding as subcontractors during the study period (60 percent).

Fifty-one percent of African American firms reported that it is commonplace for a prime contractor to include a minority subcontractor on a bid to meet the "good faith effort" requirement, and then drop the minority subcontractor after winning the award. Only 21 percent of nonminority women firms agreed with this statement. Nonminority male firms disagreed (51 percent) with this statement, as did Hispanic, Asian, and Native American respondents collectively (54 percent or 13 out of 24).

If we extrapolate the above data nationwide, the disparities show the clear need for the MANZULLO amendment. Mr. Chairman, I support his amendment and urge my colleagues to join me.

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

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

The CHAIRMAN pro tempore (Mr. LAHOOD). The question is on the amendments en bloc offered by the gentlemen from California (Mr. HUNTER).

The amendments en bloc were agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 11 printed in House Report 108-499.

AMENDMENT NO. 11 OFFERED BY MR. WAMP

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

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

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. WAMP:
At the end of title XXXI of the bill (page 556, after line 10), add the following new section:

SECTION 3134. IMPROVEMENTS TO ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) STATE AGREEMENTS.—Section 3661 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385o) is amended—

(1) in subsection (b) by striking "Pursuant to agreements under subsection (a), the" and inserting "The";

(2) in subsection (c) by striking "provided in an agreement under subsection (a), and if"; and

(3) in subsection (e) by striking "If provided in an agreement under subsection (a)" and inserting "If a panel reports a determination under subsection (d)(5)".

(b) SELECTION OF PANEL MEMBERS.—Section 3661 of that Act (42 U.S.C. 7385o) is further amended in subsection (d) by amending paragraph (2) to read as follows:

"(2) The Secretary of Health and Human Services shall select individuals to serve as panel members based on experience and competency in diagnosing occupational illnesses. For each individual so selected, the Secretary shall appoint that individual as a panel member or obtain by contract the services of that individual as a panel member."

The CHAIRMAN pro tempore. Pursuant to House Resolution 648, the gentleman from Tennessee (Mr. WAMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. WAMP).

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

Mr. Chairman, the Defense Authorization Act of 2001, which was actually signed into law in the fall of 2000 by President Clinton, included the Energy Employees Occupational Illness Compensation Program Act, EEOICPA, which we wrote and passed to compensate workers who became ill as a result of their work in the Department of Energy facilities across the country. There are nine major sites affected, and I represent Oak Ridge, Tennessee, which handles the largest number of affected workers in the country.

This is a critical issue for many of us, and we have been very involved for a number of years. The Department of Energy has had definite problems administering the program, and some of those programs are brought about by statutory issues that need to be remedied.

Part B of this program is actually administered by the Department of Labor, and people affected qualify for \$150,000 lump-sum payments. That has gone relatively smooth. But part D of this program is the DOE portion, and we have had numerous problems identified under subtitle B relative to the claims process, a lack of communication, long delays, et cetera.

Now, the GAO, which we need to listen to in this case, has made recommendations for changes to the Department of Energy. The Department of Energy has made rules changes, but we now need statutory changes. And that is what this amendment actually addresses, three issues that cannot be done by rules. They need to be done by statute here in an amendment, and we have the full support of the Department of Energy; and the administration is asking that these three changes be adopted.

Number one, this amendment eliminates the pay cap for physicians and lets the market set the rate. One of our problems today is that the statute sets physician pay at \$69 an hour when, indeed, occupational medicine physicians are paid in the market \$130 to \$150 an hour. We do not have enough physicians to meet this caseload; and, therefore, we have a backlog. This will help us alleviate the backlog.

Number two, this amendment eliminates restrictions on hiring authority. Today, the Department of Energy can only hire temporary or intermittent experts when, indeed, we need Federal and contract employees full time on the job to move this program forward. This has severely impaired DOE's ability to staff this necessary program and to move it smoothly.

Thirdly, this amendment will eliminate the requirements that an application for a benefit can go forward if, indeed, the State has an agreement in place. Not all States do. Based on the feedback for the advocates of the program and the States at the local level, DOE is moving away from this requirement, and we need to statutorily change the legislation. This will affect 80 percent of the workers.

With all due respect to a few people in this body that may be opposed to this, I know it does not do everything; but we shopped these issues around to the committees of jurisdiction, and this is all we could get. I would like to do more.

There were amendments offered to the Committee on Rules that I said I would be happy to support. They were not ruled in order, and you do have some committees of jurisdiction weighing in.

This is what we can do. And I hope that even though people will express their discontent today on the floor with the Department of Energy which we all have experienced because it is a very frustrating, very complicated program and there was great bipartisan cooperation in bringing it about, I hope that they can support this amendment in the final analysis because this clearly will help immediately many workers who are waiting in line. That is the bottom line.

While it does not get to everyone, there are States that do not have agreements in place. They may not have a willing payer in their State or whatever the issue is. Eighty percent of the workers affected will be expedited if this amendment is adopted and

allows DOE to move forward, getting the physicians, hitting the panels on time, and making this program more effective. It is very complicated, but we need to make these changes today.

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

Mrs. TAUSCHER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentlewoman from California (Mrs. TAUSCHER) is recognized for 5 minutes.

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

Mr. Chairman, I commend the gentleman from Tennessee (Mr. WAMP) for trying to fix the Sick Worker Compensation program at the Department of Energy. His State of Tennessee has 3,000 claims from sick workers pending, and I have two facilities in my district where workers are waiting for their claims to be processed.

This amendment primarily increases the rate of pay for DOE to attract more doctors to review claims in the physicians panel, which is useful but does not fix structural flaws in this program.

The GAO panel has found that even after claims go through a physicians panel, there is no willing payer and that by order from DOE, that is no one to pay these claims for at least 20 to 33 percent of valid claims.

When there is no willing payer, as we have in States like Alaska, Colorado, Ohio, Iowa, Missouri and Kentucky, and we have workers in Nevada, construction workers in New Mexico, Idaho, California and in most other States that DOE cannot find willing payers, without a willing payer, workers who get a finding from the physicians panel will have a piece of paper from DOE saying their illness was caused by exposure to radiation at DOE sites, but they will not get paid.

I support an amendment offered by the gentleman from Ohio (Mr. STRICKLAND) that fixed this problem, but it was rejected by the Committee on Rules.

DOE also does not have a clear mechanism to value claims, inviting additional litigation when the goal of Congress was to take DOE out of the business of fighting sick workers who have served our Nation by building our Cold War deterrent.

This amendment does not fix that either. The Department of Energy's record is catastrophic. Two and a half years into the program, of the 23,000 people who have applied for compensation, the Department of Energy has rejected 5 percent of them and completely processed about 6 percent of them. In other words, 94 percent of applicants are still waiting for their cases to be addressed.

Sick workers were told help was on the way. Four years later, DOE is projecting its caseload will not be completed for at least another 3½ years. I reluctantly oppose this amendment, as it offers a minor technical fix to a pro-

gram that remains structurally flawed. Throwing more money at DOE only rewards it for failing to compensate sick workers and will make it harder in the future to make real improvements to the program.

There is a bipartisan amendment on the Senate side that I hope many of our colleagues will be able to support in conference. In the meantime, I reluctantly call on my colleagues to oppose the Wamp amendment.

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

Mr. WAMP. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. UPTON). The gentleman has 1 minute remaining.

Mr. WAMP. Mr. Chairman, I yield 1 minute to the gentlewoman from New Mexico (Mrs. WILSON).

(Mrs. WILSON of New Mexico asked and was given permission to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Mr. Chairman, I am supporting this amendment even though I know that it does not do all the things that we all want it to do, but because there is not sufficient jurisdiction here to take care of all the things in this bill.

I look forward to working with the gentleman and my other colleagues who have constituents deeply affected by this for a real comprehensive solution.

Mr. Chairman, I rise in support of the amendment offered by my colleague Representative WAMP, to modify the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). The modifications offered in this amendment will address current obstacles in addressing the backlog of cases needing review by physician panels under this program. The report for this bill notes, with bipartisan support, that such remedies were needed to allow timely physician review panel determinations. This amendment is a step forward toward assuring that workers receive the speedy assistance and, where found appropriate, compensation that we in Congress intended. therefore, I strongly support it.

Yet I have to observe that this vote, while an important and positive step, is not by itself enough. I have had the fortune of knowing some of these workers personally and have become familiar with their frustration at the glacial pace of processing of their claims through the Department of Energy. One was Raymond Ruiz, a former worker at Los Alamos and a respected 2-term legislator in the State of New Mexico. His case was finally taken up by a physician panel, but he did not live long enough to receive compensation for his asbestos-related disease. Before his death his colleagues in the State legislature passed a joint memorial requesting reforms in this program. Other New Mexicans have applied under Part D of EEOICPA and most have been backlogged.

In addition to this amendment we need to address three things in the implementation on this part of EEOICPA. First, we need to ensure that the management of the program is sound and effective. The Department of Energy has not created an acceptable track record. It is now working to improve its prac-

tices, but it is possible we may need to consider moving the program out of DOE, if that will speed up the appropriate resolution of claims. Second, we need to assure that medical determinations are speedy as well as proper. This amendment is a step in that direction, as are recent adjustments DOE has made to its procedures, but we may need to make other improvements to eliminate the backlog in a timely way. Third, we will need to address solutions to the cases in which "willing payers" are not available.

I urge my colleagues to support this amendment. But we still have work to do to ensure EEOICPA provides the help we in Congress intended for these workers. I look forward to considering additional idea, including insights from the General Accounting Office report currently in preparation, and ideas that may be discussed in the other body.

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

Mrs. WILSON of New Mexico. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Chairman, this issue is not about moving the program to the Department of Labor. That is another issue for another day. That may come up at a later time. This is about making the program as it is currently written work much better. That is why I really hope that everybody that has a dog in this hunt will help us do this today.

It is just one step forward, but it needs to be made short of sweeping reforms, which I know are pending before the Senate, but that is a whole different issue, and a lot of people have to get back in line and start over if that does happen.

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

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Mrs. TAUSCHER. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. STRICKLAND), the author of the amendment that I wish I could have supported.

Mr. STRICKLAND. Mr. Chairman, why do we not just do the right thing when it comes to this issue, just do the right thing, help all the workers who need help? I appreciate the effort of the gentleman from Tennessee (Mr. WAMP) to improve this program, but I cannot support his amendment.

Unfortunately, DOE's management of this program has been a miserable failure. After spending millions of dollars, they can only point to one claim having been paid through March of 2004. Not only is DOE's claims processing moving at a snail's pace, but by the Department's own admission, as many as 50 percent of the claimants may not have a willing payer. This means that regardless of how quickly DOE processes a claim, many sick workers will get nothing but an IOU.

The gentleman from Tennessee's (Mr. WAMP) amendment does nothing to address this larger problem of a willing payer, which affects my constituents in Ohio and other nuclear workers in Alaska, Colorado, Idaho, Iowa, Kentucky, Missouri, Nevada, and New Mexico, and we do not fully understand the

magnitude of this problem as GAO acknowledges that it is not possible to effectively audit DOE's databases.

Meanwhile, I have a June 7, 2002, DOE letter saying that the Department is compiling a list of sites which would not have a willing payer. Nearly 2 years later, DOE's Under Secretary testified in the Senate, and I am quoting, "DOE has proposed a study by the National Academies that would commence when sufficient cases have been through the State program to provide meaningful data regarding the finding of willing payers."

How long can DOE study this obvious problem? Enough is enough. If DOE will not face the problem, then it is our responsibility to take action because DOE apparently thinks that conducting a study is going to help sick workers.

The Senate has been noted as working on an amendment in a bipartisan fashion. I went to the Committee on Rules with a simple amendment that would have made significant progress in resolving the willing payer issue. My amendment was not made in order. Processing claims more quickly falls far short of addressing the glaring flaws in this program.

The intent of this program is not to compensate our Cold War veterans based on geography. We should be paying comprehensive reform of this program so that all meritorious claims can be paid in a timely manner.

Mr. UDALL of New Mexico. Mr. Chairman, my colleague from Tennessee who is proposing this amendment has been very involved in Energy Employees Compensation issues and I thank him for that. Surely, in proposing this amendment, he has good intentions.

However, because the amendment fails to accomplish real reform of the Energy Employees Occupational Illness Compensation Program, I must rise in opposition to the amendment.

It has been almost 3½ years since Congress passed the Energy Employees Occupational Illness Compensation Program Act. This bill was passed in an attempt to bring justice to the thousands of energy workers who incurred illnesses—in many cases deadly—as a result of their work at Department of Energy facilities. In my state of New Mexico, there are over 1,200 workers who have filed such claims.

Yet after 3½ years, less than 3 percent of the cases filed with the Department of Energy have been processed. This means that the vast majority of the men and women who have filed claims through this program—many of whom will die before they ever see a compensation check—are being denied justice.

Conversely, the Department of Labor has processed over 95 percent of the claims in its area of responsibility. DOE recognizes that it has failed yet now it wants more money. Surely I am not the only member on this floor who shudders at the prospect of throwing millions more at a department that has failed this program and these people for almost 4 years.

Unfortunately, this amendment does not include crucial components that are necessary for real reform. By real reform, I mean identi-

fying a willing payer for all claims submitted by energy employees, taking a hard look at how DOE has spent money on the program so far with so few results, and addressing the reasons for the stark difference in progress on claims between the Department of Energy and the Department of Labor.

If this amendment were part of a larger reform package, I may have looked upon it more favorably. I joined Representatives STRICKLAND of Ohio, UDALL of Colorado, TAUSCHER of California, and COOPER of Tennessee, in submitting an amendment to the Rules Committee that would have called upon the President to send legislation to Congress proposing a willing payer. Unfortunately, the Rules Committee did not make this amendment in order.

Because this amendment falls so far short to real reform, I cannot vote for it. Passing this amendment without other crucial reform components rewards the Department of Energy for its failure. The 1,200 people in New Mexico who have filed claims simply cannot afford the status quo.

I recommend a "no" vote on the amendment.

Mr. WHITFIELD. Mr. Chairman, I support efforts to streamline the claims process for DOE workers seeking compensation for illnesses resulting from exposure to toxic substances and other hazardous materials, and I will vote in favor of the amendment.

The changes in this amendment will not insure payments to claimants in states like Kentucky where there is no willing payor to cover compensation costs. DOE lacks the authority to direct the DOE contractors or their insurers who employed these workers at the Paducah Gaseous Diffusion Plant to pay compensation claims even if the claims are approved by DOE physicians panels. More important, the Paducah uranium enrichment plant is no longer a DOE-run facility. Plant operations were privatized in 1998 and DOE cannot direct that private operator, USEC, to pay claims approved by DOE physician panels. Only the current DOE contractor employees at Paducah will have a willing payor. So, depending on what state you live in, even if you prove that your illness is work-related, you may never receive a dime in compensation.

Of the 23,000 claims filed with DOE, 2,874 were filed by my constituents because of illnesses they contracted while working at the Paducah Gaseous Diffusion Plant. Those workers and thousands like them across the country deserve more.

I do support the amendment because if Congress takes no other action this session repairing this program, this will at least help expedite the DOE claims process. But I think all former and current workers in the DOE complex would be much better served if we fixed the willing payor problem once and for all and moved the administration of the entire DOE program to the Department of Labor. That is still my goal as we look to the future.

The CHAIRMAN pro tempore (Mr. UPTON). All time has expired.

The question is on the amendment offered by the gentleman from Tennessee (Mr. WAMP).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 25 printed in House Report 108-499.

AMENDMENT NO. 25 OFFERED BY MR. RYUN OF KANSAS

Mr. RYUN of Kansas. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. RYUN of Kansas:

At the end of title XII (page 432, after line 16), insert the following new section:

SEC. 12 . MILITARY EDUCATIONAL EXCHANGES BETWEEN SENIOR OFFICERS AND OFFICIALS OF THE UNITED STATES AND TAIWAN.

(a) DEFENSE EXCHANGES.—The Secretary of Defense shall undertake a program of senior military officer and senior official exchanges with Taiwan designed to improve Taiwan's defenses against the People's Liberation Army of the People's Republic of China.

(b) EXCHANGES DESCRIBED.—For the purposes of this section, the term "exchange" means an activity, exercise, event, or observation opportunity between Armed Forces personnel or Department of Defense officials of the United States and armed forces personnel and officials of Taiwan.

(c) FOCUS OF EXCHANGES.—The senior military officer and senior official exchanges undertaken pursuant to subsection (a) shall include exchanges focused on the following, especially as they relate to defending Taiwan against potential submarine attack and potential missile attack:

- (1) Threat analysis.
- (2) Military doctrine.
- (3) Force planning.
- (4) Logistical support.
- (5) Intelligence collection and analysis.
- (6) Operational tactics, techniques, and procedures.

(d) CIVIL-MILITARY AFFAIRS.—The senior military officer and senior official exchanges undertaken pursuant to subsection (a) shall include activities and exercises focused on civil-military relations, including parliamentary relations.

(e) LOCATION OF EXCHANGES.—The senior military officer and senior official exchanges undertaken pursuant to subsection (a) shall be conducted in both the United States and Taiwan.

(f) DEFINITIONS.—For purposes of this section:

(1) The term "senior military officer" means a general or flag officer of the Armed Forces on active duty.

(2) The term "senior official" means a civilian official of the Department of Defense at the level of Deputy Assistant Secretary of Defense or above.

The CHAIRMAN pro tempore. Pursuant to House Resolution 648, the gentleman from Kansas (Mr. RYUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas (Mr. Ryun).

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

Mr. Chairman, first of all, I want to thank my colleague the gentlewoman from Guam (Ms. BORDALLO) for her help in cosponsoring this amendment and her continuing efforts to seek a peaceful and stable Pacific Rim. I also want to thank the DOD for their support of this amendment.

Taiwan is facing a very difficult situation. With a clear and rapidly modernizing threat across the straits, I am concerned that Taiwan is increasingly unable to provide a credible deterrent. Unfortunately, this is due, in part, to current U.S. policy.

Although Taiwan has access to U.S. military hardware, it faces two substantial hurdles in being defensively self-sufficient. Taiwan has difficulties integrating these new systems into its current forces, and Taiwan has difficulties prioritizing its own defense needs. Senior officer/official educational exchanges would help fix both problems.

This amendment would require the Secretary of Defense to initiate these senior officer/official educational exchanges with Taiwan. To be held both in the United States and Taiwan, these programs would focus on antisubmarine warfare, ballistic missile defense and C4ISR improvements, the three fields the U.S. Department of Defense says Taiwan needs the most assistance. At the same time, this amendment would provide the Secretary discretion on whom to send to Taiwan and under what circumstances.

Currently, the Department of Defense is prohibited from sending to Taiwan general officers and DOD officials at the deputy assistant level or above. I understand that this is a unique restriction placed only on Taiwan. This restriction is even more surprising, given that Taiwan is one of our democratic allies.

Our commitment to ensuring a peaceful resolution between China and Taiwan must not be just talk. By allowing senior military officers/officials exchanges, we will be encouraging greater Taiwanese self-sufficiency and provide for greater political stability across the Straits.

I ask support for Taiwan through the support of the Ryun-Bordallo amendment.

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

The CHAIRMAN pro tempore. Does any Member rise in opposition to the amendment?

Mr. TURNER of Texas. Yes, I am in opposition, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. TURNER. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON), the distinguished ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, in 1939, this body took action refusing to upgrade and arm the harbor in Guam. The Japanese Empire took that action as being in a position of not wanting to defend in the Pacific. We all know what happened later in 1941.

This amendment is a dangerous amendment. The State Department of the United States of America is against it. It says that the proposed amendment interferes with the President's constitutional authority to conduct the Nation's foreign affairs.

It would not enhance Taiwan's security. We already have an effective mechanism for ensuring Taiwan's security. It is called the Taiwan Relations Act passed in 1979.

Newt Gingrich, former Speaker of this House, at a hearing and a briefing

just a few days ago before the Committee on Armed Services, said that the two most dangerous areas in the world are Pakistan and the Taiwan Straits. He said that is a very dangerous area, and I understand what he said, because if we are not careful, we can send a terrible message to Taiwan.

Read this amendment. Let me tell my colleagues what it says. It shall include exchanges focused on the following, especially as they relate to defending Taiwan against potential submarine attack and potential missile attack, threat analysis, military doctrine, force planning, logistical support, intelligence collection and analysis, operational tactics, techniques and procedures.

My goodness, we are inviting a conflict, I think, very, very well. We are making a severe step in that direction. I oppose the amendment.

Mr. RYUN of Kansas. Mr. Chairman, first of all, I would say DOD strongly supports this.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Chairman, I rise today to join my colleague from Kansas (Mr. RYUN) in offering an amendment to improve military education exchanges between Taiwan and the United States. Given our commitment to ensure the peaceful settlement of differences between Taiwan and mainland China, it only makes sense that we remind the Chinese at every possible opportunity that war is not an option. By hosting Taiwanese military officers and by sending our own military leadership to Taiwan, we reinforce the bonds of friendship and defense.

The opportunity for dialogue between military planners provided in this amendment will help the Taiwanese Government to have a good net assessment of the strategic situation in the Taiwan Straits.

It is my fervent hope that these military exchanges will also provide a boost to civil-military relations between our two nations. Our model of civilian control of the military within a democratic society is one that Taiwan has truly adopted as its own. Other nations in the region could benefit from the stability of such a system.

Given Guam's proximity to Taiwan, it is a logical place to host these military exchanges. Andersen Air Force Base and the Command Naval Headquarters Marianas have excellent conference and training facilities. The Department of Defense has identified knowledge of submarine operations as a key improvement area for the Taiwanese military. Given that forces from Guam, including our home-ported submarines, would be involved in any joint operations with Taiwan, it only makes sense that we work closely together.

So I urge my colleagues to support this amendment, which is an expression of our friendship with the people of Taiwan.

Mr. TURNER of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. ORTIZ).

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

Mr. ORTIZ. Mr. Chairman, I have the utmost respect for my two colleagues, the gentleman from Kansas (Mr. RYUN) and the gentlewoman from Guam (Ms. BORDALLO), but we have a great stake in impartial diplomacy when it comes to Taiwan and China at every level.

I think that I am one of the Members who has been to Taiwan more than anybody else, at least 40 times because of the business we do with them, and I love the people of Taiwan. I have traveled extensively in the Far East on military trade missions and love the people of both China and Taiwan.

Taiwan is still working through a very divisive presidential election which has only further strained the relationship with China, and of course, we were able to see democracy in action by the people of Taiwan voting.

As one of the few Americans who has traveled to North Korea and talked to officials there, I remind Members, we have multiple dangerous strategic concerns in that area, and China has been kind enough to help us set those meetings with Japan, South Korea and the United States.

So I have to oppose this amendment.

Mr. RYUN of Kansas. Mr. Chairman, I would like to inquire how much time I have remaining.

The CHAIRMAN pro tempore. The gentleman from Kansas (Mr. RYUN) has 1 minute remaining. The gentleman from Texas (Mr. TURNER) has 2 minutes remaining.

Mr. RYUN of Kansas. Mr. Chairman, I yield the remaining time to the distinguished gentleman from California (Mr. HUNTER), the Chairman of the Committee on Armed Services.

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

I appreciate all the comments from both sides of this debate, and Mr. Chairman, Taiwan is our friend, and these are people of freedom who fought for freedom and who recessed to that island across the straits to maintain a free society. We have many relationships now with Mainland China that are very clear economic relationships in principle. We reserve the right to have friends, and encompassed in that friendship is the right to have our military establishment relate and interrelate with their military establishment. That is not a bad thing, and that is very simply what the Ryun amendment does.

I have read the statement by DOD that they support it. They say the requirement for a senior official/officer education and training program is supportable. The amendment properly focuses on areas in the defense of Taiwan which pose greatest threats, submarines and missiles.

We know that greater China is acquiring a vast military arsenal, much

of it being acquired with their vast surplus of trade cash. It is absolutely appropriate that we maintain this friendship with Taiwan and in that friendship engage our military leadership, and I would support the amendment.

Mr. TURNER of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. REYES), a distinguished member of the Committee on Armed Services.

Mr. REYES. Mr. Chairman, I thank the gentleman for yielding time, and I rise in opposition to this amendment because it can potentially impact a very important part of the world for this country. It impacts not only trade, not only national security, but also cultural exchange programs.

As a Member, like my colleague the gentleman from Texas (Mr. ORTIZ) that has done extensive travel to both China and to Taiwan, the issues that we are talking about here are important issues for them to resolve. It can potentially upset the One China policy that we all recognize and respect.

It is opposed by the State Department, jeopardizes our One China policy. It creates perhaps another political crisis area at a time we can least afford it.

So I rise in opposition of this amendment, and I urge its defeat.

□ 1415

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

Let me say first that this amendment is not about friendship. We are clearly friends with the People's Republic of China and the people of Taiwan, and let there be no mistake about that. Let me also say that this amendment is not about military exchanges, because they are already authorized under the Taiwan Relations Act.

What this amendment does that is new is requires a higher level of exchanges between high-level military personnel and high-level civilian personnel, which has never, to date, been authorized by any administration.

So I think this is clearly an amendment that is interfering with a very delicate balance that exists with regard to our One China policy. It is opposed by the State Department, it is opposed by the National Security Council members, and employees who work with China. One of them said, "This is unhelpful to the national interest. It could backfire. It works against our purpose."

I urge Members to leave this matter in the hands of our President, to allow him to do this. Never have we required these higher-level visits, which to date have never been approved. I urge opposition to the amendment.

Mr. OBERSTAR. Mr. Chairman, I rise today in opposition to the Ryun/Bordello Taiwan Military Exchange amendment.

Military exchanges can advance our national security when they enhance the military professionalism of an ally and foster important relationships between senior military officials. I

know the value of these exchanges because I served as a civilian language instructor in Haiti where I taught French and Creole at our Navy military mission to U.S. Marines, and also taught English to Haitian military officers and enlisted personnel at the Haitian military academy. As I witnessed in Haiti, our national security is enhanced when our senior officers share their expertise with their colleagues from other nations.

The great difficulty that I have with this amendment is the faulty premise that the United States should develop a military alliance with Taiwan. In my view, the pursuit of closer military ties with Taiwan sends an inflammatory and dangerous message to China that does not promote our national security or stability in this region. The diplomatic ambiguity of the one-China policy has served our nation well. The promotion of military exchanges with Taiwan, however, will destabilize the region and could very well bring us one step closer to hostilities.

I encourage my colleagues to defeat this amendment. Our relationships with China and Taiwan are complex and nuanced, and the region is still tense after the recent Taiwan referendum. At this critical time, we should not take any action that could be interpreted as promoting Taiwan independence. I am greatly concerned, however, that the enactment of the Ryun/Bordello amendment would send a clear, but misguided, signal that will undermine peace.

Mr. TANCREDO. Mr. Chairman, I rise today in strong support of the Ryun amendment.

This amendment seeks to allow for educational exchanges between high level military officials from the Republic of China on Taiwan, and those in our own country. The amendment will help to improve Taiwan's self-defense capabilities, and enhance stability in the region.

The inclusion of this amendment is critical to assist the Republic of China on how best to organize and prioritize their defense needs, and how to integrate new defensive systems. The amendment also seeks how best to accelerate and facilitate existing educational exchange programs by involving more senior participants and reaching broader audiences.

For many years Taiwan has been one of our closest friends in an increasingly dangerous part of the world. Over the last several years, Taiwan has evolved into a pluralistic, free, and democratic society—despite the constant threat of military force from Communist China, and international diplomatic isolation. As members of the growing family of free nations, the people of Taiwan deserve our cooperation and support.

Mr. Chairman, the Republic of China on Taiwan is a free and democratic country, and has been a long-standing ally of the United States for the better part of a century. The passage of this amendment can only serve to enhance that alliance.

I hope that today this House will resist the efforts of the Communist government in Beijing to engineer the defeat of this important amendment, Mr. Chairman, and I hope that in the future we can enact additional measures to improve and enhance our relationship with the government of Taiwan.

The CHAIRMAN pro tempore (Mr. UPTON). All time has expired. The question is on the amendment offered by the gentleman from Kansas (Mr. RYUN).

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

Mr. TURNER of Texas. 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 Kansas (Mr. RYUN) will be postponed.

Mr. HUNTER. 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. BARRETT of South Carolina) having assumed the chair, Mr. UPTON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, and for other purposes, had come to no resolution thereon.

PROVIDING FOR CONSIDERATION OF H.R. 4359, CHILD CREDIT PRESERVATION AND EXPANSION ACT OF 2004

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 644 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 644

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4359) to amend the Internal Revenue Code of 1986 to increase the child tax credit. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

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

Mr. Speaker, H. Res. 644 provides for 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

It also provides for consideration of the amendment in the nature of a substitute printed in the Committee on Rules report accompanying the resolution, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be separately debatable for 1 hour equally divided and controlled by the proponent and an opponent.

Finally, the resolution waives all points of order against the amendment printed in the report and provides one motion to recommit with or without instructions.

Mr. Speaker, in 2001, Congress passed the Economic Growth and Tax Relief Reconciliation Act, which put \$1 trillion back into the pockets of the American people and led to the strong economic recovery we are witnessing today. Without that package, the beating that our economy took as a result of September 11 would have been even more disastrous.

This relief plan expanded the child tax credit initially enacted as part of the Tax Relief Act of 1997, increasing it from \$400 to \$1,000 over 10 years. The jobs and growth package of 2003 accelerated the credit to \$1,000 in 2003 and 2004.

Today's bill, sponsored by my friend, the gentleman from Nevada (Mr. PORTER), addresses the \$1,000 tax credit, which is set to snap back to \$700 in 2005 if we do not act today. In addition, the bill makes the child tax credit permanent and raises the eligibility limits on those who can claim the credit to include more middle-income parents.

Finally, the bill accelerates the refundability of the child tax credit this year to make it available to more of the Americans who need it, low-income families.

Mr. Speaker, tax relief stimulates economic growth. In 1997, unemployment was at 4.9 percent, and the Republican-led Congress passed the Balanced Budget Act. Unemployment fell to 4.5 percent in 1998, 4.2 percent in 1999, and a rock bottom 4 percent in the year 2000.

In 2001, we passed the Taxpayer Relief Act, putting nearly \$1 trillion back into the hands of American families. And given the economic history I will continue with shortly, I am convinced that we would have seen unemployment rates fall even farther. But then September 11 hit, one of the most tragic days in American history. A horrendous loss of life through a murderous act of terrorism; an act that cost our economy trillions.

Unemployment jumped to 5.8 percent in 2002 as millions of Americans lost jobs connected to tourism, services, construction, and the list goes on and on and on. But we knew what to do. We knew how to respond. We knew that simply increasing spending would not lead to long-term viability and sustained recovery. Instead, we had to find a way to put money into the hands of consumers and businesses so they could make smart economic decisions that would begin to rebuild our economy.

So we enacted tax relief. We passed the Jobs and Growth Act to spur spending by American businesses. And after unemployment hit 6 percent in 2003, we saw the positive effects of these cumulative tax cuts begin to take effect. Beginning last November, unemployment steadily began to decrease. So we passed more tax cuts to speed up the process. And you know what happened? Unemployment continued to fall, all the way to 5.6 percent.

Now, some people say that is not good enough. During the so-called tech boom, unemployment was as low as 4 percent. Well, you know what? I agree with them, we must do better. We should always strive to do better. One person unemployed is one too many. And today's bill will do exactly that. It will put \$200 billion directly into the hands of American families, families who also happen to be consumers. And every dollar they spend, whether on a package of diapers, a tank of gas, or a car payment, they will be supporting America's jobs.

At the end of the day, that is what this debate is all about, American jobs. It is all about the cumulative effect of a Republican revolution that started in 1994 and led to strong and steady growth in spite of the horrors of September 11.

Beginning 3 weeks ago, we continued our commitment to strengthening the economy by preventing job-destroying tax hikes, passing permanent extensions of the new 10 percent tax bracket, wiping out the punitive marriage penalty, and relieving many families of the burdensome and unfair Alternative Minimum Tax.

Now we have before us the Child Tax Preservation and Expansion Act of 2004. Once again, this bill will make permanent the \$1,000 child tax credit, preventing an unfair and unreasonable tax increase of \$600 on 30 million taxpayers with 49 million children. After 2010, this bill will prevent a tax hike of \$1,100 on 34 million taxpayers with 59 million children.

Finally, the bill helps our soldiers serving in combat by allowing non-taxable combat pay to be taken into account when calculating the refundable portion of the child tax credit. Currently, such pay is excluded from the calculation when calculating eligibility for the credit, thereby depriving thousands of our soldiers of a portion of the credit.

When we accelerated the child tax credit in 2003, 25 million families received checks totaling \$14 billion. That is right, \$14 billion was given back to consumers to pump into the economy. Imagine what a typical family can do with that kind of money, and \$400 is what each typical family would get, a family with one child.

This bill is an opportunity for parents to spend money on their children, whether it is for a vacation, for an education, for diapers, for groceries, for a swingset. Whatever they want, they will have the money, and they can

make the decisions. And it will also make our workforce more competitive because we will have that many more jobs.

Mr. Speaker, do we support tax relief for families, tax relief that will enable us to save for our children's education, finance a new house, pay for other activities that will continue to strengthen the economy? I do. I think the answer is a clear yes.

A "yes" vote on this rule and the underlying bill is a vote in favor of American families and a vote to spur more economic growth, so I urge a "yes" vote on this rule.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, the Federal Government's financial house is in disarray. In 2001, the Federal Government had historic surpluses in the trillions of dollars. In 2004, those surpluses are gone, replaced by huge deficits.

Last night, by a very small margin, the House of Representatives passed a budget with a deficit of \$367 billion. Let me repeat that: a deficit of \$367 billion. The hole we are in keeps getting deeper and deeper and deeper.

Today, we are considering a measure to make permanent child tax credits. The question is not whether hard-working parents should have tax credits for each of their children. We all agree that they should. The question is whether we are going to do it in a responsible way. Are we going to target tax relief to the middle-class families who need it most, or are we going to give yet another tax break to people who do not need it? Are we going to add to the mounting Federal debt, or are we going to do the right thing and pay for these tax breaks?

Unfortunately, Mr. Speaker, once again the Republicans have chosen to extend tax cuts for the wealthy without paying for them.

□ 1430

As the gentleman from Texas (Mr. EDWARDS) pointed out earlier today, the Republican leadership is giving tax breaks to Members of Congress on the same day that they are freezing education funding for military children and freezing the most important military housing improvement program in American history. It is outrageous. The priorities are all messed up.

The Republican scheme would charge the entire \$228 billion cost to the country's maxed-out credit card to be paid for by the very children the Republicans claim they want to help. By contrast, the Democratic alternative pays for the entire cost of the child tax credits and is targeted to the people who need it most.

Mr. Speaker, more should be done to help the children and families who are struggling to get by. H.R. 4359 does not focus the help where it is needed most. The lowest-income families, earning less than \$10,750, are not helped by this bill at all. In fact, about 70 percent of the tax credits in this bill go to tax filers in the top 20 percent of income earners.

This means that a family with a parent working full time for minimum wage, and that is \$10,300 a year, would get absolutely nothing from this bill. But two-child families earning up to \$250,000 would get an extra \$20,000 in tax breaks over the next 10 years.

Advocates for children and fiscal responsibility alike have expressed their outrage that H.R. 4359 gives the majority of the benefit to wealthier families and adds \$228 billion to the national debt that children will have to pay for. The Washington Post called this bill "bad social policy, bad tax policy and bad fiscal policy."

Mr. Speaker, I urge my colleagues to reject the Republican bill and support the Rangel substitute so working families get the help they need and so their children will not be the ones stuck with the bill.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER), my good friend from the Committee on Rules.

Mr. LINDER. Mr. Speaker, I thank the gentlewoman from Ohio (Ms. PRYCE) for yielding me this time in support of H. Res. 644, the rule providing for the consideration of H.R. 4359, the Child Credit Preservation and Expansion Act of 2004.

Mr. Speaker, this is a modified closed rule which provides that the minority will be able to bring an amendment in the nature of a substitute to the House floor for consideration by the full House. In this respect, H. Res. 644 is in line with the recent history and tradition of the House when debating tax legislation on the floor.

I urge the House to approve this rule in order to give the House the opportunity to consider the merits of the underlying legislation.

With this in mind, I want to commend the gentleman from Nevada (Mr. PORTER) for bringing H.R. 4359 to the floor today. This bill permanently extends the full \$1,000 child tax credit that the Congress and the Bush administration were able to enact in 2001 and 2003.

Failure to get this proposal signed into law means that in 2005 an estimated 34 million families, with approximately 59 million more children, face higher taxes, as the credit is lowered to \$700, and eventually sinks to \$500 in 2011.

Moving this bill into law will make crystal clear to the American people that President Bush and the Republican Congress are committed to protecting the tax relief that we were able

to enact in 2001 and 2003. Anything less than that represents a tax hike. And clearly, based on recent economic reports, a tax hike is exactly what our economy does not need as it continues to grow.

In fact, as Treasury Secretary Snow stated this week, effective monetary and fiscal policies, "of which the President's tax cuts are a part," are enabling the economy to perform very well. This President and this Congress understood that by reducing the tax burden and improving economic incentives, we can boost economic growth and increase the flow of resources into production. That is what has occurred by following the Republican tax relief plan. By removing the heavy burden of government from the backs of small businesses and families, we are creating more economic activity which means more jobs for all Americans and ultimately more revenues to the Treasury.

We need to permanently extend this tax credit for American families, and I hope my colleagues on both sides of the aisle will join me in supporting this bill's passage and enactment into law.

Mr. Speaker, I urge my colleagues to join me in supporting this rule so we may proceed to consider the underlying legislation.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO), a champion of this cause.

Mrs. CAPITO. Mr. Speaker, I rise today as a proud co-sponsor of H.R. 4359. Last year, this House increased the child tax credit by \$400 per child. This increase from \$600 to \$1,000 per child has benefited families across the country.

Under current law, however, the child tax credit is scheduled to decrease to \$700 per child in 2005, increase to \$800 in 2009, return to \$1,000 in 2010, and fall to \$500 in 2011.

Mr. Speaker, if parents are to take advantage of this tax credit to purchase new clothes, school supplies, or a new computer for their child, or to invest in their child's future, they need to know that these tax cuts are not here today and gone tomorrow.

This legislation corrects the problem in existing law and makes the \$1,000 child tax credit permanent. When the underlying legislation we are considering today becomes law, parents will know from year to year the amount of money they have for their children.

The President's jobs and growth plan has helped to get our economy back on track. Over 500,000 jobs have been created in just the last 2 months. We must continue the tax cuts we passed last year to benefit American families and the American economy.

This bill is another step forward. I urge my colleagues to join me in supporting this rule and in supporting the underlying legislation.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, we are here today in the name of American families, to support our children and to support our children's future educational opportunities. I am not only a father, but a former teacher. This is about more than a tax credit. This is about working to expand relief to a greater number of families and to make sure those families who already benefit from the child tax credit continue to be able to do so and are not forced to face a tax increase next year.

In my home State of New Jersey, 1.4 million children benefit from the child tax credit; 1.4 million children in New Jersey benefit from the child tax credit, and over 100,000 of those children live in the congressional district I have the privilege of representing.

I want to be able to look their parents in the eye and tell them I am doing everything in my power to help them save for their children's future, their children's college fund. I want to tell them that even more children will benefit in the upcoming years. I want to be able to, in good faith, promise them that no matter what, we will help the American family in the best and worst times of the economy.

This bill will allow me and all of us to do just that. The Child Credit Preservation and Expansion Act of 2004 makes the child tax credit permanent at \$1,000 a child. If Democrats had their way, this credit would decline and then vanish in the year 2010. We will not let that happen. This bill allows a greater number of families to benefit nationwide. In addition to the 1 million families already receiving relief in New Jersey, additional families will become eligible for the credit. A greater number of joint filers and single parents will be able to use this money to save for their children's education and build for their future.

Mr. Speaker, it is important to know we put as much money as possible into the hands of American parents to be able to provide for their kids. Every dollar we allow them to save is a dollar toward a better life for their kids. A vote today to help American children is what we need to do. Vote today to make the child tax credit permanent.

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

Mr. Speaker, I would like to say to the previous speaker that we do not have any problem, in fact we support and we have been a champion of the child tax credit. What we have a problem with is the fact that they do not want to pay for it. What we have a problem with is the other side of the aisle is adding \$228 billion to the debt that is being passed on to our kids.

Mr. Speaker, how does the other side go home and say I am helping children and families of our country when essentially they are just adding to the national debt? That is irresponsible. This is the most fiscally irresponsible Congress, this is the most fiscally irresponsible President in the history of our country. It is great to get up and

talk about tax relief, it is great to get up and do all of these wonderful press releases, but when it is not paid for, it is just added to the debt. That is wrong.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

I wish we would have an opportunity to work together on issues that impact all of our families across the Nation. Mr. Speaker, whenever I am in my congressional district in Houston, young mothers come up to me about their needs as relates to child care.

In fact, we could estimate the number of young mothers, single parents and of course families who are in need of child care is probably growing exponentially on a continuum. Our children are in need of care.

It is unfortunate that we would extend this child tax credit and make it permanent and add \$228 billion as part of the increasing deficit, and we do

nothing to expand the actual resources that go into child care.

I am a proponent of a tax credit; but I believe it should be paid for, and it also has to be reasonable, given to those who can utilize it because they have no other resources. While we are spending \$228 billion by putting us further in debt, we are actually not creating child care facilities that can help the thousands upon thousands and millions of parents around the Nation who in fact do not have the ability to have children in their homes, but need the actual facilities which are in fact decreasing by the day because they do not have the resources.

So if my message is anything today it is that, one, child care should be bipartisan; and the tax credit should work, meaning it should be paid for. The income level should not be extended; low-income parents should be included and embraced. And then we need to answer the question when these parents come up to us in our congressional district, where can they go to take their children? Where are the child care facilities and where are the resources to support the child care facilities, and those that are both li-

censed and good and careful and caring for the children, and provide educational resources? Where are the dollars for Head Start that is a form of child care as we have seen the number of grown people who are products of Head Start? We are decreasing Head Start. Yet we go \$228 billion in debt rather than provide a tax credit that the Rangel substitute provides that answers all of our concerns.

I am disappointed this is not a bipartisan effort because I want the message from the United States Congress to be that we have concerns about child care and the needs that parents have in this particular credit.

In particular, as a woman who faced that question on a daily basis in raising her own children, and I know men have as well, it is a disappointment that we cannot be unified around this particular question. I ask my colleagues to support the Rangel substitute, I ask that we not go into debt, and I state that our number one question is to provide child care facilities, in urban and rural areas, where families can actually take advantage of them. Our job is not yet finished on that need!

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BALLANCE (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. LOFGREN (at the request of Ms. PELOSI) for today after 6:00 p.m. on account of a family commitment.

Mr. MCINTYRE (at the request of Ms. PELOSI) for today after 5:00 p.m. on account of family medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. SCHIFF, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Mr. KLINE) to revise and extend their remarks and include extraneous material:)

Mr. DREIER, for 5 minutes, today.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. KLINE, for 5 minutes, today.

Mr. HASTERT, for 5 minutes, today.

Mr. BACHUS, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 213. An act to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes, to the Committee on Resources.

S. 524. An act to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes, to the Committee on Resources.

S. 943. An act to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming, to the Committee on Resources.

S. 960. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in

the State of Hawaii and to amend the Hawaii Water Resources Act of 2000 to modify the water resources study, to the Committee on Resources.

S. 1107. An act to enhance the Recreational Fee Demonstration Program for the National Park Service, and for other purposes, to the Committee on Resources.

S. 1576. An act to revise the boundary of Harpers Ferry National Historical Park, and for other purposes, to the Committee on Resources.

S. 1577. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming, to the Committee on Education and the Workforce.

S. 2178. An act to make technical corrections to laws relating to certain units of the National Park System and to National Park programs, to the Committee on Resources.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 408. An act to provide for expansion of Sleeping Bear Dunes National Lakeshore.

H.R. 708. An act to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

H.R. 856. An act to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes.

H.R. 1598. An act 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.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on May 20, 2004 he presented to the President of the United States, for his approval, the following bills.

H.R. 923. To amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve.

H.R. 3104. To provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom.

ADJOURNMENT

Mr. TIAHRT. Mr. Speaker, pursuant to House Concurrent Resolution 432, 108th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 432 of the 108th Congress, the House stands adjourned until 2 p.m. Tuesday, June 1, 2004.

Thereupon (at 10 o'clock and 4 minutes p.m.), pursuant to House Concurrent Resolution 432, the House adjourned until Tuesday, June 1, 2004, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8226. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Importation of Orchids of the Genus *Phalaenopsis* From Taiwan in Growing Media [Docket No. 98-035-5] (RIN: 0579-AB75) received May 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8227. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Veterinary Diagnostic Services User Fees [Docket No. 00-024-2] (RIN: 0579-AB22) received May 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8228. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Pine Shoot Beetle; Additions to Quarantined Areas [Docket No. 03-102-2] received May 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8229. A letter from the Regulatory Contact, Grain Inspection, Packers and Stockyard Administration, Department of Agriculture, transmitting the Department's final rule—Fees for Official Inspection and Official Weighing Services (RIN: 0580-AA80) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8230. A letter from the Congressional Review Coordinator, APHIS, Department of Homeland Security, transmitting the Department's final rule—Karnal Bunt; Compensation for Custom Harvesters in Northern Texas [Docket No. 03-052-1] received May 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8231. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Isoxadifen-ethyl; Pesticide Tolerance [OPP-2004-0093; FRL-7355-8] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8232. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Indoxacarb; Time-Limited Pesticide Tolerance [OPP-2004-0130; FRL-7359-1] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8233. A letter from the Secretary, Department of State, transmitting the 2003 Annual Report on United Nations voting practices, pursuant to 22 U.S.C. 2414a; to the Committee on Appropriations.

8234. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District, Monterey Bay Unified Air Pollution Control District, and Ventura County Air Pollution Control District [CA 169-0440a; FRL-7665-2] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8235. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California and Nevada State Implementation Plans, Ventura County Air Pollution Control District and Clark County Department of Air Quality Management [CA 151-0449a; FRL-7660-6] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8236. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Failure to Submit Required State Implementation Plan Revision for the Metropolitan Washington, DC Ozone Non-attainment Area; Maryland [MD168-3110; FRL-7665-6] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8237. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Illinois [IL221-1a; FRL-7657-8] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8238. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Enhanced Inspection and Maintenance Program [Region II Docket No. NJ68-275; FRL-7661-1] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8239. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN 140-4a; FRL-7658-9] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8240. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final

rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; The 2005 ROP Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Trenton Severe Area Sever 1-Hour Ozone Nonattainment Area: [PA213-4026; FRL-7663-7] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8241. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Missouri Update to Materials Incorporated by Reference [MO-194-1194; FRL-7658-5] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8242. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective April 18, 2004, the 15% Danger Pay Allowance for Sierra Leone was terminated based on improved security conditions and the fact that warfare conditions have ceased, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

8243. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective March 7, 2004, a 15% Danger Pay Allowance for Haiti has been established based on the threat of attacks on U.S. facilities endangering the lives of U.S. Government civilians, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

8244. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning Cuban emigration policies, pursuant to Public Law 105-277, section 2245; to the Committee on International Relations.

8245. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Pursuant to the Anti-Economic Discrimination Act of 1994, part C of Title V, Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, as amended (Public Law 103-236), the Secretary's determination suspending prohibitions on certain sales and leases under the Anti-Economic Discrimination Act of 1994 and the accompanying Memorandum of Justification; to the Committee on International Relations.

8246. A letter from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's quarterly financial statement, prepared by the U.S. General Services Administration; to the Committee on Government Reform.

8247. A letter from the Acting Assistant Secretary of the Army for Financial Management and Comptroller, Department of Defense, transmitting a report on the Army's Annual Financial Statement for FY 2003; to the Committee on Government Reform.

8248. A letter from the Inspector General, Department of Homeland Security, transmitting notice that in compliance with the Accountability of Tax Dollars Act of 2002, the Office of Inspector General has initiated the audit of the Department of Homeland Security's consolidated financial statements as of and for the year ending September 30, 2004; to the Committee on Government Reform.

8249. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting pursuant to Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act (No Fear Act), the Department's annual report; to the Committee on Government Reform.

8250. A letter from the President, Federal Financing Bank, transmitting the Annual Management Report of the Federal Financing Bank for fiscal year 2003, pursuant to 31

U.S.C. 9106; to the Committee on Government Reform.

8251. A letter from the Senior Vice President, Tennessee Valley Authority, transmitting the Authority's first annual report, pursuant to Public Law 107-174, section 203(a); to the Committee on Government Reform.

8252. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States, held in Washington D.C., on September 23, 2003, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

8253. A letter from the Secretary to the Council, Council of the District of Columbia, transmitting a copy of Council Resolution 15-514, "Sense of the Council on Opposing a Constitutional Marriage Amendment Resolution of 2004," pursuant to D.C. Code section 1-233(c)(1); to the Committee on the Judiciary.

8254. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report on Denial of Visas to Confiscators of American Property, pursuant to Public Law 105-277, section 8; to the Committee on the Judiciary.

8255. A letter from the Secretary, Department of Homeland Security, transmitting as conducted by the United States Coast Guard, a report on Safety Management Code Report & Policy, pursuant to Public Law 105-383, section 306; to the Committee on Transportation and Infrastructure.

8256. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Chesapeake Bay, Hampton Roads, Elizabeth River, VA. [CGD05-04-081] (RIN: 1625-AA00) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8257. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Metro North Railroad Bridge over the Norwalk River, Norwalk, Connecticut [CGD01-04-035] (RIN: 1625-AA00) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8258. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security and Safety Zone; M/V Spirit of Ontario, Lake Ontario, NY [CGD09-04-012] (RIN: 1625-AA00) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8259. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; McCellan-Kerr Arkansas River Mile 307 to 309.5, Fort Smith, AR [COTP Memphis-04-002] (RIN: 1625-AA00) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8260. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Transit of Rig Pride Portland, Portland, Maine [CGD01-04-040] (RIN: 1625-AA00) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8261. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Snake River, Burbank, WA [CGD13-04-004] received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8262. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Illinois Waterway, Joliet, IL [CGD08-04-016] (RIN: 1625-AA09) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8263. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Stono River, mile 11.0 at Johns Island, SC. [CGD07-04-021] (RIN: 1625-AA09) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8264. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Newtown Creek, Dutch Kills, English Kills, and their tributaries, NY. [CGD01-04-039] received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8265. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Galveston, TX. [CGD08-04-017] received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8266. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Loxahatchee River, Palm Beach County, FL [CGD07-04-019] received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8267. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Mare Island Strait, Napa River, Vallego, CA. [CGD11-03-006] (RIN: 1625-AA09) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8268. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, miles 1062.6 and 1064.0 in Fort Lauderdale, Broward County, FL. [CGD07-03-166] (RIN: 1625-AA09) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8269. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Regulated Navigation Area; USCG Station Port Huron, Port Huron, Michigan, Lake Huron [CGD09-03-287] (RIN: 1625-AA11) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8270. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Coast Guard Station Fire Island, Fire Island, NY [CGD01-03-025] (RIN: 1625-AA00) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8271. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Update of Rules on Aids to Navigation Affecting Buoys, Sound Signals, International Rules at Sea, Commu-

nications Procedures, and Large Navigational Buoys [USCG-2001-10714] (RIN: 1625-AA34) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8272. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Capital Asset Realignment for Enhanced Services (CARES) Decision, pursuant to Public Law 108-170, section 222; to the Committee on Veterans' Affairs.

8273. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's FY 2001 report entitled, "Implementation of the Waste Isolation Pilot Plant Land Withdrawal Act" required under Section 23(a)(2) of the Act; jointly to the Committees on Energy and Commerce and Armed Services.

8274. A letter from the Secretary, Department of Labor, transmitting the Department's report on the Office of Workers' Compensation Programs' administration of the Energy Employees Occupational Illness Compensation Program Act of 2002 (EEOICPA) analyzing claims for benefits under the EEOICPA that have been either accepted or denied through December 31, 2003, pursuant to Public Law 108-136, section 3134; jointly to the Committees on the Judiciary and Education and the Workforce.

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. HUNTER: Committee on Armed Services. Supplemental report on H.R. 4200. A bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, and for other purposes (Rept. 108-491 Pt. 2).

Mr. SENSENBRENNER: Committee on the Judiciary. S. 1301. An act to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes; with an amendment (Rept. 108-504). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1678. A bill to amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes; with an amendment (Rept. 108-505). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2991. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional recycling project and in the Cucamonga County Water District recycling project (Rept. 108-506). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3378. A bill to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries (Rept. 108-507). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1014. A bill to require Federal land managers to support, and to communicate, coordinate, and cooperate with, designated gateway communities, to improve the ability of gateway communities to participate in Federal land management planning conducted by the Forest Service and agencies of

the Department of the Interior, and to respond to the impacts of the public use of the Federal lands administered by these agencies, and for other purposes; with an amendment (Rept. 108-508 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3846. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land; with an amendment (Rept. 108-509 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3504. A bill to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education (Rept. 108-510 Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 3874. A bill to convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal; with an amendment (Rept. 108-512). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2966. A bill to preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes; with an amendment (Rept. 108-513 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration of H.R. 3247.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. POMBO: Committee on Resources. H.R. 3247. A bill to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies, the clarify the purposes for which collected fines may be used, and for other purposes, with an amendment; referred to the Committee on the Judiciary for a period ending not later than June 30, 2004, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X (Rept. 108-511, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2966. Referral to the Committee on Agriculture extended for a period ending not later than June 30, 2004.

H.R. 3247. Referral to the Committee on Agriculture extended for a period ending not later than May 20, 2004.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GINGREY (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. ISAKSON, Mr. TIBERI, and Mr. WILSON of South Carolina):

H.R. 4409. A bill to reauthorize title II of the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. ISAKSON, Mr. GREENWOOD, Mr. EHLERS, Mr. PLATTS, Mr. TIBERI, Mr. KELLER, Mr. COLE, Mr. PORTER, Mr. BAKER, Mr. BRADLEY of New Hampshire, Ms. GINNY BROWN-WAITE of Florida, Mr. FATTAH, Mr. GARRETT of New Jersey, Mr. GRAVES, Mr. HOBSON, Mr. JENKINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KOLBE, Mr. NUNES, Mr. SHIMKUS, Mr. SIMMONS, Mr. SOUDER, and Mrs. WILSON of New Mexico):

H.R. 4410. A bill to increase the amount of student loans that may be forgiven for highly qualified teachers in mathematics, science, and special education and for reading specialists; to the Committee on Education and the Workforce.

By Mr. BURNS (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. ISAKSON, Mr. UPTON, Mr. WILSON of South Carolina, and Mr. COLE):

H.R. 4411. A bill to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 4412. A bill to amend the Clayton Act to clarify the application of the antitrust laws in the telecommunications industry; to the Committee on the Judiciary.

By Mr. TERRY (for himself, Mr. GREEN of Texas, Mr. SULLIVAN, and Mr. NUNES):

H.R. 4413. A bill to require certain terms and conditions for the siting, construction, expansion, and operation of liquefied natural gas import terminals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida (for himself, Mr. TURNER of Texas, Mr. THOMPSON of Mississippi, Ms. LORETTA SANCHEZ of California, Mr. MARKEY, Mr. DICKS, Mr. FRANK of Massachusetts, Mr. ANDREWS, Ms. NORTON, Ms. LOFGREN, Ms. MCCARTHY of Missouri, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. LANGEVIN, Mr. SANDLIN, Mr. MATSUI, Mr. SKELTON, Mr. HASTINGS of Florida, Mr. GREEN of Texas, Mrs. CAPPS, Mr. NADLER, Ms. ROYBAL-AL-LARD, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MALONEY, Mr. WYNN, and Ms. KILPATRICK):

H.R. 4414. A bill to require designation of a senior official within the Office of Management and Budget as the Chief Privacy Officer, and for other purposes; to the Committee on Government Reform.

By Mr. HYDE:

H.R. 4415. A bill to amend the Immigration and Nationality Act to eliminate the "specialized knowledge" basis for obtaining non-immigrant status as an intracompany transferee, to impose an annual numerical limitation on nonimmigrant visas for such transferees, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EHLERS:

H.R. 4416. A bill to establish the Great Lakes Protection and Restoration Committee; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. HYDE, Mr. LANTOS, Mr. COX, Mr. HOSTETTLER, and Ms. JACKSON-LEE of Texas):

H.R. 4417. A bill to modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. RANGEL, Mr. SHAW, Mr. LEVIN, and Mr. RAMSTAD):

H.R. 4418. A bill to authorize appropriations for fiscal years 2005 and 2006 for the Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DICKS (for himself, Ms. HOOLEY of Oregon, Mr. MATHESON, and Mr. DEFazio):

H.R. 4419. A bill making emergency supplemental appropriations for fiscal year 2004 for wildland firefighting costs; to the Committee on Appropriations.

By Mr. SMITH of New Jersey (for himself, Mr. HYDE, Mrs. JO ANN DAVIS of Virginia, Mr. ALEXANDER, Mr. PITTS, Mrs. MYRICK, Mr. SOUDER, Mr. BURGESS, Mr. LINCOLN DIAZ-BALART of Florida, Ms. ROS-LEHTINEN, Mr. ADERHOLT, Mr. TIAHRT, Mr. CRANE, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, Mr. ISTOOK, Mr. AKIN, Mr. STEARNS, Mr. RENZI, Mr. SHIMKUS, Mr. PENCE, Mr. DEMINT, Mr. COLLINS, Mr. BRADY of Texas, Mr. KING of Iowa, Mr. TANCREDO, Mr. RYUN of Kansas, and Mr. TOOMEY):

H.R. 4420. A bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child; to the Committee on Energy and Commerce.

By Mr. OBEY:

H.R. 4421. A bill making appropriations for the Environmental Protection Agency for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations, 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. OBEY:

H.R. 4422. A bill making appropriations for the Departments of Agriculture, Education, Health and Human Services, and Transportation for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations, 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. EDWARDS:

H.R. 4423. A bill making appropriations for the Department of Veterans Affairs for the

fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations, 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. EDWARDS:

H.R. 4424. A bill making appropriations for military construction and family housing for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations, 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. FILNER:

H.R. 4425. A bill to amend title 10, United States Code, to provide for the Purple Heart to be awarded to prisoners of war who die in captivity under circumstances not otherwise establishing eligibility for the Purple Heart; to the Committee on Armed Services.

By Mr. BACHUS (for himself, Mr. TANCREDO, and Ms. ROS-LEHTINEN):

H.R. 4426. A bill to prohibit certain entities from trading in capital markets in the United States; to the Committee on International Relations.

By Mr. BISHOP of New York (for himself, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. CROWLEY, Mr. NADLER, Mr. WEINER, Mr. TOWNS, Mr. OWENS, Ms. VELAZQUEZ, Mr. FOSSELLA, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mrs. KELLY, Mr. SWEENEY, Mr. McNULTY, Mr. HINCHEY, Mr. McHUGH, Mr. BOEHLERT, Mr. WALSH, Mr. REYNOLDS, Mr. QUINN, Ms. SLAUGHTER, and Mr. HOUGHTON):

H.R. 4427. A bill to designate the facility of the United States Postal Service located at 73 South Euclid Avenue in Montauk, New York, as the "Perry B. Duryea, Jr. Post Office"; to the Committee on Government Reform.

By Mr. BLUNT:

H.R. 4428. A bill to extend trade benefits to certain tents imported into the United States; to the Committee on Ways and Means.

By Ms. BORDALLO:

H.R. 4429. A bill to amend subchapter IV of chapter 53 of title 5, United States Code, to provide for wage parity for prevailing rate employees in Guam; to the Committee on Government Reform.

By Mr. CHOCOLA (for himself, Mr. AKIN, Mr. BARRETT of South Carolina, Mr. BEAUPREZ, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. CARTER, Mr. COLE, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEMINT, Mr. FLAKE, Mr. HENSARLING, Mr. HOEKSTRA, Mr. JONES of North Carolina, Mrs. KELLY, Mr. KING of Iowa, Mr. KLINE, Mr. LEWIS of Kentucky, Mrs. MILLER of Michigan, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NEUGEBAUER, Mrs. NORTHUP, Mr. NORWOOD, Mr. PAUL, Mr. PEARCE, Mr. PENCE, Mr. PITTS, Mr. SHADEGG, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SULLIVAN, Mr. TANCREDO, Mr. TOOMEY, and Mr. WELDON of Florida):

H.R. 4430. A bill to amend chapter 85 of title 28, United States Code, to provide for greater fairness in legal fees payable in civil diversity litigation after an offer of settlement; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. LAMPSON, Mr. CARDOZA, and Mr. DAVIS of Tennessee):

H.R. 4431. A bill to provide for competitive grants for the establishment and expansion of programs that use networks of public, private, and faith-based organizations to recruit and train foster and adoptive parents and provide support services to foster children and their families; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself and Mr. PAUL):

H.R. 4432. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia (for himself, Mr. WAXMAN, Mr. PLATTS, and Mr. MEEHAN):

H.R. 4433. A bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products; to the Committee on Energy and Commerce.

By Ms. DELAURO:

H.R. 4434. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DELAURO:

H.R. 4435. A bill to amend the Internal Revenue Code of 1986 to provide for a refundable wage differential credit for activated military reservists; to the Committee on Ways and Means.

By Mr. DEUTSCH (for himself and Mr. HASTINGS of Florida):

H.R. 4436. A bill to reform and improve certain housing programs of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mr. DINGELL (for himself, Mr. RANGEL, Mr. WAXMAN, Mr. STARK, Mr. BROWN of Ohio, Ms. PELOSI, Mr. MARKEY, Mr. TOWNS, Mr. PALLONE, Mr. RUSH, Mr. STUPAK, Mr. ENGEL, Mr. WYNN, Ms. MCCARTHY of Missouri, Mr. STRICKLAND, Mrs. CAPPS, Mr. JOHN, Mr. ALLEN, Mr. DAVIS of Florida, Mr. BECERRA, Mr. McNULTY, Mr. DOGGETT, Mr. MATSUI, Mr. SANDLIN, and Mr. DEUTSCH):

H.R. 4437. A bill to amend part D of title XVIII of the Social Security Act to provide for low-income beneficiaries in the Medicare savings programs automatic enrollment and eligibility for low-income subsidies under the Medicare transitional and permanent prescription drug programs; 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. EMANUEL (for himself, Mr. EVANS, Mr. EDWARDS, Mr. STRICKLAND, Mr. PETERSON of Minnesota, Mr. FILNER, Mr. GUTIERREZ, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. BOSWELL, Mr. SANDLIN, Mr. McDERMOTT, Mr. SCHIFF, Mr. BALLANCE, and Mr. RODRIGUEZ):

H.R. 4438. A bill to amend title 38, United States Code, to extend from two years to five years the eligibility of veterans who served in recent hostilities for hospital care, medical services, and nursing home care for any illness; to the Committee on Veterans' Affairs.

By Mr. FLAKE (for himself, Mr. GRIJALVA, Mr. KOLBE, Mr. PASTOR, Mr. SHADEGG, Mr. HAYWORTH, Mr. FRANKS of Arizona, and Mr. RENZI):

H.R. 4439. A bill to require the release of the reversionary interest retained by the United States in connection with the conveyance of portions of former Williams Air Force Base, Arizona, to Arizona State University and Maricopa County Community College District; to the Committee on Education and the Workforce.

By Mr. GALLEGLY (for himself, Mr. HOSTETTLER, and Mr. SMITH of Texas):

H.R. 4440. A bill to amend the Immigration and Nationality Act to render proof of possession by an alien of a consular identification card issued by a foreign mission prima facie evidence that the alien is deportable, to render inadmissible for 10 years any alien who is unlawfully present in the United States and presents such a card to satisfy a Federal identification-related requirement, and for other purposes; to the Committee on the Judiciary.

By Mr. GERLACH:

H.R. 4441. A bill to reform and improve the rental housing voucher program under section 8 of the United States Housing Act of 1937; to the Committee on Financial Services.

By Mr. GIBBONS (for himself, Mr. PORTER, and Ms. BERKLEY):

H.R. 4442. A bill to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site, and for other purposes; to the Committee on Government Reform.

By Mr. HEFLEY (for himself, Mr. SIMPSON, Mr. UDALL of Colorado, and Mr. DUNCAN):

H.R. 4443. A bill to amend the National Historic Preservation Act to extend the authorization of appropriations for the historic preservation fund; to the Committee on Resources.

By Mr. PORTER (for himself, Mr. BOEHLER, Mr. MCKEON, and Mr. TIAHRT):

H.R. 4444. A bill to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts pilot grant program to assist Americans in returning to work; to the Committee on Education and the Workforce.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. EDWARDS, Mr. CLAY, Ms. LEE, Mr. LEWIS of Georgia, Mrs. JONES of Ohio, Mr. BALLANCE, Mr. DAVIS of Illinois, Mr. SCOTT of Virginia, Ms. KILPATRICK, Mr. HASTINGS of Florida, Mr. BISHOP of Georgia, Mr. WYNN, Mr. CONYERS, Mr. RANGEL, Ms. CARSON of Indiana, and Mrs. CHRISTENSEN):

H.R. 4445. A bill to waive the time limitation specified by law for the award of certain military decorations in order to allow the posthumous award of the Congressional Medal of Honor to Doris Miller for actions while a member of the Navy during World War II; to the Committee on Armed Services.

By Ms. KAPTUR (for herself and Mr. WALSH):

H.R. 4446. A bill to amend the Farm Security and Rural Investment Act of 2002 to reform funding for the Seniors Farmers' Market Nutrition Program, and for other purposes; to the Committee on Agriculture.

By Mr. KOLBE:

H.R. 4447. A bill to revise the boundary of the Fort Bowie National Historic Site, and for other purposes; to the Committee on Resources.

By Ms. LEE (for herself, Mr. PALLONE, Mr. LEACH, and Mr. CROWLEY):

H.R. 4448. A bill to require the President to seek the establishment of an international

commission for monitoring the treatment of persons in United States custody in Iraq; to the Committee on International Relations.

By Ms. LEE (for herself, Mr. PALLONE, Mr. LEACH, Mr. LANTOS, Mr. CROWLEY, Mr. MCDERMOTT, and Mr. BROWN of Ohio):

H.R. 4449. A bill to provide assistance to combat HIV/AIDS in the Republic of India, and for other purposes; to the Committee on International Relations.

By Mr. LEVIN (for himself, Mr. GUTIERREZ, Ms. KAPTUR, Mr. MCNULTY, Mr. KNOLLENBERG, Mr. KUCINICH, Mr. OLVER, Mr. WELDON of Pennsylvania, Mr. PAYNE, Mr. KILDEE, Mr. DAVIS of Illinois, Mr. HINCHEY, and Mr. QUINN):

H.R. 4450. A bill to authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the Ukrainian famine-genocide of 1932-1933; to the Committee on Resources.

By Mr. MCKEON:

H.R. 4451. A bill to amend the Harmonized Tariff Schedule of the United States to correct the definition of certain non-knit gloves designed for use in sports; to the Committee on Ways and Means.

By Mr. MEEKS of New York:

H.R. 4452. A bill to require funds made available to each Federal department and agency for United States development or humanitarian assistance programs to be made available to foreign countries through the activities of United States organizations or businesses that are owned or controlled by naturalized United States citizens, or aliens lawfully admitted for permanent residence, who are from those foreign countries; to the Committee on International Relations.

By Mr. MORAN of Kansas:

H.R. 4453. A bill to improve access to physicians in medically underserved areas; to the Committee on the Judiciary.

By Mr. NETHERCUTT:

H.R. 4454. A bill to amend title 18, United States Code, to protect and promote the public safety and interstate commerce by establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive, and destructive conduct that is intended to injure, intimidate, or interfere with plant or animal enterprises, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Science, 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. NORTON:

H.R. 4455. A bill to prohibit discrimination on the basis of certain factors with respect to any aspect of a surety bond transaction; to the Committee on the Judiciary.

By Mr. OBEY:

H.R. 4456. A bill to require labeling of raw agricultural forms of ginseng, including the country of harvest; to the Committee on Agriculture.

By Mr. OTTER (for himself, Mr. FLAKE, Mr. DELAHUNT, Mr. NETHERCUTT, Mr. FARR, and Mr. MCGOVERN):

H.R. 4457. A bill to require congressional renewal of trade and travel restrictions on Cuba; to the Committee on International Relations, and in addition to the Committees on Rules, Ways and Means, Energy and Commerce, Financial Services, and Agriculture, 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. PALLONE (for himself, Ms. PELOSI, Mr. RANGEL, Mr. DINGELL, Mr. WAXMAN, Mr. STARK, Mr. BROWN

of Ohio, Mr. MENENDEZ, Mr. MATSUI, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. NEAL of Massachusetts, Mr. SANDLIN, Mrs. JONES of Ohio, Mr. PASCRELL, Mr. BERRY, Mr. DOGGETT, Mr. DAVIS of Florida, Mr. CARDIN, Mr. ALLEN, Mr. STUPAK, Ms. SOLIS, Mr. STRICKLAND, Mr. RUSH, Ms. MCCARTHY of Missouri, Mr. WYNN, Mrs. CAPPS, and Mr. GREEN of Texas):

H.R. 4458. A bill to require the repayment of appropriated funds that are illegally disbursed for political purposes by the Centers for Medicare and Medicaid Services; to the Committee on House Administration, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO:

H.R. 4459. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes; to the Committee on Resources.

By Mr. RENZI (for himself, Mr. UDALL of New Mexico, and Mr. MATHESON):

H.R. 4460. A bill to fulfill the United States Government's trust responsibility to serve the educational needs of the Navajo people; to the Committee on Education and the Workforce.

By Mr. RENZI:

H.R. 4461. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona; to the Committee on Resources.

By Mr. SANDLIN (for himself and Mr. OBEY):

H.R. 4462. A bill making appropriations for homeland security programs within the Departments of Energy, Health and Human Services, and Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations.

By Mr. SERRANO (for himself, Mr. CROWLEY, and Mr. ENGLER):

H.R. 4463. A bill to provide for identification of members of the Armed Forces exposed during military service to depleted uranium, to provide for health testing of such members, and for other purposes; to the Committee on Armed Services.

By Mr. SIMMONS:

H.R. 4464. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Education and the Workforce.

By Mr. STENHOLM:

H.R. 4465. A bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to certified or licensed teachers; to the Committee on Education and the Workforce.

By Mr. TANCREDO:

H.R. 4466. A bill to amend the Endangered Species Act of 1973 to exclude the Preble's Meadow Jumping Mouse from lists of endangered species and threatened species published under that Act; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Mr. DAVIS of Tennessee, Mr. STENHOLM, Mr. HILL, Mr. BERRY, Mr. CASE, Mr. ROSS, Mr. HOLDEN, Mr. MOORE, and Mr. SCHIFF):

H.R. 4467. A bill to establish reporting requirements relating to funds made available for military operations in Iraq or for the re-

construction of Iraq, and for other purposes; to the Committee on Armed Services, 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. VISCLOSKEY (for himself, Mr. ACEVEDO-VILA, Mr. GRIJALVA, Mr. MCDERMOTT, Mr. TOWNS, Mr. LYNCH, and Mr. SANDLIN):

H.R. 4468. A bill to amend title 38, United States Code, and title 10, United States Code, to provide for an opportunity for active duty personnel to withdraw an election not to participate in the program of educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed 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 Ms. WOOLSEY (for herself, Mr. ABERCROMBIE, Mr. BECERRA, Mr. BERMAN, Ms. BORDALLO, Mr. CASE, Mr. CROWLEY, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. LANTOS, Ms. LEE, Ms. LOFGREN, Mr. MATSUI, Mr. MCDERMOTT, Mrs. NAPOLITANO, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. TOWNS, and Mr. WU):

H.R. 4469. A bill to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California; to the Committee on Resources.

By Mr. DELAY:

H. Con. Res. 432. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. LANTOS (for himself, Mr. CROWLEY, Mr. ACKERMAN, Mr. WILSON of South Carolina, Mr. PAYNE, Mr. MEEKS of New York, Mr. FALBOMAVAEGA, Ms. MCCARTHY of Missouri, Mr. SCHIFF, Mr. GARRETT of New Jersey, Mr. BROWN of Ohio, Mr. PALLONE, Mr. ABERCROMBIE, Ms. ROSLEHTINEN, Mr. DOGGETT, Mr. MCDERMOTT, Ms. SOLIS, Mr. TIERNEY, Mr. BERMAN, Ms. MILLENDER-MCDONALD, Mr. MCNULTY, Ms. LEE, Mr. ENGEL, and Mr. MCCOTTER):

H. Con. Res. 433. Concurrent resolution congratulating the Republic of India on the conduct of its recent democratic national elections; to the Committee on International Relations.

By Mr. FILNER:

H. Con. Res. 434. Concurrent resolution commending the persons who were inducted for service in the United States Armed Forces during World War II; to the Committee on Armed Services.

By Mrs. LOWEY (for herself, Mr. MCNULTY, Mr. ALLEN, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. LANGEVIN, Mr. MEEHAN, and Ms. MCCOLLUM):

H. Con. Res. 435. Concurrent resolution supporting the goals and ideals of National Celiac Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAYNE (for himself, Mr. MEEKS of New York, Mr. RANGEL, Mr. ROYCE, and Mr. LANTOS):

H. Con. Res. 436. Concurrent resolution celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country; to the Committee on International Relations.

By Mr. ROHRABACHER (for himself and Mr. RYUN of Kansas):

H. Con. Res. 437. Concurrent resolution expressing the sense of the Congress that the President of the United States should request Taiwan's President Chen Shui-bian to deploy Taiwanese Marines to Iraq to join international Coalition forces in the global war on terrorism; to the Committee on International Relations.

By Mr. VAN HOLLEN (for himself, Mr. MURPHY, and Mrs. MALONEY):

H. Con. Res. 438. Concurrent resolution recognizing and honoring the crew of the U.S.S. Pittsburgh for their heroism in March 1945 for rendering aid and assistance to the U.S.S. Franklin and its crew; to the Committee on Armed Services.

By Mr. HASTERT (for himself, Mr. DELAY, and Ms. PELOSI):

H. Res. 651. A resolution expressing the gratitude of the House of Representatives to its Parliamentarian, the Honorable Charles W. Johnson, III; considered and agreed to.

By Mr. BEREUTER (for himself and Mr. WEXLER):

H. Res. 652. A resolution urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004; to the Committee on International Relations.

By Mr. HALL (for himself, Mr. BURGESS, Mr. NEUGEBAUER, Mr. SESSIONS, Mr. CARTER, Mr. BRADY of Texas, Mr. HENSARLING, Ms. GRANGER, Mr. STENHOLM, Mr. BONILLA, Mr. SAM JOHNSON of Texas, and Mr. BARTON of Texas):

H. Res. 653. A resolution honoring former President George Herbert Walker Bush on the occasion of his 80th birthday; to the Committee on Government Reform.

By Mr. MEEKS of New York:

H. Res. 654. A resolution recognizing the 38th anniversary of the independence of Guyana and extending best wishes to Guyana for peace and further progress, development, and prosperity; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

332. The SPEAKER presented a memorial of the Senate of the State of Hawaii, relative to the federal government to conduct a thorough evaluation of the condition of the 187-acre property situated in Waikane Valley that was used by the United States Marine Corps for ordnance training until 1976, plan for and conduct as thorough a clean-up and removal of ordnance as is technologically possible, conduct an environmental assessment of the potential risk to human health and safety, and return the land to the State of Hawaii; to the Committee on Armed Services.

333. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 77 supporting the Employee Free Choice Act (S. 1925 and H.R. 3619); to the Committee on Education and the Workforce.

334. Also, a memorial of the Legislature of the State of Maine, relative to H.P. 1464, Joint Resolutoin memorializing the Congress of teh United States to support the Farm-to-Cafeteria Projects Act; to the Committee on Education and the Workforce.

335. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 87 recognizing Native Hawaiians as traditional, indigenous knowledge holders and recognizing their collective intellectual property rights; to the Committee on Resources.

336. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 51 memorializing the President and Congress of the United States to support the passage of H.R. 3587 into law; to the Committee on the Judiciary.

337. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 585 memorializing the United States Congress to amend 42 U.S.C. 14132(a)(1) to allow the inclusion in CODIS of DNA profiles of "other persons, whose DNA samples are collected under applicable legal authorities"; to the Committee on the Judiciary.

338. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 114 memorializing the United States Congress to support the passage of S. 68 to improve benefits for certain Filipino veterans of World War II; to the Committee on Veterans' Affairs.

339. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 24 memorializing the President and Congress of the United States to repeal the restriction on the government to negotiate reductions in prescription drug prices with manufacturers; jointly to the Committees on Energy and Commerce and Ways and Means.

340. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 66 memorializing the President and Congress of the United States to release first responder funds to municipalities; jointly to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 236: Mr. BLUMENAUER and Mr. DINGELL.

H.R. 296: Mr. MILLER of North Carolina, Mr. RUPPERSBERGER, and Mr. BACHUS.

H.R. 371: Ms. BALDWIN.

H.R. 442: Mr. CHANDLER.

H.R. 586: Mr. VAN HOLLEN.

H.R. 625: Mrs. JONES of Ohio.

H.R. 677: Mr. GRIJALVA and Mr. HUNTER.

H.R. 716: Mr. VAN HOLLEN.

H.R. 727: Mr. WEXLER.

H.R. 742: Mr. VISCLOSKEY.

H.R. 745: Mr. ABERCROMBIE.

H.R. 785: Mr. MILLER of North Carolina.

H.R. 792: Mr. MENENDEZ, Mr. CAPUANO, Mr. GILCHREST, Mr. BOEHLERT, Mr. PETERSON of Minnesota, Mr. LEWIS of California, Mr. CHANDLER, Mr. BURR, Mr. FERGUSON, and Mr. BOUCHER.

H.R. 814: Mr. MILLER of North Carolina.

H.R. 823: Mr. CHANDLER.

H.R. 832: Mr. DOYLE.

H.R. 847: Mr. CHANDLER.

H.R. 852: Mr. MCGOVERN.

H.R. 857: Mr. BACHUS.

H.R. 883: Mr. OBERSTAR.

H.R. 918: Mr. EHLERS, Mr. KINGSTON, and Mr. BRADLEY of New Hampshire.

H.R. 934: Mr. CHANDLER.

H.R. 953: Mr. CHANDLER.

H.R. 1034: Mr. CARDOZA, Ms. SCHAKOWSKY, and Ms. BORDALLO.

H.R. 1160: Mr. SULLIVAN and Mr. DINGELL.

H.R. 1191: Mr. CHANDLER.

H.R. 1306: Mr. CHANDLER.

H.R. 1316: Ms. LINDA T. SANCHEZ of California.

H.R. 1406: Mr. SOUDER.

H.R. 1470: Mr. CHANDLER.

H.R. 1639: Mr. HOEFFEL and Mr. MICHAUD.

H.R. 1684: Mr. THOMPSON of California.

H.R. 1689: Mr. OLVER.

H.R. 1716: Mrs. DAVIS of California.

H.R. 1735: Mr. DOGGETT.

H.R. 1736: Mr. MILLER of North Carolina.

H.R. 1742: Mr. MEEHAN.

H.R. 1745: Mr. BLUMENAUER.

H.R. 1746: Mr. CHANDLER.

H.R. 1800: Mr. SABO.

H.R. 1818: Mr. DOOLITTLE, Mr. WEXLER, Mr. BACHUS, Mr. RUPPERSBERGER, Mr. TIAHRT, Mr. WICKER, Mr. MORAN of Virginia, and Mr. BOOZMAN.

H.R. 1863: Mr. CLAY and Mr. HALL.

H.R. 1919: Mr. KILDEE.

H.R. 1930: Mr. FATTAH.

H.R. 2037: Mr. CUMMINGS.

H.R. 2101: Ms. LINDA T. SANCHEZ of California.

H.R. 2133: Mrs. MCCARTHY of New York, Mr. RANGEL, Mr. BRADY of Texas, and Mr. BOEHLERT.

H.R. 2217: Mr. DOGGETT, Mr. MORAN of Virginia, and Mr. WYNN.

H.R. 2237: Mr. MILLER of North Carolina.

H.R. 2239: Mr. DAVIS of Florida.

H.R. 2256: Mr. KILDEE.

H.R. 2262: Mr. CHANDLER.

H.R. 2265: Mr. JEFFERSON.

H.R. 2345: Mr. CASE and Mr. SCHROCK.

H.R. 2353: Ms. BALDWIN, Mr. WALSH, Mr. MCGOVERN, Mr. FROST, Mrs. CHRISTENSEN, Mr. MARKEY, Mr. PALLONE, and Mr. OWENS.

H.R. 2387: Mr. SMITH of Texas and Mr. SERRANO.

H.R. 2394: Mr. SANDERS, Mr. GUTIERREZ, Ms. VELAZQUEZ, Mr. MEEKS of New York, Mrs. MALONEY, Ms. WATERS, Mr. LUCAS of Kentucky, Ms. MCCARTHY of Missouri, Mr. BOSWELL, Mr. ROSS, Mr. WEINER, Mr. STARK, Mr. EVANS, Mrs. MCCARTHY of New York, Mr. BISHOP of New York, Mr. CRAMER, Mrs. NAPOLITANO, Mr. MARSHALL, Ms. WATSON, Mr. RUPPERSBERGER, Mr. HINCHEY, Mr. SCOTT of Georgia, and Mr. BRADY of Pennsylvania.

H.R. 2442: Mr. PASTOR, Ms. SOLIS, Mr. BOUCHER, and Mr. NEAL of Massachusetts.

H.R. 2490: Mr. CHANDLER.

H.R. 2497: Mr. CHANDLER.

H.R. 2598: Mr. CALVERT, Mr. DEUTSCH, Mr. BOEHLERT, Mr. GOSS, Mr. SCHIFF, Mr. VAN HOLLEN, Mr. MCDERMOTT, Mr. CRAMER, Mr. TOWNS, Mr. LAMPSON, Mr. DAVIS of Alabama, Mr. LANGEVIN, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. SAXTON, Mr. PLATTS, Mr. SNYDER, Mr. SMITH of Washington, Mr. WEXLER, Ms. ROS-LEHTINEN, Mr. BISHOP of Georgia, Mr. TURNER of Texas, Mr. ENGLISH, Mr. TIBERI, Mr. SCOTT of Virginia and Mr. SMITH of New Jersey.

H.R. 2747: Mr. ROGERS of Kentucky and Mr. ENGLISH.

H.R. 2811: Mr. CHANDLER.

H.R. 2890: Mr. ROGERS of Michigan.

H.R. 2935: Mr. RANGEL.

H.R. 2950: Ms. PRYCE of Ohio and Mr. BISHOP of New York.

H.R. 2963: Mr. CARDOZA.

H.R. 2967: Mr. RUPPERSBERGER.

H.R. 2968: Mr. PETERSON of Minnesota.

H.R. 2978: Ms. HARRIS.

H.R. 3069: Mr. KINGSTON.

H.R. 3142: Mr. GIBBONS.

H.R. 3178: Mr. RUPPERSBERGER.

H.R. 3193: Ms. HARRIS, Mr. CAMP, Mr. GERLACH, and Mr. GUTKNECHT.

H.R. 3194: Mr. SIMPSON and Mr. DUNCAN.

H.R. 3250: Mr. GREEN of Wisconsin.

H.R. 3292: Ms. BERKLEY, Mr. STARK, and Mr. SCHIFF.

H.R. 3310: Mrs. CAPITO.

H.R. 3323: Mr. MCGOVERN.

H.R. 3324: Ms. ESHOO.

H.R. 3352: Mr. MARKEY.

H.R. 3425: Mr. BERMAN.

H.R. 3441: Ms. DEGETTE and Mr. DAVIS of Tennessee.

H.R. 3446: Mrs. LOWEY, Mr. BERMAN, Mr. GREENWOOD, and Mr. PLATTS.

- H.R. 3459: Mr. WEXLER and Mr. HINCHEY.
 H.R. 3474: Ms. LINDA T. SANCHEZ of California and Mrs. BONO.
 H.R. 3479: Mr. RODRIGUEZ.
 H.R. 3480: Mr. BERMAN, Mr. DOGGETT, Mr. REYES, and Mr. UDALL of Colorado.
 H.R. 3483: Mr. STENHOLM, Ms. KILPATRICK, Mr. FROST, Mr. UDALL of Colorado, and Mr. VISLOSKEY.
 H.R. 3507: Mr. STARK.
 H.R. 3523: Mr. OWENS.
 H.R. 3543: Mrs. MUSGRAVE.
 H.R. 3579: Ms. BERKLEY, Mr. YOUNG of Alaska, Mr. CALVERT, and Mr. JACKSON of Illinois.
 H.R. 3591: Mr. BEREUTER.
 H.R. 3602: Mr. SULLIVAN and Mr. SHAW.
 H.R. 3619: Mr. JEFFERSON.
 H.R. 3641: Mr. CROWLEY.
 H.R. 3729: Mr. CUMMINGS, Ms. MCCARTHY of Missouri, Mr. WEINER, and Mr. PETERSON of Minnesota.
 H.R. 3764: Mr. VAN HOLLEN, Mr. FRANK of Massachusetts, and Ms. CORRINE BROWN of Florida.
 H.R. 3777: Mr. CHANDLER.
 H.R. 3795: Mr. GRIJALVA and Mrs. BLACKBURN.
 H.R. 3801: Mr. SHAW.
 H.R. 3802: Mr. MILLER of North Carolina, Mr. MCCOTTER, Ms. WATSON, and Mr. GUTIERREZ.
 H.R. 3803: Mr. ALLEN.
 H.R. 3815: Mr. SCHIFF and Mr. ENGEL.
 H.R. 3831: Mr. LYNCH and Mr. ROTHMAN.
 H.R. 3880: Mr. GRIJALVA and Mr. UDALL of New Mexico.
 H.R. 3929: Mr. FROST, Mr. THOMPSON of Mississippi, and Mr. NETHERCUTT.
 H.R. 3933: Ms. DUNN.
 H.R. 3972: Mr. PRICE of North Carolina.
 H.R. 3982: Mr. MATHESON.
 H.R. 4026: Mr. MILLER of Florida.
 H.R. 4035: Mr. CONYERS.
 H.R. 4051: Mr. BRADY of Pennsylvania.
 H.R. 4064: Mr. BURNS, Mr. SAM JOHNSON of Texas, and Mr. FORBES.
 H.R. 4067: Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. GRIJALVA, and Mr. BERMAN.
 H.R. 4091: Mr. AKIN, Mr. FROST, Mr. HINCHEY, and Mr. OWENS.
 H.R. 4113: Mr. CANTOR.
 H.R. 4116: Mr. TURNER of Texas, Mr. ALLEN, Mr. JONES of North Carolina, Mr. BERMAN, Ms. BALDWIN, Mr. DAVIS of Florida, Mrs. TAUSCHER, Mr. TAYLOR of Mississippi, Mr. WU, Ms. CORRINE BROWN of Florida, Mr. ANDREWS, Mr. ENGEL, Mrs. DAVIS of California, Ms. HOOLEY of Oregon, Ms. DEGETTE, Mr. BECERRA, Mr. RODRIGUEZ, Ms. MCCOLLUM, Mr. MENENDEZ, Mr. EMANUEL, Mr. GREEN of Texas, Mr. ORTIZ, Mr. PASTOR, Mr. REYES, Mr. STRICKLAND, Mr. ALEXANDER, Mr. BOSWELL, Mr. HULSHOF, Mr. BARTON of Texas, Mr. CUNNINGHAM, Mr. BILIRAKIS, Mr. BAKER, Mrs. CUBIN, Mrs. CAPITO, Mr. SIMMONS, Mr. HOSTETTLER, Mr. BRADY of Texas, Mr. GARRETT of New Jersey, Mr. KING of Iowa, Mr. BEREUTER, Mrs. NORTHUP, Mr. SENSENBRENNER, Mr. ENGLISH, Mr. TANCREDO, Mr. RAMSTAD, Mr. FEENEY, Mr. TERRY, Mr. HYDE, Mr. HALL, Mr. BONILLA, Mr. DEMINT, Mr. REYNOLDS, Mr. LOBIONDO, Mr. PETERSON of Pennsylvania, and Mr. OTTER.
 H.R. 4117: Mr. ABERCROMBIE, Ms. WATSON, and Ms. SOLIS.
 H.R. 4126: Mr. BARTON of Texas and Mr. MARSHALL.
 H.R. 4149: Mr. PETERSON of Minnesota.
 H.R. 4177: Mr. BAIRD.
 H.R. 4182: Mr. BAIRD.
 H.R. 4203: Mrs. BLACKBURN and Mr. PETRI.
 H.R. 4207: Mr. CUMMINGS.
 H.R. 4210: Mr. MICHAUD.
 H.R. 4230: Mr. DAVIS of Alabama, Mr. MATSUI, and Ms. BERKLEY.
 H.R. 4231: Mr. BILIRAKIS.
 H.R. 4232: Mr. RODRIGUEZ, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. HINOJOSA, Mr. SESSIONS, Mr. ORTIZ, Mr. TURNER of Texas, and Mr. NEUGEBAUER.
 H.R. 4249: Mr. GEORGE MILLER of California, Mr. FROST, Mr. STARK, Ms. WOOLSEY, Mr. BERMAN, and Mr. RANGEL.
 H.R. 4256: Mr. PRICE of North Carolina.
 H.R. 4260: Mr. HASTINGS of Florida and Mr. STARK.
 H.R. 4278: Mr. KILDEE, Mr. HOLT, Mr. LANGEVIN, Mr. RAMSTAD, Mr. BALLENGER, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. ISAKSON, Mr. TOWNS, Mr. HOYER, Mr. KELLER, Mr. WILSON of South Carolina, Mr. BURNS, Ms. MCCOLLUM, Mr. PETRI, Mr. CANNON, Mr. McNULTY, and Ms. KAPTUR.
 H.R. 4313: Mr. VAN HOLLEN.
 H.R. 4316: Mr. SANDERS, Mr. BRADY of Pennsylvania, Mr. RANGEL, and Mr. OWENS.
 H.R. 4325: Mr. RANGEL.
 H.R. 4334: Mr. ENGLISH and Mr. MCHUGH.
 H.R. 4341: Mr. POMEROY and Mrs. CUBIN.
 H.R. 4345: Mr. BILIRAKIS.
 H.R. 4346: Mr. BERRY, Mr. KENNEDY of Rhode Island, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDALL of New Mexico, Mr. PAYNE, Mr. SMITH of Washington, Mr. WEXLER, Ms. HOOLEY of Oregon, Mr. RUPPERSBERGER, Mr. WAXMAN, Mr. LANTOS, Mr. RANGEL, Mr. CROWLEY, Mr. ORTIZ, Mr. PRICE of North Carolina, Mr. SERRANO, Mr. LANGEVIN, Ms. LORETTA SANCHEZ of California, Mr. SABO, and Mr. DELAHUNT.
 H.R. 4348: Mr. SANDERS, Mr. RODRIGUEZ, Mr. SERRANO, Mr. REYES, and Mrs. NAPOLITANO.
 H.R. 4349: Mr. ACKERMAN and Mr. KING of New York.
 H.R. 4356: Mr. OWENS.
 H.R. 4359: Mr. BOEHNER.
 H.R. 4361: Mrs. LOWEY, Ms. KILPATRICK, and Ms. LEE.
 H.R. 4363: Ms. HARRIS, Mr. HINOJOSA, Mr. HAYWORTH, Mr. INSLEE, and Ms. ROS-LEHTINEN.
 H.R. 4370: Mr. HINCHEY.
 H.R. 4377: Mr. UDALL of Colorado.
 H.R. 4380: Ms. CORRINE BROWN of Florida, Mr. YOUNG of Florida, Ms. ROS-LEHTINEN, Mr. MILLER of Florida, Ms. HARRIS, and Mr. DAVIS of Florida.
 H.R. 4391: Mr. CARTER, Ms. GRANGER, Mr. CULBERSON, Mr. RYAN of Wisconsin, Mr. PAUL, Mr. NEUGEBAUER, Mr. DELAY, Mr. MCGOVERN, Mr. JOHN, Mr. SIMMONS, Mrs. BIGGERT, and Mr. STENHOLM.
 H.R. 72: Mr. LARSEN of Washington.
 H.R. 95: Mr. FORD, Mr. HOLT, Mr. PENCE, Mr. MICHAUD and Mr. LEVIN.
 H.R. 93: Mr. JONES of North Carolina.
 H.R. 182: Mr. BURTON of Indiana.
 H.R. 197: Mr. LAHOOD and Mr. OXLEY.
 H.R. 242: Ms. MCCARTHY of Missouri, and Mr. GREEN of Wisconsin.
 H.R. 252: Mr. OWENS, Mr. GUTIERREZ, and Mr. DEUTSCH.
 H.R. 298: Mr. ROGERS of Alabama.
 H.R. 310: Mr. STENHOLM.
 H.R. 366: Mr. HASTINGS of Florida.
 H.R. 375: Mr. FILNER, Mr. OXLEY, Ms. HARMAN and Mr. LEWIS of California.
 H.R. 392: Mr. MORAN of Virginia and Mrs. MALONEY.
 H.R. 405: Ms. ROS-LEHTINEN and Ms. PRYCE of Ohio.
 H.R. 413: Mr. SHAW, Mr. WEXLER and Mr. BERMAN.
 H.R. 418: Mr. CROWLEY, Mr. ACKERMAN, Ms. MCCARTHY of Missouri, Mr. McDERMOT, Mr. ABERCROMBIE, Mr. SHIMKUS, Mr. PENCE, Mr. BEREUTER, Mr. BERMAN and Ms. ROS-LEHTINEN.
 H.R. 60: Mr. MENENDEZ.
 H.R. 542: Ms. ROS-LEHTINEN.
 H. Res. 567: Mr. UPTON, Mr. ROGERS of Michigan, and Mr. REHBERG.
 H. Res. 570: Mr. WYNN, Ms. JACKSON-LEE of Texas, Mr. SWEENEY, Mr. BERMAN, Mr. DELAHUNT, and Ms. WOOLSEY.
 H. Res. 586: Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Res. 604: Mr. RANGEL.
 H. Res. 611: Mr. KANJORSKI and Mr. FROST.
 H. Res. 633: Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. SERRANO, Mr. MATSUI, Mr. WAXMAN, and Mr. TOM DAVIS of Virginia.
 H. Res. 646: Mr. COOPER, Mr. VAN HOLLEN, Mr. MARKEY, Mr. GRIJALVA, Mr. KENNEDY of Rhode Island, Mrs. CHRISTENSEN, Mr. DOGGETT, Mr. TIERNEY, Mr. STARK, and Mr. McDERMOTT.
 H. Res. 647: Mr. PORTER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3473: Mr. HOLDEN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

81. The SPEAKER presented a petition of Mr. Joe Sitting Owl White, Principal Chief, Cherokee of Lawrence County, Tennessee, relative to petitioning the United States Congress for redress of grievances; to the Committee on Resources.

82. Also, a petition of Mr. Dwight E. Walker, a Citizen of Texas, relative to an affidavit of pertinent facts; to the Committee on Ways and Means.

83. Also, a petition of the Governor of Kentucky, relative to a letter petitioning for the extension of funding for high risk pools under the Trade Act of 2002; to the Committee on Ways and Means.