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No. 86

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

THE SPEAKER'S ROOMS,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, June 21, 2004.

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

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

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

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

### THE FORGOTTEN WAR ON TERRORISM

Mr. DEFAZIO. Mr. Speaker, I think there is substantial agreement that the world, Iraq, the Middle East are better off without Saddam Hussein in power. But the question remains particularly as raised most recently and poignantly by General Zinni about the timing, necessity and the conduct of the Iraq war. No weapons of mass destruction, the push for model democracy and a vibrant capitalist free economy is not going so well, so the Bush administra-

tion has fallen back upon the idea that somehow there were substantial links between al Qaeda, 9-11 and Saddam Hussein.

Unfortunately, last week the 9-11 Commission, a truly bipartisan commission, came out with a statement in their most recent report, "We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States." Yet, the administration insists on trying to put 9-11, al Qaeda, and Iraq and Saddam Hussein in the same sentence or run-on sentence and paragraph all the time.

Vice President CHENEY has been even more outspoken on this issue. Of course, Vice President CHENEY is the same gentleman who in a closed-door meeting 3 years ago told the Northwest Energy Caucus that there was no collusion, Enron was not manipulating energy markets in the western United States. These were purely market forces. We were just really stupid and we did not understand, but he did.

Well, of course, he was kind of wrong and maybe even this week Ken Lay will be in a criminal indictment as others from Enron have gone to jail, and the appalling tapes that have come out.

Then, of course, Vice President CHENEY also is fond of saying that deficits do not matter. We are just indebting future generations of Americans. Working and wage earning people will pay the bill, while the wealthy and the big corporations skate in the future world that the Bush administration proposes.

So he is not exactly infallible and, unfortunately, I believe the 9-11 Commission is more right than he is, with one exception. There is one really bad guy, Abu Musab Zarqawi. He has now been blamed for more than 700 terrorist killings including U.S. troops in Iraq.

Now, the interesting thing is that the United States of America before the war with Iraq knew exactly where Zarqawi was and they could have taken

him out. In fact, the Pentagon asked 3 times. Now, this is the President who was going to go anywhere and everywhere to take out known terrorist threats. This guy was a known terrorist threat. We knew exactly where he was. In fact, when Colin Powell made his famous presentation full of inaccuracies to the United Nations Security Council, the one accurate thing he did point to with a pointer was a terrorist training camp way up in Northern Iraq, inside the U.S. no-fly zone and protected by the Kurdish area, an area, in fact, that Saddam Hussein could not get to, and that is where Zarqawi was. And 3 times, 3 times the Pentagon asked to take him out.

The first time because they had good intelligence. The second time because they had intelligence that he was developing ricin and other chemical weapons. And then the third time they asked was after some of his cohorts were found with ricin in England.

They asked 3 times and 3 times the Bush National Security Council and the Bush administration turned down the Pentagon. This could have saved U.S. troops and lives and prevented a lot of the mayhem going on in Iraq today. But this administration was so distracted from the war on terror to the war against Iraq and Saddam Hussein that they let this guy go. They let him go. That is absolutely outrageous.

We have got to question whether the distraction from the war on terror, from Osama bin Laden, who is still out there plotting and planning and his second-in-command, who is still out there plotting and planning and this guy Zarqawi, who is out there plotting and planning, if we could have gotten them, if we had been focussed on the war on terror and following the principles that the President set out, instead of this obsession and this distraction and diversion into a war in Iraq where we pulled all of the intelligence

□ 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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out of that area and focussed it all on Iraq, they would not take out Zarqawi because they were afraid it might hurt their coalition building. Iceland might not have joined the Coalition of the Willing to take on Iraq, and some of those other major military powers that have been involved with the United States if we had taken out Zarqawi. They were worried that that would disturb that.

We would take out a real threat to our troops, to the region, to terrorism, to go after Saddam Hussein whose own people would have taken care of him some day.

He was surrounded. His military was a shadow of its former self. The sanctions were depleting his energies and the energies of his military day by day; and sooner or later, with encouragement, the Iraqi people would have taken care of that guy. They tried to kill him 13 times. They just were not successful. They might have got him on the 14th try. But this administration was obsessed with the war and dropped the war on terrorism.

#### CONGRESS MISSING IN ACTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, often we take to the floor to speak to the American public. Well, today I would like to speak to my colleagues in the House of Representatives and the men and women who are preparing their work for our floor action this week.

I would call to their attention that according to the Defense Department's own data, the program to clean up unexploded ordnance on formerly used defense sites will take as much as 252 years. That means in the year 2255 that Congress passing spending bills will still be appropriating money to deal with the problem that we could solve today.

Why, if we have technology that has already realized \$100 million saving at the former Lowry Bombing Range outside of Denver, Colorado, why are we not moving forward to address this problem?

Despite the fact that this Defense Science Board has proposed 5 recommendations that would allow us to address this problem, 80 percent of it over the next 5 years, why do we do nothing but continue to study it? Worse yet, we have actually decreased the funding that is crippling the Department of Defense. It is burdening other Federal land management agencies and it is endangering the health and safety of the American public.

We have to ask why.

Is it because we need another tragedy to occur like what happened in San Diego when 2 boys were killed when they discovered bombs in their neigh-

borhood that, unknown to the residents, sat on top of a former bombing range? Is it because somehow we do not need 8 million acres of land that we could put in productive use in 5 years instead of 252 years? Is it because we believe somehow this contamination exists only in isolated places when, in fact, it is in every State in the Union and almost every Congressional district? Are we somehow unaware that when wildfires strike our public lands from New York to Colorado to Alaska that many of these lands are former ranges?

Three times since I have been in Congress we had to pull men and women out of the front lines fighting the fires because the extreme heat is exploding bombs around them.

Is it because we are unaware of the plight of a North Carolina couple with 5 children who are risking bankruptcy because they moved out of their home when their young son found an old bomb in their front yard and they feared for the safety of their family? It is now a year-and-a-half later and they are still paying the mortgage on a home they cannot live in. They cannot sell it because the clean up has yet to begin because we underfund these programs.

Are we unaware that in the same area of North Carolina, the former Camp Butner, the Army Corps of Engineers has determined that they need to investigate another 20,000 acres for unexploded ordnance contamination? Yet, developers are buying up land and building homes before clean-up has even begun.

Can we in good conscience risk the health and safety of future residents? Is it because we do not know that other residential and business developments already exist or are being proposed in Texas, South Carolina, California, Colorado, here in Washington, D.C., and Massachusetts? Others will surely follow.

Is it because we are unaware that many of these unexploded bombs and discarded munitions are on tribal lands, thereby posing yet another hazard to the highly at-risk Native American population? Are we somehow unaware that the Federal land managers in the Bureau of Land Management, the Fish and Wildlife system, the National Forest Service, the National Park Service, where many of these former ranges are located, do not have the capacity needed to ensure the public safety?

Or is it despite the fact that the Department of Defense believes that ordnance and munitions on these formerly used sites poses enough of a national security risk to remove critical information about the sites from the public because they are afraid terrorists may find out, but we do not believe these same sites left untouched pose a risk to our citizens? Or is it simply that we hope that we can avert a tragedy in our lifetime and just pass this risk off to further future generations?

Whatever the reason, it is simply unacceptable. It is indeed unconscionable that we continue to turn a blind eye to a responsibility that we should be undertaking now.

After years of working on this issue and seeing Congress still missing in action, I will work this week to make sure that my colleagues have a chance to be heard, to take action that might help protect people at risk in the future.

#### RECESS

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

Accordingly (at 12 o'clock and 43 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

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

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord, Your steadfast love never ceases. Your mercy never comes to an end. They are renewed each day because Your faithfulness is so great.

As the House of Representatives begins this week of legislative business, be present to each Member and bind all together to accomplish great deeds for this Nation.

Because Your faithfulness made this such a great Nation, as a people we have an awesome responsibility. Anything we do has ramifications the world over. Make us strong enough and give us broad vision to embrace boldly what is required of us.

In You we find wisdom, prudence, and the courage to create a hopeful future for ourselves and for others both now and forever. Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Massachusetts (Mr. CAPUANO) come forward and lead the House in the Pledge of Allegiance.

Mr. CAPUANO 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.

## DRILLING IN ANWR

(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, energy independence should be a goal of this Congress. Worldwide demand for petroleum has increased during the last decade, and the growth of production has been relatively flat. The inevitable result is higher prices at the gasoline pump, and the reality is that it takes time to go from the oil field to the gasoline station, and we have lost considerable time in this regard.

In 1995, in the 104th Congress, H.R. 2491, which was passed, would have allowed oil exploration in the Alaska National Wildlife Refuge. The Department of Energy has estimated that between 1 and 1.3 million barrels of oil a day could be derived from this source.

Unfortunately, in 1995, that legislation was vetoed by then-President Clinton.

That was nearly 10 years ago; and given a time line of 7 to 14 years for building the pipeline structure, it is time we can scarcely afford.

Mr. Speaker, I have been to ANWR. The vast coastal plain is unsuitable for habitation during the summer months because of its marshy consistency. Any caribou unlucky enough to calve in this region would likely die from exsanguination at the hands of the mosquitoes there.

The people in ANWR are counting on this Congress to do the right thing and allow them, the rightful owners of these mineral rights, to begin developing the resources that are granted to them upon statehood in 1959.

As we say in Texas, "Time's a wastin'."

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

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

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

## COMMUNITY BANKING MONTH

Mr. RENZI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 591) expressing the gratitude of the House of Representatives for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as "Community Banking Month."

The Clerk read as follows:

H. RES. 591

Whereas, since our Nation's founding, community banks have supported their commu-

nities as they prospered and grew, and today more than 8,700 community banks continue the tradition of giving back to their local communities through nearly 40,000 banking offices;

Whereas, with more than \$2,275,000,000,000 in assets, community banks know that when money stays in town it becomes a renewable resource, creating an economic cycle that constantly revitalizes and stimulates local communities;

Whereas community banks are working citizens in their communities in every sense of the word with more than 514,000 full-time and part-time employees;

Whereas these banks have made significant contributions to the economic well-being of our Nation through their financial support, their dedication as good neighbors and, above all, their service as financially sound and reliable sources of economic lifeblood in our communities;

Whereas the Nation's community banks focus on the prosperity of individuals and small businesses in their hometowns and have reinvested, on average, 95 percent of their loan portfolio in their own communities through home mortgages and small business, agricultural, and student loans;

Whereas community banks play a significant role in local economic development efforts by financing new businesses and stimulating the economy to produce jobs and new opportunities and, as a group, they contribute an important and strong part of the Nation's economic fabric;

Whereas community banks have made nearly 3,160,000 loans to small businesses, totaling over \$275,500,000,000 and nearly 720,500 loans to small farms, totaling nearly \$37,500,000,000;

Whereas community banks also enjoy the trust of their customers; indeed, community banks are just neighbors are helping neighbors build their homes, save for higher education, plan for retirement and fulfill other dreams; and

Whereas community banks have long helped in the development of our communities and the Nation as a whole, and are fully prepared to make many more contributions: Now, therefore, be it

*Resolved*, That—

(1) the House of Representatives expresses its gratitude for the contributions made by America's community banks to the Nation's economic well-being and prosperity; and

(2) it is the sense of the House of Representatives that—

(A) a "Community Banking Month" should be designated to raise public awareness of, and public appreciation for, the contributions of the helpful institutions that are our Nation's community banks; and

(B) the President should issue a proclamation calling on the people of the United States to observe the month with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

## GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and insert any extraneous materials on the resolution.

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

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H. Res. 591 expresses the gratitude for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as Community Banking Month. This legislation was introduced by the gentleman from Alabama (Mr. BACHUS) to recognize community banks for their contribution to the very fabric of our community.

Community banks help to shape communities into centers of commerce and entrepreneurship and provide for community and industrial development.

Community bankers are themselves among the leading leaders of our community, engaging in civic and benevolent activities. Nationwide, there are over 8,700 community banks serving their local communities through almost 40,000 banking offices.

Community banks have reinvested on average 95 percent of their loan portfolio in their own communities through home mortgages and small businesses, agricultural, and student loans. This reinvestment plays an important role in local economic development and in efforts to finance new businesses, as well as stimulating the local economy to produce jobs and new opportunities.

Community banks are themselves small businesses, so they understand the needs of small business owners. Their core concern is lending to small businesses and farms. Studies have shown that they are the primary advisors to small businesses.

Community banks have made nearly 3,160,000 loans to small businesses, and over 720,500 loans to small farms.

Mr. Speaker, on behalf of the community banks and in recognition of their great contribution to our local communities and to our small businesses around the country.

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

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

Mr. Speaker, I rise in support of H. Res. 591, a resolution recognizing the contributions of community banks to the Nation's economic well-being and prosperity and expressing the sense of the House that a month should be designated as Community Banking Month.

Community banks play a vital role for our country. Of the 7,712 commercial banks in operation today, all but 419 are community banks having assets of less than \$1 billion. Community banks are known for being close to their customers and provide the leadership for many civic endeavors. These bankers are able to make loan decisions locally and reinvest local deposits into their local communities.

Community bankers also are active in helping people understand the sometimes complex nature of the banking business. Many community bankers participate in efforts to help consumers

know the dangers posed by identity thieves. In Georgia, for example, these bankers made presentations to almost 50,000 of our citizens, giving them tips on how to avoid becoming a victim. These same bankers also helped educate our citizens on how to apply for a business loan, how to choose banking as a career, and how to get a mortgage refinanced.

While the total number of community banks in the United States is decreasing due to consolidation, new community banks are proliferating. In fact, 1999 witnessed the highest number of new community banks formed in nearly a decade, with 268 new charters reported.

Community banks focus attention on the needs of local families, businesses, and farmers. They channel most of their loans in the neighborhoods where their depositors live and work. Community banks offer their customers services at attractive prices. For example, average rates for checking accounts and other depository services on average are 15 percent lower at small banks than at large, multistate institutions, according to the 2001 PIRG report.

They can offer nimble decision-making on business loans, because decisions are made locally. And because community banks are themselves small businesses, they understand the needs of small business owners. Their core concern is lending to small businesses and farms.

What does it mean to be a community bank? Community banking is a devotion to serving community customers and communities. They put people into homes, serve small businesses, and help them grow and prosper. They provide student loans and set up retirement plans for their customers.

Mr. Speaker, community banks and the more than half a million people who work for them truly deserve our recognition for their contributions to the Nation's economy and well-being.

Mr. OXLEY. Mr. Speaker, I rise today in strong support of H. Res. 591, a resolution expressing the gratitude of the House of Representatives for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as "Community Banking Month". Community banks are the lifeblood of our local economies, and this is an appropriate way to recognize their contribution.

Mr. Speaker, I am including for the record correspondence between the gentleman from Virginia (Mr. DAVIS) and myself regarding the jurisdictional interest of the Committee on Government Reform. I appreciate his efforts in permitting this resolution to reach the floor quickly.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, June 21, 2004.

Hon. MICHAEL G. OXLEY,  
Chairman, Committee on Financial Services,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Government Reform Com-

mittee regarding H. Res. 591, expressing the gratitude of the House of Representatives for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as "Community Banking Month." As you know, the Committee on Government Reform has jurisdiction over holidays and celebrations.

Because of your willingness to consult with my committee, I will not seek a sequential referral of the resolution to the Committee on Government Reform. By agreeing to not seek sequential referral, the Government Reform Committee does not waive its jurisdiction over H. Res. 591. I respectfully request that you include this letter and your response in the Congressional Record during consideration of this legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

TOM DAVIS,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, June 21, 2004.

Hon. TOM DAVIS,  
Chairman, Committee on Government Reform,  
Washington, DC.

DEAR CHAIRMAN DAVIS: Thank you for your recent letter regarding your Committee's jurisdictional interest in H. Res. 591, a resolution expressing the gratitude of the House of Representatives for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as "Community Banking Month".

I acknowledge your committee's jurisdictional interest in this legislation and appreciate your cooperation in allowing speedy consideration of the resolution. I agree that your decision to forego further action on the bill will not prejudice the Committee on the Government Reform with respect to its jurisdictional prerogatives on this or similar legislation.

Finally, I will include a copy of your letter and this response in the Congressional Record when the legislation is considered by the House.

Thank you again for your assistance.

Sincerely,

MICHAEL G. OXLEY,  
Chairman.

Mr. BEAUPREZ. Mr. Speaker, I rise in support of H. Res. 591, and to honor the significant, longstanding contribution of America's Community Banks.

In hometowns all across America, Community Banks have been the anchor for countless generations.

Moms and dads raising families, educating their children, planning for a comfortable retirement; farmers, entrepreneurs and innumerable small businesses that are the cornerstone of our free-market economy; churches, hospitals, schools, civic organizations—indeed the entire fabric of America's culture—all know they have a partner and friend in their hometown Community Bank.

Jimmy Stewart romanticized the legacy of hometown bankers as George Bailey in the Christmas classic, "It's a Wonderful Life".

Mr. Speaker, while the movie's plot was fictional, in neighborhoods and towns all across America, there are real life George Baileys that work hard and nobly, extend a helping hand, help see families and businesses through difficulties, and make dreams come true on a daily basis.

Like the other small businesses in America's hometowns, Community Banks are typically owned by the folks right there in the community. They know their neighbors, and their neighbors know them. They know a handshake still matters. Their kids go to school together, and they see each other at church.

Community Banks depend on the people in the community for their success, and the community depends on the bank to be there for them—through good times and tough times. It's a partnership that isn't drawn up on any contract, but it is understood and established with a bond far stronger than paper and ink.

So, Mr. Speaker, I proudly support H. Res. 591, and urge all my colleagues in the House to join me in expressing gratitude for the contribution of our Nation's Community Banks, as one of our country's great traditions.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H. Res. 591 which recognizes the contributions made by America's community banks to this Nation's economic well-being and prosperity. These community banks are imperative to the success of any local community. Their recognition today is well deserved and I am in support of the effort to designate one month as Community Banking Month.

Community banks, while often overlooked, offer many advantages to the people and areas they serve. Community banks focus attention on the needs of local families, businesses, and farmers. Community banks channel most of their loans to the neighborhoods where their depositors live and work. Community bank officers are typically deeply involved in local community affairs. Many community banks are willing to consider character, family history and discretionary spending in making loans. Finally, because community banks are themselves small businesses, they understand the needs of small business owners. Their core concern is lending to small businesses and farms. Studies show that they are the primary advisers of small businesses. It is fairly evident that community banks are truly built by the community's efforts to serve the community's interests.

I am of the belief that a Community Banking Month will help truly reflect the necessary efforts that community banks make to serve their customers. Not all businesses can be large, not all banks can be national; there will always be a need for these services to be provided on the community level. I want to thank all the community banks in Houston and throughout the United States who on a day like today will help some young couple secure their first home mortgage or allow a young student to go to college by extending a student loan. It is moments like these and the opportunities they provide that truly allow us to realize our own piece of the American Dream.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and agree to the resolution, H. Res. 591.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### HOMEOWNERSHIP OPPORTUNITIES FOR NATIVE AMERICANS ACT OF 2004

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4471) to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996.

The Clerk read as follows:

H.R. 4471

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Homeownership Opportunities for Native Americans Act of 2004".

##### SEC. 2. FEDERAL GUARANTEES FOR FINANCING FOR TRIBAL HOUSING ACTIVITIES.

Section 601 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4191) is amended by adding at the end the following new subsection:

"(d) LIMITATION ON PERCENTAGE.—A guarantee made under this title shall guarantee repayment of 95 percent of the unpaid principal and interest due on the notes or other obligations guaranteed."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona. (Mr. RENZI).

##### GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert any extraneous material thereon.

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

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am thankful to have on the House floor today H.R. 4471, the Homeownership Opportunities For Native Americans Act, which I introduced earlier this week with my colleague, the gentleman from Utah. (Mr. MATHESON).

This bill simply returns the guarantee level for the title VI program to 95 percent. HUD had been administering guarantees at this level until OMB, for technical statutory reasons, reduced it to 80 percent.

The lower guaranteed level would mean less participation in this program. Private investors are slowly becoming more comfortable investing in Indian country, and it is critical that this relationship remain in a fostered environment. To this point, asking in-

vestors to accept a 20 percent risk rather than the 5 percent that they had before will do nothing but impede the much-needed development in these areas.

This past May, the Subcommittee on Housing of the Committee on Financial Services held a hearing on the Navajo Reservation in Tuba City, Arizona. We saw children with asthma living in houses with dirt floors and collapsing ceilings. Decreasing the guarantee rate essentially decreases the chance that these children will be able to move from homes in deplorable conditions into safe and healthy homes.

The title VI loan guarantee assists federally recognized tribes and tribally designated housing entities who want to finance eligible, affordable housing activities, but are unable to secure financing without the assistance of Federal guarantees.

This program is very well collateralized, as tribes must pledge current and future housing block grant guarantee appropriations for the repayment of these guaranteed funds. This program has administered \$77 million in guarantees and has not experienced even one single default.

I thank the gentleman from Ohio (Chairman NEY); the gentlewoman from California (Ms. WATERS), the ranking member; and the gentleman from Utah (Mr. MATHESON) for their enthusiasm on this issue and the support behind this bill.

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

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

Mr. Speaker, today, the House takes up important housing legislation to help Native American communities across America achieve homeownership.

The bill we are taking up today is a direct result of a recent hearing held by the Subcommittee on Housing of the Committee on Financial Services, of which I am a member, in the Navajo Nation. With the leadership of the subcommittee chairman, the gentleman from Ohio (Mr. NEY), and the gentlewoman from California (Ms. WATERS), the ranking member, the subcommittee learned of the significant housing challenges facing our Native American communities. Members who attended the hearing in the Navajo Nation came back to report enormous challenges in housing conditions that resemble those of some Third World nations. This bill is the first legislative result of that important field hearing.

The legislation was introduced by the gentleman from Arizona (Mr. RENZI) and the gentleman from Utah (Mr. MATHESON), both of whom represent the Navajo Nation. I commend the leadership of both my colleagues on this legislation.

□ 1415

Unfortunately, the gentleman from Utah (Mr. MATHESON) was unable to be here today at this time. And I am

pleased to be here representing him in his absence on behalf of this important legislation that will, as I stated, help Native Americans achieve home ownership. The gentleman from Utah (Mr. MATHESON) has exercised great leadership, not only in housing issues for Native Americans, but for giving his Navajo Nation constituents a strong voice in Congress.

This bill sets the loan guarantee level at 95 percent for a vital Native American housing program at HUD. This is the level that has been used since its implementation. However, the law is currently silent regarding the loan guarantee level and HUD would be forced by administrative rule to lower that level to 80 percent, unless Congress sets the level at 95 percent, which this bill will accomplish for the purposes that ensure that the very important housing program will continue to be used to help our Native American friends.

Again, I would like to thank the gentleman from Ohio (Mr. NEY) and the ranking member, the gentlewoman from California (Ms. WATERS) for their leadership in convening the field hearing in the Navaho Nation that led to this important legislation. I commend the leadership of the gentleman from Arizona (Mr. RENZI) on this bill and his efforts on behalf of the Navaho people. I also would like to express appreciation to my esteemed colleague, the gentleman from Utah (Mr. MATHESON), for being a leader on this bill and for being a strong leader and advocate in Congress for all Native American items.

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

Mr. RENZI. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I rise today in support of my colleague, Mr. RENZI's bill, the Homeownership Opportunities for Native Americans Act. I would like to begin by commending the gentleman from Arizona (Mr. RENZI) for the important work he is doing in the area of Native American housing. He is shining a light on the vital need for safe and affordable housing on Indian reservations all across this country, a need that runs deep, a need which our government has all too often failed to address.

I was unable to attend the Housing Subcommittee hearing earlier this year that has been referenced in the district of the gentleman from Arizona (Mr. RENZI), but I have several reservations in my district and my own State, and I know firsthand just how critical the need for housing is.

H.R. 4471 amends the Native American Housing Assistance and Self-Determination Act of 1996 to provide statutory authority for the Title VI program to continue to operate at a 95 percent loan guarantee level. While the program has been operating at this level for some time, a recent decision by OMB to reduce the loan guarantee

to 80 percent has put this program into jeopardy.

Mr. Speaker, the Title VI guarantee program has issued over 77 million dollars in loan guarantees. It has never experienced a default. The Federal Government should not be in the business of making it harder for Indian tribes to access assistance in affordable housing. We must reach out to local tribal organizations and leaders and do more to help them meet their many pressing housing challenges.

I urge my colleagues to support this legislation in order to ensure continued affordable housing opportunities for Native Americans all across this country. It is an excellent piece of legislation.

Mr. BACA. Mr. Speaker, I rise in support of H.R. 4471, the Homeownership Opportunities for Native Americans Act.

Under Title VI of the Native American Housing Assistance and Self-Determination Act, HUD guarantees tribal obligations to help finance affordable housing activities. The Title VI loan assists Indian Housing Block Grant borrowers who wish to finance eligible affordable housing activities, but are unable to secure financing without the assistance of a Federal guarantee.

Native Americans deserve decent housing, a suitable living environment, and economic opportunities. Title VI helps make this happen.

During the previous administration, Title VI guaranteed up to 95 percent of a loan. In fact, several loans are currently pending based on the 95 percent loan guarantee level.

Unfortunately, the Office of Management and Budget is now saying that loan guarantees cannot be greater than 80 percent of a loan.

This bill would allow Title VI to continue to guarantee loans up to 95 percent.

I want to thank Congressman RENZI and Congressman MATHESON, the authors of this bill. They understand that all Americans are entitled to the American dream.

For too long our Native American brothers and sisters have been treated like second-class citizens. This bill is a strong step towards putting Native Americans on a fair playing field.

Mr. RENZI. Mr. Speaker, I have no other speakers at this time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 4471.

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

A motion to reconsider was laid on the table.

#### HELPING HANDS FOR HOMEOWNERSHIP ACT OF 2004

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4363) to facilitate self-help housing homeownership opportunities, as amended.

The Clerk read as follows:

H.R. 4363

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Helping Hands for Homeownership Act of 2004".

#### SEC. 2. ASSISTANCE FOR SELF-HELP HOUSING PROVIDERS.

Paragraph (1) of section 11(b) of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended by striking "dwelling" and inserting "dwellings".

#### SEC. 3. DESIGNATION OF DOUG BEREUTER SECTION 502 SINGLE FAMILY HOUSING LOAN GUARANTEE PROGRAM.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) the Cranston-Gonzalez National Affordable Housing Act, enacted November 28, 1990, established the section 502 single family housing loan guarantee program of the Rural Housing Service of the United States Department of Agriculture;

(2) Congressman Doug Bereuter of Nebraska was the legislative author of the single family housing loan guarantee program;

(3) 316,625 single family loans have been guaranteed under the program since its implementation in 1991;

(4) the program facilitates home ownership for low- to moderate-income borrowers in rural areas and nonmetropolitan communities who are unable to obtain conventional home mortgage financing; and

(5) in 2003, the average income of a borrower with a loan guaranteed under the section 502 guarantee program was \$34,124.

(b) DESIGNATION.—Subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472(h)) is amended—

(1) by redesignating paragraphs (1) through (13) as paragraphs (2) through (14), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

"(1) SHORT TITLE.—This subsection may be cited as the 'Doug Bereuter Section 502 Single Family Housing Loan Guarantee Act'"; and

(3) by striking the subsection designation and heading and inserting the following:

"(h) DOUG BEREUTER SECTION 502 SINGLE FAMILY HOUSING LOAN GUARANTEE PROGRAM.—"

(c) CONFORMING AMENDMENTS.—Subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472(h)), as amended by section 2 of this Act, is further amended—

(1) in paragraph (5)(A), by striking "paragraph (12)(A)" and inserting "paragraph (13)"; and

(2) in paragraph (14)—

(A) in subparagraph (A), by striking "GENERAL" and inserting "GENERAL"; and

(B) in subparagraph (E)—

(i) by striking "paragraph (1) and paragraphs (2), (5), (6)(A), (7), and (9)" and inserting "paragraph (2) and paragraphs (3), (6), (7)(A), (8), and (10)"; and

(ii) by striking "paragraphs (1) through (12)" and inserting "paragraphs (2) through (13)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. GREEN) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. GREEN).

#### GENERAL LEAVE

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days

within which to revise and extend their remarks and include extraneous material on this legislation.

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

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise today in support of H.R. 4363, the Helping Hands for Homeownership Act of 2004. I would like to begin by thanking the financial services chairman, the gentleman from Ohio (Mr. OXLEY), the ranking member, the gentleman from Massachusetts (Mr. FRANK), and the housing subcommittee chairman, the gentleman from Ohio (Mr. NEY) for expeditiously considering this bill and, of course, my co-author, the gentleman from Tennessee (Mr. FORD).

Mr. Speaker, it is very fitting that we are taking this measure up this week for three reasons. First, of course, June is Homeownership Month. A lot of things have changed in American culture over the years, but one thing has not, homeownership remains the cornerstone of the American dream. The chance to own, the chance to enhance and improve your own home to suit your needs and reflect your own values and personality is very much at the heart of the American ideal. But it is more than that. Homeownership can be the foundation of vibrant neighborhoods and communities. People take better care of their neighborhood when they have a direct stake, financially and otherwise in that neighborhood's future.

I think one of the greatest responsibilities we have in Congress is to make it possible for more Americans from all backgrounds and all walks of life to grasp on to the dream of home ownership. In other words, we must work to make that dream come true, very true, and not just for the most affluent among us.

The second reason it is so appropriate for us to take up and pass this measure today is that it re-enforces the role and the need for non profit and private organizations to help meet this challenge. Last year, the most famous of these organizations, Habitat For Humanity, dedicated its fifty-thousandth and fifty-thousand and first homes in the United States. In its 27-plus years of work, work that began in very modest, very humble ways, Habitat has provided affordable housing for some 750,000 people worldwide.

In the U.S. alone, Habitat has more than 1,670 affiliates covering approximately 80 percent of our population. One of the top producing affiliates is in my home State of Wisconsin. The Milwaukee area Habitat For Humanity built 21 new homes in 2002 alone. That means 21 Milwaukee families realized the American dream. And many Milwaukee neighborhoods gained new stakeholders in the push for a brighter future.

Habitat is the model for faith-based initiatives that Congress does and

should support. It fulfills its mission not merely by preaching but by example, by putting its compassion to work. As one of its most recent publications states, "Just as Jesus Christ healed the sick, fed the hungry and restored the soul sick one person at a time, Habitat's strength is in its commitment to eliminate substandard housing one family at a time."

Now, most Americans have heard of Habitat for Humanity. They probably have not heard, however, of how Congress has helped Habitat enhance and expand its work. For example, in 1996, Congress created the Self-Help Home Ownership Opportunity program, called the SHOP program for short. This program offers competitive grants for non profit groups like habitat for humanity to help with land and infrastructure experiences, clearly the two big-ticket items that are necessary for home building.

SHOP funds help fund local groups across the country, help them acquire sites for affordable home and community building. These funds help housing advocates leverage their precious resources and make them go much further, reaching more families and lifting more communities.

However, recent legal interpretation of the 1996 law is jeopardizing the chance for some local groups like many of Habitat's affiliates, to participate in SHOP funded bills. In its 2004 notice of funds available, HUD has concluded that H.R. 4363, the SHOP program, the sweat equity hours that must be fulfilled by the benefiting homeowners, must be earned constructing their own home.

The problem for groups like Habitat is that they are often built on a community building mission and model. Their programs allow folks to earn sweat equity hours on their homes but also the homes of others. For instance, many habitat affiliates run blitz builds where they build a house in one day. Clearly, 24 hours will not be enough for a homeowner to meet the sweat equity requirements under the SHOP interpretation. So Habitat allows for them to participate in other builds to gain additional hours.

In fact, by working on other family's homes, the program has an even greater community development value. It helps build a sense of neighborhood.

H.R. 4363, introduced by the gentleman from Tennessee (Mr. FORD), and myself, makes a technical correction to the SHOP Act and restores the original intent of Congress when it created this program. It allows for blitz build and other community building models to continue the access to precious seed money that SHOP offers.

Finally, Mr. Speaker, the timing of today's action is appropriate because this bill also honors one of our most widely respected colleagues in the House. Have had the distinct pleasure of serving with the gentleman from Nebraska (Mr. BEREUTER) on both the Committee on Financial Services and

Committee on International Relation. He is, as anyone here will attest, one of the brightest and most genuine individuals serving in Congress.

My colleague from Nebraska has made his mark in many different areas, but perhaps one of his greatest legacies of the creation of the USDA section 502 single family housing loan guarantee program. Thousands of Americans living in rural parts of country have been able to achieve homeownership through this program. I am honored that this bill will rename the section 502 program after its founder, the gentleman from Nebraska (Congressman BEREUTER). I cannot think of a more fitting tribute. I am honored to have had the chance to work with him for the past few years. I wish he and his family nothing but the best.

Mr. Speaker, I urge my colleagues to support this bill.

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

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

Mr. Speaker, today the House takes up important housing legislation to help communities across America achieve homeownership. The bill we are taking up today was recently passed by a voice vote from the Committee on Financial Services.

H.R. 4363, Helping Hands For Homeownership Act of 2004, introduced by the gentleman from Wisconsin (Mr. GREEN) would make a technical correction for the Housing Opportunity Program Extension Act of 1996 to permit families who receive homes from groups such as Habitat for Humanity to fulfill the sweat equity requirements for receiving self-help homeownership opportunity program funds or SHOP funds by helping to build other Habitat homes in the community in addition to their own.

SHOP provides competitive grants for groups such as Habitat to help with land and infrastructure expenses. This change fulfills the original intent of Congress and corrects the U.S. Department of Housing and Urban Development interpretation which create a hurdle to home ownership, the exact opposite of HUD's mission.

In 1996, Congress created the SHOP program to provide grants to non-profit groups like Habitat for Humanity to help with land and infrastructure expenses. However, because of a new interpretation of SHOP by HUD, Habitat's involvement in the program was placed in jeopardy. Under the new interpretation, families are required to contribute sweat equity labor hours towards the construction of their own home. The legislation of the gentleman from Wisconsin (Mr. GREEN) changes this to allow families to accumulate their sweat equity hours by working on both their own homes and other Habitat homes.

These grants are essential in helping groups like Habitat carry out their mission of building stronger communities. By correcting this problem Con-

gress, will remove a major barrier to home ownership for low income families and give them a chance to help other families in their communities.

Habitat for Humanity's headquarters located Georgia provides information, training and a variety of other support services to Habitat affiliates throughout the world. Habitat for Humanity International is a non-profit, ecumenical, Christian housing ministry. They seek to eliminate poverty housing and homelessness from around the world and to make decent shelter a matter of conscience and action. Habitat invites people of all backgrounds, races and religions to build houses together in partnership with families in need.

Habitat has built more than 150,000 houses around the world providing more than 750,000 people in more than 3,000 communities with safe, decent, and affordable shelter. They were founded in 1976 by Millard Fuller, along with his wife Linda.

Mr. Speaker, I ask that this bill be passed.

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

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CANTOR).

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

Mr. CANTOR. Mr. Speaker, I would like to, first of all, congratulate the gentleman from Wisconsin (Mr. GREEN) and the gentleman from Tennessee (Mr. FORD) for bringing forth this legislation, and for really identifying the need for a correction in this very impactful portion of our statute.

As the gentleman had said, there was a recent interpretation of a statute which simply makes achieving the dream of home ownership that much more unattainable, and we are here today to try and make that correction so we can continue as the gentlemen from Massachusetts and Wisconsin have said, making the dream of home ownership that much more attainable.

□ 1430

Many of us have worked on houses which have been built under this program. The gentleman mentions Habitat for Humanity. I think all of us have done that.

Recently, 2 weeks ago, I did participate in the construction of a house with Habitat and with the Richmond Association of Realtors; and in that project, I think the house was completed in 4 days. So we can see the problem: if we require an individual to exhort 200 hours, let us say, of his own sweat equity and try and squeeze that into 4 days during the construction period, it is just not going to work.

So a looser or more flexible interpretation of this, which does not take away from the volunteer requirement of the requisite number of hours, I think accomplishes two things. One, it allows an individual to continue to benefit from the SHOP program; but it

also encourages volunteerism and makes that volunteerism more workable to be able to fit into that homeowner's work schedule. Many of the homeowners are single parents, obviously with the parental obligations that come with that role as well.

So, Mr. Speaker, I am here to congratulate and endorse this legislation and urge its passage.

Mr. OSBORNE. Mr. Speaker, I rise in support of H.R. 4363, the Helping Hands for Homeownership Act.

I am pleased to be a cosponsor of this very important legislation.

The legislation corrects an interpretation by the Department of Housing and Urban Development (HUD) in Fiscal Year 2004 which prevents families who received Self-Help Homeownership Opportunity Program funds from fulfilling their "sweat equity" requirement by working on other program homes.

The legislation corrects this interpretation by HUD and clarifies Congress' intent to permit organizations like Habitat for Humanity to allow their homeowners to work on other homes to fulfill their sweat equity requirements.

Each Habitat for Humanity Chapter has established its own requirement for sweat equity hours.

The Habitat for Humanity chapter in Grand Island, Nebraska, requires their homeowners to put in 500 hours of sweat equity.

Mr. Speaker, there have been several instances where the homeowners have put most of their sweat equity into other Habitat for Humanity Homes to fulfill the 500 hour requirement.

I would like to give you two examples.

One Habitat family's home was primarily built by a local high school as learning project.

The family did put sweat equity hours into their home, but had to put the additional required hours into other Habitat homes to complete their sweat equity.

Under this interpretation by HUD, the family would not have been allowed to live in this home since they would not have been able to complete the 500 hours of sweat equity that was required.

Another example from the same chapter was of a family who had completed most of their sweat equity hours in other Habitat homes in the community before construction was to begin on their home.

Before construction was to begin on their home, another Habitat home that had been completed earlier became available when a Habitat family moved out of town, allowing this family an opportunity to purchase the home and move in.

Had this interpretation by HUD been in place, the family would not have been allowed to move into this home because they had not put 500 hours of sweat equity into this Habitat home.

Mr. Speaker, I would like to thank Mr. GREEN for introducing this important legislation.

I would also like to thank Chairman OXLEY and Ranking Member FRANK FOR including an amendment to this legislation that will change the name of the USDA Section 502 Single Family Housing Loan Guarantee Program to the DOUG BEREUTER Section 502 Single Family Housing Loan Guarantee Program.

My colleague, Mr. BEREUTER, was the legislative author of this very important program which was enacted on November 28, 1990.

Since 1990, the program has assisted low- to moderate-income borrowers in obtaining over 316,000 single-family home loans in rural and non-metropolitan communities.

Mr. BEREUTER will be retiring from the House at the end of August, 2004, and this is an appropriate way to thank Mr. BEREUTER for all of his hard work on this essential program that has helped thousands of families become homeowners in rural and non-metropolitan areas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 4363: Helping Hands for Homeownership Act of 2004, which amends the housing opportunity program extension act of 1996 to permit a homeowner under the sweat equity model program to perform required construction time on more than one dwelling.

The "Helping Hands for Homeownership Act of 2004" (H.R. 4363) will permit prospective homebuyers to qualify for "sweat equity" credit when they work on multiple houses rather than exclusively on their own home. This important change will enable Americans to gain valuable labor skills, foster stronger communities, and make more Americans homeowners by making home ownership more accessible.

Sweat equity programs allows families and individuals to purchase a home in return for their labor. These programs significantly reduce construction and rehabilitation costs, as well as financial contributions.

As the Housing Opportunity Program Extension Act currently stands, individuals participating in sweat equity programs are permitted to work on only one dwelling to perform required construction time. With this act, we will extend the opportunity for individuals to work on multiple dwellings, which will provide Americans with greater access to home ownership.

In a country where a home valued at more than \$170,000.00 is considered affordable, we must take measures to make home ownership more realistic for the average American. What better way to build community than to provide financial incentives to perform required construction time on more than one dwelling?

It is our responsibility to make sure that our children are not exposed to increased risk of diseases like asthma because of the lack of affordable, decent housing. We have the opportunity to extend the opportunity for success, community and home ownership by enabling those participating in sweat equity programs to work on more than one dwelling.

Mr. Speaker, I would like to urge my colleagues to support a H.R. 4363, a bill that actually empowers individuals to become home owners, builds communities, and provides citizens with valuable skill sets. Affordable and decent housing should be a right in this country, and providing citizens with more accessibility to home ownership is our duty.

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

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 4363, as amended.

The question was taken.

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

Mr. GREEN of Wisconsin. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

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

#### BUNNING-BEREUTER-BLUMENAUER FLOOD INSURANCE REFORM ACT OF 2004

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2238) to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made.

The Clerk read as follows:

S. 2238

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Congressional findings.

#### TITLE I—AMENDMENTS TO FLOOD INSURANCE ACT OF 1968

Sec. 101. Extension of program and consolidation of authorizations.

Sec. 102. Establishment of pilot program for mitigation of severe repetitive loss properties.

Sec. 103. Amendments to existing flood mitigation assistance program.

Sec. 104. FEMA authority to fund mitigation activities for individual repetitive claims properties.

Sec. 105. Amendments to additional coverage for compliance with land use and control measures.

Sec. 106. Actuarial rate properties.

Sec. 107. Geospatial digital flood hazard data.

Sec. 108. Replacement of mobile homes on original sites.

Sec. 109. Reiteration of FEMA responsibility to map mudslides.

#### TITLE II—MISCELLANEOUS PROVISIONS

Sec. 201. Definitions.

Sec. 202. Supplemental forms.

Sec. 203. Acknowledgement form.

Sec. 204. Flood insurance claims handbook.

Sec. 205. Appeal of decisions relating to flood insurance coverage.

Sec. 206. Study and report on use of cost compliance coverage.

Sec. 207. Minimum training and education requirements.

Sec. 208. GAO study and report.

Sec. 209. Prospective payment of flood insurance premiums.

Sec. 210. Report on changes to fee schedule or fee payment arrangements.

#### SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) the national flood insurance program—

(A) identifies the flood risk;

(B) provides flood risk information to the public;

(C) encourages State and local governments to make appropriate land use adjustments to constrict the development of land

which is exposed to flood damage and minimum damage caused by flood losses; and

(D) makes flood insurance available on a nationwide basis that would otherwise not be available, to accelerate recovery from floods, mitigate future losses, save lives, and reduce the personal and national costs of flood disasters;

(2) the national flood insurance program insures approximately 4,400,000 policyholders;

(3) approximately 48,000 properties currently insured under the program have experienced, within a 10-year period, 2 or more flood losses where each such loss exceeds the amount \$1,000;

(4) approximately 10,000 of these repetitive-loss properties have experienced either 2 or 3 losses that cumulatively exceed building value or 4 or more losses, each exceeding \$1,000;

(5) repetitive-loss properties constitute a significant drain on the resources of the national flood insurance program, costing about \$200,000,000 annually;

(6) repetitive-loss properties comprise approximately 1 percent of currently insured properties but are expected to account for 25 to 30 percent of claims losses;

(7) the vast majority of repetitive-loss properties were built before local community implementation of floodplain management standards under the program and thus are eligible for subsidized flood insurance;

(8) while some property owners take advantage of the program allowing subsidized flood insurance without requiring mitigation action, others are trapped in a vicious cycle of suffering flooding, then repairing flood damage, then suffering flooding, without the means to mitigate losses or move out of harm's way;

(9) mitigation of repetitive-loss properties through buyouts, elevations, relocations, or flood-proofing will produce savings for policyholders under the program and for Federal taxpayers through reduced flood insurance losses and reduced Federal disaster assistance;

(10) a strategy of making mitigation offers aimed at high-priority repetitive-loss properties and shifting more of the burden of recovery costs to property owners who choose to remain vulnerable to repetitive flood damage can encourage property owners to take appropriate actions that reduce loss of life and property damage and benefit the financial soundness of the program;

(11) the method for addressing repetitive-loss properties should be flexible enough to take into consideration legitimate circumstances that may prevent an owner from taking a mitigation action; and

(12) focusing the mitigation and buy-out of repetitive loss properties upon communities and property owners that choose to voluntarily participate in a mitigation and buy-out program will maximize the benefits of such a program, while minimizing any adverse impact on communities and property owners.

#### TITLE I—AMENDMENTS TO FLOOD INSURANCE ACT OF 1968

##### SEC. 101. EXTENSION OF PROGRAM AND CONSOLIDATION OF AUTHORIZATIONS.

(a) **BORROWING AUTHORITY.**—The first sentence of section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)), is amended by striking “through December” and all that follows through “, and” and inserting “through the date specified in section 1319, and”.

(b) **AUTHORITY FOR CONTRACTS.**—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026), is amended by striking “after” and all that follows and inserting “after September 30, 2008.”.

(c) **EMERGENCY IMPLEMENTATION.**—Section 1336(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4056(a)), is amended by striking “during the period” and all that follows through “in accordance” and inserting “during the period ending on the date specified in section 1319, in accordance”.

(d) **AUTHORIZATION OF APPROPRIATIONS FOR STUDIES.**—Section 1376(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4127(c)), is amended by striking “through” and all that follows and inserting “through the date specified in section 1319, for studies under this title.”.

##### SEC. 102. ESTABLISHMENT OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.

(a) **IN GENERAL.**—The National Flood Insurance Act of 1968 is amended by inserting after section 1361 (42 U.S.C. 4102) the following:

###### “SEC. 1361A. PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.

“(a) **AUTHORITY.**—To the extent amounts are made available for use under this section, the Director may, subject to the limitations of this section, provide financial assistance to States and communities that decide to participate in the pilot program established under this section for taking actions with respect to severe repetitive loss properties (as such term is defined in subsection (b)) to mitigate flood damage to such properties and losses to the National Flood Insurance Fund from such properties.

“(b) **SEVERE REPETITIVE LOSS PROPERTY.**—For purposes of this section, the term ‘severe repetitive loss property’ has the following meaning:

“(1) **SINGLE-FAMILY PROPERTIES.**—In the case of a property consisting of 1 to 4 residences, such term means a property that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the property.

“(2) **MULTIFAMILY PROPERTIES.**—In the case of a property consisting of 5 or more residences, such term shall have such meaning as the Director shall by regulation provide.

“(c) **ELIGIBLE ACTIVITIES.**—Amounts provided under this section to a State or community may be used only for the following activities:

“(1) **MITIGATION ACTIVITIES.**—To carry out mitigation activities that reduce flood damages to severe repetitive loss properties, including elevation, relocation, demolition, and floodproofing of structures, and minor physical localized flood control projects, and the demolition and rebuilding of properties to at least Base Flood Elevation or greater, if required by any local ordinance.

“(2) **PURCHASE.**—To purchase severe repetitive loss properties, subject to subsection (g).

“(d) **MATCHING REQUIREMENT.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), in any fiscal year the Director may not provide assistance under this section to a State or community in an amount exceeding 3 times the amount that the State or community certifies, as the Director shall require, that the State or community will contribute from non-Federal funds for carrying out the eligible activities to be funded with such assistance amounts.

“(2) **REDUCED COMMUNITY MATCH.**—With respect to any 1-year period in which assistance is made available under this section, the Director may adjust the contribution required under paragraph (1) by any State, and for the communities located in that State, to not less than 10 percent of the cost of the activities for each severe repetitive loss property for which grant amounts are provided if, for such year—

“(A) the State has an approved State mitigation plan meeting the requirements for hazard mitigation planning under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) that specifies how the State intends to reduce the number of severe repetitive loss properties; and

“(B) the Director determines, after consultation with the State, that the State has taken actions to reduce the number of such properties.

“(3) **NON-FEDERAL FUNDS.**—For purposes of this subsection, the term ‘non-Federal funds’ includes State or local agency funds, in-kind contributions, any salary paid to staff to carry out the eligible activities of the recipient, the value of the time and services contributed by volunteers to carry out such activities (at a rate determined by the Director), and the value of any donated material or building and the value of any lease on a building.

“(e) **NOTICE OF MITIGATION PROGRAM.**—

“(1) **IN GENERAL.**—Upon selecting a State or community to receive assistance under subsection (a) to carry out eligible activities, the Director shall notify the owners of a severe repetitive loss property, in plain language, within that State or community—

“(A) that their property meets the definition of a severe repetitive loss property under this section;

“(B) that they may receive an offer of assistance under this section;

“(C) of the types of assistance potentially available under this section;

“(D) of the implications of declining such offer of assistance under this section; and

“(E) that there is a right to appeal under this section.

“(2) **IDENTIFICATION OF SEVERE REPETITIVE LOSS PROPERTIES.**—The Director shall take such steps as are necessary to identify severe repetitive loss properties, and submit that information to the relevant States and communities.

“(f) **STANDARDS FOR MITIGATION OFFERS.**—The program under this section for providing assistance for eligible activities for severe repetitive loss properties shall be subject to the following limitations:

“(1) **PRIORITY.**—In determining the properties for which to provide assistance for eligible activities under subsection (c), the Director shall provide assistance for properties in the order that will result in the greatest amount of savings to the National Flood Insurance Fund in the shortest period of time, in a manner consistent with the allocation formula under paragraph (5).

“(2) **OFFERS.**—The Director shall provide assistance in a manner that permits States and communities to make offers to owners of severe repetitive loss properties to take eligible activities under subsection (c) as soon as practicable.

“(3) **CONSULTATION.**—In determining for which eligible activities under subsection (c) to provide assistance with respect to a severe repetitive loss property, the relevant States and communities shall consult, to the extent practicable, with the owner of the property.

“(4) **DEFERENCE TO LOCAL MITIGATION DECISIONS.**—The Director shall not, by rule, regulation, or order, establish a priority for funding eligible activities under this section that gives preference to one type or category of

eligible activity over any other type or category of eligible activity.

“(5) ALLOCATION.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), of the total amount made available for assistance under this section in any fiscal year, the Director shall allocate assistance to a State, and the communities located within that State, based upon the percentage of the total number of severe repetitive loss properties located within that State.

“(B) REDISTRIBUTION.—Any funds allocated to a State, and the communities within the State, under subparagraph (A) that have not been obligated by the end of each fiscal year shall be redistributed by the Director to other States and communities to carry out eligible activities in accordance with this section.

“(C) EXCEPTION.—Of the total amount made available for assistance under this section in any fiscal year, 10 percent shall be made available to communities that—

“(i) contain one or more severe repetitive loss properties; and

“(ii) are located in States that receive little or no assistance, as determined by the Director, under the allocation formula under subparagraph (A).

“(6) NOTICE.—Upon making an offer to provide assistance with respect to a property for any eligible activity under subsection (c), the State or community shall notify each holder of a recorded interest on the property of such offer and activity.

“(g) PURCHASE OFFERS.—A State or community may take action under subsection (c)(2) to purchase a severe repetitive loss property only if the following requirements are met:

“(1) USE OF PROPERTY.—The State or community enters into an agreement with the Director that provides assurances that the property purchased will be used in a manner that is consistent with the requirements of section 404(b)(2)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(b)(2)(B)) for properties acquired, accepted, or from which a structure will be removed pursuant to a project provided property acquisition and relocation assistance under such section 404(b).

“(2) OFFERS.—The Director shall provide assistance in a manner that permits States and communities to make offers to owners of severe repetitive loss properties and of associated land to engage in eligible activities as soon as possible.

“(3) PURCHASE PRICE.—The amount of purchase offer is not less than the greatest of—

“(A) the amount of the original purchase price of the property, when purchased by the holder of the current policy of flood insurance under this title;

“(B) the total amount owed, at the time the offer to purchase is made, under any loan secured by a recorded interest on the property; and

“(C) an amount equal to the fair market value of the property immediately before the most recent flood event affecting the property, or an amount equal to the current fair market value of the property.

“(4) COMPARABLE HOUSING PAYMENT.—If a purchase offer made under paragraph (2) is less than the cost of the homeowner-occupant to purchase a comparable replacement dwelling outside the flood hazard area in the same community, the Director shall make available an additional relocation payment to the homeowner-occupant to apply to the difference.

“(h) INCREASED PREMIUMS IN CASES OF REFUSAL TO MITIGATE.—

“(1) IN GENERAL.—In any case in which the owner of a severe repetitive loss property refuses an offer to take action under paragraph

(1) or (2) of subsection (c) with respect to such property, the Director shall—

“(A) notify each holder of a recorded interest on the property of such refusal; and

“(B) notwithstanding subsections (a) through (c) of section 1308, thereafter the chargeable premium rate with respect to the property shall be the amount equal to 150 percent of the chargeable rate for the property at the time that the offer was made, as adjusted by any other premium adjustments otherwise applicable to the property and any subsequent increases pursuant to paragraph (2) and subject to the limitation under paragraph (3).

“(2) INCREASED PREMIUMS UPON SUBSEQUENT FLOOD DAMAGE.—Notwithstanding subsections (a) through (c) of section 1308, if the owner of a severe repetitive loss property does not accept an offer to take action under paragraph (1) or (2) of subsection (c) with respect to such property and a claim payment exceeding \$1,500 is made under flood insurance coverage under this title for damage to the property caused by a flood event occurring after such offer is made, thereafter the chargeable premium rate with respect to the property shall be the amount equal to 150 percent of the chargeable rate for the property at the time of such flood event, as adjusted by any other premium adjustments otherwise applicable to the property and any subsequent increases pursuant to this paragraph and subject to the limitation under paragraph (3).

“(3) LIMITATION ON INCREASED PREMIUMS.—In no case may the chargeable premium rate for a severe repetitive loss property be increased pursuant to this subsection to an amount exceeding the applicable estimated risk premium rate for the area (or subdivision thereof) under section 1307(a)(1).

“(4) TREATMENT OF DEDUCTIBLES.—Any increase in chargeable premium rates required under this subsection for a severe repetitive loss property may be carried out, to the extent appropriate, as determined by the Director, by adjusting any deductible charged in connection with flood insurance coverage under this title for the property.

“(5) NOTICE OF CONTINUED OFFER.—Upon each renewal or modification of any flood insurance coverage under this title for a severe repetitive loss property, the Director shall notify the owner that the offer made pursuant to subsection (c) is still open.

“(6) APPEALS.—

“(A) IN GENERAL.—Any owner of a severe repetitive loss property may appeal a determination of the Director to take action under paragraph (1)(B) or (2) with respect to such property, based only upon the following grounds:

“(i) As a result of such action, the owner of the property will not be able to purchase a replacement primary residence of comparable value and that is functionally equivalent.

“(ii) Based on independent information, such as contractor estimates or appraisals, the property owner believes that the price offered for purchasing the property is not an accurate estimation of the value of the property, or the amount of Federal funds offered for mitigation activities, when combined with funds from non-Federal sources, will not cover the actual cost of mitigation.

“(iii) As a result of such action, the preservation or maintenance of any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places will be interfered with, impaired, or disrupted.

“(iv) The flooding that resulted in the flood insurance claims described in subsection (b)(2) for the property resulted from significant actions by a third party in viola-

tion of Federal, State, or local law, ordinance, or regulation.

“(v) In purchasing the property, the owner relied upon flood insurance rate maps of the Federal Emergency Management Agency that were current at the time and did not indicate that the property was located in an area having special flood hazards.

“(vi) The owner of the property, based on independent information, such as contractor estimates or other appraisals, demonstrates that an alternative eligible activity under subsection (c) is at least as cost effective as the initial offer of assistance.

“(B) PROCEDURE.—An appeal under this paragraph of a determination of the Director shall be made by filing, with the Director, a request for an appeal within 90 days after receiving notice of such determination. Upon receiving the request, the Director shall select, from a list of independent third parties compiled by the Director for such purpose, a party to hear such appeal. Within 90 days after filing of the request for the appeal, such third party shall review the determination of the Director and shall set aside such determination if the third party determines that the grounds under subparagraph (A) exist. During the pendency of an appeal under this paragraph, the Director shall stay the applicability of the rates established pursuant to paragraph (1)(B) or (2), as applicable.

“(C) EFFECT OF FINAL DETERMINATION.—In an appeal under this paragraph—

“(i) if a final determination is made in favor of the property owner under subparagraph (A) exist, the third party hearing such appeal shall require the Director to reduce the chargeable risk premium rate for flood insurance coverage for the property involved in the appeal from the amount required under paragraph (1)(B) or (2) to the amount paid prior to the offer to take action under paragraph (1) or (2) of subsection (c); and

“(ii) if a final determination is made that the grounds under subparagraph (A) do not exist, the Director shall promptly increase the chargeable risk premium rate for such property to the amount established pursuant to paragraph (1)(B) or (2), as applicable, and shall collect from the property owner the amount necessary to cover the stay of the applicability of such increased rates during the pendency of the appeal.

“(D) COSTS.—If the third party hearing an appeal under this paragraph is compensated for such service, the costs of such compensation shall be borne—

“(i) by the owner of the property requesting the appeal, if the final determination in the appeal is that the grounds under subparagraph (A) do not exist; and

“(ii) by the National Flood Insurance Fund, if such final determination is that the grounds under subparagraph (A) do exist.

“(E) REPORT.—Not later than 6 months after the date of the enactment of the Bunning-Bereuter-Blumenaur Flood Insurance Reform Act of 2004, the Director shall submit a report describing the rules, procedures, and administration for appeals under this paragraph to—

“(i) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

“(ii) the Committee on Financial Services of the House of Representatives.

“(i) DISCRETIONARY ACTIONS IN CASES OF FRAUDULENT CLAIMS.—If the Director determines that a fraudulent claim was made under flood insurance coverage under this title for a severe repetitive loss property, the Director may—

“(1) cancel the policy and deny the provision to such policyholder of any new flood insurance coverage under this title for the property; or

“(2) refuse to renew the policy with such policyholder upon expiration and deny the provision of any new flood insurance coverage under this title to such policyholder for the property.”

“(j) RULES.—

“(1) IN GENERAL.—The Director shall, by rule—

“(A) subject to subsection (f)(4), develop procedures for the distribution of funds to States and communities to carry out eligible activities under this section; and

“(B) ensure that the procedures developed under paragraph (1)—

“(i) require the Director to notify States and communities of the availability of funding under this section, and that participation in the pilot program under this section is optional;

“(ii) provide that the Director may assist States and communities in identifying severe repetitive loss properties within States or communities;

“(iii) allow each State and community to select properties to be the subject of eligible activities, and the appropriate eligible activity to be performed with respect to each severe repetitive loss property; and

“(iv) require each State or community to submit a list of severe repetitive loss properties to the Director that the State or community would like to be the subject of eligible activities under this section.

“(2) CONSULTATION.—Not later than 90 days after the date of enactment of this Act, the Director shall consult with State and local officials in carrying out paragraph (1)(A), and provide an opportunity for an oral presentation, on the record, of data and arguments from such officials.

“(k) FUNDING.—

“(1) IN GENERAL.—Pursuant to section 1310(a)(8), the Director may use amounts from the National Flood Insurance Fund to provide assistance under this section in each of fiscal years 2005, 2006, 2007, 2008, and 2009, except that the amount so used in each such fiscal year may not exceed \$40,000,000 and shall remain available until expended. Notwithstanding any other provision of this title, amounts made available pursuant to this subsection shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(2) ADMINISTRATIVE EXPENSES.—Of the amounts made available under this subsection, the Director may use up to 5 percent for expenses associated with the administration of this section.

“(l) TERMINATION.—The Director may not provide assistance under this section to any State or community after September 30, 2009.”

(b) AVAILABILITY OF NATIONAL FLOOD INSURANCE FUND AMOUNTS.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (7), by striking “and” at the end; and

(2) by striking paragraph (8) and inserting the following:

“(8) for financial assistance under section 1361A to States and communities for taking actions under such section with respect to severe repetitive loss properties, but only to the extent provided in section 1361A(i); and”.

**SEC. 103. AMENDMENTS TO EXISTING FLOOD MITIGATION ASSISTANCE PROGRAM.**

(a) STANDARD FOR APPROVAL OF MITIGATION PLANS.—Section 1366(e)(3) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended by adding at the end the following new sentence: “The Director may approve only mitigation plans that give priority for funding to such properties, or to such subsets of properties, as are in the best interest of the National Flood Insurance Fund.”

(b) PRIORITY FOR MITIGATION ASSISTANCE.—Section 1366(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended by striking paragraph (4) and inserting the following:

“(4) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this subsection for mitigation activities, the Director shall give first priority for funding to such properties, or to such subsets of such properties as the Director may establish, that the Director determines are in the best interests of the National Flood Insurance Fund and for which matching amounts under subsection (f) are available.”

(c) COORDINATION WITH STATES AND COMMUNITIES.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended by adding at the end the following:

“(m) COORDINATION WITH STATES AND COMMUNITIES.—The Director shall, in consultation and coordination with States and communities take such actions as are appropriate to encourage and improve participation in the national flood insurance program of owners of properties, including owners of properties that are not located in areas having special flood hazards (the 100-year floodplain), but are located within flood prone areas.”

(d) FUNDING.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b), by striking paragraph (1) and inserting the following:

“(1) in each fiscal year, amounts from the National Flood Insurance Fund not exceeding \$40,000,000, to remain available until expended;”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

“(c) ADMINISTRATIVE EXPENSES.—The Director may use not more than 5 percent of amounts made available under subsection (b) to cover salaries, expenses, and other administrative costs incurred by the Director to make grants and provide assistance under sections 1366 and 1323.”

(e) REDUCED COMMUNITY MATCH.—Section 1366(g) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(g)), is amended—

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) REDUCED COMMUNITY MATCH.—With respect to any 1-year period in which assistance is made available under this section, the Director may adjust the contribution required under paragraph (1) by any State, and for the communities located in that State, to not less than 10 percent of the cost of the activities for each severe repetitive loss property for which grant amounts are provided if, for such year—

“(A) the State has an approved State mitigation plan meeting the requirements for hazard mitigation planning under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) that specifies how the State intends to reduce the number of severe repetitive loss properties; and

“(B) the Director determines, after consultation with the State, that the State has taken actions to reduce the number of such properties.”

(f) NATIONAL FLOOD MITIGATION FUND.—Section 1366(b)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(b)(2)), is amended by striking “\$1,500,000” and inserting “7.5 percent of the available funds under this section”.

**SEC. 104. FEMA AUTHORITY TO FUND MITIGATION ACTIVITIES FOR INDIVIDUAL REPETITIVE CLAIMS PROPERTIES.**

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by adding at the end the following:

**“SEC. 1323. GRANTS FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.**

“(a) IN GENERAL.—The Director may provide funding for mitigation actions that reduce flood damages to individual properties for which 1 or more claim payments for losses have been made under flood insurance coverage under this title, but only if the Director determines that—

“(1) such activities are in the best interest of the National Flood Insurance Fund; and

“(2) such activities cannot be funded under the program under section 1366 because—

“(A) the requirements of section 1366(g) are not being met by the State or community in which the property is located; or

“(B) the State or community does not have the capacity to manage such activities.

“(b) PRIORITY FOR WORST-CASE PROPERTIES.—In determining the properties for which funding is to be provided under this section, the Director shall consult with the States in which such properties are located and provide assistance for properties in the order that will result in the greatest amount of savings to the National Flood Insurance Fund in the shortest period of time.”

(b) AVAILABILITY OF NATIONAL FLOOD INSURANCE FUND AMOUNTS.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended by adding at the end the following:

“(9) for funding, not to exceed \$10,000,000 in any fiscal year, for mitigation actions under section 1323, except that, notwithstanding any other provision of this title, amounts made available pursuant to this paragraph shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.”

**SEC. 105. AMENDMENTS TO ADDITIONAL COVERAGE FOR COMPLIANCE WITH LAND USE AND CONTROL MEASURES.**

(a) COMPLIANCE WITH LAND USE AND CONTROL MEASURES.—Section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “compliance” and inserting “implementing measures that are consistent”; and

(B) by inserting “by the community” after “established”;

(2) in paragraph (2), by striking “have flood damage in which the cost of repairs equals or exceeds 50 percent of the value of the structure at the time of the flood event; and” and inserting “are substantially damaged structures;”

(3) in paragraph (3), by striking “compliance with land use and control measures.” and inserting “the implementation of such measures; and”; and

(4) by inserting after paragraph (3) and before the last undesignated paragraph the following:

“(4) properties for which an offer of mitigation assistance is made under—

“(A) section 1366 (Flood Mitigation Assistance Program);

“(B) section 1368 (Repetitive Loss Priority Program and Individual Priority Property Program);

“(C) the Hazard Mitigation Grant Program authorized under section 404 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5170c);

“(D) the Predisaster Hazard Mitigation Program under section 203 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5133); and

“(E) any programs authorized or for which funds are appropriated to address any unmet needs or for which supplemental funds are made available.”.

(b) **DEFINITIONS.**—Section 1370(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4121(a)) is amended—

(1) by striking paragraph (7) and inserting the following:

“(7) the term ‘repetitive loss structure’ means a structure covered by a contract for flood insurance that—

“(A) has incurred flood-related damage on 2 occasions, in which the cost of repair, on the average, equaled or exceeded 25 percent of the value of the structure at the time of each such flood event; and

“(B) at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.”;

(2) in paragraph (13), by striking “and” at the end;

(3) in paragraph (14), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(15) the term ‘substantially damaged structure’ means a structure covered by a contract for flood insurance that has incurred damage for which the cost of repair exceeds an amount specified in any regulation promulgated by the Director, or by a community ordinance, whichever is lower.”.

**SEC. 106. ACTUARIAL RATE PROPERTIES.**

(a) **IN GENERAL.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by striking subsection (c) and inserting the following:

“(c) **ACTUARIAL RATE PROPERTIES.**—Subject only to the limitations provided under paragraphs (1) and (2), the chargeable rate shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 1307(a)(1) with respect to the following properties:

“(1) **POST-FIRM PROPERTIES.**—Any property the construction or substantial improvement of which the Director determines has been started after December 31, 1974, or started after the effective date of the initial rate map published by the Director under paragraph (2) of section 1360 for the area in which such property is located, whichever is later, except that the chargeable rate for properties under this paragraph shall be subject to the limitation under subsection (e).

“(2) **CERTAIN LEASED COASTAL AND RIVER PROPERTIES.**—Any property leased from the Federal Government (including residential and nonresidential properties) that the Director determines is located on the river-facing side of any dike, levee, or other riverine flood control structure, or seaward of any seawall or other coastal flood control structure.”.

(b) **INAPPLICABILITY OF ANNUAL LIMITATIONS ON PREMIUM INCREASES.**—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking “Notwithstanding” and inserting “Except with respect to properties described under paragraph (2) or (3) of subsection (c), and notwithstanding”.

**SEC. 107. GEOSPATIAL DIGITAL FLOOD HAZARD DATA.**

For the purposes of flood insurance and floodplain management activities conducted pursuant to the National Flood Insurance Program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), geospatial digital flood hazard data distributed by the Federal Emergency Management Agency, or its designee, or the printed products derived from that data, are interchangeable and legally equivalent for the determination of the location of 1 in 100 year and 1 in 500 year flood planes, provided that all other

geospatial data shown on the printed product meets or exceeds any accuracy standard promulgated by the Federal Emergency Management Agency.

**SEC. 108. REPLACEMENT OF MOBILE HOMES ON ORIGINAL SITES.**

Section 1315 of the National Flood Insurance Act of 1968 (42 U.S.C. 4022) is amended by adding at the end the following:

“(c) **REPLACEMENT OF MOBILE HOMES ON ORIGINAL SITES.**—

“(1) **COMMUNITY PARTICIPATION.**—The placement of any mobile home on any site shall not affect the eligibility of any community to participate in the flood insurance program under this title and the Flood Disaster Protection Act of 1973 (notwithstanding that such placement may fail to comply with any elevation or flood damage mitigation requirements), if—

“(A) such mobile home was previously located on such site;

“(B) such mobile home was relocated from such site because of flooding that threatened or affected such site; and

“(C) such replacement is conducted not later than the expiration of the 180-day period that begins upon the subsidence (in the area of such site) of the body of water that flooded to a level considered lower than flood levels.

“(2) **DEFINITION.**—For purposes of this subsection, the term ‘mobile home’ has the meaning given such term in the law of the State in which the mobile home is located.”.

**SEC. 109. REITERATION OF FEMA RESPONSIBILITY TO MAP MUDSLIDES.**

As directed in section 1360(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(b)), the Director of the Federal Emergency Management Agency is again directed to accelerate the identification of risk zones within flood-prone and mudslide-prone areas, as provided by subsection (a)(2) of such section 1360, in order to make known the degree of hazard within each such zone at the earliest possible date.

**TITLE II—MISCELLANEOUS PROVISIONS**

**SEC. 201. DEFINITIONS.**

In this title, the following definitions shall apply:

(1) **DIRECTOR.**—The term “Director” means the Director of the Federal Emergency Management Agency.

(2) **FLOOD INSURANCE POLICY.**—The term “flood insurance policy” means a flood insurance policy issued under the National Flood Insurance Act of 1968 (42 U.S.C. et seq.).

(3) **PROGRAM.**—The term “Program” means the National Flood Insurance Program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

**SEC. 202. SUPPLEMENTAL FORMS.**

(a) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Director shall develop supplemental forms to be issued in conjunction with the issuance of a flood insurance policy that set forth, in simple terms—

(1) the exact coverages being purchased by a policyholder;

(2) any exclusions from coverage that apply to the coverages purchased;

(3) an explanation, including illustrations, of how lost items and damages will be valued under the policy at the time of loss;

(4) the number and dollar value of claims filed under a flood insurance policy over the life of the property, and the effect, under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), of the filing of any further claims under a flood insurance policy with respect to that property; and

(5) any other information that the Director determines will be helpful to policyholders in understanding flood insurance coverage.

(b) **DISTRIBUTION.**—The forms developed under subsection (a) shall be given to—

(1) all holders of a flood insurance policy at the time of purchase and renewal; and

(2) insurance companies and agents that are authorized to sell flood insurance policies.

**SEC. 203. ACKNOWLEDGEMENT FORM.**

(a) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Director shall develop an acknowledgement form to be signed by the purchaser of a flood insurance policy that contains—

(1) an acknowledgement that the purchaser has received a copy of the standard flood insurance policy, and any forms developed under section 202; and

(2) an acknowledgement that the purchaser has been told that the contents of a property or dwelling are not covered under the terms of the standard flood insurance policy, and that the policyholder has the option to purchase additional coverage for such contents.

(b) **DISTRIBUTION.**—Copies of an acknowledgement form executed under subsection (a) shall be made available to the purchaser and the Director.

**SEC. 204. FLOOD INSURANCE CLAIMS HANDBOOK.**

(a) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Director shall develop a flood insurance claims handbook that contains—

(1) a description of the procedures to be followed to file a claim under the Program, including how to pursue a claim to completion;

(2) how to file supplementary claims, proof of loss, and any other information relating to the filing of claims under the Program; and

(3) detailed information regarding the appeals process established under section 205.

(b) **DISTRIBUTION.**—The handbook developed under subsection (a) shall be made available to—

(1) each insurance company and agent authorized to sell flood insurance policies; and

(2) each purchaser, at the time of purchase and renewal, of a flood insurance policy, and at the time of any flood loss sustained by such purchaser.

**SEC. 205. APPEAL OF DECISIONS RELATING TO FLOOD INSURANCE COVERAGE.**

Not later than 6 months after the date of enactment of this Act, the Director shall, by regulation, establish an appeals process through which holders of a flood insurance policy may appeal the decisions, with respect to claims, proofs of loss, and loss estimates relating to such flood insurance policy, of—

(1) any insurance agent or adjuster, or insurance company; or

(2) any employee or contractor of the Federal Emergency Management Agency.

**SEC. 206. STUDY AND REPORT ON USE OF COST COMPLIANCE COVERAGE.**

Not later than 1 year after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall submit to Congress a report that sets forth—

(1) the use of cost of compliance coverage under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)) in connection with flood insurance policies;

(2) any barriers to policyholders using the funds provided by cost of compliance coverage under that section 1304(b) under a flood insurance policy, and recommendations to address those barriers; and

(3) the steps that the Federal Emergency Management Agency has taken to ensure that funds paid for cost of compliance coverage under that section 1304(b) are being used to lessen the burdens on all homeowners and the Program.

**SEC. 207. MINIMUM TRAINING AND EDUCATION REQUIREMENTS.**

The Director of the Federal Emergency Management Agency shall, in cooperation with the insurance industry, State insurance regulators, and other interested parties—

- (1) establish minimum training and education requirements for all insurance agents who sell flood insurance policies; and
- (2) not later than 6 months after the date of enactment of this Act, publish these requirements in the Federal Register, and inform insurance companies and agents of the requirements.

**SEC. 208. GAO STUDY AND REPORT.**

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study of—

- (1) the adequacy of the scope of coverage provided under flood insurance policies in meeting the intended goal of Congress that flood victims be restored to their pre-flood conditions, and any recommendations to ensure that goal is being met;
- (2) the adequacy of payments to flood victims under flood insurance policies; and
- (3) the practices of the Federal Emergency Management Agency and insurance adjusters in estimating losses incurred during a flood, and how such practices affect the adequacy of payments to flood victims.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report regarding the results of the study under subsection (a).

**SEC. 209. PROSPECTIVE PAYMENT OF FLOOD INSURANCE PREMIUMS.**

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by adding at the end the following:

“(f) **ADJUSTMENT OF PREMIUM.**—Notwithstanding any other provision of law, if the Director determines that the holder of a flood insurance policy issued under this Act is paying a lower premium than is required under this section due to an error in the flood plain determination, the Director may only prospectively charge the higher premium rate.”

**SEC. 210. REPORT ON CHANGES TO FEE SCHEDULE OR FEE PAYMENT ARRANGEMENTS.**

Not later than 3 months after the date of enactment of this Act, the Director shall submit a report on any changes or modifications made to the fee schedule or fee payment arrangements between the Federal Emergency Management Agency and insurance adjusters who provide services with respect to flood insurance policies to—

- (1) the Committee on Banking, Housing, and Urban Affairs of the Senate; and
- (2) the Committee on Financial Services of the House of Representatives.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from Wisconsin (Mr. **GREEN**) and the gentleman from Massachusetts (Mr. **FRANK**) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. **GREEN**).

**GENERAL LEAVE**

Mr. **GREEN** of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 2238.

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

There was no objection.

Mr. **GREEN** of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 2238, the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act, legislation to reauthorize and reform the National Flood Insurance Program.

The legislation we are considering here today is a must-do bill. Currently, this program is set to expire on June 30 of this year; and without this program, the ability to close a loan and purchase a new home in literally thousands of communities all across this country will be placed in jeopardy.

The NFIP was established by Congress with the passage of the National Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating companies to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages.

Unfortunately, one of the authors of this important legislation, the gentleman from Nebraska (Mr. **BEREUTER**), is unable to be with us here today. However, we would be remiss if we did not recognize his tireless efforts on this bill. For over 14 years, the gentleman from Nebraska (Mr. **BEREUTER**) has worked hard to craft legislation that would reduce the cost of this program to the American taxpayer. Today, repetitive-loss properties cost the NFIP about \$200 million each year. These properties account for only 1 percent of the currently insured properties across the country; yet they represent 25 to 30 percent of all claims paid.

Under our current program, repetitive loss properties are eligible for subsidized flood insurance at rates far below the actuarial rate they should be paying. With the passage of this legislation, people living in flood-prone areas will be provided assistance to reduce their risk of flooding. If they choose not to reduce their risk of flooding, they will be required to pay higher premiums.

In addition to reauthorizing the existing Flood Mitigation Assistance program through 2008, the bill establishes a new pilot program aimed at reducing the number of severe repetitive-loss properties and provides \$40 million to help reach that goal. It is important to note that this fund will not be subject to a Federal appropriation. Instead, this level of funding will come from money that is transferred from the National Flood Insurance Fund, which is composed of policyholder premiums.

S. 2238 is virtually identical to H.R. 253, the Flood Insurance Reform Act of 2003, authored by the gentleman from Nebraska (Mr. **BEREUTER**) and passed by this House on November 20, 2003. I want to take this opportunity to commend the gentleman from Nebraska (Mr. **BEREUTER**) for his hard work on this legislation and for his exemplary service to this body over the years.

I urge my colleagues to support the passage of this bill.

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

Mr. **FRANK** of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur in the description given by the gentleman from Wisconsin. I am very proud of the work that on a bipartisan basis we did here in this Congress. The House really generated this. The other body went along with our initiative. The initiative really was due to two Members of the House, one on each side of the aisle, the gentleman from Nebraska, who has already been mentioned; and the gentleman from Oregon (Mr. **BLUMENAUER**), who worked very well together and provided the leadership that we on the committee were glad to support.

Mr. Speaker, as recognition of that and because of the press of other business, I ask unanimous consent to turn over the management of the remainder of this bill to the gentleman from Oregon (Mr. **BLUMENAUER**).

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

There was no objection.

Mr. **GREEN** of Wisconsin. Mr. Speaker, I continue to reserve the balance of my time.

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

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

Mr. **BLUMENAUER**. Mr. Speaker, I appreciate very much the comments that the gentleman from Wisconsin made and particularly highlighting the long-standing contribution of our friend, the gentleman from Nebraska (Mr. **BEREUTER**) who I have been privileged to work with the last 6 years on this bill, but I know he has been working on this issue and is a recognized congressional expert, one of the gentleman's many areas of expertise.

I think it is also important to note the cooperation with the gentleman from Ohio (Chairman **OXLEY**), the gentleman from Massachusetts (Ranking Member **FRANK**) who worked with us as we were maneuvering with our friends in the Senate. I think this is a better bill for the effort.

We have also had a great deal of back and forth from other Members who are from States that have suffered from repetitive-flood loss; and as a result of their efforts, and the work in the Senate, I think we actually have a bill that provides better and broader protections than when we had first begun this work.

Last but not least, I note on the floor the presence of Kyle Gilster, who has done outstanding work staffing this on behalf of the gentleman from Nebraska (Mr. **BEREUTER**). I note that we also have Janine Benners who has been doing this in my office.

Mr. Speaker, I would insert at this point in the **RECORD** the remainder of my comments.

Thank you to Mr. FRANK, Senator BUNNING, Senator SHELBY, and Senator SARBANES.

I also want to thank the staff of Representative BEREUER, Kyle Gilster, and Representative FRANK, Jeff Riley, for their work on this issue.

The National Flood Insurance Program (NFIP) is crucial and good example of working with local communities to reduce impact of disasters. Benefits economy, environment, and individual property values.

NFIP started in 1968—private insurance companies suffered high losses and stopped offering coverage for flood damage. NFIP helps homeowners deal with flood losses and gives communities tools to prevent future flood damage. Program has already lowered flood damage by 25 percent below the level that would have occurred without the program.

Some problems with the program: in some cases, federal flood control policy encourages floodplain development by financing the construction and repair of levees and underwriting the risk of flooding.

FEMA was concerned about this problem during the Clinton and Bush administrations. Mr. BEREUER and I worked with former FEMA Administrator James Lee Witt to develop our proposal to fix NFIP problems.

The Office of Management and Budget has pointed out that in too many years the program has expenses greater than its revenue from insurance premiums which prevents building long-term reserves to handle the costs of flood insurance.

Twenty-five percent of the policyholders pay substantially subsidized premiums, with the Federal Treasury and other policyholders paying the difference.

Losers of the NFIP are people who live in areas that require flood insurance, even though they do not have their property flood often, pay dramatically high rates.

The program is currently self supporting from premium income. However, in the 1980s federal taxpayers had to make up a shortfall of \$1.2 billion when the income from the low premiums was not enough to cover the flood claims. The chances of this happening again are high.

Repetitively flooded properties are a significant strain on the NFIP.

FEMA reports that just 1 percent of the properties account for 25 percent of NFIP flood loss dollars. Many of these properties have received more in flood insurance claims payments than the building's value.

Subsidizing people to live in repetitively flooded areas does not make sense.

It is bad for the federal taxpayer, bad for the environment, and bad for the families that are continually placed in harm's way.

Property owners are trapped in a dangerous and expensive cycle. We do flood victims no favors by rebuilding their homes in harm's way.

The legislation we are considering today will avoid many of the injuries, deaths, and damages before they occur, and give property owners the option of moving to a less hazardous area.

Our approach helps build disaster resistant communities and safe homes by providing mitigation assistance to communities.

This bill has a number of benefits:

Most importantly, it will move people out of harm's way and discourage newcomers from moving there. This bill will save lives by moving people to higher ground.

Often overlooked, it will save the federal government millions of dollars in avoided flood damages. FEMA reports that mitigation and building standards already in place have resulted in over \$1 billion annually in reduced flood losses. Our bill will significantly increase these savings by increasing funding for mitigation.

Savings to ratepayers in the National Flood Insurance Program. Mitigating repetitively flooded properties will reduce the pressure to raise flood insurance rates. The Association of State Floodplain Managers estimates that avoiding just one 10 percent rate increase could save the 4.4 million policyholders \$175 million each year.

Finally, this bill will significantly benefit the environment. If property-owners choose to relocate, the land will convert to open-space. Non-structural approaches to flood control, such as voluntary buyouts and restoration of natural floodplains, are often much more effective in controlling floods than structural approaches. Natural floodplains also prevent pollution problems from flooding.

As the bill went through the process in the House and Senate, we worked with Members from coastal areas to make the reforms more sensitive to the plight of their constituents.

I would like to highlight one change we were able to make in the Increased Cost of Compliance (ICC) program. The bill not specifically provides for use of the ICC program funds as local match monies. This program, created in the 1994 Flood Insurance Reform Act, uses a flood insurance premium surcharge to raise money for mitigation—but it hasn't yet functioned well.

Freeing up these funds for use in mitigation of repetitive loss properties will help the affected property owners by dramatically reducing costs to them and will help all policy holders by stemming the drain on the Flood Insurance Fund from repetitive claims.

I respectfully urge passage of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004. This is one of the best fiscal and environmental opportunities for Congress this year.

We can't stop natural hazards from threatening our communities, but we can try to minimize or stop them from becoming disasters, and that's what this bill does.

Mr. NEY. Mr. Speaker, today, I rise in support of S. 2238, the "Flood Insurance Reform Act of 2004."

The Senate bill, in most respects, is identical to H.R. 253, which passed the House on November 20, 2003. The Senate bill did make some acceptable changes to the House-passed bill, such as a new title which provides new consumer protections for flood insurance policyholders. The Senate bill will extend the authorization of the NFIP through September 30, 2008, and create a temporary pilot program to address severe repetitive loss properties. The authorization of the NFIP is set to expire on June 30, 2004. This legislation, S. 2238, represents a continuation of this chamber's past efforts to reform the National Flood Insurance Program.

Floods have been, and continue to be, one of the most destructive and costly natural hazards to our nation. The National Flood Insurance Program is a valuable tool in addressing the losses incurred throughout this country due to floods. It assures that businesses and families have access to affordable insurance

that would not be available on the open market.

The National Flood Insurance Program was established in 1968 with the passage of the National Flood Insurance Act. Prior to that time, insurance companies generally did not offer coverage for flood disasters because of the high risks involved. Today, almost 20,000 communities participate in the national flood insurance program. More than 90 insurance companies sell and service flood policies. There are approximately \$4.4 million policies covering a total of \$620 billion.

In order to participate in the program, communities must agree to abide by certain hazard mitigation provisions. These provisions include adopting building codes that require new floodplain structures to be protected against flooding or elevated above the 100-year floodplain.

The National Flood Insurance program is administered by the Federal Emergency Management Agency (FEMA). It is worth noting that on November 25, 2002, President Bush signed into law the Homeland Security Act of 2002 which brought FEMA under the new Department of Homeland Security.

As many of you are aware, the NFIP reauthorization expired on December 31, 2002. Unfortunately, Congress adjourned without extending the flood insurance program. This situation was quickly remedied in the 108th Congress and on January 13, 2003, President Bush signed into law a bill to reauthorize the program for one year, retroactively to January 1, 2003. This one-year reauthorization gave us the time necessary to determine how best to go about reforming the existing program.

This is a good day for the National Flood Insurance Program and is a good day for the American tax-payers. I applaud all members from both chambers for reaching an agreement.

I urge my colleagues to support this initiative.

Mr. BEREUER. Mr. Speaker, this Member rises today to express his support for S. 2238, a bill to reauthorize the National Flood Insurance Program (NFIP). This legislation, the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, passed the Senate by unanimous consent on June 15, 2004. The Senate bill will extend the authorization of the NFIP through September 30, 2008, and create a temporary pilot program to address severe repetitive loss properties. The authorization of the NFIP is set to expire on June 30, 2004. This legislation, S. 2238, represents a continuation of this Member's past efforts to reform the NFIP.

This Senate bill, in most respects, is identical to H.R. 253, which passed the House on November 20, 2003. This Member introduced H.R. 253 on January 8, 2003, along with my distinguished colleague from Oregon (Mr. BLUMENAUER). The Senate bill did make some acceptable changes to the House-passed bill, such as a new title which provides new consumer protections for flood insurance policyholders. However, this Member continues to adamantly oppose one change by the Senate. The Senate bill allows a policyholder to make an appeal, based on independent information, such as contractor estimates or other appraisals. This Member will discuss his strong opposition to this provision at the appropriate time in this statement.

When it comes to expressions of appreciation, this Member first would like to thank the

distinguished gentleman from Oregon (Mr. BLUMENAUER) who was both an original co-sponsor of H.R. 253 and a tireless advocate for reform of the NFIP. The distinguished gentleman from Oregon and this Member introduced similar versions of this legislation, in both the 106th and 107th Congresses.

This Member would also like to thank both the distinguished gentleman from Ohio (Mr. OXLEY), the Chairman of the House Financial Services Committee, and the distinguished gentleman from Massachusetts (Mr. FRANK) for their efforts in bringing this Senate measure to the House floor. This Member must also thank the distinguished junior senator from Kentucky (Mr. BUNNING), the chairman of the Senate Banking, Housing and Urban Affairs Subcommittee on Economic Policy, for introducing S. 2238. This Member also appreciates the contributions of the following Senators who are very supportive of this legislation: the distinguished senior senator from Alabama (Mr. SHELBY), the Chairman of the Senate Banking, Housing and Urban Affairs Committee; the distinguished senior senator from Maryland (Mr. SARBANES), and the distinguished senior senator from Nebraska, my friend, (Mr. HAGEL) among others.

This Member would also like to thank the distinguished gentleman from Louisiana (Mr. BAKER) for being a conscientious legislator who offered a number of provisions which ultimately were included in H.R. 253 and which in turn have subsequently been incorporated into S. 2238. The incorporated suggestions by the distinguished gentleman from Louisiana have made the final product a better bill.

Finally, this Member would also like to thank all of the House and Senate Committee staff who have worked on this legislation. Specifically, this Member would like to thank Kyle Gilster, a Nebraskan formerly on my congressional staff who is now a key member of the staff of the House Financial Services, for his efforts with H.R. 253. In addition, this Member also appreciates the very effective work of Janine Benner, who is a legislative staff member for the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. Speaker, today, this Member would like to organize his remaining comments under the following three sections:

1. background on repetitive loss properties;
2. contents of S. 2238; and
3. the changes the Senate made to H.R. 253.

#### 1. BACKGROUND ON REPETITIVE LOSS PROPERTIES

This Member has been actively proposing specific reform provisions for the NFIP for over 14 years. His work on this issue soon became a bipartisan effort with the distinguished gentleman from Massachusetts (Mr. JOSEPH KENNEDY) who is no longer serving in the House. This legislation, S. 2238, is primarily drawn from H.R. 253, which represents a culmination of my legislative efforts to reduce the extraordinary loss of repetitive loss properties.

Currently, repetitive loss properties cost the NFIP about \$200 million annually. These properties while comprising approximately one percent of the currently insured properties, are expected to account for 25 to 30 percent of claims paid. For example, one home, valued at \$114,480, has received \$806,591 in flood insurance claims over an 18-year period.

Today, the vast majority of repetitive-loss properties are eligible for subsidized flood insurance at rates far below the actuarial risk

rate they should be paying. This bill, S. 2238, would at last move the NFIP towards a more free-market insurance model by requiring people living in flood prone areas to reduce their risk of flooding or pay higher premiums.

#### 2. CONTENTS OF S. 2238

This legislation, S. 2238, authorizes funds for both the existing Flood Mitigation Assistance (FMA) program and a new pilot program. This approach is identical to the one that was used in H.R. 253.

FMA Program. This bill, S. 2238, uses FEMA's existing FMA program to mitigate repetitive loss properties. This bill authorizes up to an additional \$40 million a year to be transferred from the National Flood Insurance Fund into the FMA fund through FY2008.

Pilot Program. Under S. 2238, \$40 million a year is authorized to be transferred from the National Flood Insurance Fund into the pilot program. These funds are required to be used to reduce the number of severe repetitive loss properties. Under this legislation, a severe repetitive loss property must at least meet one of the following two definitions:

(i) for which 4 or more separate claims have been made, with the amount of each claim exceeding \$5,000, and with the cumulative amount exceeding \$20,000; or

(ii) for which at least two claims have been made which exceed the value of the property.

Using this definition, the Federal Emergency Management Agency (FEMA) has estimated that approximately 6,200 properties nationwide would qualify as a severe repetitive loss property.

This trial pilot program, which would expire on September 30, 2009, addresses these properties in a simple, straightforward manner. The owner of a severe repetitive loss property will be charged a rate closer to the actuarial, risk-based rates for their national flood insurance policy if two conditions prevail.

The first condition is that it is by definition a severe repetitive loss property. The second condition is that the owner of the real property must have refused a mitigation measure from a state or locality, such as the elevation of the structure or a buy-out of the property. (It is important to note that this bill preserves state and local decision-making.)

If both of these conditions have been met, rates for severe repetitive loss properties will be increased by 50 percent. Properties will be subject to additional 50 percent increases for each future flood insurance claim exceeding \$1500. However, flood insurance rates cannot be increased to a rate higher than the actuarial level.

#### 3. SENATE CHANGES TO H.R. 253

As mentioned earlier, some constructive changes were made in S. 2238. However, this Member continues to strongly oppose one change made by the Senate. The Senate bill adds a new source of appeal which allows a policyholder, based on independent information, such as contractor estimates or other appraisals, to demonstrate either of the following: the purchase price under a buyout is not an accurate estimate of the property; or that there is an alternative eligible mitigation activity. This Member strongly feels that this is a bad provision.

This provision allows a policy holder to appeal an increase in their flood insurance rates if they find one appraiser to make a determination which is favorable to them. This "independent appraiser" provision is a mile-

wide opening—anybody can shop around and find an appraiser which will give them grounds to appeal. This provision will result in an unnecessary number of appeals which will inevitably bog down the appeals process. This Member directs FEMA to pass regulations that will reduce the very wide breadth of this provision—thus, limiting the abuse of this appeal method.

This Member had conveyed to the Senate his opposition to this provision. Nevertheless, they still did not strike this new appeals criteria. Unfortunately, we have run out of time in this legislation to make a change since the authorization of the NFIP expires on June 30, 2004. This Member urges his colleagues in the House to pass a separate bill in the immediate future to strike this new appeals criteria.

The Senate bill, S. 2238, does make certain changes relative to the House bill which are very constructive. For example, a new title was added which creates additional consumer protections for policyholders. This new title was added at the suggestion of the two distinguished Senators from Maryland (Mr. SARBANES and Ms. MIKULSKI). The impetus for this new title was the problems that flood insurance policy holders in Maryland experienced in the aftermath of the most recent hurricane. This Member is in full support of this change.

This new title requires the Director to develop consumer related disclosure/information forms and a flood insurance claims handbook for policyholders. The Director must promulgate regulations outlining an appeals process for policyholders with respect to claims, proofs of loss, and loss estimates related to flood insurance policies. The Director must also establish minimum training and education requirements, in cooperation with the insurance industry, for all insurance agents who sell flood insurance.

Among other changes, the Senate bill modifies the Federal/state cost share for mitigation projects under the existing FMA program and the pilot program. The changes in the Senate bill were made at the request of the FEMA so that it would be easier to implement the pilot program and the FMA program nationwide.

This Member believes that it is important that one final public policy point be made. The bill, S. 2238, would reduce the amount of regional cost-shifting on flood insurance which is occurring among states and within states. The policyholders in non-repetitive loss areas of the country (such as in Nebraska) by their higher than appropriate premiums are subsidizing the policyholders in repetitive loss areas of the country. Flood insurance policyholders in communities along the Platte River across Nebraska are paying significantly more in flood insurance premiums than the risk warrants. For example, property owners in North Platte have paid \$1.2 million in flood insurance premiums over the last 25 years, while only \$26,000 has been paid out in claims over this time period. The Senate bill, S. 2238, would give FEMA the funds and the tools to mitigate repetitive loss properties which will result in more affordable premiums in the future for policyholders from non-repetitive loss areas of the country, such as in Nebraska.

Mr. Speaker, in conclusion, Congress is finally acting to stop the very expensive treading through the water of repetitive loss after repetitive loss. A very impressive and diverse group of taxpayer, financial, and environmental associations are all in strong support of

S. 2238. This Member would encourage the House to pass, S. 2238, the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, as it is very necessary reform legislation that is long overdue.

Mr. OSBORNE. Mr. Speaker, I rise in support of S. 2238, the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004.

S. 2238 was originally H.R. 253 which was authored by my dear colleague and fellow Nebraskan, Mr. BEREUTER of Nebraska, and co-sponsored by Mr. BLUMENAUER of Oregon. Both Members have been strong advocates for reforming the National Flood Insurance program, administered by the Federal Emergency Management Agency, since the 106th Congress. Mr. BEREUTER has been a champion of this legislation for the last 14 years.

The legislation will extend the authorization of the National Flood Insurance Program (NFIP) through September 30, 2008, and create a temporary pilot program to address severe repetitive loss properties (SRLPs).

The authorization of the NFIP is set to expire on June 30, 2004.

I support the temporary pilot program included in this important legislation because it will address the problem of severe repetitive loss properties for which many communities in my district are paying increased premiums.

I have numerous communities in my district paying substantial premiums on properties that have not been affected by flooding since the beginning of the program.

One example is North Platte, Nebraska. The community sits between the North and South Platte Rivers. The North and South Platte Rivers merge east of North Platte. While the National Flood Insurance Program has been in place since 1968, North Platte has paid over \$1 million in premiums each year, but has not received more than \$26 thousand in flood insurance claims during that time. The community has been working diligently with FEMA and the Nebraska Department of Natural Resources to reduce the cost of the National Flood Insurance premiums, but premiums continue to remain high.

That is why I support S. 2238.

S. 2238 authorizes up to \$40 million a year to be transferred from the National Flood Insurance Fund for mitigation assistance to reduce the problem of SRLPs. The money in the National Flood Insurance Fund comes from flood insurance premiums from policyholders and would not need an appropriation.

This pilot program, which would expire on September 30, 2009, addresses these properties in a simple, straightforward manner; the owner of a SRLP will be charged a rate closer to the actuarial, risk-based rates for their national flood insurance policy if two conditions prevail.

The first condition is that it is indeed by definition a SRLP. Under this legislation, a severe repetitive loss property must at least meet one of the following two definitions: Four or more separate claims have been made, with the amount of each claim exceeding \$5,000, and with the cumulative amount exceeding \$20,000; at least two claims have been made which exceed the value of the property.

The second condition which would cause the applicability of closer to actuarial rates to be applied is that the owner of the real property must have refused a mitigation measure from a state or locality, such as the elevation

of the structure or a buy-out of the property. If both of these conditions have been met, rates for SRLPs will be increased by 50 percent.

Properties will be subject to additional 50 percent increases for each subsequent flood event where claims payments exceed \$1,500. However, flood insurance rates applied cannot be higher than the actuarial based NFIP rates.

I would again like to thank Mr. BEREUTER and Mr. BLUMENAUER for their tireless determination to improve the National Flood Insurance Program to assist those communities that have not had repetitive losses.

Mr. GREEN of Texas. Mr. Speaker, the National Flood Insurance Program is literally a lifeline to thousands of my constituents, restoring their homes and properties after devastating floods that have become too common for Houston and Harris County, Texas, residents. I support S. 2238 on the suspension calendar today.

There are over 172,000 homes and businesses with National Flood Insurance Program (NFIP) policies in Houston and Harris County, over 37 percent of the 461,000 statewide in Texas. These federally backed NFIP policies are vital to our area because private insurers would not make flood insurance available at any kind of affordable price. H.R. 2238 reassures residents, realtors, insurers, and lending institutions that this Federal backing of the NFIP will be extended by 4 more years until September 2008.

The reform included in this legislation will mean major changes for the Houston area, which has many homes with repeat flood insurance claims. It is important to treat NFIP policy holders fairly because they may now receive FEMA buyout and mitigation offers once they have 4 separate claims of \$5,000 each (or 2 claims exceeding the value of the home), and if they refuse, their premiums will increase by 50 percent, and an addition 50 percent after each following claim of \$1,500, until the premium equals the "market" premium.

These reform provisions have a noble goal of reducing flood premiums for most policy holders and assisting residents who repeatedly flood. But asking someone to leave their home through a government buyout offer can be a traumatic process, especially if the buyout offer does not allow for a smooth relocation of the flood victim.

After Tropical Storm Allison in Harris County in 2001, we had "fair market" buyout FEMA offers so low that people would have been unable to purchase another home outside of the floodplain. So after Allison, we had to scramble to find additional Federal, State, and local sources of funding to assist these people, since FEMA's policy would not allow for purchase offers greater than "fair market value." That kind of uncertainty for a homeowner facing 50 percent higher insurance premiums for refusing a government buyout is just not fair.

In response to these experiences, I authored a provision included in this bill to require FEMA to offer additional funds if "a purchase offer made under [this law] is less than the cost of the homeowner-occupant to purchase a comparable replacement dwelling outside the flood hazard area in the same community, the Director [of FEMA] shall make available an additional relocation payment to the homeowner-occupant to apply to the difference." [S. 2238 Section 102(g)(4)].

I wish to extend my thanks to my colleagues who assisted me in this effort, Chairman

OXLEY, Ranking Member FRANK, and Congressman BEREUTER. Their willingness to listen to the concerns of my constituents over this legislation is much appreciated. Because of the efforts of Chairman OXLEY, Ranking Member FRANK, and Congressman BEREUTER to ensure that homeowners receive a fair price for their homes, I support this legislation and look forward to working with them on a fair and efficient implementation of a reformed, National Flood Insurance Program.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the Senate bill, S. 2238.

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

A motion to reconsider was laid on the table.

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#### CORRECTING ENROLLMENT OF S. 2238, BUNNING-BEREUTER-BLUMENAUER FLOOD INSURANCE REFORM ACT OF 2004

Mr. GREEN of Wisconsin. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 458) directing the Secretary of the Senate to make technical corrections in the enrollment of the bill S. 2238, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 458

*Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 2238) to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made, the Secretary of the Senate shall strike "Blumenaur" each place such term appears and insert "Blumenauer".*

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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#### GENERAL LEAVE

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 458, the concurrent resolution just agreed to.

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

There was no objection.

REQUIRING STUDY FOR DENTAL AND VISION BENEFITS FOR FEDERAL EMPLOYEES

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3751) to require that the Office of Personnel Management study and present options under which dental and vision benefits could be made available to Federal employees and retirees and other appropriate classes of individuals, as amended.

The Clerk read as follows:

H.R. 3751

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

**SECTION 1. REPORTING REQUIREMENT.**

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Office of Personnel Management shall submit to Congress a report describing and evaluating options whereby additional dental, vision, and hearing benefits could be made available to—

(1) Federal employees and annuitants;

(2) qualified relatives of Federal employees and annuitants; and

(3) other appropriate classes of individuals.

(b) REQUIRED CONTENT.—The report shall include—

(1) a description of the dental, vision, and hearing benefits currently available under the Federal employees health benefits program;

(2) a description of the supplemental dental, vision, and hearing plans currently offered by carriers participating in the Federal employees health benefits program;

(3) a description of specific dental, vision, and hearing benefits that could be offered in addition to those described in paragraphs (1) and (2), including any maximums, limitations, exclusions, and definitions that might be relevant;

(4) a description of the specific classes of individuals (as referred to generally in paragraphs (1) through (3) of subsection (a)) to whom those additional benefits should be made available, including any definitions and other terms or conditions that might be relevant;

(5) a description and assessment of the various contracting arrangements by which the Government could make those additional benefits available, including whether such benefits should be contracted for on a regional or national basis;

(6) the estimated cost of those additional benefits, including an analysis relating to whether any regular Government contributions or allocation for start-up costs might be necessary or appropriate;

(7) a description of how those additional benefits could be made available through—

(A) the Federal employees health benefits program;

(B) one or more plans outside the Federal employees health benefits program, including supplemental plans referred to in paragraph (2);

(C) the program described in subparagraph (A) in combination with one or more of the plans described in subparagraph (B); and

(D) any other dental, vision, and hearing coverage delivery method;

(8) an analysis of the advantages and disadvantages associated with the alternatives described under paragraph (7), including—

(A) the relative cost-effectiveness and efficiency of each;

(B) the likely impact of each alternative on the overall attractiveness of the Federal employees health benefits program to individuals eligible to enroll, particularly Federal employees and annuitants; and

(C) the extent to which each alternative might affect the relative competitiveness of the various carriers and plans currently participating in the Federal employees health benefits program (including as a provider of supplemental benefits);

(9) a recommendation from the Office as to its preferred method or methods for providing those additional benefits; and

(10) any proposed legislation or other measures the Office considers necessary in order to implement any of the foregoing.

(c) SCREENING FOR GLAUCOMA.—For purposes of this Act, the term “vision benefits” includes benefits relating to screening for glaucoma.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3751, the bill under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, on behalf of the Committee on Government Reform, I rise in support of H.R. 3751, an important piece of legislation for all Federal employees. This bill requires the Federal Government to analyze available options to provide those who work in the civil service with better dental and vision benefits. These benefits may be provided through the existing structure of the Federal Employees Health Benefits Program or as stand-alone additional coverage.

Specifically, H.R. 3751 requires the Office of Personnel Management to study and to submit a report to Congress on how the government can provide dental and vision benefits to Federal employees.

Mr. Speaker, I want to thank the gentlewoman from Virginia (Mrs. JO ANN DAVIS), the distinguished Chair of the Subcommittee on Civil Service and Agency Organization, for offering H.R. 3751; and I certainly congratulate her today for moving the bill to the floor today. Along with the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the full Committee on Government Reform, as well as my distinguished colleague, the gentleman from Illinois (Mr. DAVIS), the ranking member of the Subcommittee on Civil Service and Agency Organization, the gentleman from Virginia (Mrs. JO ANN DAVIS) is a leader in the Congress in representing the Nation's integral and steadfast Federal employees.

Every single day, civil servants protect the Nation's streets. They teach

our children, they deliver the mail, they treat the sick, the injured. They perform countless other duties that help make America thrive.

H.R. 3751 a terrific step towards providing these individuals with the health benefits that they have earned and deserve. I urge its adoption.

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

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

Mr. Speaker, visual health and oral health are integral to our general health, as the House well knows. Oral and eye diseases are progressive and become more complex over time. Our ability to eat, see, read, learn, and communicate all depend on good visual and oral health.

Periodic eye and dental examinations are an important part of routine preventive health care. Many visual and oral conditions present no obvious symptoms. Therefore, individuals often are unaware that such problems exist.

There are safe and effective measures to prevent the most common eye and dental diseases. That is why early diagnosis and treatment are important for maintaining good visual and oral health and why a vision and dental benefit should be made available to Federal employees and annuitants.

We know that in 1987 the Office of Personnel Management stopped plans in the Federal Health Benefits program from adding new vision and dental packages. OPM did so for various reasons. However, the decision was made over 15 years ago, and it is time to take a fresh look at how we can meet the visual and oral health needs of Federal employees.

In the long run, preventive care, through periodic examinations and doctor visits, will help keep down long-term vision and dental costs due to early detection.

To further improve the bill, during subcommittee consideration of H.R. 3751, the gentleman from Illinois (Mr. DAVIS) offered an amendment requiring OPM to include glaucoma screening and hearing benefits in its study.

The amendment would require OPM to study the feasibility of providing hearing benefits to Federal employees and retirees. Currently, over 28 million Americans suffer hearing loss, half of whom are under the age of 50. Hearing loss is not just a problem affecting adults. Thirty-three children are born every day with some form of hearing loss. With early detection and treatment, these children can be taught in regular classes, saving a school system as much as half a billion dollars during a 12-year education.

Like vision and dental benefits, most insurance plans do not provide hearing benefits, such as coverage for hearing aids. We believe the Federal Government should consider taking a lead in this area.

In addition to hearing benefits, the gentleman from Illinois' (Mr. DAVIS) amendment required OPM to include

glaucoma screening in its study. This amendment was offered to better understand H.R. 3268, which was introduced by the gentleman from Maryland (Mr. CUMMINGS).

□ 1445

H.R. 3268 would extend the same glaucoma screening coverage provided by Medicare to Federal employees who are in high-risk populations.

The studies conducted by OPM under H.R. 3751 will go a long way in helping the Federal Government to craft a better dental, vision and hearing benefit for Federal employees.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in support of H.R. 3751, a bill to require the Office of Personnel Management to study and recommend options for enhancing the dental, vision and hearing benefits available to Federal employees. As the Federal Government strives to recruit top talent around the Nation, this issue plays a significant strategic role in attracting and retaining the very best to serve our country.

Currently, the dental, vision and hearing offerings available to those covered by the Federal Employees Health Benefits Program (FEHBP) can be described as inadequate at best. The Government's employees are often without proper dental care as part of their health insurance coverage. In fact, most plans in the FEHBP either do not offer dental and vision care, or cover only very minimal, basic procedures. While some plans do offer a supplemental dental package, they come at the cost of a very high premium.

By contract, dental and vision benefits offered to many employees in the private sector are more generous. A 2002 study by the Society for Human Resource Management determined that 96 percent of private sector firms offered dental coverage benefits. Furthermore, the Bureau of Labor Statistics reports that these private plans usually cover 100 percent of routine procedures and 50–80 percent of more expensive procedures.

According to the Office of Personal Management, Federal employees and retirees cite improved dental coverage as their most desired benefit enhancement. With these benefits so widely available in the private sector, the Federal Government cannot afford to ignore this issue, or it will lose the war for talent more often than it will win. The Government depends greatly on its competitive benefits packages to attract well-qualified candidates, and should explore the possibility of enhancing such benefits.

Putting more money into the system is not necessarily the answer, and this bill does not call for that. It simply requires the Federal Government's personnel experts, OPM, to study how to resolve this problem.

Whatever it reveals, the goal of the report is to recommend options for improving the availability of dental, vision and hearing benefits to employees in a way that fits within the current budgetary constraints. I urge all members to support H.R. 3751.

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

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion

offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 3751, as amended.

The title of the bill was amended so as to read:

“A bill to require that the Office of Personnel Management study current practices under which dental, vision, and hearing benefits are made available to Federal employees, annuitants, and other classes of individuals, and to require that the Office also present options and recommendations relating to how additional dental, vision, and hearing benefits could be made so available.”.

A motion to reconsider was laid on the table.

#### 2004 DISTRICT OF COLUMBIA OMNIBUS AUTHORIZATION ACT

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3797) to authorize improvements in the operations of the government of the District of Columbia, and for other purposes.

The Clerk read as follows:

H.R. 3797

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “2004 District of Columbia Omnibus Authorization Act”.

#### SEC. 2. REQUIRING SUBMISSION OF PLAN BY SCHOOL BOARD FOR ALLOCATION OF FUNDS UNDER MAYOR'S PROPOSED BUDGET.

Section 452 of the District of Columbia Home Rule Act (sec. 1–204.52, D.C. Official Code) is amended—

(1) in the first sentence, by striking “With respect to” and inserting “(a) ROLE OF MAYOR AND COUNCIL.—With respect to”;

(2) in the second sentence, by striking “This section” and inserting “This subsection”; and

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

“(b) PLAN FOR ALLOCATION OF FUNDS UNDER PROPOSED BUDGET.—

“(1) SUBMISSION OF PLAN TO COUNCIL.—Not later than March 1 of each year or the date on which the Mayor makes the proposed annual budget for a year available under section 442 (whichever occurs later), the Board of Education shall submit to the Council a plan for the allocation of the Mayor's proposed budget among various object classes and responsibility centers (as defined under regulations of the Board).

“(2) CONTENTS.—The plan submitted under this subsection shall include a detailed presentation of how much money will be allocated to each school, including—

“(A) a specific description of the amount of funds available to the school for which spending decisions are under the control of the school; and

“(B) a specific description of other responsibility center funds which will be spent in a manner directly benefiting the school, including funds which will be spent for personnel, equipment and supplies, property maintenance, and student services.”.

#### SEC. 3. MULTIYEAR CONTRACTING AUTHORITY AND LEASING AGREEMENTS FOR DISTRICT OF COLUMBIA COURTS.

(a) AUTHORITY.—Subchapter III of chapter 17 of title 11, District of Columbia Code, is amended by inserting after section 11–1742 the following new section:

#### “§ 11–1742a. Multiyear contracting authority and leasing agreements

“(a) SEVERABLE SERVICES CONTRACTS FOR PERIODS CROSSING FISCAL YEARS.—The Executive Officer may enter into a contract for procurement of severable services in the same manner and to the same extent as the head of an executive agency may enter into such a contract under section 303L of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l).

“(b) MULTIYEAR LEASING AGREEMENTS.—

“(1) AUTHORITY.—The Executive Officer may enter into a lease agreement for the accommodation of the District of Columbia courts in a building which is in existence or being erected by the lessor to accommodate the District of Columbia courts.

“(2) TERMS.—A lease agreement under this subsection shall be on terms the Executive Officer considers to be in the interest of the Federal Government and the District of Columbia and necessary for the accommodation of the District of Columbia courts. However, the lease agreement may not bind the District of Columbia courts for more than 10 years and the obligation of amounts for a lease under this subsection is limited to the current fiscal year for which payments are due without regard to section 1341(a)(1)(B) of title 31, United States Code.

“(c) MULTIYEAR CONTRACTS.—

“(1) AUTHORITY.—The Executive Officer may enter into a multiyear contract for the acquisition of property or services in the same manner and to the same extent as an executive agency may enter into such a contract under section 304B of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c). In applying such authority—

“(A) in section 304B(a)(2)(B)—

“(i) ‘the best interests of the District of Columbia and the Federal Government’ shall be substituted for ‘the best interests of the United States’; and

“(ii) ‘the courts’ programs’ shall be substituted for ‘the agency’s programs’;

“(B) the second sentence of section 304B(b), and subsection (e), shall not apply; and

“(C) in section 304B(c), ‘\$5,000,000’ shall be substituted for ‘\$10,000,000’.

“(2) CANCELLATION OR TERMINATION FOR INSUFFICIENT FUNDING AFTER FIRST YEAR.—In the event that funds are not made available for the continuation of a multiyear contract for services into a subsequent fiscal year, the contract shall be canceled or terminated, and the costs of cancellation or termination may be paid from—

“(A) appropriations originally available for the performance of the contract concerned;

“(B) appropriations currently available for procurement of the type of services concerned, and not otherwise obligated; or

“(C) funds appropriated for those payments.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter III of chapter 17 of title 11, District of Columbia Code, is amended by inserting after the item relating to section 11–1742 the following new item:

“11–1742a. Multiyear contracting authority and leasing agreements.”.

#### SEC. 4. ESTABLISHMENT OF ACADEMIC YEAR AS FISCAL YEAR FOR DISTRICT OF COLUMBIA SCHOOLS.

Section 441 of the District of Columbia Home Rule Act (sec. 1–204.41, D.C. Official Code) is amended—

(1) in the first sentence, by striking “The fiscal year” and inserting “(a) IN GENERAL.—Except as provided in subsection (b), the fiscal year”;

(2) by striking the third sentence; and

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

“(b) EXCEPTIONS.—

“(1) ARMORY BOARD.—The fiscal year for the Armory Board shall begin on the first day of January and shall end on the thirty-first day of December of each calendar year.

“(2) SCHOOLS.—Effective with respect to fiscal year 2007 and each succeeding fiscal year, the fiscal year for the District of Columbia Public Schools (including public charter schools) and the University of the District of Columbia shall begin on the first day of July and end on the thirtieth day of June of each calendar year.”

**SEC. 5. EXTENSION OF DEADLINE FOR COUNCIL TO ADOPT BUDGET TO ACCOUNT FOR DAYS OF RECESS.**

Section 446(a) of the District of Columbia Home Rule Act (sec. 1-204.46(a), D.C. Official Code), as amended by section 101(a), is amended by striking “50 calendar days” and inserting “56 calendar days”.

**SEC. 6. EXEMPTION OF DISTRICT GOVERNMENT EMPLOYEES ON COMPRESSED SCHEDULE FROM FEDERAL OVERTIME REQUIREMENTS.**

(a) IN GENERAL.—Section 7 of the Fair Labor Standards Act (29 U.S.C. 207) shall not apply to the hours of an employee of the District of Columbia government which constitute a compressed schedule.

(b) COMPRESSED SCHEDULE DEFINED.—In this section, the term “compressed schedule” means—

(1) in the case of a full-time employee, an 80-hour biweekly basic work requirement which is scheduled for less than 10 workdays, and

(2) in the case of a part-time employee, a biweekly basic work requirement of less than 80 hours which is scheduled for less than 10 workdays.

(c) EFFECTIVE DATE.—This section shall apply with respect to hours occurring on or after the date of the enactment of this Act.

**SEC. 7. AVAILABILITY OF ENFORCED ANNUAL LEAVE OR ENFORCED LEAVE WITHOUT PAY AS DISCIPLINARY ACTION FOR CORPORATION COUNSEL ATTORNEYS.**

(a) IN GENERAL.—Section 856(a) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (sec. 1-608.56(a), D.C. Official Code) is amended by striking “or reduction in grade,” and inserting “reduction in grade, or the placing of such attorney on enforced annual leave or enforced leave without pay.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

**SEC. 8. REGULATION OF DISTRICT OF COLUMBIA BANKS BY FEDERAL DEPOSIT INSURANCE CORPORATION.**

(a) FEDERAL DEPOSIT INSURANCE ACT.—(1) Section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) is amended—

(A) in subsection (a)(1)(A), by striking “, State bank, and District bank” and inserting “and State bank”;

(B) in subsection (a), by striking paragraph (4);

(C) in subsection (q)(1), by striking “, any District bank.”;

(D) in subsection (q)(2)(A), by striking “(except a District bank)” and

(E) in subsection (q)(3), by striking “(except a District bank).”

(2) Section 7(a)(1) of such Act (12 U.S.C. 1817(a)(1)) is amended by striking “(except a District bank).”

(3) Section 10(b)(2)(A) of such Act (12 U.S.C. 1820(b)(2)(A)) is amended by striking “(except a District bank).”

(4) Section 11 of such Act (12 U.S.C. 1821) is amended—

(A) in subsection (c)(2)(A)(i), by striking “or District bank”;

(B) in subsection (c)(2)(A)(ii)—

(i) by striking “or District bank”; and

(ii) by striking “ or the code of law for the District of Columbia”; and

(C) in subsection (c)(3)(A), by striking “(other than a District depository institution)”.

(5) Section 18 of such Act (12 U.S.C. 1828) is amended—

(A) in section (c)(2)(A), by striking “or a District bank”;

(B) in subsection (c)(2)(B), by striking “(except a District bank)”;

(C) in subsection (c)(2)(C), by striking “a District Bank or”;

(D) in subsection (d)(1), by striking “(except a District bank)” each place such term appears;

(E) in subsection (f), by striking “or a District bank”;

(F) in subsection (i)(1), by striking “(except a District bank)”;

(G) in subsection (i)(2), by striking subparagraph (A) and by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively;

(H) in subsection (i)(2)(A) (as so redesignated by subparagraph (G)), by striking “(except a District bank)”;

(I) in subsection (i)(2)(B) (as so redesignated by subparagraph (G)), by striking “(except a District bank)”.

(b) NATIONAL HOUSING ACT.—Section 203(s)(5) of the National Housing Act (12 U.S.C. 1709(s)(5)) is amended by striking “or District bank”.

(c) BANK HOLDING COMPANY ACT.—The Bank Holding Company Act of 1956 is amended—

(1) in section 2(c) (12 U.S.C. 1841(c)), by striking paragraph (3); and

(2) in section 3(b)(1) (12 U.S.C. 1842(b)(1)), by striking “or a District bank”.

(d) BANK PROTECTION ACT OF 1968.—Section 2(1) of the Bank Protection Act of 1968 (12 U.S.C. 1881(1)) is amended by striking “and district banks”.

(e) DEPOSITORY INSTITUTION MANAGEMENT INTERLOCKS ACT.—The Depository Institution Management Interlocks Act (12 U.S.C. 3201 et seq.) is amended—

(1) in section 207(1), by striking “and banks located in the District of Columbia”; and

(2) in section 209(1), by striking “and banks located in the District of Columbia”.

(f) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 is amended—

(1) in section 3(a)(34) (15 U.S.C. 78c(34)), by striking “or a bank operating under the Code of Law for the District of Columbia” each place such term appears in clause (i) of subparagraphs (A), (B), (C), (D), and (F);

(2) in section 3(a)(34)(G)(i) (15 U.S.C. 78c(34)(G)(i)), by striking “, a bank in the District of Columbia examined by the Comptroller of the Currency.”;

(3) in section 3(a)(34)(H)(i) (15 U.S.C. 78c(34)(H)(i)), by striking “ or a bank in the District of Columbia examined by the Comptroller of the Currency”;

(4) in section 12(i)(1) (15 U.S.C. 78i(i)(1)), by striking “and banks operating under the Code of Law for the District of Columbia”;

(5) in section 17(f)(4)(A) (15 U.S.C. 78q(f)(4)(A)), by striking “and banks operating under the Code of Law for the District of Columbia”; and

(6) in section 17(f)(4)(B) (15 U.S.C. 78q(f)(4)(B)), by striking “or a bank operating under the Code of Law for the District of Columbia”.

(g) NATIONAL BANK RECEIVERSHIP ACT.—The National Bank Receivership Act is amended by striking section 6.

(h) FEDERAL RESERVE ACT.—The last sentence of the 3rd undesignated paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 321) is amended by striking “(except within the District of Columbia)”.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 9. EFFECTIVE DATE.**

Except as otherwise provided, this Act and the amendments made by this Act shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER), and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan, Mrs. MILLER.

**GENERAL LEAVE**

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3797, and include extraneous material on the bill under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3797, a bill introduced by the chairman of the Committee on Government Reform, the gentleman from Virginia (Mr. DAVIS), authorizes the operations of the District of Columbia government. The bill, the first of its kind, actually, provides a vehicle to address necessary changes in Federal law pertaining to the District of Columbia. This legislation will give the mayor and the city's leadership necessary autonomy by allowing them to only have to deal with the House Committee of Jurisdiction, the Committee on Government Reform, on changes to Federal laws that affect the District.

Mr. Speaker, I thank the gentleman from Virginia (Mr. DAVIS) and the gentlewoman from the District of Columbia (Ms. NORTON) for ushering H.R. 3797 through the Committee on Government Reform and on to the floor today, and I support its passage.

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

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

Let me begin by thanking my friend and colleague on the Committee on Government Reform, its chairman, the gentleman from Virginia (Mr. DAVIS), for working closely with me in moving H.R. 3797. This legislation institutes a new process that will significantly facilitate D.C. government operations, promote greater efficiency in Congress by conforming the handling of District of Columbia matters to House rules, and improve the efficiency of both the House and the District of Columbia on these matters.

This is the first time that the Committee on Government Reform, the authorizing committee for District of Columbia matters that must come to the Congress, has introduced a bill to enact legislative changes that have been

passed by the D.C. council, and are here only because they require affirmative action by Congress to become law because they amend the D.C. Home Rule Act, which can only be amended by the Congress.

Perhaps the most noteworthy provision, in light of recent events, is the change in the fiscal year for D.C. public schools and the University of the District of Columbia's academic year to conform to the school system's new fiscal year. Imagine the difficulties if the fiscal year and the academic year are not in tandem, as they have not been. The proposed change was already in the bill, but its necessity is underlined by the fact that this is one of the changes requested by the top candidate for superintendent of the D.C. public schools, Carl Cohen.

Similarly, as requested by the mayor and city council, H.R. 3795 amends the Home Rule Charter to give the city council and additional 6 days with which to review the mayor's proposed budget, restoring the full 50-day period to the council to allow the D.C. government to use compressed schedules in order to exempt employees from Federal overtime requirements, to allow the D.C. government to offer enforced annual leave, or enforced leave without pay as a disciplinary action for corporation counsel attorneys while an investigation is underway for alleged misconduct, and to allow oversight of D.C. chartered banks to be changed from the U.S. Office of the Comptroller to the Federal Deposit Insurance Corporation in order to bring D.C. banking law into conformity with what occurs in all 50 States, relieving the current regulatory burden that has discouraged the establishment of D.C. charter banks.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume to urge all Members to support the passage of H.R. 3797, and I also want to thank the chairman of the Committee, the gentleman from Virginia (Mr. DAVIS), for his outstanding leadership on this bill. It is really of vital importance to our Nation's capital, and I know the chairman is always working very hard to address all the challenges and concerns of the people of the District.

Mr. TOM DAVIS of Virginia. Mr. Speaker, please include the attached exchange of letters between Chairman MICHAEL G. OXLEY of the Committee on Financial Services, Chairman JOHN A. BOEHNER of the Committee on Education and the Workforce and myself in the CONGRESSIONAL RECORD at the end of the debate on H.R. 3797 under general leave.

COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, March 9, 2004.

Hon. TOM DAVIS,  
Chairman, Committee on Government Reform,  
Washington, DC.

DEAR TOM: On February 26, 2004, the Committee on Government Reform ordered reported H.R. 3797, the 2004 District of Columbia Omnibus Authorization Act. As you

know, the Committee on Financial Services was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under Rule X of the Rules of the House of Representatives over banks and banking. Section 8 of the bill addresses the regulation of banks chartered by the District of Columbia by the Federal Deposit Insurance Corporation.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Financial Services Committee. By agreeing to waive its consideration of the bill, the Financial Services Committee does not waive its jurisdiction over H.R. 3797. In addition, the Committee on Financial Services reserves its authority to seek conferees on any provisions of the bill that are within the Financial Services Committee's jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Financial Services for conferees on H.R. 3797 or related legislation.

I request that you include this letter and your response as part of your committee's report on the bill and the Congressional Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

MICHAEL G. OXLEY,  
Chairman.

COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, March 9, 2004.

Hon. MICHAEL G. OXLEY,  
Chairman, Committee on Financial Services,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Financial Services Committee's jurisdictional interest in H.R. 3797, the 2004 District of Columbia Authorization Act. As you have stated, Section 8 regarding the regulation of banks chartered by the District of Columbia by the Federal Deposit Insurance Corporation is within the jurisdiction of your Committee.

I agree that the Financial Services Committee does not waive its jurisdiction over H.R. 3797 by waiving further consideration of the bill. In addition, I will support your request for conferees from the Financial Services Committee should a House-Senate conference on this or similar legislation be convened.

As you have requested, I will include a copy of your letter and this response as part of the Government Reform Committee's report and the Congressional Record during consideration of the legislation on the House floor. Thank you for your assistance as I work towards the enactment of H.R. 3797.

Sincerely,

TOM DAVIS,  
Chairman.

COMMITTEE ON EDUCATION  
AND THE WORKFORCE,  
Washington, DC, June 17, 2004.

Hon. TOM DAVIS,  
Chairman, Committee on Government Reform,  
Washington, DC.

DEAR CHAIRMAN DAVIS: I am writing to confirm our mutual understanding with respect to consideration of H.R. 3797, the "2004 District of Columbia Authorization Act," which the Committee on Government Reform reported on February 26, 2004. This bill was referred to the Committee on Government Reform, and in addition to the Committees on Education and the Workforce and Financial Services. Section 6, Exemption of District of Columbia Employees on Compressed Schedule from Federal Overtime Requirements, amends the Fair Labor Stand-

ards Act and is within the sole jurisdiction of the Committee on Education and the Workforce.

Given the fact that I support the policy contained in Section 6, I do not intend to ask for continued referral of H.R. 3797, nor will I object to the scheduling of this bill for consideration in the House of Representatives. However, I do so only with the understanding that this procedural route should not be construed to prejudice the Committee on Education and the Workforce's jurisdictional interest and prerogatives on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. Furthermore, should these or similar provisions be considered in a conference with the Senate, I would expect Members of the Committee on Education and the Workforce to be appointed to the conference committee on those provisions.

Finally, I would ask that you include a copy of our exchange of letters on this matter in your report to accompany this bill. If you have questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

JOHN A. BOEHNER,  
Chairman.

COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, June 17, 2004.

Hon. JOHN A. BOEHNER,  
Chairman, Committee on Education and the  
Workforce, House of Representatives, Wash-  
ington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Education and the Workforce Committee's jurisdictional interest in H.R. 3797, the 2004 District of Columbia Authorization Act. As you have stated, Section 6 exempting certain District of Columbia employees from overtime regulation under the Fair Labor Standards Act is within the jurisdiction of your Committee.

I agree that the Education and Workforce Committee does not waive its jurisdiction over H.R. 3797 by waiving further consideration of the bill. In addition, I will support your request for conferees from the Government Reform Committee should a House-Senate conference on this or similar legislation be convened.

As you have requested, I will include a copy of your letter and this response as part of the Government Reform Committee's report and the Congressional Record during consideration of the legislation on the House floor. Thank you for your assistance as I work towards the enactment of H.R. 3797.

Sincerely,

TOM DAVIS,  
Chairman.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 3797.

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

A motion to reconsider was laid on the table.

NEWELL GEORGE POST OFFICE  
BUILDING

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules

and pass the bill (H.R. 4222) to designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building."

The Clerk read as follows:

H.R. 4222

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

**SECTION 1. NEWELL GEORGE POST OFFICE BUILDING.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, shall be known and designated as the "Newell George Post Office Building".

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4222, and to include extraneous material on the bill under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 4222, which names the postal facility in Kansas City after former Congressman Newell George.

Congressman George represented the second district of Kansas for one term in this House, from 1959 to 1961. Congressman George was the last resident of the City of Kansas City, actually, to represent the State of Kansas in the Congress. He later served as United States Attorney for the District of Kansas during the 1960s, after being appointed by President John F. Kennedy.

Newell George was a devoted, caring, vigorous public servant, who is highly deserving of this post office naming. It is a pleasure to support this meaningful measure, and I am hopeful and confident the entire House will as well.

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

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

Mr. Speaker, as a member of the House Committee on Government Reform, I am pleased to join my colleague in the consideration of H.R. 4222, legislation naming a postal facility in Kansas City, Kansas, after Newell George. The measure was introduced by the gentleman from Kansas (Mr. MOORE) on April 27, 2004, unanimously reported by our committee on June 3rd, 2004, and

enjoys the support and cosponsorship of the entire Kansas delegation.

Newell A. George had a distinguished career serving the citizens of Kansas. He served as a member of the 86th Congress from 1959 to 1961, representing the second congressional district. This district was later redesignated as the third congressional district following the 1960 congressional reapportionment.

While serving in Congress, Representative George served on the House Committee on Veterans' Affairs. After his defeat, former representative George served as U.S. Attorney for Kansas from 1961 to 1968. After that, he practiced law until his death in 1992.

Newell George was an exceptional public servant and active member of his community. Naming a postal facility after the late representative from Kansas honors his legacy and dedication to public service. I commend my colleague, the gentleman from Kansas (Mr. MOORE), for sponsoring this bill and I urge its passage.

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

Mr. MOORE. Mr. Speaker, as the author of H.R. 4222, I want to thank Chairman DAVIS and Ranking Member WAXMAN of the Government Reform Committee for expediting the floor consideration of this legislation.

In introducing H.R. 4222, I was joined by Representatives TODD TIAHRT, JIM RYUN and JERRY MORAN. This legislation would designate the United States Postal Service facility located at 550 Nebraska Avenue in Kansas City, Kansas, as the "Newell George Post Office Building."

Newell Adolphus George served as a member of the 86th Congress, from 1959–61, representing the Second District of Kansas, which was redesignated as the Third District following the post-1960 congressional reapportionment. He was a member of the House Veterans' Affairs Committee. Born in Kansas City, Missouri, in 1904, he attended Hawthorne Grade School and Wyandotte High School in Kansas City, Kansas, as well as Wentworth Military Academy in Lexington, Missouri, and Park College in Parkville, Missouri.

After studying law at the University of Kansas City School of Law, Newell George obtained employment as a Capitol Hill elevator operator through the patronage of Senator George McGill of Kansas and graduated from the George Washington University Law School.

He then was an attorney for the Reconstruction Finance Corporation in Washington, D.C., from 1935–1937, a regional counsel for the War Manpower Commission from 1942–43, and a regional attorney for the Bureau of Employment Security and the Federal Security Agency from 1937–52. After the Democratic Party lost control of the Executive Branch, George served as first assistant Wyandotte County Attorney from 1953–58.

At that point, he began running for Congress, losing to incumbent Republican Errett Scrivner in 1954 and 1956. In 1958, however, a strong anti-Republican tide ran through the farm and western states, resulting in the defeat of numerous incumbent Senators and Representatives, including the defeat of Representative Scrivner by Newell George.

With Republican dominance returned to Kansas in 1960, Representative George was defeated for re-election by Robert Ellsworth of Lawrence, making Newell George the most recent resident of Kansas City to represent Kansas in the U.S. Congress.

After his defeat, however, George was the first U.S. Attorney nominated for appointment by the new Kennedy-Johnson Administration. Newell George served as U.S. Attorney for Kansas from 1961–68. After losing another congressional race in 1968 to Representative Larry Winn, Jr., George practiced law privately in Kansas City, Kansas, and died in 1992.

Married to the former Jean Hannan of Kansas City, Kansas, Newell George was an intrepid public servant and active, concerned citizen. In addition to his political activities, he was a member of Abdallah Shrine, Scottish Rite; a master of the West Gate Masonic Lodge; president of the Kansas City, Kansas, Hi-12 Club; a member of the Kansas State Hi-12 Association; a member of the Breakfast Optimist Club; a member of the Wyandotte County, Kansas and American Bar Associations, the American Judicature Society, Delta Theta Phi law fraternity, the American Academy of Political and Social Science, the Kansas City, Kansas Chamber of Commerce, the Terrace Club, the Top o' the Morning Club, and the First Presbyterian Church of Kansas City, Kansas.

Newell George's other public service included membership on the Kansas Public Disclosure Commission; the Civil Service Commission of Kansas City, Kansas; the Kansas State Government Ethics Commission; and service as a director of the Kansas Multiple Sclerosis Society. Nicknamed "Punk" by his friends, George's other activities included managing a string of boxers, after boxing himself at Wentworth Military Academy; bowling; and adding to a collection of old books—mainly Bibles and McGuffey readers—begun by his father.

In short, Mr. Speaker, Newell A. George was the kind of community oriented, politically active individual who made things happen on the state and local level in so many American cities during the middle third of the twentieth century. With regard to Kansas and Kansas City, he was one of a small but hardy group of Democratic activists who kept two-party government alive in one of our country's most Republican states. It is fitting, therefore, that the House today approves legislation introduced by the bipartisan Kansas House delegation that will designate Kansas City, Kansas', civil center post office in memory of U.S. Representative Newell George.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 4222.

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

A motion to reconsider was laid on the table.

RECOGNIZING AND ENCOURAGING ALL AMERICANS TO OBSERVE 40TH ANNIVERSARY OF THE DEATHS OF ANDREW GOODMAN, JAMES CHANEY, AND MICHAEL SCHWERNER, CIVIL RIGHTS ORGANIZERS

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 450) recognizing the 40th anniversary of the day civil rights organizers Andrew Goodman, James Chaney, and Michael Schwerner gave their lives in the struggle to guarantee the right to vote for every citizen of the United States and encouraging all Americans to observe the anniversary of the deaths of the 3 men by committing themselves to ensuring equal rights, equal opportunities, and equal justice for all people.

The Clerk read as follows:

H. CON. RES. 450

Whereas Andrew Goodman, James Chaney, and Michael Schwerner were civil rights organizers who participated in the Freedom Summer Project organized by the Council of Federated Organizations to register African Americans in the Deep South to vote;

Whereas on June 21, 1964, after leaving the scene of a firebombed church in Longdale, Mississippi, Andrew Goodman, James Chaney, and Michael Schwerner were murdered by members of the Ku Klux Klan who opposed their efforts to establish equal rights for African Americans;

Whereas June 21, 2004, is the 40th anniversary of the day Andrew Goodman, James Chaney, and Michael Schwerner sacrificed their lives in the fight against racial and social injustice while working to guarantee the right to vote for every citizen of the United States;

Whereas the deaths of the 3 men brought attention to the struggle to guarantee equal rights for African Americans which led to the passage of monumental civil rights legislation, including the Civil Rights Act of 1964 and the Voting Rights Act of 1965;

Whereas the courage and sacrifice of Andrew Goodman, James Chaney, and Michael Schwerner should encourage all citizens of the United States, and especially young people, to dedicate themselves to the ideals of freedom, justice, and equality; and

Whereas citizens throughout the United States will commemorate the 40th anniversary of the deaths of Andrew Goodman, James Chaney, and Michael Schwerner to honor the contributions they made to the Nation: Now, therefore, be it

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

(1) recognizes the 40th anniversary of the day civil rights organizers Andrew Goodman, James Chaney, and Michael Schwerner gave their lives; and

(2) encourages all Americans to observe the anniversary of the deaths of the 3 men by committing themselves to the fundamental principles of freedom, equality, and democracy.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 450, and to include extraneous material on the concurrent resolution under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Dr. Martin Luther King once said, "Injustice anywhere is a threat to justice everywhere." And during the Freedom Summer of 1964, a great injustice took place outside the small town of Philadelphia, Mississippi.

On June 21 of 1964, members of the Ku Klux Klan attacked and murdered three participants of the Freedom Summer project, an African American voter registration drive. Andrew Goodman, James Chaney, and Michael Schwerner were attacked after driving away from the scene of a firebombed church. The murders drew national attention to the civil rights movement taking place in the deep south.

Today, 40 years to the day after their murders, we remember the contributions to America and to the Civil Rights movement by Andrew Goodman, James Chaney and Michael Schwerner.

Mr. Speaker, four decades ago, poll taxes, overly-complex voting tests, and mental and physical attacks terribly discouraged African Americans from voting in Mississippi during the 1960s. The Freedom Summer project was launched to help combat this reality, and Goodman, Chaney and Schwerner were active organizers of this effort. Sadly, it was not until news coverage of their murders that many Americans became aware of the unbelievable violence that was taking place here in our own country. The brutal murder of these three brave men was indeed a momentous event. In fact, it provided the basis for the 1988 film "Mississippi Burning."

Mr. Speaker, I want to congratulate my distinguished colleague, the gentleman from New York (Mr. OWENS), for his work to bring this solemn anniversary to all of our attention. House Concurrent Resolution 450 is an important reminder of America's volatile past, and it aims to help all Americans work to assure that such atrocities will never happen again.

Mr. Speaker, I strongly urge the resolution's adoption.

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

The SPEAKER pro tempore. Without objection, and pursuant to unanimous consent, the gentleman from Georgia (Mr. LEWIS) will control the time.

There was no objection.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I had the opportunity yesterday to visit the State of Mississippi and to visit the city of Philadelphia in Neshoba County.

□ 1500

Hundreds of black and white citizens gathered in Neshoba County in the city of Philadelphia. The mayor of the city of Philadelphia, the Governor, former Governor Winters, the former Secretary of State, Dick Molpus, and hundreds and hundreds of other citizens gathered to pay tribute to these three young men.

Forty years ago today, three courageous young Americans, Andy Goodman, James Chaney and Mickey Schwerner, paid the ultimate price for trying to secure voting rights for all of our citizens. These three young men, simply because they were black and white working together to expand democracy, were arrested by the sheriff and his deputy. Later that same evening, they were taken to jail and turned over to the Klan where they were beaten, shot, and killed.

As I said yesterday, and I will say it again today, it is unbelievable, it is unreal, but it did happen. These three young people did not die in Europe, they did not die in Africa, in Vietnam or the Middle East, but right here in our own country, in the heart of the South, in the State of Mississippi. As a Nation and as a people we must never, ever forget the sacrifice they made. Their blood helped to cultivate and grow the seeds of our democracy.

Forty years ago in the State of Mississippi, that State had a black voting age population of more than 450,000, but only about 16,000 blacks were registered to vote. People had to pass a so-called literacy test and interpret some section of the constitution of the State of Mississippi. On one occasion there was a man who had a graduate degree, a Ph.D. degree, and he flunked the so-called literacy test. On another occasion in an adjoining State, the State of Alabama, a man was asked to give the number of bubbles in a bar of soap.

These three brave and courageous citizens, young citizens of America, must be looked upon as the founding fathers of the new America. James Chaney, Mickey Schwerner, and Andy Goodman helped beat down one of the mightiest walls of resistance to equal justice in America. We must never, ever forget their sacrifice for the freedom of us all. They made it possible for many of us to stand here today in this Congress.

Mr. Speaker, it is my great pleasure and my delight to yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), who came to Mississippi as a young lawyer, brave, courageous, to work during the summer of 1964 with those of us in the Student Nonviolent Coordinating Committee.

Ms. NORTON. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time.

At the time that I was in Mississippi, the gentleman was Chair of the Student Nonviolent Coordinating Committee. And while in 1964, I guess I had become a lawyer because I had graduated, I first came to Mississippi in 1963 in order to prepare for the summer of 1964 when students would come to the South and help the Student Nonviolent Coordinating Committee to register African Americans to vote in large numbers in the South.

The gentleman from Georgia and our Southern colleagues in the Student Nonviolent Coordinating Committee had, in fact, essentially opened up much of the Southeast and they wanted to tackle Mississippi, the hardest territory in the civil rights struggle. In the summer of 1963, we experimented with freedom schools, which is what we were about doing in 1964. We were going to bring African Americans, the sharecroppers out of the cotton fields, talk about how they should prepare themselves to pass the test, and try to register people.

The summer of 1964 was a summer of both heartbreak and hope because no sooner had the students arrived than we lost three of them in one of the worst atrocities in the entire history of our country in Philadelphia, Mississippi, an unforgettable sacrifice of three young people, one a native of Mississippi, the other two from the North who had simply come to peacefully register people.

We must not forget the summer of 1964, because while it was the summer of great sacrifice, it was also the summer when, in fact, at the Democratic National Convention, we broke the notion that delegations to political conventions could be discriminatory. It was the summer when we were passing the 1964 Civil Rights Act. Indeed, a bill on suspension to commemorate the 40th anniversary of the 1964 Civil Rights Act will be on the floor.

But it is important for us not to forget how we got to these great landmarks, particularly the civil rights legislation. We got to them through a lot of sacrifice, some sacrifice by very young people who helped our country reach one of its greatest aspirations, and that is that everybody should be treated the same way and have the right to vote.

We remember Goodman, Chaney, and Schwerner today for the tragedy, to be sure, but for the way in which their sacrifice reminded people that we could overcome this greatest flaw in our democracy. We are still in the process of overcoming. But we will have a much better chance of achieving a more perfect society with racial discrimination gone if we remember the sacrifices of such Americans as these very young men, Goodman, Chaney, and Schwerner.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Let me also say that we certainly honor the gentleman from Georgia as well as the gentlewoman from the District of Columbia. They have earned all the respect of every American. They certainly are some of the greatest civil rights leaders that this Nation will ever have seen. Let me say that we honor them both as well.

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentlewoman for her kind remarks.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the 40th anniversary of the devastating murder of three courageous civil rights heroes. We must preserve the memory of James Chaney, Andrew Goodman, and Michael Schwerner, who boldly fought for African American suffrage and helped strengthen the historic alliance between African Americans and Jews. The initial disappearance of these three leaders spurred new efforts to register African Americans to vote. Later on, national indignation over their murders provided the final impetus for the passage of President Johnson's 1964 Civil Rights Act. Together with the Voting Rights Act passed the following year, legally mandated segregation in Mississippi and throughout the South was abolished.

The Congress of Racial Equality, (CORE) called the summer of 1964 "Freedom Summer" and led a massive voter registration and desegregation campaign in Mississippi. This summer was filled with the promise of implementing successful civil rights reforms. On June 21st as part of the Freedom Summer activities, Chaney, Goodman and Schwerner drove to Neshoba County to express sympathy with the congregation of Mt. Zion Church, which had been recently demolished by the Klu Klux Klan. In a conspiracy between elements of the local law enforcement and the Ku Klux Klan, the activists were arrested, and upon their release taken to a remote area, brutally beaten, and shot to death.

James Chaney, an African American civil rights worker from Mississippi, had recently begun to volunteer at the new CORE office in Meridian, Mississippi. Chaney had rapidly become the chief aide, guide, and companion to the CORE director, Matt Suarez. He was only 21 when he was murdered.

Andy Goodman, a white, Jewish, civil rights worker from New York, had arrived earlier that morning in Mississippi to participate as a volunteer in the Mississippi Summer Project. Goodman was known as an intelligent, unassuming, happy, and outgoing youth, and had arrived excited and anxious to improve the rights of African Americans. He was only 20 when he was murdered.

Michael Schwerner, another white, Jewish, civil rights worker from New York, was on a mission in Mississippi to reorganize the community center as well as other programs. Schwerner was the first white civil rights worker to be permanently based outside of Jackson, Mississippi. Although he came under attack, including hate mail, threatening phone calls, and police harassment for his determined efforts to register African Americans to vote, his dedication to fostering tolerance was unwavering. He was only 24 when he was murdered.

Since their tragic murder, the family members of these three activists have continued to preserve both their memory as individuals and

their legacy within United States history. To honor the 25th anniversary of the murders, their family members spoke at an African American—Jewish communal relations Seder. James Chaney's brother, Ben, has dedicated his life to ensuring the civil rights of all Americans. This year, as founder of the James Earl Chaney Foundation, he created the Freedom Summer 2004 Ride For Justice. The 20-bus caravan embarked on June 10th and is currently traveling around the country to visit a variety of historically important civil rights memorial sites, including the grave of his brother. Ben is also continuing the mission of voter registration for which the three men were murdered.

These three civil rights workers are among the few of the brave leaders who led our country out of the darkness of intolerance and discrimination, allowing future generations to live without fear. All of us as Americans must take the time today, and every day in the future, to make a firm commitment to honor their memory by fighting even harder to safeguard the ideals for which they stood. We can learn from what they embodied and continue their work to stamp out prejudice forever. It is our duty to remember by guaranteeing that the African American voice be heard through the ballot box. We must preserve the historic ties of oppression that bind the African American and Jewish communities together. For the three who died, we will still continue the struggle for justice.

Mr. Speaker, I urge my colleagues to reflect on the passing of James Chaney, Andrew Goodman, and Michael Schwerner, and to honor them by promoting tolerance and preserving the civil liberties and right to equality to which every American, regardless of their race, gender, ethnicity or religion, is entitled.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of the bill before us, H. Con. Res. 450, and thank the gentleman from New York, Mr. OWENS, for his hard work in bringing it to the floor for passage. I am an original co-sponsor of this legislation because it calls us to recognize three young men who were in fact civilian soldiers. They knew the grave dangers that faced them and yet they entered a hostile area to ensure that all men and women in our Nation would have equal access and opportunity to exercise the fundamental right to vote. These young men lived lives of peace, but unfortunately their lives were taken away from them through violence. Every young person in this country can take Michael Schwerner, Andrew Goodman, and James Chaney as role models, true examples of self-sacrifice and courage, individuals who not only served others, they in fact changed the course of our Nation through their actions.

The solidarity that these noble men displayed despite the pressures that existed to keep African Americans and Whites divided was unprecedented and evidence of pure leadership. Michael Schwerner, Andrew Goodman, and James Chaney knew that their actions to increase voter rights and the fact that they were a coalition of two White and one African-American men would incite hatred, disgust, and violent reaction. Their deaths ultimately facilitated the passage of one of the Civil Rights bills and showed America that the two races could unite. Therefore, we will always remember them as martyrs of an honorable cause in the same ilk as Dr. Martin Luther King, Jr., and Malcolm X.

I want to take a moment to talk about these three young men as individuals. I hope that through the retelling of their lives we will be able to understand that these three men were normal individuals with families who loved them and hopes for the future, but instead of living a safe life they took an extraordinary chance to fulfill justice and now today they have rightfully assumed the mantle of greatness.

James Chaney was born May 30, 1943 in Meridian, Mississippi to Ben and Fannie Lee Chaney. In 1963, he joined the Congress of Racial Equality (CORE). In 1964, CORE led a massive voter registration and desegregation campaign in Mississippi called Freedom Summer. Chaney had begun volunteer work at the new CORE office in Meridian in October, 1963, his work ranged from constructing bookshelves at the community center to traveling to rural counties to set up meetings. Chaney, being black, was able to go places while CORE members were afraid to go. Chaney was only twenty-one when he died on Rock Cut Road.

Andrew Goodman was only 20 when he died on Rock Cut Road on June 21, 1964, near the end of his first full day in Mississippi. Goodman had arrived in the state early the previous morning after attending a tree-day training session in Ohio for volunteer for the Mississippi Summer Project. Goodman arrived in Mississippi excited and anxious to get to work. Goodman was intelligent, unassuming, happy, and outgoing. While a high school sophomore, Goodman traveled to Washington, DC to participate in the "Youth March for Integrated Schools." Although not seeing himself as a professional reformer, Goodman knew that his life had been somewhat sheltered and thought that the experience would be educational and useful.

Michael Schwerner was the most despised civil rights worker in Mississippi. Klan Imperial Wizard Sam Bowers ordered Schwerner's "elimination" in May, 1964. The Klan finally got their chance to carry out the elimination order on June 21. Because they were with Schwerner, and would know too much if they were not killed, James Chaney and Andy Goodman also had to die. Schwerner had come to Mississippi in January of 1964 with his wife Rita after having been hired as a CORE field worker. In his application for the CORE position, Schwerner, a native of New York City, wrote "I have an emotional need to offer my services in the South." Schwerner added that he hoped to spend "the rest of his life" working for an integrated society. On January 15, 1964, Michael and Rita left New York in their VW Beetle for Mississippi. After talking with civil rights leader Bob Moses in Jackson, Schwerner was sent to Meridian to organize the community center and other programs in the largest city in eastern Mississippi. Schwerner became the first white civil rights worker to be permanently based outside of the capital of Jackson. Once in Meridian, Schwerner quickly earned the hatred of local KKK by organizing a boycott of a variety store until the store, which sold mostly to blacks, hired its first African American. He also came under heavy attack for his determined efforts to register blacks to vote. After a few months in Meridian, despite hate mail and threatening phone calls and police harassment, Schwerner believed he made the right decision in coming to Mississippi. Mississippi, he said, "is the de-

cisive battleground for America. Nowhere in the world is the idea of white supremacy more firmly entrenched, or more cancerous, than in Mississippi." Michael Schwerner was only twenty-four when he was killed in Meridian.

Mr. Speaker, we must work to ensure that Michael Schwerner, Andrew Goodman, and James Chaney did not die in vain. The Civil Rights movement exists only as much as we act and these three young men are the epitome of that idea. I support this legislation and hope that my colleagues will do the same to send the message that the great sacrifices of these heroic individuals will never be forgotten.

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 450.

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

A motion to reconsider was laid on the table.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 163

Ms. NORTON. Mr. Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 163.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

#### CONGRATULATING RANDY JOHNSON OF THE ARIZONA DIAMONDBACKS ON PITCHING A PERFECT GAME

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 660) congratulating Randy Johnson of the Arizona Diamondbacks on pitching a perfect game on May 18, 2004.

The Clerk read as follows:

#### H. RES. 660

Whereas on May 18, 2004, Randy Johnson of the Arizona Diamondbacks became only the 17th pitcher in Major League Baseball history to throw a perfect game;

Whereas at age 40 Randy Johnson is the oldest pitcher in Major League Baseball history to throw a perfect game;

Whereas Randy Johnson is only the 5th pitcher in Major League Baseball history to throw no-hitters in both the American and National Leagues;

Whereas throughout his 17 years in Major League Baseball, Randy Johnson has won a World Series, been named World Series co-MVP, thrown 2 no-hitters, won Cy Young Awards in both the American and National Leagues, and set multiple strikeout records, trailing only Nolan Ryan, Roger Clemens, and Steve Carlton on the all-time strikeout leaders list;

Whereas by pitching a perfect game Randy Johnson joins an elite class of pitchers that spans the ages and includes some of the all-time baseball greats, including John Ward of the Providence Giants, John Richmond of

the Worcester Brown Stockings, Cy Young of the Boston Pilgrims, Addie Joss of the Cleveland Indians, Charlie Robertson of the Chicago White Sox, Don Larsen of the New York Yankees, Jim Bunning of the Philadelphia Phillies, Sandy Koufax of the Los Angeles Dodgers, Catfish Hunter of the Oakland Athletics, Len Barker of the Cleveland Indians, Mike Witt of the California Angels, Tom Browning of the Cincinnati Reds, Dennis Martinez of the Montreal Expos, Kenny Rogers of the Texas Rangers, David Wells of the New York Yankees, and David Cone of the New York Yankees;

Whereas during his perfect game Randy Johnson threw only 117 pitches, 87 of which were strikes, struck out 13 of the 27 hitters he faced, and had his last pitch clocked at 98 miles per hour; and

Whereas Randy Johnson is considered one of the best pitchers in baseball today, and his perfect game only adds to his impressive list of accomplishments and his reputation as one of the dominant pitchers in baseball history: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Randy Johnson of the Arizona Diamondbacks on pitching a perfect game on May 18, 2004; and

(2) recognizes Randy Johnson for a brilliant career.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Georgia (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

May 18, 2004, will go down in history for all fans of the Arizona Diamondbacks and all fans of Major League Baseball because on that night, 40-year-old Randy Johnson became the oldest pitcher in major league history to throw a perfect game. He retired all 27 Atlanta Braves he faced to lead his team, the Arizona Diamondbacks, to a 2-0 victory. It took him 117 pitches to throw the first perfect game, and first no-hitter, in Diamondbacks' history. Johnson became only the 17th pitcher in major league history to pitch a perfect game. On this day in May, Randy Johnson was, indeed, perfect. He recorded 13 strikeouts, and he put out the other 14 Atlanta hitters during his dazzling display of pitching dominance.

Perhaps the neatest thing about Johnson's perfect night was the support he enjoyed from the Atlanta fans. As Johnson neared his momentous accomplishment toward the end of the game, the 20,000-plus fans in Atlanta, keep in mind these are the fans of the opposing team, encouraged him with standing ovations and chanted his name. It was a terrific night for America's favorite pastime and a terrific night for Randy Johnson and the Arizona Diamondbacks.

Mr. Speaker, the House salutes Randy Johnson for pitching a perfect game. The gentleman from Arizona (Mr. SHADEGG) is the sponsor of this resolution and certainly he should be applauded for his eagerness to honor Randy Johnson's historic feat. I certainly encourage all Members, even

those who are Braves fans, to support House Resolution 660.

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

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is my pleasure to congratulate Mr. Randy Johnson on his perfect game. Throughout his long career, Mr. Johnson has been a fierce opponent with his vicious change-up and scorching fastball. On May 18, Mr. Johnson achieved perfection. At the age of 40, and after being awarded the Cy Young award in both the American and National Leagues, Randy Johnson threw a perfect game. He is the oldest pitcher to achieve this athletic triumph.

With this achievement, Mr. Johnson joins an elite class of pitchers that spans the history of America's game and include baseball legends Cy Young, Don Larsen, Sandy Koufax, and Catfish Hunter.

Mr. Johnson has been one of the pre-eminent pitchers in baseball over a career that has spanned 17 years. We congratulate Randy Johnson for pitching a perfect game and recognize him for a brilliant pitching career.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I rise in support of H.R. 660 and to congratulate and honor Randy Johnson of the Arizona Diamondbacks, more affectionately known to us in Arizona as "The Big Unit." As I think everyone knows, on May 18 of this year in an extraordinary feat against the Atlanta Braves, Randy Johnson became only the 17th pitcher in the history of major league baseball to throw a perfect game. That is right. Twenty-seven Atlanta Brave hitters came to the plate, and 27 Atlanta Brave hitters went down.

Now, many of us strive for perfection in many aspects of our lives, but it is rarely achieved; but not only did Randy Johnson do this on May 18, but he was at the time 40 years old, making him the oldest pitcher in Major League Baseball to throw a perfect game.

Now, prior to that, Cy Young, in whose name a famous award is given each year, at the age of 37 had been the oldest pitcher to throw a perfect game, having done it 100 years ago in 1904.

Randy Johnson is also only the fifth pitcher in major league history to throw no-hitters in both the American and the National Leagues. In fact, Johnson's previous no-hitter came in 1990 while pitching for the Seattle Mariners.

Johnson grew up in Livermore, California, where his father, Bud, was a police officer at Lawrence Livermore National Laboratory. As a young boy, Randy would practice pitching against his garage door, pretending to be in the big leagues. Even at 8 years old, John-

son threw the ball so hard it would pop nails loose from the wood siding. After he was done, his father would proudly come up to him and hand him a hammer and tell him to go put the nails back into the wall.

Standing 6 feet 10 inches and with a 38-inch arm, Johnson is one of the most intimidating pitchers in all of the game of baseball; and it has earned him, as I indicated, the nickname "The Big Unit."

Randy Johnson's perfect game will certainly fit nicely within his already very, very impressive list of accomplishments.

Throughout his 21 years in Major League Baseball, Randy Johnson has won a World Series, beating the New York Yankees in 2001; during his tenure, he has been named World Series co-MVP, along with former Diamondback pitcher Curt Schilling; thrown no-hitters in both the American and National leagues; as I mentioned, won the Cy Young Awards in both the American and National Leagues; and set multiple strikeout records, trailing only Nolan Ryan, Roger Clemens, and Steve Carlton on the all-time strikeout leaders list.

By pitching a perfect game, Randy Johnson joins an elite class of pitchers that spans the ages and includes some of the all-time baseball greatest. In his quest for perfection, Randy Johnson threw only 117 pitches, 87 of which were strikes. He struck out the first 13 of 27 hitters he faced, utilizing his blistering fastball and devastating slider to perfection, and went to a three-ball count on just one Braves hitter.

To understand just how perfect "The Big Unit" was on this night, we need only look at the radar gun on his very last pitch. Randy Johnson's 117th pitch of that night, his final pitch, was clocked at a shocking 98 miles an hour.

Randy Johnson is considered one of the best pitchers in Major League Baseball today and has set a course that will lead him straight to Coopers-town. I am very proud to honor him in this effort.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 660.

The question was taken.

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

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 660, the resolution just considered.

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

There was no objection.

#### CONGRATULATING DETROIT PISTONS ON WINNING THE 2004 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 679) congratulating the Detroit Pistons on winning the 2004 National Basketball Association championship.

The Clerk read as follows:

H. Res. 679

Whereas on June 15, 2004, the Detroit Pistons defeated the Los Angeles Lakers to win the 2004 National Basketball Association (NBA) Championship;

Whereas the Pistons defeated the Milwaukee Bucks four games to one in the first round of the playoffs;

Whereas the Pistons defeated the defending Eastern Conference Champion New Jersey Nets four games to three in the hard fought Eastern Conference Semifinals;

Whereas the Pistons defeated the Indiana Pacers, the number one seeded team in the Eastern Conference, four games to two in the Eastern Conference Finals;

Whereas the Pistons defeated the Lakers four games to one in the NBA Finals, winning their first NBA Championship since 1990 and becoming the first Eastern Conference team to win the championship since 1998;

Whereas the gritty offense of the Pistons was led by Richard Hamilton, who averaged more than 21.5 points and 4.2 per assists per game throughout the NBA playoffs;

Whereas Rasheed Wallace overcame a foot injury to provide 26 points and 13 rebounds in the crucial game four victory;

Whereas Ben Wallace, a two-time NBA defensive player of the year and three-time member of the NBA All-Defensive First Team, brought the working-class mind-set to the Pistons and symbolizes the Pistons stifling defense;

Whereas Tayshaun Prince played tenacious defense and prevented Lakers superstar Kobe Bryant from being an effective scorer against the Pistons;

Whereas Chauncey Billups was voted the Most Valuable Player of the Finals for his outstanding performance throughout the NBA playoffs, averaging 21 points and 5.2 assists while only committing 2.6 turnovers per game;

Whereas Head Coach Larry Brown did an outstanding job preparing the Pistons for victory over an exceptional Lakers team and became the first head coach to win both the NBA and National Collegiate Athletic Association (NCAA) Basketball Championships;

Whereas former Piston and current President of Basketball Operations Joe Dumars, Coach Brown, and assistant coaches John Kuester, Mike Woodson, Dave Hanners, Herb Brown, and Igor Stefan Kokoskov have provided strong leadership and solid coaching, resulting in a basketball team in which teamwork and hard work are the rule and not the exception;

Whereas Pistons fans have shown undying support for their team, leading the league in attendance in a year where attendance records were broken throughout the NBA;

Whereas the Pistons exemplify what can be achieved by a talented group of players working together for a common goal;

Whereas the Pistons have shown that basketball remains a team sport and have reminded fans that the game is still a team game with fundamentals at its heart and soul;

Whereas sportswriter Eric Neel wrote of the Pistons, "Once upon a time, there was a shared ball on offense and a shared responsibility on defense. In their Game 5 victory, as in the previous four games, it was that time all over again. We've got retro jerseys and throwback sneakers, now we've got a world champion from back in the day, to go with them.";

Whereas the success of the Pistons is a result of contributions from the entire roster of players, including Chauncey Billups, Elden Campbell, Darvin Ham, Richard Hamilton, Lindsey Hunter, Mike James, Darko Milicic, Mehmet Okur, Tayshaun Prince, Ben Wallace, Rasheed Wallace, and Corliss Williamson; and

Whereas the Pistons displayed tremendous strength, ability, and perseverance during the 2003-2004 season, attributes that are reflective of the hardworking people of the metropolitan Detroit region and the State of Michigan, and have epitomized the team slogan "Goin' to work. Every night.": Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) congratulates the Detroit Pistons for winning the 2004 National Basketball Association (NBA) Championship and for their outstanding performance during the entire 2003-2004 season; and

(2) recognizes the achievements of all the players, coaches, and staff of the Pistons, who were instrumental in helping the Pistons win a third NBA Championship.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Georgia (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

June 15, 2004, is a date to be remembered throughout the metropolitan Detroit area and the entire great State of Michigan. On this Tuesday night, the underdog Detroit Pistons ended a phenomenal season by defeating the Los Angeles Lakers 100-87 to win the 2004 NBA championship four games to one.

Heading into the series, the Lakers were the overwhelming favorites to defeat the Pistons, but the Pistons possessed one defining characteristic which did not show up on paper: they

were a group of dedicated teammates working toward a common goal.

□ 1515

This team, under the great leadership of Coach Larry Brown, showed unprecedented teamwork and desire. And it was a beautiful thing to watch.

The Pistons are really fitting representatives for the people of Southeast Michigan. They might not be media superstars. They might not have the Hollywood elite watching them from their courtside, but they have a blue-collar work ethic and they thrive on great teamwork. And when everything is working against them and their backs are up against the wall, they rise to the occasion. The Pistons proved that strong defense and selfless play can deliver overwhelming victory.

Mr. Speaker, the "Bad Boys" of Detroit are back; and the people of Michigan are proud to call this team our own. The Pistons motto is "Going to work." Their spirit and their desire is a reflection of Michigan. This attitude is not pretty. It is not flashy. It is grit. It leads to scraped elbows, bloody noses. But most importantly, it conceives a desire to get the job done.

Team president Joe Dumars, a great champion as a Pistons player himself, took control of the team when a championship was really only a dream. He brought in players who display the same work ethic as he was known for as a player. He hired coaches who understand the role of individuals within a team and who could get these players to perform to their full potential, and despite the critics, the results speak for themselves. Well done Joey D.

Mr. Speaker, prior to the championship series, people around the Nation were not giving the Detroit Pistons a chance. But as the series progressed, it became apparent who was the best team in the NBA.

Finals MVP Chauncey Billups was scoring and passing with the heart of a champion. Rip Hamilton ran circles around defenders. Ben Wallace defended and rebounded like a man possessed. Fear the 'fro, NBA. Rasheed Wallace provided veteran leadership and intimidation like no one else. Tayshaun Prince scored and defended with an elegance that seemed effortless.

And when the Detroit bench was called to duty, the players answered the call. Each and every player knew that as a team, they would be successful, they knew that the work would not be done until the final buzzer.

Mr. Speaker, the entire team showed what teamwork and hard work can do, and Larry Brown was the perfect coach. No coach in sports is more respected than Larry Brown, and I can speak for all Pistons fans in hoping that he will call himself a Detroit Piston for many years to come.

And, finally, Mr. Speaker, we cannot honor the Pistons without mentioning their owner, Bill Davidson. He is a great man who is renowned for his gen-

erosity in his charitable works, not just in Michigan or in Southeast Michigan, but throughout our entire Nation and, in fact, the world. His players are a reflection of him, hard working, selfless, and they care about their communities. I congratulate and thank Mr. Davidson.

So, Mr. Speaker, the House solutes the Detroit Pistons for winning the 2004 NBA championship, and after the fireworks have gone off and the parades are over, one team stands above all the rest, the Detroit Pistons.

I encourage all Members to agree to House Resolution 679.

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

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to take the time today to congratulate the Detroit Pistons on their inspiring run through the NBA season and playoffs and on their first NBA as championship since 1990.

Behind the leadership of the legendary Head Coach Larry Brown, the Pistons displayed a sense of purpose and energy often missing in the NBA game today.

On the court a trio of stars and an excellent supporting cast led the team brilliantly. Despite suffering a broken bone in his face, Richard Hamilton led the Pistons offensively all season and played his best basketball of the season in the playoffs, when he averaged 21.5 points per game.

The Pistons' vaunted defense was led all season by two-time NBA defensive player of the year, winner Ben Wallace, who brought a no-nonsense style to the Pistons.

Though one of the league's best teams last year, team finally came into championship form in mid-season this year when a trade brought forward Rasheed Wallace to the team. Mr. Wallace's veteran experience was the final piece needed as the Pistons stormed through the regular season and the playoffs.

In the finals, the Pistons were regarded as the heavy underdog to the Los Angeles Lakers. However, once again, the Pistons bucked these seemingly insurmountable odds and won the championship series in games. This was basketball at its best.

In closing, I join my colleague. I too want to congratulate the Pistons for their spectacular season, and I look forward to watching them bring the same sort of excitement to basketball again next year. It was basketball, good basketball, wonderful basketball.

I have a lot of relatives living in Detroit, and they were rooting for the Pistons, and I was rooting with them for the Pistons. Go Pistons, go.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Unfortunately, I missed the last game because we were here voting, but

I was at game 4, where I had my thundersticks. Go Pistons.

Mr. CONYERS. Mr. Speaker, it is with great pride that I rise today to congratulate the Detroit Pistons on winning this year's National Basketball Association championship. It has been 14 long years since the Pistons last brought the Larry O'Brien championship trophy home, but their hard won victory of defeating the Lakers is the epitome of the teamwork at its absolute best. If ever a championship fits the personality of a community, this one does.

The Pistons entered this year's NBA tournament as the definitive dark horse. While Detroit's stifling defense was universally acknowledged, few outside of the Detroit Metro area and the Piston fan diaspora thought the Pistons' gritty offense and stifling defense could beat the defending Eastern Conference Champion New Jersey Nets. However, the Pistons, like they did all year, proved their critics wrong. Demonstrating the strength and determination that would become their hallmark in the series against the Lakers, the Pistons came back to win the series against the Nets after a triple overtime loss in Game 5 as well as a heart breaking loss to the Lakers in game 2 of the Finals. Indeed, the Pistons' ability to rebound after stunning losses have gained the admiration of America.

This team was about true sportsmanship and selflessness. Every Piston could vie for the Most Valuable Player award because each of them played with remarkable fortitude and consistence. Whether Detroit won because of the stepped up play of Richard "Rip" Hamilton (averaging over 21.5 points and 4.2 assists per game throughout the post-season), Ben Wallace's season-long hard nosed defensive leadership (averaging a double-double in points scored, with 10.3 per game, and rebounds, with 14.3 per game), Chauncey Billups's post-season play against the Lakers (averaging 21 points and 5.2 assists for the Pistons despite being guarded by two future Hall of Famers, Gary Payton and Kobe Bryant), or the tremendous Pistons bench. They are a true model of what can be achieved with team work: success.

I am particularly excited that the city of Detroit won this championship at this time. Mr. Speaker, during the past few years the Metro Detroit area has lost tens of thousands of manufacturing jobs, some of which will never come back to this great city. The Detroit Pistons winning this championship has brought back hope and a sense of optimism that Detroit desperately needs. Specifically, the team's motto, "Goin' to work. Every night," exemplifies the strength and tenacity both of the Pistons and of the great citizens of Detroit.

The moral of this championship is that you never know what you can achieve until you try. Go Pistons.

Mr. KNOLLENBERG. Mr. Speaker, I rise to congratulate the Detroit Pistons. Tuesday night, playing at the Palace of Auburn Hills in my district, the Pistons defeated the Los Angeles Lakers to win the 2004 NBA championship.

From top to bottom, the Pistons were a model of teamwork and dedication. Owner Bill Davidson provided the foundation for the Pistons' championship and has been a positive member of the Detroit and southeast Michigan community for years. President of Basketball Operations Joe Dumars built this team and coach Larry Brown molded the Piston players into a cohesive, team-first group.

This has been a very exciting season for the people of Michigan. They have embraced the Pistons, as millions outside of Michigan have. Fans identified with this team. The Pistons represented core American values of hard work, persevering through difficult times, and sharing both success and failures with family and loved ones.

I want to thank the Pistons and everyone in their organization for giving us from Michigan a team to be proud of.

Mr. KILDEE. Mr. Speaker, I am very glad to join my Michigan colleagues in congratulating the Detroit Pistons on winning the 2004 National Basketball Association (NBA) Championship. This is truly a remarkable achievement and the entire city of Detroit and the State of Michigan are very proud. I have had the pleasure of representing the city of Auburn Hills, location of The Palace, home of the Detroit Pistons. I have also been lucky enough to see firsthand the Detroit Pistons in action there.

On June 15, 2004, the Pistons defeated the Los Angeles Lakers to win the title. This amazing accomplishment came from a great team comprised of players Chauncey Billups, Elden Campbell, Darvin Ham, Richard Hamilton, Lindsey Hunter, Mike James, Darko Milicic, Mehmet Okur, Tayshaun Prince, Ben Wallace, Rasheed Wallace, and Corliss Williamson.

I am especially proud of Pistons Forward Darvin Ham who is a Saginaw, Michigan native. His mother is Wilmer Jones-Ham, the mayor of Saginaw. Darvin played high school basketball at and graduated from Saginaw High School. He went on to play college basketball at Texas Tech University where he helped lead the Red Raiders to a 1996 NCAA Sweet 16 appearance. Darvin played an integral role with the team and is highly deserving of the championship ring he will now wear.

Darvin and the rest of the Pistons who many had said could not compete with the Lakers are truly representative of Saginaw and the entire State of Michigan. Their hard work and never-say-die attitude will hopefully bring them more championships in the very near future. Once again, I congratulate the Detroit Pistons for winning the 2004 NBA Championship.

[From the Saginaw (MI) News, June 16, 2004]

"MAMA HAM" CHEERS DARVIN

(By Greg Mancina)

"Mama Ham" was doing a jig early this morning while waiting for her World Champion son, Darvin, to come back out of the Detroit Pistons locker room in The Palace of Auburn Hills.

"I'm trying to keep my composure, but it's hard," admitted Wilmer Jones Ham, called "Mama Ham" by the Pistons players.

"The winning spirit of victory is in the air."

That winning spirit came from a 100-87 shellacking of Shaquille O'Neal's Los Angeles Lakers Tuesday that gave the Pistons their third NBA title and Darvin Ham his first championship ring after what many national pundits are calling the biggest upset in NBA Finals history.

The Pistons were low-down underdogs to the powerful L.A. Lakers, and its star-studded roster, bench and crowd. But something happened on the way to their coronation—a better team showed up, one that included Saginaw's Darvin Ham.

"I'm just trying to soak it all in," said Ham, who finally emerged from the locker

room and popped into the team's post-game dinner in an upstairs dining room at the Palace at about 2:30 a.m. "We did it, baby!"

And Darvin Ham knew it all along.

"I knew back in February we had a championship quality ballclub," he said.

Now the rest of the world knows it, too.

"Don't nobody play D like this, never, ever, not for the long periods of time that we keep our defensive pressure consistent at that high of a level," Ham explained. "It is nothing like anything that's come along in the NBA."

"Larry Brown preached defense, rebound, share the ball, defense, rebound, share the ball, defense, rebound, share the ball, and it rings true. That's why he won a championship in college and in the NBA.

"It's not rocket science, it's a simple formula, but I wish I could bottle it up and create a championship wine cellar so I can pop it open whenever I want."

Adding to Ham's championship experience was sharing it with his family, his mother, and the more than 250 extended family members who somehow found a way into the Palace for Game 5.

"God allowed me to give birth to a World Championship basketball player," Wilmer Jones Ham said. "Isn't that something?"

Wilmer Jones Ham, the mayor of Saginaw who Darvin says "has a bigger name than I do," attended her first basketball game in its entirety since a fainting spell during a City Council meeting last month.

The mayor went to Game 4 of the NBA Finals on Sunday, but could only stay until halftime "by doctor's orders."

But Tuesday was different. Tuesday was close-out day for the Pistons and there was no way Ham was going to miss what turned into the title-clinching victory.

"Guess what? I stayed the whole time and I'm wringing with sweat," Wilmer Jones Ham said. "My heart has been beating, it's never stopped fluttering."

"I would sit down and put a cold rag to my head, saying to myself 'exhale, inhale, exhale, inhale.'"

The mayor sat in the first row along the baseline by a basket and near enough to the Pistons' bench that they kept asking "You alright Mama Ham? You alright?"

"She got to see the important (game)," Darvin Ham said. "It's been incredible."

The family atmosphere also permeates the team, said Darvin Ham, who said that in all of his NBA stops he's never experienced anything like the camaraderie he's had with this team.

"Joe Dumars created an environment where it's easy to come to work, and you look forward to seeing your teammates," Darvin Ham said.

And right on cue, the Palace turned into a hug-fest after the victory.

"Everybody is holding onto Darvin, hugging him," Wilmer Jones Ham said.

"This just shows you that hard work pays off," she explained. "They can be an example for all young people—you don't give up, you don't throw in the towel."

Darvin Ham is practically the poster child of not throwing in the towel.

A reserve player on his Saginaw High School basketball team, Ham worked through junior college to latch onto a scholarship at Texas Tech.

Then he turned his reputation as a defender and "banger" into a profession, first playing in one of basketball's minor leagues before signing an NBA free agent contract with the Denver Nuggets.

He played for five more teams before finally landing in Detroit in September of last year.

Darvin Ham came to the Pistons as a defensive specialist and used his work ethic

and infectious personality to catch the attention of coach Larry Brown, who also gave Mama Ham a hug after the final horn.

Ham earned extended playing time in early-season games, and two starting assignments, based on his work ethic and defense in practice, an attitude Brown was trying to instill in the rest of his team.

"I earned my minutes and recognition through the practice floor," he said.

"Darv is such a good-hearted person and they told me he is the joy of the team," Mama Ham said. "He's the mover and the shaker, 'Hey, we can do it. We can work through it.'"

In 370 career NBA games, Ham's averaged 3.0 points and 2.5 rebounds in 13.3 minutes per game, and he's had to bang a lot of bodies in practice to earn those minutes. In Detroit this season, he averaged 1.8 points and 1.7 rebounds in 54 games.

"It's just being focused and competing," Darwin Ham said. "Everybody matters. We all pushed . . . Darko (Milicic) pushed our big guys every day in practice. That's stuff not written about in the papers and people don't get to see it. The thing I love the most is they recognize that around here."

The fans will recognize that over the next few days when Ham and his teammates have a slate of parties, parades and rallies planned beginning Thursday morning.

"I'm not sleeping until Labor Day," Darwin Ham said.

Greg Mancina is a sports writer for The Saginaw News. You may contact him at 776-9670.

Ms. KILPATRICK. Mr. Speaker, congratulations to the Detroit Pistons and their Coach, Larry Brown, for winning the 2004 National Basketball Association Championship, defeating the Los Angeles Lakers, four games to one.

Congratulations for Most Valuable Player Chauncey Billups, Richard "Rip" Hamilton who was the high scorer for the Pistons in game five with 21 points, leading rebounder Ben "Fear the Fro" Wallace with 22 rebounds, Tayshaun Prince with his great defense against Kobe Bryant, and Rasheed Wallace who helped neutralize Shaquille O'Neal and scored 11 points.

The Detroit team displayed unstoppable teamwork, determination and perseverance to bring this championship to Detroit. I credit former Detroit "Bad Boy" and President of the Detroit Pistons' organization, Joe Dumars for assembling this team. He traded Grant Hill for Ben Wallace and acquired Rasheed Wallace in a trade in February. Dumars was on the Detroit Pistons' Championship teams in 1989 and 1990.

The Las Vegas betting lines had the Pistons the 6-1 underdogs going into the finals against the Lakers. I suppose a lot of people lost a lot of money after this team pulled off the biggest upset in NBA finals history.

This is a great year for Pistons' owner Bill Davidson whose Detroit Shock won the WNBA Championship last season, Tampa Bay Lightning won the Stanley Cup this season and now the Detroit Pistons winning the NBA Championship.

This team believed in themselves and the Detroit fans knew they could win it all. Go Pistons—National Basketball Association World Champions 2004.

Mr. DINGELL. Mr. Speaker, I rise today to congratulate the Detroit Pistons on winning the 2004 National Basketball Association Championship. After only five games, the Detroit Pistons won their third NBA title June 15, with

a 100-87 victory over the heavily favored Los Angeles Lakers. The Pistons showed great strength under pressure and proved that desire, perseverance and teamwork could triumph over talent, experience and individual play. I applaud their hard work and their championship.

I would like to offer my personal congratulations to Chauncey Billups, Ben Wallace, Mike James, Darwin Ham, Lindsey Hunter, Mehmet Okur, Tayshaun Prince, Rasheed Wallace, Darko Milicic, Richard Hamilton, Corliss Williamson and Elden Campbell.

Furthermore, I also want to congratulate Pistons owner William Davidson, team executives Tom Wilson and Joe Dumars and Coach Larry Brown. Their vision has once again returned the Larry O' Brien Trophy home to Detroit where it rightfully belongs.

The Detroit Pistons has made Metro Detroit and the State of Michigan proud. Their teamwork has taught Michiganders that you do not need stars to win a championship, you need unity. Once again, I congratulate the Detroit Pistons and their leaders on winning the 2004 NBA Championship.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 679 congratulating the Detroit Pistons on winning the 2004 National Basketball Association championship on June 15, 2004. We must always recognize honor where honor is due. The Pistons' win against the Lakers in the 5th game of the series this year is admirable and therefore, must be honored.

This commemoration will go a long way. In celebrating this win, we congratulate the players. They are more than just athletes, but they are also role models, fathers, brothers, sons, and husbands. Under the leadership of Coach Larry Brown these players came together to form the most outstanding team of 2004.

Indeed, the Pistons are outstanding off the court as well. We must acknowledge the Pistons' work in the Detroit community. From establishing 4 reading and learning centers, holding an essay contest, and running book drives and clothing drives for needy children in the winter, the team shows that it is committed to giving back to the community that gives so much to them.

And certainly the citizens of Detroit must be commended for their support of the Pistons. At Pistons' games, the love of team abounds. Families, friends, and fans pack bleachers at every game and show the Pistons what love is all about. This year the Pistons and the citizens of Detroit are reaping the rewards of hard work. In Texas, we recognize when hard work pays off. Today, we ask that Washington do the same.

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 679.

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

A motion to reconsider was laid on the table.

## WESTERN SHOSHONE CLAIMS DISTRIBUTION ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 884) to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes, as amended.

The Clerk read as follows:

H.R. 884

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Western Shoshone Claims Distribution Act".

### SEC. 2. DEFINITIONS.

In this Act:

(1) COMMITTEE.—The term "Committee" means the administrative committee established under section 4(c)(1).

(2) WESTERN SHOSHONE JOINT JUDGMENT FUNDS.—The term "Western Shoshone joint judgment funds" means—

(A) the funds appropriated in satisfaction of the judgment awards granted to the Western Shoshone Indians in Docket Numbers 326-A-1 and 326-A-3 before the United States Court of Claims; and

(B) all interest earned on those funds.

(3) WESTERN SHOSHONE JUDGMENT FUNDS.—The term "Western Shoshone judgment funds" means—

(A) the funds appropriated in satisfaction of the judgment award granted to the Western Shoshone Indians in Docket Number 326-K before the Indian Claims Commission; and

(B) all interest earned on those funds.

(4) JUDGMENT ROLL.—The term "judgment roll" means the Western Shoshone judgment roll established by the Secretary under section 3(b)(1).

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) TRUST FUND.—The term "Trust Fund" means the Western Shoshone Educational Trust Fund established under section 4(b)(1).

(7) WESTERN SHOSHONE MEMBER.—The term "Western Shoshone member" means an individual who—

(A)(i) appears on the judgment roll; or

(ii) is the lineal descendant of an individual appearing on the roll; and

(B)(i) satisfies all eligibility criteria established by the Committee under section 4(c)(4)(D)(iii);

(ii) meets any application requirements established by the Committee; and

(iii) agrees to use funds distributed in accordance with section 4(b)(2)(B) for educational purposes approved by the Committee.

### SEC. 3. DISTRIBUTION OF WESTERN SHOSHONE JUDGMENT FUNDS.

(a) IN GENERAL.—The Western Shoshone judgment funds shall be distributed in accordance with this section.

(b) JUDGMENT ROLL.—

(1) IN GENERAL.—The Secretary shall establish a Western Shoshone judgment roll consisting of all individuals who—

(A) have at least ¼ degree of Western Shoshone blood;

(B) are citizens of the United States; and

(C) are living on the date of enactment of this Act.

(2) INELIGIBLE INDIVIDUALS.—Any individual that is certified by the Secretary to be eligible to receive a per capita payment from any other judgment fund based on an aboriginal land claim awarded by the Indian Claims Commission, the United States

Claims Court, or the United States Court of Federal Claims, that was appropriated on or before the date of enactment of this Act, shall not be listed on the judgment roll.

(3) REGULATIONS REGARDING JUDGMENT ROLL.—The Secretary shall—

(A) publish in the Federal Register all regulations governing the establishment of the judgment roll; and

(B) use any documents acceptable to the Secretary in establishing proof of eligibility of an individual to—

(i) be listed on the judgment roll; and  
(ii) receive a per capita payment under this Act.

(4) FINALITY OF DETERMINATION.—The determination of the Secretary on an application of an individual to be listed on the judgment roll shall be final.

(c) DISTRIBUTION.—

(1) IN GENERAL.—On establishment of the judgment roll, the Secretary shall make a per capita distribution of 100 percent of the Western Shoshone judgment funds, in shares as equal as practicable, to each person listed on the judgment roll.

(2) REQUIREMENTS FOR DISTRIBUTION PAYMENTS.—

(A) LIVING COMPETENT INDIVIDUALS.—The per capita share of a living, competent individual who is 19 years or older on the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be paid directly to the individual.

(B) LIVING, LEGALLY INCOMPETENT INDIVIDUALS.—The per capita share of a living, legally incompetent individual shall be administered in accordance with regulations promulgated and procedures established by the Secretary under section 3(b)(3) of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1403(b)(3)).

(C) DECEASED INDIVIDUALS.—The per capita share of an individual who is deceased as of the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be paid to the heirs and legatees of the individual in accordance with regulations promulgated by the Secretary.

(D) INDIVIDUALS UNDER THE AGE OF 19.—The per capita share of an individual who is not yet 19 years of age on the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be—

(i) held by the Secretary in a supervised individual Indian money account; and  
(ii) distributed to the individual—  
(I) after the individual has reached the age of 18 years; and

(II) in 4 equal payments (including interest earned on the per capita share), to be made—  
(aa) with respect to the first payment, on the eighteenth birthday of the individual (or, if the individual is already 18 years of age, as soon as practicable after the date of establishment of the Indian money account of the individual); and

(bb) with respect to the 3 remaining payments, not later than 90 days after each of the 3 subsequent birthdays of the individual.

(3) APPLICABLE LAW.—Notwithstanding section 7 of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1407), a per capita share (or the availability of that share) paid under this section shall not—

(A) be subject to Federal or State income taxation;

(B) be considered to be income or resources for any purpose; or

(C) be used as a basis for denying or reducing financial assistance or any other benefit to which a household or Western Shoshone member would otherwise be entitled to receive under—

(i) the Social Security Act (42 U.S.C. 301 et seq.); or

(ii) any other Federal or federally-assisted program.

(4) UNPAID FUNDS.—The Secretary shall add to the Western Shoshone joint judgment funds held in the Trust Fund under section 4(b)(1)—

(A) all per capita shares (including interest earned on those shares) of living competent adults listed on the judgment roll that remain unpaid as of the date that is—

(i) 6 years after the date of distribution of the Western Shoshone judgment funds under paragraph (1); or

(ii) in the case of an individual described in paragraph (2)(D), 6 years after the date on which the individual reaches 18 years of age; and

(B) any other residual principal and interest funds remaining after the distribution under paragraph (1) is complete.

#### SEC. 4. DISTRIBUTION OF WESTERN SHOSHONE JOINT JUDGMENT FUNDS.

(a) IN GENERAL.—The Western Shoshone joint judgment funds shall be distributed in accordance with this section.

(b) WESTERN SHOSHONE EDUCATIONAL TRUST FUND.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish in the Treasury of the United States, for the benefit of Western Shoshone members, a trust fund to be known as the “Western Shoshone Educational Trust Fund”, consisting of—

(A) the Western Shoshone joint judgment funds; and

(B) the funds added under section 3(b)(4).

(2) AMOUNTS IN TRUST FUND.—With respect to amounts in the Trust fund—

(A) the principal amount—

(i) shall not be expended or disbursed; and  
(ii) shall be invested in accordance with section 1 of the Act of June 24, 1938 (25 U.S.C. 162a); and

(B) all interest income earned on the principal amount after the date of establishment of the Trust fund—

(i) shall be distributed by the Committee—

(I) to Western Shoshone members in accordance with this Act, to be used as educational grants or for other forms of educational assistance determined appropriate by the Committee; and  
(II) to pay the reasonable and necessary expenses of the Committee (as defined in the written rules and procedures of the Committee); but

(ii) shall not be distributed under this paragraph on a per capita basis.

(c) ADMINISTRATIVE COMMITTEE.—

(1) ESTABLISHMENT.—There is established an administrative committee to oversee the distribution of educational grants and assistance under subsection (b)(2).

(2) MEMBERSHIP.—The Committee shall be composed of 7 members, of which—

(A) 1 member shall represent the Western Shoshone Te-Moak Tribe and be appointed by that Tribe;

(B) 1 member shall represent the Duckwater Shoshone Tribe and be appointed by that Tribe;

(C) 1 member shall represent the Yomba Shoshone Tribe and be appointed by that Tribe;

(D) 1 member shall represent the Ely Shoshone Tribe and be appointed by that Tribe;

(E) 1 member shall represent the Western Shoshone Committee of the Duck Valley Reservation and be appointed by that Committee;

(F) 1 member shall represent the Fallon Band of Western Shoshone and be appointed by that Band; and

(G) 1 member shall represent the general public and be appointed by the Secretary.

(3) TERM.—

(A) IN GENERAL.—Each member of the Committee shall serve a term of 4 years.

(B) VACANCIES.—If a vacancy remains unfilled in the membership of the Committee for a period of more than 60 days—

(i) the Committee shall appoint a temporary replacement from among qualified members of the organization for which the replacement is being made; and

(ii) that member shall serve until such time as the organization (or, in the case of a member described in paragraph (2)(G), the Secretary) designates a permanent replacement.

(4) DUTIES.—The Committee shall—

(A) distribute interest funds from the Trust Fund under subsection (b)(2)(B)(i);

(B) for each fiscal year, compile a list of names of all individuals approved to receive those funds;

(C) ensure that those funds are used in a manner consistent with this Act;

(D) develop written rules and procedures, subject to the approval of the Secretary, that cover such matters as—

(i) operating procedures;  
(ii) rules of conduct;  
(iii) eligibility criteria for receipt of funds under subsection (b)(2)(B)(i);  
(iv) application selection procedures;  
(v) procedures for appeals to decisions of the Committee;

(vi) fund disbursement procedures; and  
(vii) fund recoupment procedures;

(E) carry out financial management in accordance with paragraph (6); and

(F) in accordance with subsection (b)(2)(C)(ii), use a portion of the interest funds from the Trust Fund to pay the reasonable and necessary expenses of the Committee (including per diem rates for attendance at meetings that are equal to those paid to Federal employees in the same geographic location), except that not more than \$100,000 of those funds may be used to develop written rules and procedures described in subparagraph (D).

(5) JURISDICTION OF TRIBAL COURTS.—At the discretion of the Committee and with the approval of the appropriate tribal government, a tribal court, or a court of Indian offenses operated under section 11 of title 25, Code of Federal Regulations (or a successor regulation), shall have jurisdiction to hear an appeal of a decision of the Committee.

(6) FINANCIAL MANAGEMENT.—

(A) FINANCIAL STATEMENT.—The Committee shall employ an independent certified public accountant to prepare a financial statement for each fiscal year that discloses—

(i) the operating expenses of the Committee for the fiscal year; and

(ii) the total amount of funds disbursed under subsection (b)(2)(B)(i) for the fiscal year.

(B) DISTRIBUTION OF INFORMATION.—For each fiscal year, the Committee shall provide to the Secretary, to each organization represented on the Committee, and, on the request of a Western Shoshone member, to the Western Shoshone member, a copy of—

(i) the financial statement prepared under subparagraph (A); and

(ii) the list of names compiled under paragraph (4)(B).

(d) CONSULTATION.—The Secretary shall consult with the Committee on the management and investment of the funds distributed under this section.

#### SEC. 5. REGULATIONS.

The Secretary may promulgate such regulations as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

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

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

There was no objection.

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

Today I rise in support of H.R. 884, the Western Shoshone Claims Distribution Act.

Mr. Speaker, in the 1970s the Indian Claims Commission awarded the Western Shoshone Tribe over \$26 million in compensation for lands and resources throughout much of the western States, including my home State of Nevada. Funds were appropriated by Congress in 1979. And since that time the money has been left untouched.

For nearly 3 decades, the men and women of the Shoshone Tribe have waited for access to these funds. H.R. 884 is a much-needed piece of legislation that accomplishes a simple yet vital task.

This bill requires the Secretary of Interior to establish a judgment roll consisting of all Western Shoshones, who have at least one quarter degree of Western Shoshone blood, are citizens of the United States, and are living at the date of enactment of this legislation. The Secretary would then distribute and use the funds in two ways.

First, the Secretary would distribute over \$145 million from Docket 326-K to each person on the judgment roll through a per-capita share.

Secondly, nearly \$1.5 million awarded under Docket Numbers 326-A-1 and 326-A-3 would be used to establish the "Western Shoshone Educational Trust Fund" and an administrative committee to oversee the distribution of accumulated and future interest and income for educational grants.

Simply stated, Mr. Speaker, this bill allows the rightful funds of the Shoshones to be properly distributed. My constituents, the Western Shoshone people, have expressed to me an overwhelming majority, their desire to see these funds distributed. In fact, the Western Shoshone have voted not once, but twice, on this issue. In both instances, over 90 percent of the voters favored the distribution reflected in this legislation.

The vast majority of the Western Shoshone people have formed a cohesive group which operates under a democratic process to express the will of the tribal members. These numbers account for approximately 65 percent of the eligible Shoshone voters.

□ 1530

It is overwhelmingly obvious that the tribe wants these funds distributed. It is important to note that H.R. 884

specifically ensures that the funds distribution is not a waiver of existing treaty rights, nor will it prevent the tribe, band or individual Shoshone Indians from pursuing other rights guaranteed by law.

I want to thank Senator HARRY REID and Senator JOHN ENSIGN of Nevada for introducing this bill in the Senate, and I applaud the Members of the Senate who voted unanimously to pass this measure in October of last year.

I urge my colleagues to support the Western Shoshone people in their endeavor to put this issue to rest once and for all by voting in favor of H.R. 884.

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

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

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

Mr. RAHALL. Mr. Speaker, when this legislation was considered by the Committee on Resources, the majority of Democratic Members opposed it after an amendment I sought to offer was not made in order. That amendment would have made two important changes to the bill. First, it would have provided that amounts distributed to the Western Shoshone would not be treated as income and subjected to Federal or State taxes.

Second, it would have directed the Interior Secretary to devise a list in consultation with the Western Shoshone of lands that may be suitable to be held in trust for the tribes.

Today we are considering a modified version of that legislation, which contains the language of the Senate-passed version, S. 618, and I am pleased to note it contains a provision I sought to exempt, the claims distribution from Federal and State income taxes. That is a very important change.

It must be stated that while this legislation would distribute over \$130 million to the Western Shoshone, there is not consensus among the tribes on this issue.

While we do not have an exact count, there is a segment of the Western Shoshone who are opposed to this legislation. They believe that if the claims award is distributed, they would then be precluded from expanding the land base of the various Western Shoshone Indian tribes.

The ancestral lands of the Western Shoshone are rich with natural resources and minerals. Some have put mining receipts on these lands in the tens of billions of dollars since 1960s. Yet, there are no Western Shoshone billionaires and, to date, no moves to give back some of these rich lands to the tribes.

In that regard, I would report that the Senate sponsor of the pending legislation has personally advised me that he would pursue legislation to deal with the land issue. Based on that commitment, I find that I am able to vote for the pending measure.

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

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

Mr. GIBBONS. Mr. Speaker, I would like to thank my friend and colleague, the gentleman from West Virginia (Mr. RAHALL) for the courtesies and professionalism he has shown with regard to the consideration of the bill now presently before us, ask all Members to vote in the affirmative on this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 884, as amended.

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

A motion to reconsider was laid on the table.

#### TRIBAL FOREST PROTECTION ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3846) 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, as amended.

The Clerk read as follows:

H.R. 3846

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Tribal Forest Protection Act of 2004".*

#### SEC. 2. TRIBAL FOREST ASSETS PROTECTION.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) INDIAN FOREST LAND OR RANGELAND.—The term "Indian forest land or rangeland" means land that—

(A) is held in trust by, or with a restriction against alienation by, the United States for an Indian tribe or a member of an Indian tribe; and

(B)(i)(I) is Indian forest land (as defined in section 304 of the National Indian Forest Resources Management Act (25 U.S.C. 3103)); or

(II) has a cover of grasses, brush, or any similar vegetation; or

(ii) formerly had a forest cover or vegetative cover that is capable of restoration.

(3) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) SECRETARY.—The term "Secretary" means—

(A) the Secretary of Agriculture, with respect to land under the jurisdiction of the Forest Service; and

(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(b) AUTHORITY TO PROTECT INDIAN FOREST LAND OR RANGELAND.—

(1) IN GENERAL.—Not later than 120 days after the date on which an Indian tribe submits to the Secretary a request to enter into an agreement or contract to carry out a project to protect Indian forest land or rangeland (including a project to restore Federal land that borders on or is adjacent to Indian forest land or rangeland) that meets the criteria described in subsection (c), the Secretary may issue public notice of initiation of any necessary environmental review or of the potential of entering into an agreement or contract with the Indian tribe pursuant to section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275)), or such other authority as appropriate, under which the Indian tribe would carry out activities described in paragraph (3).

(2) ENVIRONMENTAL ANALYSIS.—Following completion of any necessary environmental analysis, the Secretary may enter into an agreement or contract with the Indian tribe as described in paragraph (1).

(3) ACTIVITIES.—Under an agreement or contract entered into under paragraph (2), the Indian tribe may carry out activities to achieve land management goals for Federal land that is—

(A) under the jurisdiction of the Secretary; and

(B) bordering or adjacent to the Indian forest land or rangeland under the jurisdiction of the Indian tribe.

(c) SELECTION CRITERIA.—The criteria referred to in subsection (b), with respect to an Indian tribe, are whether—

(1) the Indian forest land or rangeland under the jurisdiction of the Indian tribe borders on or is adjacent to land under the jurisdiction of the Forest Service or the Bureau of Land Management;

(2) Forest Service or Bureau of Land Management land bordering on or adjacent to the Indian forest land or rangeland under the jurisdiction of the Indian tribe—

(A) poses a fire, disease, or other threat to—

(i) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; or

(ii) a tribal community; or

(B) is in need of land restoration activities;

(3) the agreement or contracting activities applied for by the Indian tribe are not already covered by a stewardship contract or other instrument that would present a conflict on the subject land; and

(4) the Forest Service or Bureau of Land Management land described in the application of the Indian tribe presents or involves a feature or circumstance unique to that Indian tribe (including treaty rights or biological, archaeological, historical, or cultural circumstances).

(d) NOTICE OF DENIAL.—If the Secretary denies a tribal request under subsection (b)(1), the Secretary may issue a notice of denial to the Indian tribe, which—

(1) identifies the specific factors that caused, and explains the reasons that support, the denial;

(2) identifies potential courses of action for overcoming specific issues that led to the denial; and

(3) proposes a schedule of consultation with the Indian tribe for the purpose of developing a strategy for protecting the Indian forest land or rangeland of the Indian tribe and interests of the Indian tribe in Federal land.

(e) PROPOSAL EVALUATION AND DETERMINATION FACTORS.—In entering into an agreement

or contract in response to a request of an Indian tribe under subsection (b)(1), the Secretary may—

(1) use a best-value basis; and

(2) give specific consideration to tribally-related factors in the proposal of the Indian tribe, including—

(A) the status of the Indian tribe as an Indian tribe;

(B) the trust status of the Indian forest land or rangeland of the Indian tribe;

(C) the cultural, traditional, and historical affiliation of the Indian tribe with the land subject to the proposal;

(D) the treaty rights or other reserved rights of the Indian tribe relating to the land subject to the proposal;

(E) the indigenous knowledge and skills of members of the Indian tribe;

(F) the features of the landscape of the land subject to the proposal, including watersheds and vegetation types;

(G) the working relationships between the Indian tribe and Federal agencies in coordinating activities affecting the land subject to the proposal; and

(H) the access by members of the Indian tribe to the land subject to the proposal.

(f) NO EFFECT ON EXISTING AUTHORITY.—Nothing in this Act—

(1) prohibits, restricts, or otherwise adversely affects the participation of any Indian tribe in stewardship agreements or contracting under the authority of section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275)) or other authority invoked pursuant to this Act; or

(2) invalidates any agreement or contract under that authority.

(g) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the Indian tribal requests received and agreements or contracts that have been entered into under this Act.

The SPEAKER pro tempore (Mr. TERRY). Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3846, as amended.

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

There was no objection.

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

Mr. Speaker, H.R. 3846 would 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.

Last summer, reservations were invaded by catastrophic fires from adjacent Federal lands. In southern California, 11 reservations were burned, 2 completely, and a number of lives were tragically lost. After witnessing firsthand the horrible aftermath of these fires, the chairman of the Committee

on Resources, the gentleman from California (Mr. POMBO), promised to develop and move legislation that would help tribes protect their Land.

To follow through with that pledge, and in the spirit of bipartisan Healthy Forest Restoration Act, Senator FEINSTEIN and the gentleman from California (Chairman POMBO) adopted and introduced the Tribal Forestry Protection Act. This legislation will provide a process whereby tribes can engage in projects on adjacent Forest Service and BLM lands to treat excessive fuels and engage in other restoration activities.

By passing this legislation, Congress will be sending a strong and clear message to the agencies that tribes need to be an integral part of the thoughtful management of our Federal lands, for the betterment and safety of all.

Mr. Speaker, I urge the adoption of this bill.

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

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

Mr. Speaker, the pending measure has been adequately explained by the gentleman from Nevada. We have no objections to it on our side. In fact, I join in commending the gentleman from California (Chairman POMBO) of the Committee on Resources for his initiative in this matter. We support the legislation.

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

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

I thank my friend the gentleman from West Virginia, Mr. RAHALL, for his support on this legislation and urge all Members to support this measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 3846, as amended.

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

A motion to reconsider was laid on the table.

#### AMENDING THE BEND PINE NURSERY LAND CONVEYANCE ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1848) 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.

The Clerk read as follows:

S. 1848

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

#### SECTION 1. MODIFICATION OF BEND PINE NURSERY LAND CONVEYANCE.

(a) DESIGNATION OF RECIPIENTS AND CONSIDERATION.—Section 3 of the Bend Pine Nursery Land Conveyance Act (Public Law 106-526; 114 Stat. 2512) is amended—

(1) in subsection (a), by striking paragraph (1) and redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively;

(2) in subsection (e)—

(A) by striking “this section” both places it appears and inserting “subsection (a)”;

(B) in paragraph (1), by striking “Subject to paragraph (3), the” and inserting “The”; and

(C) by striking paragraph (3); and

(3) by adding at the end the following:

“(g) BEND PINE NURSERY CONVEYANCE.—

“(1) CONVEYANCE TO PARK AND RECREATION DISTRICT.—Upon receipt of consideration in the amount of \$3,503,676 from the Bend Metro Park and Recreation District in Deschutes County, Oregon, the Secretary shall convey to the Bend Metro Park and Recreation District all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 185 acres and containing the Bend Pine Nursery, as depicted on the site plan map entitled ‘Bend Pine Nursery Administrative Site, May 13, 2004’. Subject to paragraph (2), the real property conveyed to the Bend Metro Park and Recreation District shall be used only for public recreation purposes and may be developed for those purposes. If the Secretary determines that the real property subject to this condition is converted, in whole or in part, to a use other than public recreation, the Secretary shall require the Bend Metro Park and Recreation District to pay to the United States an amount equal to the fair market value of the property at the time of conversion, less the consideration paid under this paragraph.

“(2) RECONVEYANCE OF PORTION TO SCHOOL DISTRICT.—As soon as practicable after the receipt by the Bend Metro Park and Recreation District of the real property described in paragraph (1), the Bend Metro Park and Recreation District shall convey to the Administrative School District No. 1, Deschutes County, Oregon, without consideration, a parcel of real property located in the northwest corner of the real property described in paragraph (1) and consisting of approximately 15 acres. The deed of conveyance shall contain a covenant requiring that the real property conveyed to the School District be used only for public education purposes.”

(b) CONFORMING AMENDMENT.—Section 4(a) of such Act is amended by striking “section 3(a)” and inserting “section 3”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

#### GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1848.

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

There was no objection.

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

Mr. Speaker, S. 1848, introduced by Senator RON WYDEN of Oregon, would amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery, and for other purposes.

This bill will bring closure to an administrative process that has already taken far too long to complete. Specifically, the bill will convey 170 acres of the Bend Pine Nursery site to the Bend metro Parks and Recreation District and would also convey an additional 15 acres to the Bend-LaPine School District to construct an elementary school. The bill also contains a reference to an updated Forest Service map, at the request of the administration.

Just last month, the House passed the companion to this bill, H.R. 3505, introduced by the gentleman from Oregon (Mr. WALDEN). Unfortunately, the House bill has been held back at the desk of the other body for unrelated political collateral. Recognizing the importance and merits of this legislation, regardless of the bill number, the gentleman from Oregon (Mr. WALDEN) has strongly pushed the movement of the Senate bill. This will end petty partisanship and will instead pass fair-minded legislation benefiting the State of Oregon.

I urge adoption of this bill.

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

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

Mr. Speaker, the gentleman from Nevada has adequately explained the pending legislation. We have no objection to it on our side. In fact, I commend our colleague on this side of the aisle, the gentleman from Oregon (Mr. DEFAZIO) for his diligence in pursuing consideration of this bill by the House. The gentleman is a valued member of both the Committee on Resources and the other committee upon which I sit, the Committee on Transportation and Infrastructure.

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

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

Mr. Speaker, I also would like to thank my colleague and friend, the gentleman from West Virginia (Mr. RAHALL) for his professionalism on this bill. I would urge an aye vote.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1848.

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

A motion to reconsider was laid on the table.

#### JOHN MUIR NATIONAL HISTORIC SITE BOUNDARY ADJUSTMENT ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3706) to adjust the boundary of the John Muir National Historic Site, and for other purposes.

The Clerk read as follows:

H.R. 3706

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “John Muir National Historic Site Boundary Adjustment Act”.

#### SEC. 2. BOUNDARY ADJUSTMENT.

(a) BOUNDARY.—The boundary of the John Muir National Historic Site is adjusted to include the lands generally depicted on the map entitled “Boundary Map, John Muir National Historic Site” numbered PWR-OL 426-80,044a and dated August 2001.

(b) LAND ACQUISITION.—The Secretary of the Interior is authorized to acquire the lands and interests in lands identified as the “Boundary Adjustment Area” on the map referred to in subsection (a) by donation, purchase with donated or appropriated funds, exchange, or otherwise.

(c) ADMINISTRATION.—The lands and interests in lands described in subsection (b) shall be administered as part of the John Muir National Historic Site established by the Act of August 31, 1964 (78 Stat. 753; 16 U.S.C. 461 note).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

#### GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3706.

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

There was no objection.

□ 1545

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

Mr. Speaker, H.R. 3706, introduced by our committee colleague, the gentleman from California (Mr. GEORGE MILLER), would authorize the Secretary of the Interior to adjust the boundaries of the John Muir National Historic Site.

A 1994 National Park Service boundary survey discovered that approximately 9,500 square feet of land donated to the historic site by the city of Martinez, California, was actually not part of the donation, and, in fact, had no clear title holder. Because of this dilemma, the Park Service has been unable to proceed with an important expansion of the parking area.

H.R. 3706 would simply allow for the acquisition of the two-tenths-of-an-acre parcel of land so that the parking facility may be built.

Mr. Speaker, H.R. 3706 is supported by both the majority and minority of the committee and by this administration. I urge adoption of this bill.

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

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

Mr. Speaker, the gentleman from Nevada (Mr. GIBBONS) has adequately explained H.R. 3706, which was introduced by our good friend and colleague, the gentleman from California (Mr. GEORGE MILLER). I would just note that the boundary adjustment is about as small as anyone can recall, covering about 9,500 square feet, or just two-tenths of an acre. However, this adjustment is necessary to clear up a land title problem and allow the construction of a needed visitor center and facilities for the historic site.

The National Park Service supports this legislation, and there is absolutely no controversy with it. I commend our colleague, the gentleman from California (Mr. GEORGE MILLER) for his work on the bill. I urge passage of H.R. 3706.

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

Mr. GIBBONS. Mr. Speaker, I congratulate my colleague and friend, the gentleman from West Virginia (Mr. RAHALL), for his courtesies on this bill. We have no further requests for time to speak in favor of this legislation.

Mr. Speaker, I urge my colleagues to vote "aye" on this bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the House for considering the John Muir National Historic Site Boundary Adjustment Act today. My district is home to the residence of John Muir, his orchards, and Mt. Wanda, named for his daughter. Without John Muir's efforts, Yosemite National Park would not exist, and as first president of the Sierra Club, he helped sharpen Californians' appreciation for the Sierra Mountains, which he called "The Range of Light."

In addition to its historical significance, the former Muir estate provides valuable open space in the rapidly growing Bay Area. In 1988, we enacted legislation to expand the John Muir Historic Site. Following a survey conducted as part of the development of the General Management Plan, the Park Service discovered that a .2 acre triangle adjacent to the newly acquired parcel did not belong to the City of Martinez. In fact, it did not belong to anyone.

In order to meet the growing needs of site users, the Park Service would greatly benefit from a boundary adjustment to finally put to rest the question of property title to this small triangle of land. This bill will allow the Park Service to either acquire the land if an heir or former owner is identified, or condemn the property if an heir is not found. Once the title to the land is clear, the Park Service would be free to begin construction on a 32 vehicle parking area that would utilize the .2 acre parcel. This will allow greater access for schools, seniors groups, and everyone else interested in wilderness conservation, and the history of modern environmentalism.

This boundary adjustment is supported by Contra Costa County and the City of Martinez. Enactment of this legislation allows the Park Service to enhance public understanding of John Muir's contributions, while also facilitating access to an important recreation area in my district. I thank my colleagues for their support of this legislation.

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 3706.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 48 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BLACKBURN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

- H. Res. 591, by the yeas and nays;
- H.R. 4363, by the yeas and nays;
- H. Res. 660, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

COMMUNITY BANKING MONTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 591.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and agree to the resolution, H. Res. 591, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 364, nays 0, not voting 69, as follows:

[Roll No. 276]

YEAS—364

Abercrombie	Bartlett (MD)	Blackburn	Brady (PA)	Hall	Miller, George
Ackerman	Barton (TX)	Blumenauer	Brady (TX)	Harman	Mollohan
Aderholt	Bass	Blunt	Brown (OH)	Harris	Moore
Akin	Beauprez	Boehlert	Brown (SC)	Hart	Moran (KS)
Alexander	Bell	Boehner	Brown, Corrine	Hastings (WA)	Moran (VA)
Allen	Berkley	Bonilla	Brown-Waite,	Hayes	Murphy
Andrews	Berry	Bonner	Ginny	Hayworth	Musgrave
Baca	Biggert	Bono	Burgess	Hefley	Myrick
Bachus	Billirakis	Boozman	Burns	Hensarling	Nadler
Baird	Bishop (GA)	Boswell	Burton (IN)	Herger	Napolitano
Baldwin	Bishop (NY)	Boucher	Buyer	Herseth	Neal (MA)
Barrett (SC)	Bishop (UT)	Bradley (NH)	Calvert	Hill	Nethercutt
			Camp	Hinchey	Neugebauer
			Cannon	Hobson	Ney
			Cantor	Hoeffel	Northup
			Capito	Holden	Norwood
			Capuano	Holt	Nunes
			Cardin	Honda	Nussle
			Cardoza	Hoolley (OR)	Oberstar
			Carter	Hostettler	Obey
			Case	Houghton	Olver
			Castle	Hoyer	Ortiz
			Chandler	Hunter	Osborne
			Chocola	Hyde	Ose
			Clay	Inslee	Otter
			Clyburn	Israel	Oxley
			Coble	Issa	Pallone
			Cole	Istook	Pascrell
			Conyers	Jackson (IL)	Pastor
			Cooper	Jackson-Lee	Paul
			Costello	(TX)	Payne
			Cox	Jefferson	Pearce
			Cramer	Johnson (CT)	Pence
			Crane	Johnson (IL)	Peterson (MN)
			Crenshaw	Johnson, E. B.	Petri
			Crowley	Johnson, Sam	Pickering
			Cubin	Jones (NC)	Pitts
			Culberson	Jones (OH)	Platts
			Cunningham	Kanjorski	Pombo
			Davis (CA)	Kaptur	Pomeroy
			Davis (FL)	Keller	Price (NC)
			Davis (IL)	Kelly	Pryce (OH)
			Davis (TN)	Kennedy (MN)	Quinn
			Davis, Jo Ann	Kildee	Radanovich
			Davis, Tom	Kilpatrick	Rahall
			Deal (GA)	Kind	Ramstad
			DeFazio	King (IA)	Rangel
			DeGette	King (NY)	Regula
			Delahunt	Kingston	Rehberg
			DeLauro	Kirk	Renzi
			DeLay	Klecza	Reynolds
			Diaz-Balart, L.	Kline	Rodriguez
			Diaz-Balart, M.	Knollenberg	Rogers (AL)
			Dicks	Kolbe	Rogers (KY)
			Dingell	Kucinich	Rohrabacher
			Dooley (CA)	LaHood	Ross
			Doolittle	Lampson	Rothman
			Doyle	Langevin	Roybal-Allard
			Dreier	Lantos	Ruppersberger
			Duncan	Larsen (WA)	Ryan (OH)
			Dunn	Larson (CT)	Ryan (WI)
			Edwards	Latham	Ryun (KS)
			Ehlers	LaTourette	Sabo
			Emerson	Leach	Sánchez, Linda
			English	Lee	T.
			Eshoo	Levin	Sanchez, Loretta
			Etheridge	Lewis (CA)	Sandlin
			Evans	Lewis (GA)	Saxton
			Farr	Lewis (KY)	Schiff
			Fattah	Linder	Schrock
			Feeney	LoBiondo	Scott (GA)
			Ferguson	Lofgren	Scott (VA)
			Filner	Lowey	Sensenbrenner
			Flake	Lucas (KY)	Serrano
			Foley	Lucas (OK)	Sessions
			Forbes	Lynch	Shadegg
			Ford	Maloney	Shaw
			Fossella	Manzullo	Sherman
			Frank (MA)	Markey	Sherwood
			Franks (AZ)	Marshall	Shimkus
			Frelinghuysen	Matheson	Shuster
			Garrett (NJ)	McCarthy (MO)	Simmons
			Gerlach	McCarthy (NY)	Simpson
			Gibbons	McCollum	Skelton
			Gilchrest	McCotter	Slaughter
			Gillmor	McCrary	Smith (MI)
			Gingrey	McDermott	Smith (NJ)
			Gonzalez	McHugh	Smith (TX)
			Goode	McIntyre	Smith (WA)
			Goodlatte	McKeon	Snyder
			Gordon	McNulty	Solis
			Goss	Meek (FL)	Souder
			Granger	Mica	Spratt
			Graves	Michaud	Stearns
			Green (TX)	Millender-	Stenholm
			Green (WI)	McDonald	Strickland
			Greenwood	Miller (MI)	Stupak
			Grijalva	Miller (NC)	Sullivan
			Gutknecht	Miller, Gary	Tancredo

Tanner	Turner (TX)	Weldon (FL)	Burton (IN)	Hefley	Myrick	Thompson (MS)	Van Hollen	Weller
Tauscher	Udall (CO)	Weldon (PA)	Buyer	Hensarling	Nadler	Thornberry	Velázquez	Whitfield
Taylor (MS)	Udall (NM)	Whitfield	Calvert	Henger	Napolitano	Tiahrt	Viscolosky	Wicker
Terry	Upton	Wicker	Camp	Herseeth	Neal (MA)	Tiberi	Walden (OR)	Wilson (NM)
Thomas	Van Hollen	Wilson (NM)	Cannon	Hill	Nethercutt	Tierney	Walsh	Wolf
Thompson (CA)	Velázquez	Wolf	Cantor	Hinchey	Neugebauer	Towns	Waters	Woolsey
Thompson (MS)	Viscolosky	Woolsey	Capito	Hobson	Ney	Turner (TX)	Watson	Wu
Thornberry	Walden (OR)	Wu	Capps	Hoefel	Northup	Udall (CO)	Watt	Wynn
Tiahrt	Walsh	Wynn	Capuano	Holden	Norwood	Udall (NM)	Weldon (FL)	Young (AK)
Tiberi	Waters	Young (AK)	Cardin	Holt	Nunes	Upton	Weldon (PA)	Young (FL)
Tierney	Watson	Young (FL)	Cardoza	Honda	Nussle			
Towns	Watt		Carter	Hooley (OR)	Oberstar			

NOT VOTING—65

Baker	Gutierrez	Portman	Case	Hostettler	Obey	Baker	Hastings (FL)	Portman
Ballenger	Hastings (FL)	Putnam	Castle	Houghton	Oliver	Ballenger	Hinojosa	Putnam
Becerra	Hinojosa	Reyes	Chandler	Hoyer	Ortiz	Becerra	Hoekstra	Reyes
Bereuter	Hoekstra	Rogers (MI)	Chocola	Hunter	Osborne	Bereuter	Hulshof	Rogers (MI)
Berman	Hulshof	Ros-Lehtinen	Clay	Hyde	Ose	Berman	Isakson	Ros-Lehtinen
Boyd	Isakson	Royce	Clyburn	Inslee	Otter	Boyd	Jenkins	Royce
Burr	Jenkins	Rush	Coble	Israel	Oxley	Burr	John	Rush
Capps	John	Sanders	Cole	Issa	Pallone	Carson (IN)	Kennedy (RI)	Sanders
Carson (IN)	Kennedy (RI)	Schakowsky	Conyers	Istook	Pascrell	Carson (OK)	Lipinski	Shays
Carson (OK)	Lipinski	Shays	Cooper	Jackson (IL)	Pastor	Chabot	Majette	Stark
Chabot	Majette	Stark	Costello	Jackson-Lee	Paul	Collins	Matsui	Sweeney
Collins	Matsui	Sweeney	Cox	(TX)	Payne	Davis (AL)	McGovern	Tauzin
Cummings	McGovern	Tauzin	Cramer	Jefferson	Pearce	DeMint	McInnis	Taylor (NC)
Davis (AL)	McInnis	Taylor (NC)	Crane	Johnson (CT)	Pence	Deutsch	Meehan	Toomey
DeMint	Meehan	Toomey	Crenshaw	Johnson (IL)	Peterson (MN)	Doggett	Meeks (NY)	Turner (OH)
Deutsch	Meeks (NY)	Turner (OH)	Crowley	Johnson, E. B.	Petri	Engel	Miller (FL)	Vitter
Doggett	Menendez	Vitter	Cubin	Johnson, Sam	Pickering	Everett	Murtha	Wamp
Emanuel	Miller (FL)	Wamp	Culberson	Jones (NC)	Pitts	Frost	Owens	Waxman
Engel	Murtha	Waxman	Cummings	Jones (OH)	Platts	Gallely	Pelosi	Weiner
Everett	Owens	Weiner	Cunningham	Kanjorski	Pombo	Gephardt	Peterson (PA)	Wexler
Frost	Pelosi	Weller	Davis (CA)	Kaptur	Pomeroy	Porter	Porter	Wilson (SC)
Gallely	Peterson (PA)	Wilson (SC)	Davis (FL)	Keller	Price (NC)			
Gephardt	Porter		Davis (IL)	Kelly	Pryce (OH)			
			Davis (TN)	Kennedy (MN)	Quinn			
			Davis, Jo Ann	Kildee	Radanovich			
			Davis, Tom	Kilpatrick	Rahall			
			Deal (GA)	Kind	Ramstad			
			DeFazio	King (IA)	Rangel			
			DeGette	King (NY)	Regula			
			Delahunt	Kingston	Rehberg			
			DeLauro	Kirk	Renzi			
			DeLay	Kleczka	Reynolds			
			Diaz-Balart, L.	Kline	Rodriguez			
			Diaz-Balart, M.	Knollenberg	Rogers (AL)			
			Dicks	Kolbe	Rogers (KY)			
			Dingell	Kucinich	Rohrabacher			
			Dooley (CA)	LaHood	Ross			
			Doolittle	Lampson	Rothman			
			Doyle	Langevin	Roybal-Allard			
			Dreier	Lantos	Ruppersberger			
			Duncan	Larsen (WA)	Ryan (OH)			
			Dunn	Larson (CT)	Ryan (WI)			
			Edwards	Latham	Ryun (KS)			
			Ehlers	LaTourette	Sabo			
			Emerson	Leach	Sánchez, Linda			
			English	Lee	T.			
			Eshoo	Levin	Sanchez, Loretta			
			Etheridge	Lewis (CA)	Sandlin			
			Evans	Lewis (GA)	Saxton			
			Farr	Lewis (KY)	Schakowsky			
			Fattah	Linder	Schiff			
			Feeney	LoBiondo	Schroek			
			Ferguson	Lofgren	Scott (GA)			
			Filner	Lowey	Scott (VA)			
			Flake	Lucas (KY)	Sensenbrenner			
			Foley	Lucas (OK)	Serrano			
			Forbes	Lynch	Sessions			
			Ford	Maloney	Shadegg			
			Fossella	Manzullo	Shaw			
			Frank (MA)	Markey	Sherman			
			Franks (AZ)	Marshall	Sherwood			
			Frelinghuysen	Matheson	Shimkus			
			Garrett (NJ)	McCarthy (MO)	Shuster			
			Gerlach	McCarthy (NY)	Simmons			
			Gibbons	McCollum	Simpson			
			Gilchrest	McCotter	Skelton			
			Gillmor	McCrery	Slaughter			
			Gingrey	McDermott	Smith (MI)			
			Gonzalez	McHugh	Smith (NJ)			
			Goode	McIntyre	Smith (TX)			
			Goodlatte	McKeon	Smith (WA)			
			Gordon	McNulty	Snyder			
			Goss	Meek (FL)	Solis			
			Granger	Mica	Souder			
			Graves	Michaud	Spratt			
			Green (TX)	Millender-	Stearns			
			Green (WI)	McDonald	Stenholm			
			Greenwood	Miller (MI)	Strickland			
			Grijalva	Miller (NC)	Stupak			
			Gutknecht	Miller, Gary	Sullivan			
			Hall	Miller, George	Tancredo			
			Harman	Mollohan	Tanner			
			Harris	Moore	Tauscher			
			Hart	Moran (KS)	Taylor (MS)			
			Hastings (WA)	Moran (VA)	Terry			
			Hayes	Murphy	Thomas			
			Hayworth	Musgrave	Thompson (CA)			

NOT VOTING—69

Baker	Gutierrez	Portman
Ballenger	Hastings (FL)	Putnam
Becerra	Hinojosa	Reyes
Bereuter	Hoekstra	Rogers (MI)
Berman	Hulshof	Ros-Lehtinen
Boyd	Isakson	Royce
Burr	Jenkins	Rush
Capps	John	Sanders
Carson (IN)	Kennedy (RI)	Schakowsky
Carson (OK)	Lipinski	Shays
Chabot	Majette	Stark
Collins	Matsui	Sweeney
Cummings	McGovern	Tauzin
Davis (AL)	McInnis	Taylor (NC)
DeMint	Meehan	Toomey
Deutsch	Meeks (NY)	Turner (OH)
Doggett	Menendez	Vitter
Emanuel	Miller (FL)	Wamp
Engel	Murtha	Waxman
Everett	Owens	Weiner
Frost	Pelosi	Weller
Gallely	Peterson (PA)	Wexler
Gephardt	Porter	Wilson (SC)

□ 1854

So (two thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WELLER. Mr. Speaker, on rollcall No. 276 my flight was delayed. Had I been present, I would have voted "yea."

HELPING HANDS FOR HOMEOWNERSHIP ACT OF 2004

The SPEAKER pro tempore (Mrs. BLACKBURN). The pending business is the question of suspending the rules and passing the bill, H.R. 4363, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 4363, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 368, nays 0, not voting 65, as follows:

[Roll No. 277]

YEAS—368

Abercrombie	Beauprez	Bonner
Ackerman	Bell	Bono
Aderholt	Berkley	Boozman
Akin	Berry	Boswell
Alexander	Biggert	Boucher
Allen	Bilirakis	Bradley (NH)
Andrews	Bishop (GA)	Brady (PA)
Baca	Bishop (NY)	Brady (TX)
Bachus	Bishop (UT)	Brown (OH)
Baird	Blackburn	Brown (SC)
Baldwin	Blumenauer	Brown, Corrine
Barrett (SC)	Blunt	Brown-Waite,
Bartlett (MD)	Boehler	Ginny
Barton (TX)	Boehner	Burgess
Bass	Bonilla	Burns

Case	Hostettler	Obey
Castle	Houghton	Oliver
Chandler	Hoyer	Ortiz
Chocola	Hunter	Osborne
Clay	Hyde	Ose
Clyburn	Inslee	Otter
Coble	Israel	Oxley
Cole	Issa	Pallone
Conyers	Istook	Pascrell
Cooper	Jackson (IL)	Pastor
Costello	Jackson-Lee	Paul
Cox	(TX)	Payne
Cramer	Jefferson	Pearce
Crane	Johnson (CT)	Pence
Crenshaw	Johnson (IL)	Peterson (MN)
Crowley	Johnson, E. B.	Petri
Cubin	Johnson, Sam	Pickering
Culberson	Jones (NC)	Pitts
Cummings	Jones (OH)	Platts
Cunningham	Kanjorski	Pombo
Davis (CA)	Kaptur	Pomeroy
Davis (FL)	Keller	Price (NC)
Davis (IL)	Kelly	Pryce (OH)
Davis (TN)	Kennedy (MN)	Quinn
Davis, Jo Ann	Kildee	Radanovich
Davis, Tom	Kilpatrick	Rahall
Deal (GA)	Kind	Ramstad
DeFazio	King (IA)	Rangel
DeGette	King (NY)	Regula
Delahunt	Kingston	Rehberg
DeLauro	Kirk	Renzi
DeLay	Kleczka	Reynolds
Diaz-Balart, L.	Kline	Rodriguez
Diaz-Balart, M.	Knollenberg	Rogers (AL)
Dicks	Kolbe	Rogers (KY)
Dingell	Kucinich	Rohrabacher
Dooley (CA)	LaHood	Ross
Doolittle	Lampson	Rothman
Doyle	Langevin	Roybal-Allard
Dreier	Lantos	Ruppersberger
Duncan	Larsen (WA)	Ryan (OH)
Dunn	Larson (CT)	Ryan (WI)
Edwards	Latham	Ryun (KS)
Ehlers	LaTourette	Sabo
Emerson	Leach	Sánchez, Linda
English	Lee	T.
Eshoo	Levin	Sanchez, Loretta
Etheridge	Lewis (CA)	Sandlin
Evans	Lewis (GA)	Saxton
Farr	Lewis (KY)	Schakowsky
Fattah	Linder	Schiff
Feeney	LoBiondo	Schroek
Ferguson	Lofgren	Scott (GA)
Filner	Lowey	Scott (VA)
Flake	Lucas (KY)	Sensenbrenner
Foley	Lucas (OK)	Serrano
Forbes	Lynch	Sessions
Ford	Maloney	Shadegg
Fossella	Manzullo	Shaw
Frank (MA)	Markey	Sherman
Franks (AZ)	Marshall	Sherwood
Frelinghuysen	Matheson	Shimkus
Garrett (NJ)	McCarthy (MO)	Shuster
Gerlach	McCarthy (NY)	Simmons
Gibbons	McCollum	Simpson
Gilchrest	McCotter	Skelton
Gillmor	McCrery	Slaughter
Gingrey	McDermott	Smith (MI)
Gonzalez	McHugh	Smith (NJ)
Goode	McIntyre	Smith (TX)
Goodlatte	McKeon	Smith (WA)
Gordon	McNulty	Snyder
Goss	Meek (FL)	Solis
Granger	Mica	Souder
Graves	Michaud	Spratt
Green (TX)	Millender-	Stearns
Green (WI)	McDonald	Stenholm
Greenwood	Miller (MI)	Strickland
Grijalva	Miller (NC)	Stupak
Gutknecht	Miller, Gary	Sullivan
Hall	Miller, George	Tancredo
Harman	Mollohan	Tanner
Harris	Moore	Tauscher
Hart	Moran (KS)	Taylor (MS)
Hastings (WA)	Moran (VA)	Terry
Hayes	Murphy	Thomas
Hayworth	Musgrave	Thompson (CA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

So (two thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, during rollcall vote

Bishop (GA) Gilchrest  
 Bishop (NY) Gillmor  
 Bishop (UT) Gingrey  
 Blackburn Gonzalez  
 Blumenauer Goode  
 Blunt Goodlatte  
 Boehlert Gordon  
 Boehner Goss  
 Bonilla Granger  
 Bonner Graves  
 Bono Green (TX)  
 Boozman Green (WI)  
 Boswell Greenwood  
 Boucher Grijalva  
 Bradley (NH) Gutknecht  
 Brady (PA) Hall  
 Brady (TX) Harman  
 Brown (OH) Harris  
 Brown (SC) Hart  
 Brown, Corrine Hastings (WA)  
 Brown-Waite, Ginny Hayes  
 Burgess Hayworth  
 Burns Hefley  
 Burton (IN) Hensarling  
 Buyer Herger  
 Calvert Herseth  
 Camp Hill  
 Cannon Hinchey  
 Cantor Hobson  
 Capito Hoeffel  
 Capps Holden  
 Capuano Holt  
 Cardin Honda  
 Cardoza Hooley (OR)  
 Case Hostettler  
 Castle Houghton  
 Chandler Hoyer  
 Chocola Hunter  
 Clay Hyde  
 Clyburn Inslee  
 Coble Israel  
 Cole Issa  
 Conyers Istook  
 Cooper Jackson (IL)  
 Costello Jackson-Lee (TX)  
 Cox Jefferson  
 Cramer Johnson (CT)  
 Crane Johnson (IL)  
 Crenshaw Johnson, E. B.  
 Crowley Johnson, Sam  
 Cubin Jones (NC)  
 Culberson Jones (OH)  
 Cummings Kanjorski  
 Cunningham Kaptur  
 Davis (CA) Keller  
 Davis (FL) Kelly  
 Davis (IL) Kennedy (MN)  
 Davis (TN) Kennedy (RI)  
 Davis, Jo Ann Kildee  
 Davis, Tom Kilpatrick  
 Deal (GA) Kind  
 DeFazio King (IA)  
 DeGette King (NY)  
 Delahunt Kingston  
 DeLauro Kirk  
 DeLay Kleczka  
 Diaz-Balart, L. Kline  
 Diaz-Balart, M. Knollenberg  
 Dicks Kolbe  
 Dingell Kucinich  
 Dooley (CA) LaHood  
 Doolittle Lampson  
 Doyle Langevin  
 Dreier Lantos  
 Duncan Larsen (WA)  
 Dunn Larson (CT)  
 Edwards Latham  
 Ehlers LaTourette  
 Emerson Leach  
 English Lee  
 Eshoo Levin  
 Etheridge Lewis (CA)  
 Evans Lewis (GA)  
 Farr Lewis (KY)  
 Fattah Linder  
 Feeney Lipinski  
 Ferguson LoBiondo  
 Filner Lofgren  
 Flake Lowey  
 Foley Lucas (KY)  
 Forbes Lucas (OK)  
 Fossella Lynch  
 Frank (MA) Maloney  
 Franks (AZ) Manzullo  
 Frelinghuysen Markey  
 Garrett (NJ) Marshall  
 Gerlach Matheson  
 Gibbons McCarthy (MO)

McCarthy (NY) Simmons  
 McCollum Simpson  
 McCotter Skelton  
 McCreery Slaughter  
 McDermott Smith (MI)  
 McHugh Smith (NJ)  
 McIntyre Smith (TX)  
 McKeon Smith (WA)  
 McNulty Snyder  
 Meek (FL) Solis  
 Mica Souder  
 Michaud Spratt  
 Millender Stearns  
 McDonald Stenholm  
 Miller (MI) Strickland  
 Miller (NC) Stupak  
 Miller, Gary Sullivan  
 Miller, George Tancredo  
 Mollohan  
 Moore  
 Moran (KS)  
 Moran (VA)  
 Murphy  
 Musgrave  
 Myrick  
 Nadler  
 Napolitano  
 Neal (MA)  
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 Roybal-Allard  
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 Serrano  
 Sessions  
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 Shaw  
 Sherman  
 Sherwood  
 Shimkus  
 Shuster

Tanner Visclosky  
 Tauscher Walden (OR)  
 Taylor (MS) Walsh  
 Terry Waters  
 Thomas Watson  
 Thompson (CA) Watt  
 Thompson (MS) Weldon (FL)  
 Thornberry Weldon (PA)  
 Tiahrt Weller  
 Tiberi Whitfield  
 Tierney Wicker  
 Towns Wilson (NM)  
 Turner (TX) Wolf  
 Udall (CO) Woolsey  
 Udall (NM) Wu  
 Upton Young (AK)  
 Van Hollen Young (FL)  
 Velázquez

NOT VOTING—66

Baker Gephardt  
 Ballenger Gutierrez  
 Becerra Hastings (FL)  
 Bereuter Hinojosa  
 Berman Hoekstra  
 Boyd Hulshof  
 Burr Isakson  
 Carson (IN) Jenkins  
 Carson (OK) John  
 Carter Majette  
 Chabot Matsui  
 Collins McGovern  
 Davis (AL) McInnis  
 DeMint Meehan  
 Deutsch Meeks (NY)  
 Doggett Menendez  
 Emanuel Miller (FL)  
 Engel Murtha  
 Everrett Owens  
 Ford Pelosi  
 Frost Peterson (PA)  
 Gallegly Porter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (Mrs. BLACKBURN) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1919

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TURNER of Ohio. Mr. Speaker, today the House of Representatives took recorded votes on H. Res. 591, H.R. 4363, and H. Res. 660. Had I been present, I would have voted "yes" on each of these items.

PERSONAL EXPLANATION

Mr. COLLINS. Mr. Speaker, I was not present for rollcall vote 276, Expressing the gratitude of the House of Representatives for the contributions made by America's community banks and the sense of the House of Representatives that a month should be designated as "Community Banking Month" (H. Res. 591); rollcall vote 277, Helping Hands for Homeownership Act (H.R. 4363); rollcall vote 278, Congratulating Randy Johnson on his perfect game (H. Res. 660).

Had I been present, I would have voted "yea" for rollcall votes 276, 277 and 278.

CELEBRATING JUNETEENTH

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, 2 days ago, many in the United States celebrated Juneteenth. June 19, 2004, was the celebration of what occurred in 1865 in places like Texas and Louisiana when the announcement finally came that the slaves had been emancipated.

I rise today to congratulate the wonderful celebrations that occurred in Texas, and particularly in Houston, Texas. I congratulate Reverend C. Anderson Davis and Mrs. Davis who have, for many years, founded the Emancipation Association and celebrated and educated young people about what freedom truly means. The parades; the celebration at Herman Park; the gospel celebration; the hip-hop celebration; the Acres Home celebration, a long-standing historic African American community celebrated Juneteenth, sponsored by the Acres Home Citizens Council.

Then, of course, our final celebration, in the evening at Jones Hall honoring Representative Al Edwards, the author of the legislation in 1979 that made the Emancipation Proclamation, Juneteenth Day, a State holiday, 25 years of commemoration.

I believe, Madam Speaker, that it is always important to celebrate freedom. That is the very underpinning of what this Nation stands for: democracy and freedom. June-teenth is just a very defined freedom, the day that many found out that they were free Americans to be part of the American dream.

ECONOMY NEEDS NEW DIRECTION

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

Mr. BROWN of Ohio. Madam Speaker, President Bush again was in Ohio today in Cincinnati to again try to justify his economic program and his last 3 years of managing this economy. One out of six manufacturing jobs in Ohio has been lost since George Bush took office. We have lost 190 jobs every single day of the Bush administration.

He has two answers. His first answer is more tax cuts for the most privileged, for the largest corporations, for the wealthiest 5 percent of people in this country, hoping that those tax cuts will trickle down and create jobs. That has failed.

His second answer is more trade agreements like the North American Free Trade Agreement. He wants to extend NAFTA to Central America into South America. Those trade agreements have hemorrhaged jobs; they have shipped jobs overseas. Instead, we need to extend unemployment benefits, reject the Bush plan, and go in a different direction. We need to extend unemployment benefits, pass legislation to reward and incentivize those companies that manufacture in this country, rather than big tax breaks to those companies that outsource jobs and ship jobs overseas.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BLACKBURN). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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 REINSTATE ASSAULT WEAPONS BAN
 

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Madam Speaker, assault weapons go back on to our streets in 84 days. These weapons of war mow down our police officers and destroy families every day.

Just last week, an SKS assault rifle, and this is what it looks like, mowed down three police officers in Alabama and killed them. The SKS can fire up to 35 rounds per minute and pierce police body armor. Montgomery Police Chief John Wilson confirmed that the vests that the officers wore offered almost no protection against this high-powered assault rifle.

Fifty-eight-year-old Carlos Owen, with 26 years on the force and nearing retirement, never had a chance. He and two of his fellow officers died in a hail of bullets.

But that has not stopped the National Rifle Association from engaging in their old dirty tricks. The NRA Web site says data from police experts must be deliberately avoided by those pushing assault weapons bills. Actually, the data is pretty clear on assault weapons. In one of every five police-officer killings, an assault weapon is the choice.

The NRA is so blind to the truth on assault weapons that they are also engaged in a smear campaign against Jim and Sara Brady. The Brady's "error"? Telling the truth about President Reagan's former support for the assault weapons ban in a television interview. The NRA called their interview "shameless" and "deliberate misinformation."

As we continue to remember President Reagan, I would like to set the record straight on his contributions to gun safety. The importation of rapid-fire shot guns was first outlawed under President Reagan.

In 1994, he joined former Presidents Ford and Carter in calling on Congress to pass the assault weapons ban.

During the close vote on the assault weapons ban that year, President Reagan made calls to undecided Members urging for a "yes" vote.

The ban passed by two votes, and at least one Member said Reagan's call prompted him to vote "yes."

President Reagan knew the importance of keeping military-style weapons off our streets and out of our communities.

The assault weapons ban is a commonsense law that almost all Ameri-

cans, gun owners included, do support. It is unfortunate that the NRA feels more strongly about firing up its membership than telling the truth.

Let me say this: each day that comes closer to having this assault weapons ban expire is each day we come closer to seeing deaths in our communities and on our streets. I have never tried to do anything to take away someone's right to own a gun, but I do know assault weapons do not belong on our streets. That is a responsibility that all Americans, in my opinion, and gun owners should take upon themselves.

The American people can do something about this. They can contact their Congressman, their Senator, and certainly the White House. President Bush has promised to sign the assault weapons ban if it gets on his desk. We know that this Congress has to have the bill up on the floor so we can have a vote on it before it will ever get to the President's desk.

I am asking the President for his help. I am asking him to start calling on the Members of Congress, as President Reagan did, and let us get this assault weapons ban in place. Let us make sure our police officers are not put into more risk than they already have to be in.

When we talk about possible terror cells in this country, do we actually want gangs, drug dealers, possibly terrorists being able to get assault weapons? This is not what America is. Assault weapons belong in the hands of only our military. They are guns that are used to mow down people as fast as possible. Why do we need these guns? Let us not forget the large-capacity clips. Right now, under the ban, clips are only supposed to hold 10 bullets. If this ban goes back to the way it was, we can have 35, we can have 50, we can have 100, whatever the clip will hold. That is not where we want to be.

I strongly urge the American people to get involved in this.

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 RELIGIOUS FREEDOM OF SPEECH
 

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, I am again on the floor tonight because in this country, the greatest Nation in the world, our ministers, priests, rabbis, and clerics cannot have the freedom of speech to talk about the policies and political issues of the day.

The history on that is simple. Prior to 1954, any minister, priest, rabbi, or cleric who wanted to speak freely about the politics or the moral or the policy issues of the day, they could do so without any threat from the Federal Government. Well, in 1954 Lyndon Baynes Johnson put an amendment on a revenue bill going through the Senate that basically said that if you are a 501(c)(3), you may not have any type of speech that could be interpreted as

being somewhat of a political nature or a moral political nature.

I have problems with this, Madam Speaker, simply because the Constitution of the United States of America, the first amendment says that any individual, church, or any individual has the right to speak freely of whatever should come to their mind that they feel like they should mention to their fellow citizen or to a congregation. Again, if this was 1953, Madam Speaker, I would not be on the floor of the House, because there would be no problem. This whole problem came about in 1954. I do not want to go much into that history as I do want to go into the present.

Let me read the first paragraph of a pastoral letter from Bishop Sheridan, Colorado Springs, a Catholic bishop in Colorado. Three weeks ago he wrote a three-page letter. I just want to read one paragraph:

"Dear brothers and sisters in Christ. This coming November, Americans will participate in one of the most important national elections in recent history. The President, Senators, and Congressmen who are placed in office by our votes will serve at a time in which issues that are critical to the very survival of our civilization will be at the top of the political agenda. As we prepare for these elections, I consider it my duty as your bishop to write to you about these matters so that you might go to the polls this fall with a well-informed conscience."

Madam Speaker, I say that, and I am not going into any more of the letter, it is a three-page letter; but I will tell my colleagues that all this bishop did was to remind the parishioners in his diocese, the teachers of the church, and not only the church, but of Jesus Christ.

□ 1930

And that is all he did. But because he did this, he did not say Democrat or Republican, he did not say liberal or conservative, but he talked about pro-life issues.

Mr. Speaker, because he did that, Barry Lynn of the Americans for the Separation of Church and State, filed a complaint against this Bishop. Where is America going? Where is America going when a minister, a priest, or Rabbi or a cleric can not speak freely, which is a first amendment guarantee by our Constitution.

I am not going to go into the letter by Mr. Lind, but I will tell you that basically what he did is to chastise this Bishop because he spoke about the pro-life issues which are very important to our church. And I happen to be a Roman Catholic. I would say this if this was a minister, I would say this if it was a rabbi, they should have the freedom of speech that was guaranteed until 1954.

In addition to that, I want to also re-cite from Alex de Tocqueville, who came to America in 1830 and he loved America, this new republic, this freedom that we enjoy, and he talked

about the beauty that God had blessed us with, this natural beauty. But what he was really was encouraged with, and I want to read this, "But not until I went to the churches of America and I heard her pulpits flamed with righteousness did I understand the secret of her genius and power. America is great because America is good. And if America ever ceases to be good, America will cease to be great."

Mr. Speaker, there is also another quote that I think goes back to Jeff Jacoby with the Boston Globe that I read back in 1995, my first year in the United States Congress, when he said that religion can survive in the absence of freedom, but freedom without religion becomes dangerous and unstable.

And what I am seeing happening in this country today bothers me greatly. When I think about the young men and women that are dying in Afghanistan and Iraq, they are dying so the Iraqi people can have freedom, and yet in this great Nation known as America, our priests, our preachers, rabbis and clerics cannot have the first amendment rights.

Let me share a quote with you from Floyd Flake. Floyd Flake, Mr. Speaker, was one of the finest Members of this United States House of Representatives. He is a minister in New York City. And I want to read this for you very quickly. It is a letter about the bill I put in to return freedom of speech to our churches and synagogues. He says, "I praise God for the stand that you have taken to defend the first amendment rights of houses of worship. It is unjust that churches and clergymen and women are unfairly targeted when they exercise their rights as American citizens. I am pleased to offer my whole-hearted support with sincere prayer for passage of this important and liberating legislation."

Mr. Speaker, I will close, but I want to say that I hope that the colleagues of mine in this House will join me in returning the first amendment rights to our churches, our synagogues and our mosques.

I close by asking God to please bless our men and women in uniform and their families and my God continue to bless and help save America.

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#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4613, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 108-559) on the resolution (H. Res. 683) providing for consideration of the bill (H.R. 4613) making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### THE ADMINISTRATION'S FAILURE TO DESTROY A TERRORIST CAMP

The SPEAKER pro tempore (Mr. GERLACH). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, last week the independent 9/11 Commission said it found "no credible evidence to substantiate the charge that there was a relationship between Saddam Hussein and Iraq and 9/11. We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States." Yet, 2 days later, Vice President CHENEY said that, in fact, that was not true, that there were long established ties with al Qaeda.

Now, of course, Vice President CHENEY has quite a distinguished record as Vice President. He was the gentleman of 3 years ago said during the energy crisis in the western United States that those of us who thought there was market manipulation were really pretty stupid, and this was just market forces at work and there was no manipulation of the market. And Enron was a wonderful and upstanding company. Of course, now Enron officials, one after another, are going to jail, and hopefully Ken Lay will be criminally indicted this week. But the Vice President waxed eloquent there as he did here.

He also has said that deficits do not matter despite the fact we will borrow \$700 billion against our future and obligate Americans for generations to pay that money back. He says that does not matter perhaps because his tax policy that he and the President envision says that only wage earners and salary earners will repay that and the wealthy and those that you normally associate with and corporations will not pay. But, nonetheless, he said again trying to raise the old saw about this relationship perhaps because although he told us that he knew exactly where the weapons of mass destruction were, he failed to point any of the U.S. troops, the inspectors or anybody who has been in Iraq for the last year and a half to that exact spot where he knew those weapons were located.

So it is a continuing attempt at obfuscation. The one thing they point to does have a kernel of truth, and they point to terrorist Abu Musab Zarqawi. He is a really bad guy. He has been behind more than 700 terrorist killings in Iraq it is estimated, a mastermind.

In June 2002, the United States intelligence service located Mr. Zarqawi and they said he had set up a weapons lab in Kirma, in northern Iraq. He was producing ricin and cyanide. The Pentagon drafted plans and asked the Bush administration to take out Mr. Zarqawi. The Bush administration said no.

Then we went 4 months later, and this is all from a report by Jim Miklaszewski, a correspondent for NBC news. Four months later, Intelligence showed that Zarqawi was planning to

use the ricin in attacks in Europe. The Pentagon drew up a second strike plan. The White House again killed it. This is a quote from a former national security member, "People were more obsessed with developing the coalition to overthrow Saddam than to execute the President's policy of preemption against terrorists."

Then finally the threat turned real in January. Mr. Zarqawi's group, a number of them were arrested in London and they had a ricin lab which was directly connected to the lab in northern Iraq. This was a part of the country Saddam Hussein did not control. The Kurds controlled that area undercover of U.S. air power. So Saddam Hussein did not control this area. And, again, the United States flew over it every day. In fact, we might remember that Colin Powell famously pointed to it when he made his presentation to the National Security Council and said there are terrorists in this camp training in an area where we control the air space and we fly over it every day. But we did not take it out.

And because the Bush administration was more obsessed with building its coalition of the willing, worried that countries some of those the new Europe might fall off from our coalition, those who sent five, ten, or 15 troops to the coalition, if we took out this terrorist camp, they did not do it. And U.S. troops and many others have died because this administration failed to take out that terrorist camp on the three occasions when the Pentagon asked them to do it because they were so obsessed with pursuing a war against Saddam Hussein and his non-existent weapons of mass destruction. Now, he was a bad guy in the world and we are well quit of him, hopefully permanently quit of him soon.

But the point is when this administration turned its eyes away from al Qaeda, and turned its eyes away from the terrorists, and refused to take out Zarqawi, they were making a grave error and people have died because of that error.

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#### FAST FACTS ON THE SPENDING ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker and Members, I rise tonight to talk about our budget, the Federal budget and enforcing that budget. Now, I came here with Mr. JONES and others with a fairly large class back in 1995 we were elected to Congress. And I will never forget one of the first meetings we were invited to was held by some of the top economics folks here in Washington and folks from the Congressional Budget Office. And they told us at that meeting that if we did not get serious about balancing the budget, we forget now that back throughout most of the 1980s, we were running deficits exceeding \$200

billion, in fact, by today's accounting standards it would have probably approached \$300 billion, but, nonetheless, we had this meeting and at the meeting they told us that if we in Congress did not get serious about balancing the Federal books, that by the time my children got to be my age, they could be facing a tax rate at the Federal level of over 80 percent just to pay the interest on the national debt.

Well, the good news is we got serious about balancing the Federal budget. We limited the growth in Federal spending. We allowed the Federal budget to grow at a slower rate than the average family budget. And the net result is we went from \$275 billion deficits to \$250 billion surpluses. And that happened largely because we controlled Federal spending. From 1995 until 2000, total Federal spending only grew at an average rate of about 3.2 percent.

Now, since 2001, I have to say, Federal spending has grown at more than double that rate, at an average rate of 6.4 percent. You can see that from this chart. In fact, this chart and the 6.4 percent growth in Federal spending assumes that we will actually abide by and live with the very tough budget that this House has passed.

Now, unfortunately, the other body has not passed a budget this year and so we will have to negotiate with some of the folks over there and so the 6.4 percent assumes that we will wind up with the House's very tight numbers in which we freeze large chunks of the Federal budget.

Let me give for the benefit of some of the members and others who may be tuning in, some of the other numbers about the budget. Since 2001, according to the House Committee on the Budget, discretionary spending, that is a way of saying things beyond the entitlements, has gone up an average of 9.7 percent per year. So it is not just about 9/11 and it is not just about the war, it is about a lot of other things we have been spending money on.

Mandatory spending has now increased to a point where mandatory spending, and these are the things which we sometimes call entitlements, Medicare, Social Security, welfare-type benefits, there are a lot of benefits inside the Federal Government that if you qualify for them, you automatically receive them. Mandatory spending or entitlement spending today represents 55 percent of the Federal budget. And this does not include the new entitlement that was created this year under Medicare for prescription drugs which, according to one study, will add over \$16½ trillion of unfunded liabilities to the Federal budget long term.

Finally, let me say and that I think this is important in recognizing how big the budget has become. For the first time since World War II, total Federal spending has reached more than \$20,000 per household in the United States.

Well, what can we do about all of this? Well, what we need to do is get

back to basics. What we did for most of the 1990s we had here in Washington the House and Senate had agreed to what are call spending caps and PAYGO rules. And we need to bring them back. I am not the only one who believes that. Later this week the house is going to vote on some spending caps and PAYGO provisions that I think are long overdue.

Mr. Speaker, I am not the only one who feels that. Let me read what Chairman Alan Greenspan said about PAYGO and spending caps and house Committee on the Budget in July of 2003. I will quote, "I would like to see the restoration of PAYGO and discretionary caps, which essentially will restrain the expansion of the deficit and indeed ultimately contain it." He went on to say, "It did that back in the early 1990s. I thought it was quite surprisingly successful in restraining what had been a budget which had gotten out of kilter. I would like to see those restraints reimposed and, by their very nature, they will bring fiscal responsibility back."

Let me just read what he also said in a Committee on the Budget in 2002 about spending caps and PAYGO. "Restoring fiscal discipline must be a high priority. The progress in the 1990s in reducing budget deficits might have been elusive were it not for the budget rules that had worked far better than many skeptics, myself included," and this is Mr. Greenspan speaking, "myself included had expected."

"Now is not the time to abandon the discipline of the structure that worked so well for so long.

□ 1945

The framework enacted in the Budget Enforcement Act of 1990 must be preserved.

Well, we allowed those spending caps to expire a few years ago; and it is no coincidence that when we allowed the spending caps to expire, Federal spending began to go up at double the rate it went up for most of the 1990s. We will have an opportunity on Thursday to deal with this. Hopefully, we will have a vote on this thing; and we need to return to some form of spending caps and PAYGO.

We have got a tough budget here in the House. We have got to make certain that it gets enforced. I am not the only one who believes that. Dr. Alan Greenspan was saying this a couple of years ago.

#### THE ECONOMIC OUTLOOK

The SPEAKER pro tempore (Mr. GERLACH). Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, last week, on the floor of this Chamber, there were two interesting 1-hour presentations. The first hour came from the other side of the aisle, from the Republican side. Members from Texas and

Illinois, Members from Arizona and West Virginia, Members from Florida, Indiana, from my State of Ohio all spoke on the floor and talked about the growing economy, how the American economy is back.

They talked about corporate profits being up. They talked about economic prosperity. They said that our economy was in fine, fine shape. In fact, they quoted President Bush's Secretary of Commerce who said, "It is the best economic climate in my lifetime." That was the first hour.

The next hour a group of us from mostly Ohio, the gentleman from Ohio (Mr. RYAN), the gentlewoman from Ohio (Mrs. JONES), the gentleman from Ohio (Mr. STRICKLAND), was joined by the gentlewoman from Illinois (Ms. SCHAKOWSKY). We, instead of sort of cheerleading this economic growth, we talked instead or related stories from people in our districts and letters we had received about people struggling with stagnating wages, with tuition increases. Ohio State's tuition will go up 13 percent this fall. Akron University's tuition went up 16 percent last fall. We talked about gas prices, people's difficulty of dealing with higher gas prices, of diminishing health care benefits, the employers cutting prescription drug benefits, all of that.

In my State of Ohio, we have lost one out of six manufacturing jobs since President Bush took office. Some 228,000 jobs overall have disappeared in my State since the President took the oath of office in 2001. In fact, because we have lost 2.5 million jobs since he took office, President Bush will be the first President since Herbert Hoover to have had a net loss of jobs.

Now, we can talk about how much corporate profits are up, and that is a good thing for sure. We can talk about some economic growth, and this is a good thing; but when we look at the economy and we look at the kinds of job loss and we think about what that job loss means, first of all, a steelworker in Canton, Ohio; an auto worker in Lorain, Ohio; a textile worker in North Carolina that loses a job that pays \$10 or \$12 or \$15 or \$20 an hour, depending on the plant and the location, what that means when that family loses that job, if perhaps the members of the family can find another job, that certainly will pay less, if they can find anything else, but think what that means to that family and those children and to the schools in that district where that plant closed down.

The city of Cleveland laid off 600 teachers starting this fall. Classrooms in Cleveland now will average 30 students per classroom. Layoffs in my home city of Lorain, several dozen teachers lost their jobs because we have lost industrial jobs. Police and fire are laid off, which is a greater hardship on those families and greater hardship on the communities that they face, which will then have slower police and fire response time.

The person that owns the diner, the waiters and waitresses in the diner

next to the plant that closes down, loses business, may go out of business. The real estate agent is faced with selling a whole bunch of homes that nobody wants to buy. Workers, all kinds of people are affected from this kind of job loss.

Now the White House, they have enlisted cheerleaders, Members of Congress, who come to this House floor and talk about this growing economy, talk about corporate profits going up and talk about how it is the best economy in memory of the Secretary of Commerce. In their play book, the White House apparently does not see this or does not care to see what happens to these families and what happens to these communities. The White House play book says between now and the election you have got to be optimistic, you have got to cheer lead, you have got to say the economy is better, you have got to make Americans think everything's great in this country; that we are going to continue to grow.

I do not question my Republican friends. I think they actually believe that. They believe that because 5 percent of the people in this country have gotten big, big tax cuts, a person making \$1 million got \$123,000 tax cut from the President Bush, somebody makes a lot less makes almost nothing. The people that Members of Congress hang around with are doing well. They have good jobs. They get tax cuts. They are doing well. Their companies are doing well because they are the CEOs.

But when they are cheerleading about how great the economy is and accusing people like Senator KERRY of being doom and gloom, the fact is we have got to change the policy. We have got to change the direction of this economy. We have got to stop doing it the way we are doing it. We need to give tax relief to those companies that are hiring domestically and not exporting jobs overseas.

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#### HONORING LANCE CORPORAL JASON MURRAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado (Mrs. MUSGRAVE) is recognized for 5 minutes.

Mrs. MUSGRAVE. Mr. Speaker, I rise today to honor a true American hero, 20-year-old Lance Corporal Jason Murray. Lance Corporal Murray is a United States Marine from the 2nd Battalion, 4th Marine Regiment, 1st Marine Division. Jason's home is in Sterling, Colorado, in the northeast part of our beautiful State.

Jason has wanted to serve in the military since he was a boy. He graduated from Sterling High School in 2002 and enlisted in the Marines in the fall of that year. He became engaged to his high school sweetheart, Kelsi, in the fall of 2003 following boot camp.

Jason is currently recovering from injuries he received in Iraq on March 29. Jason was patrolling near Ar Rahmadi searching for improvised ex-

plosive devices. One of the devices detonated 3 feet in front of Jason, killing the Marine in front of him and seriously injuring Jason. Jason received the full force of the explosion, with shrapnel striking him in the face, chest, and arms. He lost his right eye and currently has no vision in his left eye. He lost most of the teeth on the left side of his face and received brain trauma as well.

He spent 10 days in a drug-induced coma at the 31st Combat Support Hospital outside of Baghdad. Numerous surgeries were performed before he was stable enough to be airlifted to Landstuhl, Germany, and then on to Bethesda Naval Hospital in Maryland where his family and fiance joined him. Jason is making a remarkable recovery and has recently been transferred to Craig Medical Center in Denver for rehabilitation.

Because he received wounds while in combat, Lance Corporal Jason Murray was awarded the Purple Heart. Jason also received a flag that had been flown over the Capitol in his honor on March 23, 2004.

Mr. Speaker, we are so fortunate to live in this great country where freedom is something that we rarely have to think about and often take for granted. It is simply a way of life for us, and we are truly blessed to live in a country that honors citizens for their spirit, their ideas, their individuality, and their courage. We can maintain the blessings of our freedoms only because we have citizens like Jason who are willing to fight to defend them for us.

I am proud to honor Jason for his courage and sacrifice on behalf of all Americans. I applaud Jason for his courage and selfless dedication to duty. He has helped protect our democracy and kept our homeland safe by placing his life on the line.

Jason is truly the embodiment of all the values that have molded America into this great Nation that it is today. May God bless Jason.

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#### SMART SECURITY AND INDIA- PAKISTAN NUCLEAR ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the border between India and Pakistan has commonly been called the world's most dangerous nuclear flashpoint. India is thought to have at least 50, maybe as many as 120, nuclear warheads; and Pakistan is thought to have 30 to 70 warheads, but the two countries took a step towards nonproliferation on Sunday when they signed their first confidence-building agreement on nuclear weapons since 1999.

As part of the agreement, both countries will keep open a permanent telephone hotline to warn the other in advance of tests of nuclear-capable missiles. The confidence-building measures also included an agreement to continue

the moratorium on testing nuclear warheads and a promise to continue nuclear talks.

While largely symbolic, this agreement is significant because it represents the desire of both India and Pakistan, two countries consistently at odds with each other, to avoid a devastating nuclear exchange that could kill hundreds of thousands of people.

The United States could take some valuable lessons, Mr. Speaker, from this India-Pakistan agreement. At the same time these two countries are seeking to reduce the threat of nuclear weapons, the United States is funding millions of dollars in research on new nuclear weapons.

Specifically, in this year's budget request, President Bush asked for over \$100 million for research and testing of new nuclear weapons, including the robust nuclear Earth penetrator and so-called yield nuclear weapon. Fortunately, these funds were initially rejected by the Committee on Appropriations Subcommittee on Energy and Water Development.

When it comes to nuclear weapons, President Bush just does not seem to get it. While countries like India and Pakistan have taken the first step to making the world safer, our President seems to think the only good defense is a good offense.

But how strong does our offense need to be? We already possess 9,000 strategic nuclear warheads. How many of these weapons of last resort do we need before we feel secure? How much money do we need to spend on new nuclear weapons while neglecting important domestic programs before we decide that we have finally spent enough?

Mr. Speaker, there has to be a better way, a more sensible way, a way more rooted in the best American values, and there is.

I have introduced H. Con. Res. 392 to create a SMART security platform for the 21st century. SMART stands for Sensible Multilateral American Response to Terrorism. We need to stop the spread of weapons of mass destruction, and keeping the American people safe must be our highest priority. On that point, the President and I agree; but we must avoid equating our security with aggression and military force.

The United States possesses the world's largest nuclear stockpile, but nuclear weapons are not the answer to our problems because conflicts between nations require a more delicate touch.

Instead, SMART security calls for aggressive diplomacy, a commitment to nuclear nonproliferation, strong regional security arrangements, and vigorous inspection regimes.

The United States must set an example, Mr. Speaker, an example for the rest of the world by renouncing the first use of nuclear weapons and the development of new nuclear weapons.

We must maintain our commitment to existing international treaties like the Nuclear Non-proliferation Treaty,

the Comprehensive Test Ban Treaty, the Biological Weapons Convention, and the Chemical Weapons Convention.

We must support and adequately fund programs like the Cooperative Threat Reduction Program, which works with the Russian Federation and the states of the former Soviet Union to dismantle nuclear warheads, reduce nuclear stockpiles and secure nuclear weapons in Russia; and we must replicate this successful program in other troubled countries like North Korea and Iran, because not every country will proactively choose to give up its nuclear program. In the long run, negotiating with other countries will keep us much safer than scaring them into submission.

□ 2000

The Bush doctrine of arrogant nuclear proliferation has been tried and it has failed. It is time for a new national security strategy.

SMART security defends America by relying on the very best of America, not relying on her nuclear capabilities, but our commitment to peace and freedom and our capacity for multilateral leadership. SMART security is tough, SMART security is pragmatic and patriotic. SMART security is smart and it will keep America safe.

#### CONGRATULATIONS ON RETIREMENT OF REVEREND PATRICK SHANNON

The SPEAKER pro tempore (Mr. GERLACH). Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I come to the floor tonight congratulating Reverend Patrick Smith Shannon on his retirement from the Ministry after 41 years of service. Reverend Shannon presided over three different churches in the congressional district I represent in western Georgia, including the LaGrange First United Methodist Church in Troup County from 1968 to 1971, the Villa Rica United Methodist Church in Douglas County from 1971 to 1977, and the Smyrna United Methodist Church in Cobb County from 2001 to 2004.

Although Reverend Shannon is retiring from an active Ministry, he will never retire in his unwavering service to God. Blessed with a loving wife, Patricia, two children, Tim and Heidi, and four grandsons, Reverend Shannon's journey through life has yielded countless stories and life experiences which he has used to share the wisdom of Christ and the value of faith.

He went to Young Harris College, to Georgia State University, and obtained a Masters of Divinity from Emory in 1965. Born in Thomasville, Georgia, and raised in East Point, Reverend Shannon is a true Georgian to the very core.

Reverend Shannon is a servant of God, blessed with the gifts of teaching, compassion, and Ministry. He values

the unity and fellowship of the traditional community church, where he reaches out to Christians and non-Christians of every age group. I am fortunate to have had the privilege of attending a few of Reverend Shannon's services at the First United Methodist Church in Smyrna, and have always found them to be inspirational. He is a true gift to the city and to the State of Georgia. We will cherish and appreciate him for years to come.

On behalf of the constituents of Georgia's Eleventh Congressional District, I appreciate Pat Shannon's service to our spiritual community, and I wish him many new journeys in his retirement.

#### MIDDLE CLASS SQUEEZE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, tonight I rise to bring attention to how priorities of our hard-working American families are being crushed under this administration's policies.

When President Bush first took office, he had a \$236 billion budget surplus, there had been 22 million jobs created in the previous 8 years under President Clinton, and this country was experiencing the biggest drop in child poverty in our history. But what has changed in the past 4 years since Bush took office? Well, today there are 8.2 million Americans who are looking for work, and unemployment rates in many parts of our country are at a higher rate, almost 30 percent higher, than they were 4 years ago. And in my district alone, embarrassingly, some rates are as high as 9 percent. Plus, today's job market has lost economic value and too many positions that are being created are only part-time.

What this administration has not said when it talks about jobs it has created is that 90 percent of these new jobs since August 2003 are in industries that pay an hourly wage that is less than the national average. About 1.3 million of these jobs make an average wage of \$15 an hour. That is 40 cents less than the national average. And it is an embarrassment that our own Federal minimum wage has not been increased. Imagine a family trying to survive on making \$5.15 an hour, and that wage has not gone up for many years.

Clearly, it is not the struggling middle class families benefiting from the Bush administration's economic policies. Take a look at California. There have been 214,000 people who have lost their jobs in my State, and 346,000 were in manufacturing jobs alone, good paying jobs that left. Plus, the jobs that are being created in California are paying less than the jobs that are being lost and are less likely to even offer health benefits.

At a time when American families are struggling to pay for health care,

when they are struggling to send their kids to college and get food on the table, we are sending billions of dollars to the very wealthy, 2 percent of our population.

Let us not also forget that the cost of gasoline has increased by 62 percent under the Bush administration. Californians will spend \$2.35 billion more for gas this summer. That means per family \$210 just for driving around in the summer. Gas in my district is now being sold at \$2.39 a gallon. But instead of doing things to help working families, the Republican-led Congress spent last week debating energy bills that will do nothing to help working families cope with these outrageous energy costs, including trying to negotiate lower gas prices.

This administration even said that because of the bill's passage last week on so-called energy relief, our gasoline prices will actually go up by 3 cents. The administration would rather try to hide its relations with the oil industry than seek real productive ways to help our consumers. In California, gas prices went up faster than the Federal Trade Commission anticipated they could and companies rolled in the dough. Exxon Mobile reported a 125 percent increase in profits for the first 3 months of this year.

When the Bush administration claims they are concerned about the financial pressures of middle-income families, I would ask them, what are they doing to address the fact that the price of gasoline has increased 62 percent under this administration? Across the board, Americans are spending more on food, on health care, on education and gas. President Bush has done nothing to change his economic policies to consider the real needs of the American public.

Let us start fighting for a real plan that is just, that is Democratic.

#### IRAQ WATCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 60 minutes as the designee of the minority leader.

Mr. DELAHUNT. Mr. Speaker, it was approximately a year ago, in fact I think it was better than a year ago now, that myself, a number of my colleagues, the gentleman from Pennsylvania (Mr. HOEFFEL), the gentleman from Washington (Mr. INSLEE), the gentleman from Ohio (Mr. STRICKLAND), and, of course, the gentleman from Hawaii (Mr. ABERCROMBIE) took to the floor to express our concerns about what was transpiring in the Middle East, with a special focus on Iraq. We have done that on a rather regular basis over the course of the past year, and we have come to call this hour the "Iraq Watch," where we have a discussion among ourselves for the benefit of those that are viewing our conversation through C-SPAN.

At the very beginning, we expressed our concern that American credibility was at stake, as well, of course, as providing an opportunity to observe the competence of this White House in terms of its conduct of the war in Iraq. And, tragically, unfortunately, many of our concerns have materialized.

I think every American remembers rather clearly the multiple statements, not just from the President and the Vice President, but from every single official representing the administration, whether from the Department of Defense, the Department of State, clearly from the White House, wherein they articulated the rationale for the military intervention in Iraq based on two particular concerns. One, of course, was expressed by the President and others when he continued to state that Saddam Hussein possessed weapons of mass destruction and that a nuclear weapons program was underway and that at any time we could be faced with the vision of a mushroom cloud somewhere in the world, specifically in the United States.

Well, I think there is a consensus among the American people and among Members of this institution, as well as a number of members of the administration that that particular basis for the military intervention in Iraq, the concern about weapons of mass destruction, did not materialize, and that the intelligence was faulty.

It was the former United Nations' inspector, David Kay, who received plaudits and kudos and respect, and deservedly so, from Members on both sides of the aisle, when he was designated by this administration to travel to Iraq and to develop a cadre of experts to assist him in the discovery of where those weapons of mass destruction were located.

I am sure many Americans remember the Secretary of Defense, Donald Rumsfeld, indicating that we knew where those weapons were; that they were around the Tikrit area and outside of Baghdad. Well, of course, again, that intelligence did not produce the location, and the statement of Mr. Kay later was that Saddam Hussein did not have weapons of mass destruction. In fact, he did not have a nuclear weapons program.

In testimony before the Senate Committee on Foreign Relations, he made a statement that was emblazoned on the front page of Newsweek Magazine, which has been repeated again and again, and that statement was: "We were all wrong." "We were all wrong." There was also a statement from a newspaper published in Great Britain that I think is worth repeating, and it is a statement made by David Kay. "The former chief inspector warned yesterday that the United States is in grave danger of destroying its credibility at home and abroad if it doesn't own up to the mistakes it's made in Iraq."

□ 2015

And while there has been some acknowledgment that the weapons of mass destruction that purportedly existed in Iraq are not there, there never has been a definitive statement coming from the White House that would support the conclusion reached by Mr. Kay.

In fact, the Vice President, Mr. CHENEY, stated that the weapons of mass destruction might still be found in Iraq; and Mr. Kay's response was, "What worries me about Cheney's statement is I think people will hold out for a hail Mary pass, delay the inevitable, looking back at what went wrong and believe we have enough evidence now to say that the intelligence process and the policy process," I repeat that, "the policy process that used that information did not work at the level of effectiveness that we require in the age that we live in."

Well, I think all Americans, or most Americans, know that there are no weapons of mass destruction in Iraq.

Of course the other most prominent rationale for the military intervention in Iraq was a purported relationship between Saddam Hussein and the terrorist organization that we all know so well, al Qaeda.

In fact, in a letter sent to the Speaker of the House and the President of the Senate just prior to the invasion of Iraq and signed by the President, the President puts forth in what I would submit is rather clear and unequivocal terms that, "I determine," this is President Bush, "that reliance on the United States of further diplomatic and other peaceful means alone will neither adequately protect the national security of the United States against the continuing threat posed by Iraq nor likely lead to enforcement of all relevant National Security Council resolutions regarding Iraq, and acting pursuant to the Constitution and the public law," which this Congress passed authorizing that military intervention, "is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations," the clear implication being the nation of Iraq, "organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, the date of our national tragedy."

Well, recently a report was issued by the so-called 9/11 Commission, which was the subject of much debate and discussion over the course of this past weekend. I think it is important to explore in some detail that report and have a conversation about those allegations that were used by this White House as a rationale for the invasion of Iraq.

Let me read from the pertinent section of the report. The report reviews the activities of Osama bin Laden and al Qaeda, and now I am quoting from the report: "A small group of al Qaeda

operatives subsequently traveled to Iran and Hezbollah camps in Lebanon for training in explosives, intelligence, and security. Bin Laden reportedly showed particular interest in Hezbollah's truck bombing tactics in Lebanon in 1983 that killed 241 United States Marines. We have seen strong, by indirect, evidence that his organization did in fact play some," as yet unknown, "role in the Kobar attack."

Let me repeat that again for emphasis. Osama bin Laden went to Iran, went to Iran and Hezbollah camps in Lebanon, in Lebanon.

Now, again reading from the report, "bin Laden also explored possible cooperation with Iraq during his time in Sudan," in Sudan, "despite his opposition to Hussein's secular regime." Bin Laden in fact at one time sponsored anti-Saddam Islamists in Iraqi Kurdistan.

The Sudanese to protect their own ties with Iraq reportedly persuaded bin Laden to cease the support and arrange for contacts between Iraq and al Qaeda. A senior Iraqi intelligence officer reportedly made three visits to Sudan, finally meeting bin Laden in 1994. This is some 3 years after the first gulf war. Bin Laden is said to have requested space to establish training camps as well as assistance in procuring weapons but Iraq apparently never responded. There have been reports that contacts between Iraq and al Qaeda also occurred after bin Laden had returned to Afghanistan, but they do not appear to have resulted in a collaborative relationship. Two senior bin Laden associates have adamantly denied that any ties existed between al Qaeda and Iraq. We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States.

Those two senior Iraqi operatives were captured. One was captured last July. He was a al Anni who reportedly had a meeting with Muhammed Atta in the Czech Republic, in Prague, back in April 2001. Much has been made of that particular encounter. Both the CIA and the FBI concluded that that meeting never occurred. Yet we continue to hear it, particularly from the Vice President. He cannot let go, it would appear.

Mr. BURTON of Indiana. Would my colleague yield for just about a 5-second question?

Mr. DELAHUNT. Of course.

Mr. BURTON of Indiana. I have heard the gentleman's arguments. I hope my good and dear friend from Massachusetts will stick around for my response to what he has said.

Mr. DELAHUNT. Mr. Speaker, I am looking forward to hearing his response. I would be happy to engage.

Mr. BURTON of Indiana. We are good buddies.

Mr. DELAHUNT. We are dear friends.

Mr. BURTON of Indiana. I would like the gentleman to hear my response.

Mr. DELAHUNT. I look forward to that. If I am not here in the Chamber, that does not mean that I am not

watching it on C-SPAN. But I can assure the gentleman we will be back here tomorrow night to respond to his response and correct any unintentional mistakes that he makes in the course of his response.

With that, I yield to the gentleman from Pennsylvania.

Mr. HOEFFEL. I thank the gentleman from Massachusetts for yielding. This may be a breakthrough tonight. We have, through the 15 months that we have been handling the Iraq Watch duties on the floor, talked about how we would love to be joined by our Republican colleagues in a good-faith discussion about what is happening in Iraq, to discuss the pros and the cons and to question one another, talk to one another about what is working and what is not working. I do not want to put anybody on the spot, but I would be delighted to have a discussion right now. I am sure the gentleman from Massachusetts would yield and I would yield time to anybody who wanted to ask a question or challenge what we might have said.

Mr. DELAHUNT. We can make it a 2-hour conversation. I think that would be informative and hopefully educational.

Mr. HOEFFEL. This is not a challenge. It is an invitation.

In any event, I thank the gentleman from Massachusetts for talking about the whole question of whether or not the connection exists between al Qaeda and Saddam Hussein, a connection that the Vice President has repeatedly invoked. At one point the President himself tried to straighten out the Vice President and said, wait a minute, there is no evidence that Saddam Hussein was behind 9/11. Yet the Vice President has continued to make this accusation, even in the face of the 9/11 Commission staff report that suggests that there was no working relationship, no collaborative relationship between Saddam Hussein and al Qaeda.

There is no doubt that the inability of the coalition to secure Iraq is a tremendous impediment to everything that we are trying to achieve. I certainly share the goals of President Bush in establishing a peaceful and stable Iraq with a representative government, hopefully a flourishing democracy; but that fine goal and all the yardsticks leading up to it cannot be achieved without security. We are going to have no success with reconstruction, we will not have a legitimate turnover of sovereignty on June 30 without security. We cannot have elections without security.

I wanted to do something I have not done before during Iraq Watch, which we started in, I think it was, April 2003. I wanted to read a few words that were spoken at a rally in Los Angeles on June 5 by a young man named Dante Zappala. Dante's brother, Sergeant Sherwood Baker, a member of the Pennsylvania National Guard, was killed in Iraq on April 26, 2004. I have met with Sherwood's parents, Celeste

and Al Zappala. They gave me a copy of their other son's comments regarding Sherwood Baker's death. These are the words of Dante Zappala. I will have them entered into the RECORD. They are way too long to read tonight. I wanted to read the first paragraph and part of the last paragraph of these remarks. On June 5, Dante Zappala said of his brother Sherwood Baker:

"The tragedy that touches so many people in so many corners of the world, the tragedy of war, the tragedy of violence and sudden death, touched me on April 26 when my brother, Sergeant Sherwood Baker, was killed in an explosion in Baghdad. I speak today with my voice and with the voice of the countless others who have suffered personal loss as a result of this war, those many people with no microphone in front of them, those many people with no one to listen to their pain. As big brothers do, Sherwood protected me, he carried me, and he taught me."

Dante went on to express his frustrations with our policy in Iraq and then he ended his statement with the following:

"We do not benefit from the deaths of our soldiers, nor do we benefit from the deaths of the Iraqi people. To honor Sherwood, I have vowed to follow his path, to lift my head and go to work. Our duty is to spread truth. Our duty is to combat the lies, the misrepresentations, the fear, the mongering and the people who mean to ruin our belief in this country. I have made a promise to my brother and that is to do as he would do, to not be angry about my circumstances, to not let bitterness overcome my heart, but to proceed with hope.

□ 2030

"Today and in the days ahead, do not let your anger carry you. Allow your desire to make change carry you. Allow the compassion towards humanity to carry you. Ride your commitment to peace. Share your soul with your country. Share your values with the world. Make it your job."

Mr. Speaker, I find these words remarkable. A family devastated by the loss of a son and brother, and yet this brother, speaking in Los Angeles, calling upon the better sides of our nature, calling upon all of us to put anger and frustration aside and to talk about compassion toward humanity.

The pain that so many American families have suffered as a result of this war is immense. The sacrifices that the armed services have made, the men and women, the loss of life has been tragic. I am sure it is true to say that they were proud to serve and in virtually all cases proud to honor their country, were there because they wanted to be there, and made a magnificent sacrifice to try to bring peace and stability to Iraq. What angers me, and I try to be inspired by Dante Zappala and not resort to anger, but what angers me, though, is the continuous reputations, he referenced them in his

statement, the continued attempts to connect the Saddam Hussein regime with 9-11, a connection that is bogus, a connection that the gentleman just said was not made by the CIA, denied by the FBI, and yet the Vice President continues to want to use that non-existent connection as a justification for taking us to war with half truths and with deceptions.

Mr. DELAHUNT. Mr. Speaker, again, I think it is absolutely critical to understand that there is no one that is unhappy with the removal of Saddam Hussein from power. But the question that we are posing here tonight is the allegation that there was a collaborative relationship between al Qaeda and the Saddam Hussein Iraqi regime. And what we are talking about is the credibility of the White House, the President, and, therefore, the United States.

As I said earlier, we discovered what happened when it came to the issue of weapons of mass destruction, and here we are again, even after the report by the 9-11 Commission, even after a statement by David Kay, not only relating to the issue of weapons of mass destruction, but the relationship between al Qaeda and Saddam Hussein.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I do not know if my colleague has read anything that Lee Hamilton, the Democrat co-chairman of the 9-11 Commission, had to say on the News Hour with Jim Lehrer on June 16, just last week, 2004. Let me read what Lee Hamilton said: "We have solid reporting of senior-level contacts between Iraq and al Qaeda going back a decade. Credible information indicates that Iraq and al Qaeda discussed safe haven and reciprocal nonaggression. Since "Operation Enduring Freedom," we have solid evidence of the presence in Iraq of al Qaeda members, including some that have been in Baghdad. And then Chairman Kean of the committee, along with Chairman Hamilton, said that there definitely were a number of contacts. Chairman Kean called these contacts shadowy, and the administration agrees with them. These were contacts between a deadly terrorist organization that was seeking support in a country that the administration knew had supported other terrorist operations.

So to say that nothing was going on, I mean they did not meet to have tea and crumpets. They did not meet just to have an ice cream sundae.

Mr. DELAHUNT. Mr. Speaker, I look forward to this continuing conversation this evening. Again, the report refers to contacts that were made back in 1994. If we talk about contacts, it was the Bush administration, the Bush One administration, that had contacts with Saddam Hussein that dated back from 1982 when he was removed from the terrorist list, when there was an embassy installed in Baghdad, when we

provided him with intelligence, when we provided him with the ingredients for weapons of mass destruction, when we transferred to him, when we transferred to him, dual-use technologies.

I have a chart behind me that would establish without any doubt whatsoever, it is a CRS report, that in the 1980s, we had multiple contacts, and we should not be surprised that in 1990, it was discovered that he had a nuclear weapons program because it was the then-Bush administration and its predecessor that provided the components to do exactly that. The contacts that the gentleman from Indiana refers to occurred in 1994, and it was as a result of a request from the government of Sudan, where Osama bin Laden was living. The Iraqi official that visited Saddam Hussein heard what he had to say, returned to Iraq, and there was no further contact.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DELAHUNT. I continue to yield to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, since we are going back in history, let me just say that we had the attack on the World Trade Center the first time in 1993; in 1996 we had the Khobar Towers; in 1998, we had embassy attacks in Nairobi; in 2000, we had the USS *Cole*, all during the previous administration. And during that time when Osama bin Laden was in the Sudan, there were 13 known-terrorist training camps under his control, and the CIA reported those to the previous administration, and nothing was done about it.

So when we start talking about this administration's being asleep at the switch, the fact is that President Bush, when he took over, decided to do something about it because there were contacts between al Qaeda and Saddam Hussein. Uday Hussein had one of the leaders of al Qaeda just last year in Baghdad for medical treatment. They had a very close relationship.

So my question to my colleagues is this: Why did the previous administration not, when they knew there were 13 terrorist training camps in the Sudan, they knew that Osama bin Laden was there, they knew that the CIA had talked about it and said let us go in and get him, and they did not do a doggone thing after all these attacks on U.S. installations?

Mr. DELAHUNT. Mr. Speaker, I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I will give the gentleman a nonanswer answer. The nonanswer is we could pose another question, which is why did the first President Bush not go in and eliminate Saddam Hussein when he had that information as well? And that is an interesting historical issue, but it is one that is not pertinent to why I came here tonight, and I would like to address that issue.

I think the issue is that Congress has a responsibility to fulfill now, which is

to hold the administration accountable if, in fact, it created a false impression in the American people. And this is an interesting academic issue, whether it was contacts or collaboration or something more, but the bottom line is the President enjoyed some popular support for this war based on two pillars: the first pillar being his assertion that Saddam had weapons of mass destruction, and that has now by and large been shown to be a falsehood; and the second pillar was that Saddam Hussein was responsible for killing over 2,000 Americans on September 11.

And that was the impression that this President created. In fact, in a poll taken in September, 2003, 69 percent of Americans said they believed Saddam Hussein was personally involved in the attacks.

Here is the question I have, and then I will answer it: Where did 69 percent of the American people get the impression that Saddam Hussein was personally involved in the attacks of September 11? Did they get it from just reading *The New York Times*? I do not think so. Did they get it just watching Dan Rather? I do not think so. Did they get it from reading the penny press at home? I do not think so. They got it from President George Bush, who did everything possible to create the impression that Iraq was associated with the attack, an ally, in the attack of September 11.

Why do I say that? Because that is the language President Bush used. On May 1, 2003, he said: "The liberation of Iraq is a crucial advance in the campaign against terror. We have removed an ally of al Qaeda and cut off a source of terrorist funding."

The interesting thing that I challenge anyone to show me, the September 11 Commission reached what appears to me to be a factual conclusion. It appears to me to be the most rational conclusion I think we can make on the evidence we have. They said: "We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States." That is what they said. I believe that is most likely to be true.

When did President George Bush ever say we have no credible evidence that al Qaeda cooperated on attacks against the United States? When the President of the United States was urging another war, a preemptive attack on another country, without significant international assistance, and when he would believe that if a misimpression was created by the American public, it could lead to the wrong conclusion, did this President come forward and say the truth, which was there may have been some contacts, some discussions, between al Qaeda and Saddam Hussein's agents, they were way back in 1994, there was no active collaboration that took place, but I want to make sure the American people understand this one central tenet, because I want to make sure there is no confusion here: As far as we know, Saddam Hus-

sein was not behind the attacks on September 11, and I do not want anybody starting a war based on this false impression.

Did the President of the United States ever level with the American people and say that? No, he did not. This was an impression that he knew he was creating. If the Members would go see the movie the "Flim-Flam Man," starring George C. Scott, it was about a great guy who understood how to create impressions to get people to take action. And there was an impression created that Iraq was responsible for the deaths of over 2,000 Americans. And it is most unfortunate.

The reason we have come here tonight is to talk about the fact that it is unhealthy for a democracy, for a President to create false impressions that end in war, and this President created two massive false impressions. One that this demonic monster, Saddam Hussein, who we all agree on a bipartisan basis is a demonic monster, had weapons of mass destruction and that we were threatened with a mushroom cloud; and the second, he allowed 69 percent of the Americans to believe that Saddam was the one who attacked us, and that is an undemocratic action, and it is wrong, and he ought to be held accountable for it.

Mr. DELAHUNT. Mr. Speaker, if I could, because I want to respond to my friend from Indiana, because I know that he holds in high regard David Kay, who was selected by the administration to go to Iraq and review the various assertions and the concerns that they had about weapons of mass destruction as well as a relationship between Saddam Hussein and al Qaeda, and this is a statement that appeared today in *The Boston Globe* and it quotes David Kay: "At various times al Qaeda people came through Baghdad and in some cases resided there," said David Kay, former head of the CIA's Iraq survey group, which searched for Iraqi weapons of mass destruction and links to terrorism, "but we simply did not find any evidence of extensive links with al Qaeda or, for that matter, any real links at all."

□ 2045

He was referencing the statement by the Vice President. Again, "CHENEY'S speech is evidence-free," Kay said. "It is an assertion, but does not say why we should believe this now."

Mr. Speaker, I yield to my friend, the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman for yielding.

I wanted to thank our friend from Indiana for jumping into this discussion. We have been looking for some bipartisan debate back and forth; and the gentleman, if nothing else, has the courage of his convictions; and we welcome him here tonight.

I wanted to respond to a couple things the gentleman from Indiana (Mr. BURTON) said. I think he said that

we were suggesting George Bush has been asleep at the switch in Iraq. That is not at all what we have been suggesting here. President Bush has been anything but asleep at the switch. He has been very aggressive regarding Iraq.

Mr. DELAHUNT. If I may reclaim my time, the reality is that this administration, a week after the inauguration, according to a very fine Republican by the name of Paul O'Neill, former Secretary of the Treasury, had an extensive discussion about Iraq at the first meeting of the National Security Council and why it should be targeted.

I have a long list of quotes from administration officials and others that were there that can provide firsthand evidence. What I found particularly disturbing, however, according to Paul O'Neill, a good, fine, conservative Republican who was the CEO of a fine American corporation called Alcoa, was that on February 27, months before 9/11, at a National Security Council meeting, there was a map laid out; and there was a discussion among the principals about how the oil fields in Iraq would be divvied up between nations and between various corporations. I commend to my friend, and I know he must have a copy of that book, it is called "The Price of Loyalty."

On page 96, I will not bore him and those who are watching us here tonight with reading it, but I believe somebody owes the American people and this Congress, Republicans and Democrats, an explanation of why months before 9/11, months before 9/11, months before there was any discussion about weapons of mass destruction or links, if you will, between al Qaeda and Saddam Hussein, we are talking about war.

Mr. BURTON of Indiana. If the gentleman will yield briefly, Condoleezza Rice, the Vice President and a whole host of National Security Council members were at that meeting. The gentleman to whom you are referring is sour grapes because he lost his job as Secretary of the Treasury. Their interpretation and their recall of that meeting does not jibe with that at all. That is his singular opinion.

So let me just say that one person's comment at a meeting does not make it so.

Mr. DELAHUNT. I would remind my friend from Indian of the 11th amendment.

Mr. BURTON of Indiana. What is that?

Mr. DELAHUNT. That Republicans do not criticize Republicans. I will have to defend Paul O'Neill.

Mr. BURTON of Indiana. That is the gentleman's prerogative.

Mr. DELAHUNT. Again, because we have a good discussion going here tonight, I think it is important for all those that are watching, because we will chew right into our friend's time too, I think it is important here tonight that the American people understand that this is good discourse. This is the kind of debate that this institution needs.

Despite the fact that we have disparate views and profound disagreements, the reality is that we do have mutual respect, and in the case of the gentleman from Indiana (Mr. BURTON) we have affection.

Mr. ABERCROMBIE. I think the gentleman from Indiana missed that last comment. You might want to repeat it.

Mr. DELAHUNT. I am not going to repeat the praise I gave to the gentleman from Indiana (Mr. BURTON). Only once he gets the kudos.

While the gentleman might disagree with Paul O'Neill, the former Secretary of the Treasury who was appointed, obviously, by this President, I wonder if he disagrees with an observation or an anecdote that was related by Bob Woodward just recently in the book that is on, I understand, the President's Web site, where, again, I am quoting from the book. I do not want in any way to infer that this is coming from me or any of my Democratic colleagues.

But in response to this desire for war against Iraq, Bob Woodward writes, "Powell thought that CHENEY had the fever. The Vice President and Wolfowitz kept looking for the connection between Hussein and September 11th. It was a separate little government that was out there. Wolfowitz, Libby, Undersecretary of Defense Douglas Feith and Feith's gestapo office, as Powell privately called it. CHENEY now had an unhealthy fixation. Nearly every conversation or reference came back to al Qaeda and trying to nail down the connection with Iraq. He would often have an obscure piece of intelligence. Powell thought that CHENEY," Powell not, not O'Neill, "took intelligence and converted uncertainty and ambiguity into fact. A conversation would suggest something might be happening, and CHENEY would convert that into a we know. Powell," not O'Neill, "Powell concluded we didn't know and no one knew."

Mr. Speaker, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, I wonder if I could prevail upon my good friend, the gentleman from Indiana (Mr. BURTON), who, I might say this evening is in sartorial splendor, as well as a good friend, if we might prevail upon him to maybe come back at another time when we can have a conversation on this, because it is vital to America's interests.

I know the gentleman from Indiana (Mr. BURTON) has spent his entire congressional career addressing precisely that.

Mr. BURTON of Indiana. If the gentleman will yield further, I will be happy to do that, if you ever give me some macadamia nuts.

Mr. ABERCROMBIE. I will be happy to do that.

Mr. HOEFFEL. Mr. Speaker, if the gentleman will yield, back to the gentleman from Indiana (Mr. BURTON), I just wanted to respond finally to the gentleman's suggestion that the prior

administration, the Clinton administration, had not done enough after several acts of terror against this country.

The act of terror on 9/11 did change the thinking of a lot of people. But if you will recall, in August of 1998, President Clinton did order cruise missile strikes in Sudan as a result of some of the acts of terror; and the Republican opponents in the Congress of the President at that time did not accuse him of doing too little; they accused him of doing too much. There was a great partisan uproar that President Clinton was trying to distract the public from his impeachment woes with the use of American military power.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will yield, let me just say according to most news reports that was not a factory for weapons of mass destruction, as was anticipated, it was an aspirin factory; and there was no reason for it. There were a lot of people, including the media, that thought it was a "wag the tail" type of attack.

Mr. HOEFFEL. I would say to the gentleman that the fact is the Republican opposition at that time was in full throat, and the criticism was not that he should be doing more; but that he was doing too much, in the view of his critics.

I raise the point in good faith. I was not in the Congress then, and the gentleman may or may not have been involved at that point at that time. It shows you when there is too much partisanship I think that it clouds the judgment. It probably affected President Clinton. He probably did not think he could have congressional support if he took more action at that time. I do not know.

I would suggest that there is a time when the level of partisanship can rise so high that it can cloud the judgment of the government to act in a concerted way. I do not want to see that happen.

There is a lot of frustration about Iraq and a lot of opposition to what many of us think are the deceptions and the half-truths that have been used. The gentleman from Massachusetts (Mr. DELAHUNT) came today to try to talk about that, and I welcome the bipartisan discussion tonight; but we have got to try to get past the bipartisan anger.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will continue to yield, I think what is important here then to get across this evening is that calling people to account is what we do. The oversight function of the Congress has a long history. I can go back to the time in which some people wonder how Harry Truman got to be chosen as Vice President of the United States just prior to Franklin Roosevelt's death, before his last campaign. Of course, he had made his reputation on an oversight committee in the Senate looking into war profiteering, is what he had done, trying to hold people to account. That is what this is all about.

If someone wants to take up the position that this is a concentration on

President Bush for partisan activity, he is the President. He is making the decisions, and those decisions are subject to scrutiny.

As the gentleman from Indiana (Mr. BURTON) very well knows, back at the time when Mr. Clinton made decisions about Bosnia and Kosovo, I found myself in opposition to him and said so. I think at least as far as this Member is concerned, I do not have to take a back seat to anybody in trying to bring anybody to account in the executive, Democrat or Republican, if I think that is in order.

If I know my friend, the gentleman from Indiana (Mr. BURTON), well, and I think I do, he does not stand for anybody telling him who should be brought to account either. He has stood up on more than one occasion, perhaps even singularly, calling for an accounting on various issues. I think that is his function and our function, and that is what this Iraq Watch is all about, I can guarantee you that. If we think somebody is doing the right thing, we are going to say so; if we think somebody is not acting necessarily in the best interests of the United States, regardless of what their motivation might be, it is up to us to say so and engage in a dialogue to try to illuminate where the interests of the American people are.

I know that the gentleman from Indiana (Mr. BURTON) agrees with that, and I look forward to any discussion we might have in the future along those lines.

Mr. DELAHUNT. Mr. Speaker, reclaiming my time, I think it is important to note that. Again, I am not sure about whether it was an aspirin factory, but I think what is really important is the point that the gentleman from Hawaii (Mr. ABERCROMBIE) just made about oversight.

It is clear that there are no weapons of mass destruction. It is clear that the kind of relationship that has been suggested by the administration, particularly the Vice President and the President, does not exist. It is, I dare say, hurting our credibility.

We come to this as Americans. You know that, I know that, and we all know that. And this information comes from a variety of sources, whether it be from Bob Woodward, who describes a conversation that Secretary Powell has, or whether it is Paul O'Neill.

In the case of Richard Clarke, the terrorist chief, in the aftermath of 9/11, he writes in his book he expected the administration to focus its military response on Osama bin Laden and al Qaeda. He says he was surprised that the talk quickly turned to Iraq. "Rumsfeld was saying that we needed to bomb Iraq," Clark said, "and we all said no, no. Al Qaeda is in Afghanistan. We need to bomb Afghanistan. And Rumsfeld said, there aren't any good targets in Afghanistan, and there are a lot of good targets in Iraq."

"Well, there are a lot of good targets in lots of places, but Iraq had nothing

to do with 9/11. Initially I thought when he said there are not enough targets in Afghanistan, I thought he was joking. They wanted to believe there was a connection, but the CIA was sitting at that particular meeting, and the FBI was sitting there, and I was sitting there, and we looked at the issue for years, and we reached a conclusion that there was no connection."

The point is, let it go. To follow the admonition of David Kay, it is time to acknowledge our mistakes as a Nation and to begin to restore some of our credibility internationally.

I yield to the gentleman from Washington (Mr. INSLEE).

□ 2100

Mr. INSLEE. Mr. Speaker, I would like to make a comment. I want to pose a important question to the gentleman from Indiana (Mr. BURTON) if he could help us out.

My comment is on the difference between connection and action and collaboration. I do not think there is any question that there had been some communication between al-Qaeda and some Iraqi officials. I think we all agree on that, and have for a long period of time. The September 11 Commission reported that back in 1994, bin Laden had essentially asked for help from Iraq but Iraq said no deal. We are not going to help you.

And from that, the September 11 Commission concluded, a bipartisan commission concluded there had been no collaboration and there had been no active work between the two. In fact, the two highest bin Laden associates we have in custody have adamantly denied that any ties existed between al-Qaeda and Iraq.

I think an accurate picture that has been stated is that there were some contacts and that bin Laden had asked for help and Iraq had refused to give him help. And yet the President started this war. Now, the question I have is what was the President trying to do in this conversation with the American people? It appears to me that he was trying to create an impression in the American people that Iraq was behind the attack of September 11. Let me give you just one quote that fits into that impression. On September 14, 2003, Vice President CHENEY said "If we are successful in Iraq, then we will have struck a major blow right at the heart of the base, if you will, the geographic base of the terrorists who have had us under assault now for many years, but most especially on 9/11."

That is just one of hundreds of statements made by this administration that to me was responsible for creating an impression in at least 69 percent of the American people that Iraq was behind it and that this was pay-back time. In fact, I remember seeing a tank as it entered Baghdad with it was lettered on the side "pay back time." And I can understand why soldiers felt that way if the President of the United States was creating an impression that Iraq was responsible for September 11.

It was not an impression that led this country to war that bin Laden had asked for help, but Iraq had said no, that is not the salient feature that led to this war. What led to this war was the President succeeding in creating an impression in America that Iraq was behind this venous and evil attack against us on September 11.

So the question to the gentleman from Indiana (Mr. BURTON) if I can ask him, just kind of two questions, does he share my view that probably a majority of Americans had the impression as the result of its Federal Government's dissemination of information, the administration, that Iraq was behind in some fashion, or associated with the attack on September 11?

And if that is true, does he think the President of the United States did enough to be candid with the American people to tell the American people that no, we do not have any evidence of collaboration resulting in the attack of September 11. Sincere question.

Mr. BURTON of Indiana. Mr. Speaker, the fact of the matter is the President went to war with Iraq because of two reasons: One, weapons of mass destruction; and two, the threat to security in the Middle East and the United States of America, and because there were indications of a connection between al-Qaeda and Saddam Hussein. And there is documentation even stated in the 9/11 Commission report or in the 9/11 Commission statement.

Mr. DELAHUNT. Mr. Speaker, reclaiming my time, if one reviews the 9/11 report, they are very clear that there were more connections, more connections between Lebanon, between Iran and al-Qaeda than there ever were between Saddam Hussein and al-Qaeda. Al-Qaeda, in fact, Osama bin Laden, in 1990 right after the invasion of Kuwait, went to Saudi Arabia and met with Prince Sultan, who was the defense minister and said that we have to do something about that secularist. Let us join forces and destroy Saddam Hussein. He considered Saddam Hussein as an apostate, a corrupter of Islam.

The point is, and again, another report that came out today, Chairman Kean, again suggests that the connections between Pakistan, between Iran and Hezbollah, far exceeded the connections between Saddam Hussein and al-Qaeda. There was no collaborative relationship. We continued to hear about al-Qaeda bases in Iraq. They were in northern Iraq under the protection of the no-fly zone.

Mr. ABERCROMBIE. Mr. Speaker, would the gentleman yield?

All this points up to the fact that this is ideologically driven. This has nothing to do with those facts. This is ideologically driven by people who are generally termed neoconservative. I am the conservative here. And my colleague should be the conservative here. He is conservative. It is the conservative position not to get trapped in these foreign conflicts, not to go off charging around the world to try and do these things.

The ideology behind this is that Iraq was the key to being able to move into Syria, being able to move into Iran, that this is somehow a defense of the Likud version of what is in Israel's interest. The so-called neoconservatives that are behind this ideological thrust have wanted this war for years. It is not hidden. It is not a conspiracy. It is not some kind of subterfuge. It is an announced policy and possession philosophically they have had for years.

The sad part is after Mr. Bush became President, was appointed President, they came into the forefront in terms of their appointments in the Defense Department where they were able to bring their philosophy forward. That is what is driving this. That is what the President has to face up to. This is where his difficulty is.

Mr. DELAHUNT. Mr. Speaker, I know we have very limited time left. But I think before we go we should wish a happy birthday to our friend and colleague from Indiana (Mr. BURTON), because it is his 45th birthday today, is that correct?

Mr. BURTON of Indiana. 29.

Mr. DELAHUNT. 29th birthday today, I think this has been a very good discussion. We really do welcome this conversation with my colleague. He knows we have respect.

Mr. BURTON of Indiana. Mr. Speaker, I hope we have more of these.

Mr. DELAHUNT. I hope we do, too. I would issue a challenge to my friend because he and I have traveled together and it is an experience, and it is a very positive experience, but there are people that are in the custody of the executive branch, those so-called senior intelligence Iraqi agents, that continually deny any knowledge whatsoever of Iraq or meeting the gentleman that allegedly met with Mohammed Atta in Prague in the Czech Republic, is in our custody.

Let us challenge together the executive branch and my colleague, myself, and anyone else who wishes to join us, go together and exercise the oversight responsibility and function of this Congress and interview Mr. Al-Ani and make that decision ourselves and come back and report to the American people.

#### IRAQ

The SPEAKER pro tempore (Mr. GERLACH). Under the Speaker's announced policy of January 7, 2003, the gentleman from Indiana (Mr. BURTON) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks related to this special order.

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

There was no objection.

Mr. BURTON of Indiana. Mr. Speaker, let me just pick up where we left off

in this last hour. And I appreciate the discussion with my colleagues. And if we have the time, I will be happy to yield to them. It seems like we probably will have the time.

There is no question, none at all, that al-Qaeda and the Saddam Hussein regime and people connected with that have met on numerous occasions. There is no question that in May of 2002, Zarqawi, one of the top lieutenants the senior al-Qaeda with bin Laden was in Baghdad for medical treatment. And Uday Hussein provided that. There have been numerous occasions that they have been together.

Now, the question was Osama bin Laden went to Saudi Arabia and he said we have got to get rid of this guy up there, Saddam Hussein, because he does not follow the hard-core Muslim line. The fact is Winston Churchill, and I hate to go back in history, but he decided to work with Joe Stalin, a communist tyrant who killed 50 million of his own countrymen. They asked Churchill, "Why in the world are you working with Stalin?" He said, "I would go to bed with the devil in order to beat Adolph Hitler."

Osama bin Laden calls us the big devil and I believe Osama bin Laden was willing to work with Saddam Hussein, who is one of the powerhouses in the Middle East, to do everything he could to destroy Western civilization and the United States.

Now, we do not know what went on in all these meetings. But we do know that Osama bin Laden and his minions did talk to and work with Saddam Hussein's people.

Now, do you err on the side of safety or do you not? We knew that Saddam Hussein had weapons of mass destruction. He killed thousands, tens of thousands of Kurds with mustard gas. We found weapons just recently that had sarin gas in them. Just recently our troops found those. He had a nuclear facility that was bombed by the Israelis in 1981. So he was trying to develop a nuclear facility.

Now, for anybody to believe that he just threw that stuff out of the window when he hates the West so much and he was negotiating and talking with Osama bin Laden and al-Qaeda, I think they are just blowing smoke. Now, the President said we have got to go after the terrorists. He did not go after Saddam Hussein first, he went after the Taliban that we knew was working with Osama bin Laden in Afghanistan. And he did a pretty good job of it.

And then he said there is the threat of weapons of mass destruction, they have been used in the past. He had intelligence information that indicated there were weapons of mass destruction and he decided to go after Saddam Hussein. And all of us in this chamber when he did it said that is the right thing to do.

Now, of course, everybody is second guessing.

I think it is important to go back in history a little bit because history is

very important, very important. In the 1990s Osama bin Laden in the Sudan had 13 terrorists training camps around Khartoum. Our intelligence agencies talked about that. The President and the NSC knew about that. And at that time, we had an attack on the World Trade Center because Osama bin Laden's minions tried to bring it down. That was in 1993. In 1996, we had the attack that killed a lot of Americans in Khobar Towers. In 1998, we had the attack on the embassies in Athens, Nairobi, Kenya and Dar es Salaam and Tanzania, all of those in 1998 by al-Qaeda connections. And then in 2000, we had the attack that killed a lot of our sailors on the USS *Cole*. We knew that Saddam Hussein was behind that. We knew he was in the Sudan. We knew there were 13 terrorist training camps and the previous administration did nothing.

Now we go to September 11, 2001. And the President had an attack on the World Trade Center, against a second one. We did not do anything about the first one. We did not go after Osama bin Laden then but we waited. Then they brought down the World Trade Center, both towers.

And the President said we are going after the terrorists worldwide, no matter where they are hiding. We are going after them if they are in the Sudan. We are going after them if they are in Afghanistan. We are going after them under every rock they are hiding. And we are going to do it also in Iraq because we believe Saddam Hussein is working with al-Qaeda. He had connections with al-Qaeda. His son worked with al-Qaeda.

And they had weapons of mass destruction because we knew they had used them before and the President was told by intelligence agencies that they were there. Quite frankly, I still believe there were weapons of mass destruction. It is the size of California. And I believe that we will find more. And many of them may have been sent to Syria. Everybody is concerned about that because Syria is a very close ally and was of Saddam Hussein.

But the fact of the matter is do you err on the side of safety? Do you go after the terrorists before they attack or do you wait until they attack and say oh, we need probable cause.

When we passed the PATRIOT Act, this is a side issue, we had a lot of colleagues from the other side of the aisle say oh, my gosh, what about civil rights? What about Constitutional rights? The problem is when one is in a world war against terrorists, one cannot wait until they blow something up and kill 10 or 15,000 people or more. One tries to preempt them.

The PATRIOT Act allowed us to hold people while we investigated whether or not they were going to perpetrate a terrorist attack. If we did that, we might head it off. That is why we created Homeland Security, which my committee wrote a great deal of it, and I think the gentleman, I do not know if

he worked on that or not, but we worked on that with the Senate.

But the fact of the matter is this President did not go off half-cocked. He declared war on terrorism. He is continuing that. President Bush is doing a good job.

And I love my colleague from Massachusetts, we have a great deal of fun together. I love my friend from Hawaii.

□ 2115

The fact of the matter is we are trying to politicize something at this time that should not be politicized. We are fighting a war against terrorism. The President is doing the right thing; and this Nation needs to stand behind him, instead of nitpicking and going back and saying this should have been done or that should have been.

If we had this kind of nitpicking prior to the invasion of Normandy, I believe that the media and everybody would have said, oh, my gosh, that is a terrible thing to do; the waves may be too high. They would have alerted Hitler, and we may all be speaking German today.

The fact of the matter is, President Bush, in my opinion, and my colleagues may differ, I think he has been very prudent. He has done things that he thinks that are necessary to protect the American people.

I love my colleagues, I really do; and I do want some Macadamia nuts.

Mr. ABERCROMBIE. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, I thank the gentleman from Indiana (Mr. BURTON) very much for yielding.

All of this would be well and good except that it is not working. I know my colleague did not intend to do this hour, and I will not use his time or his colleagues' time but merely to say, and perhaps we can carry this on at greater length, maybe even tomorrow night if it is okay with the gentleman.

I do not want to interfere, but just to say on the points that he raised, if this was the right war and the right place, that would be one thing; but it is not nitpicking to say that we are doing the wrong thing in the wrong place at the wrong time and actually undermining our capacity to be able to take on terrorists, and in fact, creating more terrorists as a result of it, with fewer allies.

I do not bring that up to try and dispute my colleague tonight; but merely to say I think there is an alternative point of view that is worthy of discussion, and perhaps we could do that at another time when our colleagues do not have the time for the topic they want to discuss.

Mr. BURTON of Indiana. Mr. Speaker, I will get together and talk with my colleagues.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, I would just simply say that I think we are operating on a totally different understanding of the facts. I feel very comfortable with what we have reported here tonight and what others have said.

I think over the course of time the kind of conversations that we are having will elucidate the facts for the American people; but again, every Member in this House is concerned about what is happening to this country. We do not want to make the mistakes of the past, and I am very concerned that we are; but we will leave that for a later time, and I am sure that it will be a feisty and contentious, but friendly, conversation; and I wish my friend a most happy birthday.

Mr. BURTON of Indiana. Mr. Speaker, I thank my friends, and I have great admiration for the silver fox from Massachusetts.

Mr. ABERCROMBIE. *Hau oli la hanau*, which means happy birthday. Take my word for it, it means what my colleague thinks it does.

Mr. WELLER. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Illinois.

Mr. WELLER. Mr. Speaker, I want to thank the gentleman from Indiana for yielding, and I always find it interesting. Monday morning quarterbacks are always right in their minds because they have a chance to look back on tough decisions that have to be made; but as we know, the war on terrorism is progressing to one of those situations where the lessons of the past are important, because when Americans have been impatient, we have lost; and when we recognize that the war on terror is going to take time, al Qaeda and other terrorist elements are in 65 different countries that we know of, thousands of terrorists were trained in the camps in Afghanistan and Sudan and elsewhere, but we are making progress; and we are holding firm on the war on terror.

Clearly, the war on terror is progressing. It is a tough, hard fight; and our effort in Iraq is a key front in the war on terror.

Just less than 2 short weeks history will be made. Today, Saddam Hussein is in jail and an international coalition led by the United States and our 31-country allied coalition will hand over authority over Iraq to a sovereign Iraqi government. Let us review what is going on; and frankly, here is the bottom line.

The goal of the 31-country international coalition, which the United States is part of, has the bottom line goal that Iraq will govern its own internal affairs. The Iraqi interim government will run the day-to-day operations of Iraq's government and ministries. The Iraqi interim government will increase security and prepare the country for national democratic elections.

The President has a five-point plan that is now being implemented and has

been implemented over the last several months as we worked not only to win the war on terrorism but to put in place a stable, democratically elected government in Iraq.

The President's five-point plan calls for handing over authority to a sovereign Iraqi government that should be achieved in just 2 short weeks. We want to establish the stability and security in Iraq that democracy requires. We want to continue rebuilding Iraq's infrastructure. We want to continue to build international support beyond the 31 nations already involved, and we want to move towards free national elections that will bring forward new leaders empowered by the Iraqi people themselves.

The past few weeks have proved that the President's Iraqi plan is moving forward; it is working. The international community is coming together to help Iraqis secure their own future.

On June 8, the U.N. Security Council unanimously adopted a resolution which supports free elections and reauthorizes a multinational force to help provide security in Iraq. The international community is now on the record. The coalition will continue to help in every way possible on the economic front, the security front and the political front; and the international coalition will continue in the process of assisting the Iraqi people and taking responsibility for the future of their country.

I am pleased that as a result of the recent summit, the G-8, that we continue to build that international support. In fact, many of us had the opportunity just less than 2 weeks ago to meet with the new, free Iraqi President when he visited Washington, and it was an impressive meeting with an impressive leader.

Iraq is improving and has already taken big steps to keep Iraq on the path to national elections by January 2005, leading the way to representative government by and of the people of Iraq. That interim government is making progress.

Ninety thousand militia members are being transitioned into new occupations. All six of Haditha Dam generating units recently ran at maximum capacity for the first time since 1990. To date, over 10,000 democracy development activities, program activities, have been held in communities across Iraq involving more than 312,000 Iraqi participants. Today, there are now 55,000 Internet subscribers in Baghdad compared to only 3,000 just 2 years ago. Reconstruction of the Baghdad International Airport is expected to be completed by this August; and primary, intermediate, and secondary students are completing their final exam for the school year with minimal disruption; and I would note when we visit Iraqi schools today, we see young girls attending those schools again. That is progress.

Our international coalition has a clear goal, to see the Iraqi people in

charge of Iraq for the first time. America worked not only to defeat an enemy but to give strength, freedom and opportunity to our friends, the people of Iraq.

Freedom can and will advance and enhance the lives of those living in the greater Middle East, just as it has been successful in Latin America, Eastern Europe, Asia, South America, and Africa. Today, we are fighting a war on terror. We are making progress. It is a tough, hard fight, but al Qaeda and other terrorist groups want to defeat our effort to bring freedom to the Middle East. With our commitment, we will win.

In the next few weeks we are going to be tested by al Qaeda and other international terrorist organizations. We are going to be tested and have violence that is going to be likely. The terrorists and Hussein loyalists would rather see innocent Iraqis die than let them taste freedom. They honestly think that Americans will cut and run, because they have seen that happen in the past. We are going to be tested in this war on terror, and how we conduct ourselves today and in the weeks ahead will determine whether or not we win the war on terror, whether or not we give the people of the Mideast a taste of real freedom.

They will not succeed and the forces of good, the forces of freedom and the international coalition, which is growing, will win if we remain firm and hang together, because, again, we are being tested. My hope is we will hang tough and continue to fight the war on terror because we would all rather fight the terrorists on the streets of Baghdad than here in Washington and in communities in the south suburbs of Chicago.

Mr. Speaker, in closing I am confident through the will of the Iraqi people and the international community President Bush's plan will be implemented successfully. Iraq will have a free and representative government. The terrorist regimes of the past will be defeated and silenced, and we will prevail. That is because I believe, like I know so many other Americans do, the Iraqi people deserve and know better.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Illinois (Mr. WELLER) and appreciate that very much.

Mr. GREEN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Wisconsin.

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I watched the debate, discussion that took place in the last hour, as many Americans did; and I could not help but note that lots of questions were raised by our friends on the other side of the aisle. I think the American public needs to be reminded that the vast majority of Members in this body on both sides of the aisle supported the resolution authorizing the

use of force. The vast majority of Members on both sides of the aisle supported the supplemental appropriation that continues to support the operations in Iraq, and I think the public needs to ask itself whether debates like the one they just saw are really a serious discussion of policies and principles or whether or not they are more about election-year politics.

Debate is a good thing. We should debate. We should debate often, but I think we also have to remember that the world is watching and our soldiers are watching, and there should be no doubt whatsoever about this Nation's resolve to continue to fight on and to prevail in the war against terrorism.

Mr. Speaker, this is an important time; and even though it is an important time, I think it is useful for us to slow things down a little bit because I think sometimes we can only appreciate the significance of events perhaps after the fact. Sometimes we are too close to events to fully understand how they fit into the larger context, and I think we need to step back for a moment and take a look at where we are right now in Iraq.

I believe that in the months and years ahead, as we take a look at these very important weeks and months that surround the handover of sovereignty to Iraq, I believe that we will look at these as great months and years for this nation. With each passing day, leaders for a new, free Iraq are taking steps forward, just as the terrorists try with their terrible attacks to force these same Iraqi leaders to take steps backward, but I believe that the clarity of hindsight will show us all in the years ahead that the violence and the bloodshed and the senseless destruction that we have seen far too often in that country, that our national media focuses on to the exclusion of all else, it seems is happening not because the coalition efforts are failing or falling short, but instead, because they are succeeding.

They are the result of a growing fear in the terrorist world that decency and democracy will succeed, that they will take hold, that the success will not only inspire more and more Iraqis to embrace self-rule and to invest of themselves in the future of Iraq, but that it will serve as an inspiration to many oppressed peoples in many troubled lands all throughout that region.

Mr. Speaker, it is important to take time to talk about what is going on in Iraq because so much of it is really outside the narrow view of the camera lens. It is important for our soldiers that we tell their story because so many of our brave young men and women have put themselves on the line, have shed sweat, have shed blood for a mission that they believe in, a mission that I also believe in.

Young men and women from all over America have traveled thousands of miles for this cause. One of the units from my own district, the 432nd Civil Affairs Battalion, has as its motto "Order Out of Chaos."

□ 2130

Well, that is just what they, the 432nd and the members of the 395th out of Appleton, and countless other units and soldiers from Wisconsin, and all over America, that is just what they are accomplishing. Some of it I saw myself firsthand when I was in Iraq late last year.

The most recent good news, the good news that you may not have seen, is that President Bush has outlined a clear 5-step plan for Iraqi sovereignty and its implementation is already underway. On June 8, the U.N. Security Council unanimously, unanimously, adopted a resolution supporting free elections in Iraq and reauthorizing the multinational security force. This will provide greater security for Iraqis and for Americans in that country. Already the G-8 has responded favorably, and its members are making new commitments for the long-term rebuilding process.

In Iraq itself, there are key signs that the government and the economy is beginning to mobilize and the economic and civic redevelopment process is underway, the rebuilding is marching on. For example, as my colleague, the previous speaker, has noted, the number of telephone subscribers in Iraq is 45 percent above prewar levels. There are now 55,000 Internet subscribers in Baghdad alone. Less than 2 years ago there were 37,000. Eighty-five percent of Iraqi children have now been immunized. Two hundred forty Iraqi hospitals and 1,200 preventive health care clinics are now operating. Twenty-five hundred schools have been rehabilitated, with another 1,200 to be rehabilitated by year's end. Hundreds of free, local government units have been launched and are up and running.

Now, I cite these numbers, Mr. Speaker, not to gloss over the challenges but, instead, because I am afraid too many of us are guilty of glossing over the successes. These successes have been paid for with the lives of too many Americans. They have been paid for with the lives of countless Iraqis, people who believe in the future, people who are willing to put themselves on the line.

Now, June 30th is not a switch we can simply turn on and have security and prosperity and perfect democracy, but it marks one more step down a clear path from which, for Iraqis, the future will be much brighter. Mr. Speaker, there are challenging times ahead of us, there are dangerous and dark days that we will see all too often. But, clearly, clearly there are good things happening in Iraq. Clearly, many people believe in the future. They have put themselves on the line. And that future is happening quickly and more brightly, I think, than many people expected could possibly occur.

So, Mr. Speaker, debate is a good thing. We should talk about what is going on in Iraq, and we should question our leaders. That is important. But I think we must not let that crowd

out what is going on, what is positive, the bright future that lies ahead, the hope that so many of us have. And, more importantly, the clear plan that we are following and that we are proceeding along each and every day; a plan that will bring democracy and decency to that country, a plan that will bring a brighter future to that entire region, a plan that so many Americans have fought for, a plan that all of us can be very, very proud of.

I yield back to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. GREEN) for his very eloquent statement.

Mr. Speaker, I now yield to my good friend, one of the senior members of the Committee on International Relations, the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I thank my colleague for the leadership he is providing on this very important, I would say, issue, but it is not an issue, it is the question of the day, the question of our time. Will the people of the United States stand tall in this time of crisis? Will we meet our responsibility? Will we overcome those who hate our way of life? Will we remain the last best hope for all of humankind for a better world.

Let us look back and make sure we understand it. The American people have a heavy responsibility, because we do represent every race and every religion. We are a mixture of all the people of the world who have come here to live in freedom and show the world that there is a better way.

That is why groups like the Nazis and the Japanese Imperialists back in the last century knew they had to deal with us. We were attacked at Pearl Harbor because the Japanese knew that we were the only thing that stood in their way to the domination of Asia. The Nazis knew we were the only thing that was going to thwart them from creating a black evil empire over Europe, and much of Asia. Americans of that day stood tall and strong and did what was necessary to make sure that we saved the world from that evil threat.

After the war, after that war, when our fathers and mothers, my father in particular, and I know the fathers of many of the people here in Congress today, fought so hard and risked so much, and saw their loved ones lose their lives, they thought they deserved a break. Instead, what we saw was the rise of another menace, another evil force that would have conquered the world, would have turned the world into a Marxist-Leninist dictatorship, the proletariat. They would have imposed on all of humankind their dream, their proletarian dictatorship, and they would have snuffed out the freedom our people had just fought so hard to maintain.

Yet, during those days of the Cold War, Americans stood firm. And it was

difficult to stand firm during the Cold War. In Vietnam and in Korea, we lost well over 100,000 people, together in those two conflicts, not to mention hundreds of thousands who were wounded, but it was also a matter of hundreds of small conflicts that were going on. Yet our people stood firm. It was difficult, but we had the leadership that we needed there at the end.

We just heard last week how Ronald Reagan saved the world from communism. But do not think that that was done without a great cost to him personally. There was no bipartisanship that I saw that helped end the Cold War. Ronald Reagan was ridiculed, he was undermined, he was back-bitten, and there was partisan politics played throughout his administration. Because no one predicted that the Cold War would be over and that our enemy would collapse. But Ronald Reagan stuck to his guns. He was tenacious, he was unrelenting, he was strong, he stood for principle, and he reached out to those other people in the world and put them on our side of the battles against communism.

Well, today, we know that communism, yes, collapsed and we thought we were due for a break. There will never be a break for those people who are the champions of liberty and freedom and justice, because there will be evil forces in the future. We face another one today. It is not terror. People say the war on terror. They are trying to be a little bit diplomatic. It is a war with radical Islam which has declared war on the American way of life.

Radical Islam believes that we are a sinful group of people because we permit people the freedom to make decisions on their own lives. Radical Islam would make chattel out of our women, out of women everywhere. Radical Islam does not believe in those things that we hold dear in terms of personal freedom. And radical Islam has declared war on us. And let us not make a mistake about it, 3,000 of our people are dead today in those towers in New York and here in the Pentagon because we did not recognize that they were at war with us.

Well, we have recognized that, and there is no escaping it. Today, we have the same challenge as our forefathers and mothers did in the war against the Nazis and the Japanese Imperialists, and as we did in the Cold War against the Communists. We have to win this fight or it will be a far worse world. It will be a dark world of chaos and despotism and fanaticism if we do not. Nowhere is that battle more important today than what is going on in Iraq.

I say, thank God that we have a President who was willing to take this stand. What we are seeing in Iraq is an historic strategic move to outflank the radical Islamists. We are turning a dictatorship in the Muslim world into a democracy. And we are, thus, pointing to this so that the young people of the Muslim world will have an alternative to radical Islam. We are doing what

Ronald Reagan did. We are cutting our enemy off from its source of strength. If we do what is right and we stick to this, our enemy will collapse, just as communism collapsed, just as that other evil force collapsed.

Again, we are having to go through the pangs of partisan politics, the back-biting, the nitpicking, the let us cut and run. The people who ask, why should we risk anything; why are we losing these lives, they know if we would leave Iraq as it is today and the radical Islamists, especially the Iranians, then become a dominant force in Iraq, it would be a disaster for the future, not only of that region but for the people of the United States. We would have a future filled with fear, a future of knowing that the radical Islamic creed would have been gathering strength because we had demonstrated weakness.

No, we have a President who is just as unrelenting as Ronald Reagan. We have a President who is a visionary, who is taking a positive approach, trying to establish a positive alternative to radical Islam. We have a President who has courage and is moving forward, but we also have a generation of young people who understand that strength and courage and commitment is the way to a better world.

Those people who are giving their lives for us in Iraq know they are doing it to build a better world. They deserve solid support from this Congress. We support them because they are risking their lives for us. They are building a better world, just like those people who stormed ashore on D-Day over a half century ago. And just like those young men and women throughout the Cold War, who gave their lives, these are the heroes of our age.

We have a President every bit as important to the future of mankind as was FDR when he provided the political leadership necessary to win the Second World War; and Ronald Reagan, who provided the leadership to help us win the struggle against communist tyranny. And now, with President Bush, he is a man who will not retreat, will not cower, will not turn his back and run. We have a man who has drawn the line in the sand and said we are going to win because the whole world depends on us.

This is what is happening in Iraq. There is no option in terms of defeat. Defeat is not an option. If we walk away, it will only mean further bloodshed and further aggression, and not only terrorism here, but attacks on our friends throughout the world if we would retreat from Iraq today. We should never dream of emboldening our worst enemies. We should, instead, stand tall.

That is what this is about tonight. That is what many of us are committed to here in the House. I hope the American people listen and take a look at the long run, take a look at what happened in the past, take a look at what will happen in the long run unless we

have that same sense of purpose and courage that those who came before us had in these same type of challenges.

We are building the world of tomorrow and it will be a world where we will be friends with the people of the Muslim faith because we will have helped them defeat the radical Muslims who hate our way of life. We will have a world that does have peace between the religions, whether they are Christians, Jews or Muslims, because we will have a world in which we have not permitted the fanatics of one faith, the Islamic faith, to superimpose their will on the rest of the world by force.

We will not be cowards. We will do our duty. And God bless President Bush for the stand that he has made, and God bless the United States of America and those who defend it.

Mr. BURTON of Indiana. Mr. Speaker, I thank my colleague from California (Mr. ROHRBACHER).

I will now yield to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, being from Detroit, I am often able to watch CBC, and last night I was privileged to watch Albert Finney's performance as Winston Churchill in a movie called "The Gathering Storm." And perhaps it was his finest hour, the former prime minister's. When Hitler was rearming, he stood in front of the House of Commons and warned his own conservative party's government, led by Stanley Baldwin, that Hitler was indeed more than prepared for war; that he was arming to instigate a new one.

Churchill was thought insane at the time, because no one, coming off the horror of the millions killed in World War I, could believe that a European leader would seek to rekindle that tinderbox, certainly not a corporal of the German army who had been blinded by mustard gas in combat. Yet Churchill was proven right.

And when we apply these lessons to our own time, one of the first things we can realize is that sometimes the forest is so menacing, we choose to stare at the tree which shields us, until it is too late.

□ 2145

Our Nation is in a war on terror. In this war on terror, Iraq is a theatre. It is not a war unto itself, any more than FDR's much-maligned, at the time, strike into north Africa was a diversion from the war against Hitler.

What we have seen in our time is the preemption doctrine applied, and what I have not heard anyone say is that the pillar upon which this administration entered into the Iraqi theatre in the war on terror did not achieve its result. Saddam Hussein desired weapons of mass destruction. Saddam Hussein had contacts without apparent collaboration, but contacts nonetheless, with terrorist groups and was, in fact, shielding terrorists like Abu Nidal in Baghdad.

Since the United States engaged in hostilities against Iraq, we can be sure

of two things, the Saddam Hussein regime will never have weapons of mass destruction that can be used against the United States or its troops in the field, and the Saddam Hussein regime will never again have any contacts with any terrorist groups.

In some polls that are cited, we hear about people believing the link between al Qaeda and September 11; but one of the polls that I saw that was interesting was that about 70 percent of the American people realized that Saddam Hussein was a terrorist, and in the war on terror the states which sponsor terrorism are as much our enemies by enabling the terrorists, as the terrorists are our enemies themselves, for terrorist cells cannot exist without state sponsorship, without state support.

Now, put yourself in President Bush's position at the time post-September 11. You have seen reports from the past administration up through his present administration detailing contacts, "shadowy with terrorists," including bin Laden. You know that Saddam Hussein wants to engage a weapons of mass destruction program for their acquisition, and you say to yourself, what am I going to do?

The President of the United States in applying the preemption doctrine made sure, again, that two things would not happen: the Saddam Hussein regime would not have weapons of mass destruction, ever, and that they would no longer be able to even be considered for support as a terrorist haven.

Now, there were some important points brought up in the earlier debate, and I would be more than happy to come back tomorrow or at any time to assist to talk about some of those points with our colleagues on the other side of the aisle; but I find it fascinating some of the points.

Now, we are splitting hairs when we say that the contact between Iraq and al Qaeda in hindsight may not have appeared to have formed a collaboration. Yet, we cannot say whether they would or not. Now, to try to destroy that link or denigrate that link, we will hear that these contacts were meetings, but Iraq never responded.

Now, all of us here in the U.S. House have to get elected. Now, as politicians, put yourselves in an interesting position. Consider this: you are sitting around getting ready to run for re-election. An opponent you have defeated in the past is having coffee on a regular basis with the opponent running against you now. Do you say to yourself, well, I am sure they are just having pleasantries and this has absolutely nothing to do with me, and that while they be having contact, there is apparently no collaboration that they are out to get me? I highly doubt many of the people in this room would ascribe to the latter theory. If Saddam Hussein could, he would do anything to hurt the United States.

Now, why would bin Laden and his associates that are in captivity deny

any link with al Qaeda? Al Qaeda's premise, on a perverted facade of Islam, is to work with the secular Ba'athist regime under Saddam Hussein, but undermine its very credibility as it goes after Saudi Arabia and other regimes in that region.

Now, the ones in captivity like al-Anni that were referenced before, I would just caution everyone, do not take a terrorist at their word unless they say they are going to kill you, because whether in captivity or not, there is no incentive to prove any member of the United States' present administration was correct, and there is certainly no impetus for these people to undermine the very position, belie the very myth of al Qaeda as an Islamic group trying to liberate its people and lead them to a greater life in Islam. So I would caution against that.

I also would like to just reiterate something that I think is very troubling to me, that we hear many people saying that our ability to preemptively deal with the situation in Iraq has somehow hurt us internationally. I suppose there will always be those people who believe that when the United States has to defend itself that we will be hurting ourselves. This is mistaken.

In fact, many of these same people never credit the good will of the acts of the United States in the immunization of Iraqi children or the education of Iraqi children or the free speech and association that is occurring in Iraq today. I would argue that over the long term, these benefits to the United States are going to outweigh any short-term anger that the terrorist organizations may feel, because we are striking a blow at them in the heart of the terrorist network.

I also have not heard about how the regime change and reconstruction nexus that has been applied in Iraq has also led to the regime conversion and potential rehabilitation of the Libyan regime, which also not only in that regard shows what strength and resolve have done in Iraq.

I think that one of the things that has been missed when Qadhafi admitted he has a weapons program, he invited weapons inspectors in, who were then led to the labs or testing facilities of the Libyan Government. Some of the inspectors pointed out that they would never have found these unless they were shown. Dr. Kay, who I have much respect for, when I met with him in Baghdad did not say that we had weapons of mass destruction, to his credit. But he did say that Saddam Hussein and his regime were actively engaging in re-energizing to try to acquire them, especially chemical and biological, which could have been generated in 2 weeks to 2 months.

If we had trouble finding extant technologies for weapons production in Libya, even with the Libyans' assistance, it should come as no surprise that in Iraq we are having extreme difficulty finding not only the weapons of mass destruction, if they exist themselves, but the labs or the scientists

who were trying to accumulate them, because, as Dr. Kay pointed out, the trouble we have in Iraq is that many of the scientists whom we would go to to try to find this information are being killed or are frightened.

I eagerly await to see what the fruits of security once it is firmly established in Iraq will yield to us in terms of intelligence regarding the weapons program and its state; and if there were any weapons, where did they go once the scientists and others in the community that participated in these programs feel that they are free of the threat of assassination or other reprisals to themselves or their family for sharing this information with the United States of America.

In conclusion, I would like to add just one personal point. I will not condemn the Clinton administration for what it did not do prior to September 11, but I would hope that others would be slow to condemn the Bush administration for what it has done since September 11 in defending the interests of the United States. In many ways, I do understand what occurred under the Clinton administration. While I was not one who was swayed at the time, when we defeated European Communism, we saw books from left and right proclaiming to the United States that the end of history was here, that we had peace dividends, that our future was bright, that we could go on to the task of perfecting the American experiment in democracy by addressing internal problems, such as education, race relations, poverty, hunger, injustice; and on September 11 that was taken from us.

What was foisted upon us was an unsought struggle against extremists perverting the tenets of Islam. Our generation and all the generations have to face the fact that once again we are called to our historic duty to defend freedom and civilization from every would-be tyrant bent upon world domination. On September 11, we went from sorrow to anger. But it is fair for us to also feel frustration that a country as great as ours, that has offered the world so much, could be so lowly stricken and have to deal with this type of aggressor yet again. It is unfair, but it is here.

As I said at the beginning, it is a menacing forest; but the trees will not shield us from the truth any longer, and we must accept the fate that we now share and succeed and continue with our resolve in the overarching war on terror to do one thing: it is to kill the terrorists before they kill us, to kill the terrorists before they kill our children; and it is to win the war on terror in our lifetimes.

Mr. BURTON of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman from Indiana for yielding. I will also extend happy birthday to the gentleman from Indiana and thank him for putting together this hour this

evening. I think this is extremely helpful.

I, too, listened to the first hour of the debate from the other side, and I will not repeat everything that has been said here so eloquently tonight by the gentleman from California (Mr. ROHRBACHER), the gentleman from Indiana (Mr. BURTON), and the gentleman from Michigan (Mr. McCOTTER); but I want to go to one word that was spoken on the other side and that word was "misrepresentation," and it was used in the context of the Kay report.

This is an unclassified document. In fact, it is Mr. Kay's testimony before the Senate select committee last October. In that report, Mr. Kay says that Iraq's weapons of mass destruction programs spanned more than 2 decades, involved thousands of people, billions of dollars, and were elaborately shielded by security and deception operations that continued even beyond the end of Operation Iraqi Freedom.

Mr. Kay went on to say, we have discovered dozens of weapons-related program activities and significant amounts of equipment that Iraq has concealed from the United Nations during inspections. A list of these included a clandestine network of laboratories and safe houses within the Iraqi Intelligence Service that contained equipment subject to U.N. monitoring and suitable for conducting chemical and biological weapons research; a prison laboratory complex used in human testing of biological agents; reference strains of biological organisms concealed in a scientist's home, one of which can be used to produce biological weapons; new research on biological weapon applicable agents, Brucella and Congo Crimean Hemorrhagic Fever.

This is a viral illness that is very similar to the e-bola virus. We heard a lot of discussion last year about the smallpox virus, and truly smallpox is a frightening chemical agent because it is so infective. This organism is not only infective but its early detection can be easily confused with other illnesses such as the flu. People put into our midst who are suffering from smallpox would actually quickly become apparent because they look sick and they are covered with sores. Individuals with Congo Crimean Hemorrhagic Fever would look for all the world like someone suffering from a summer cold and could work a good deal of mischief in this country by infecting individuals going about their business.

In addition, they found documents and equipment hidden in scientists' homes that would have been useful in resuming uranium enrichment by centrifuge and electromagnetic isotope separation and a line of unmanned aerial vehicles not fully declared at an undeclared production facility.

Most people do not consider a missile a weapon of mass destruction, but when that missile has a range of 1,000 kilometers, and Iraq was expressly prohibited from having missiles beyond 150

kilometers, depending upon what you put in the warhead of that missile, that, Mr. Speaker, is a weapon of mass destruction and found by the Kay Iraqi survey group.

Finally, I will just sum up, as Dr. Kay himself did, deception and concealment were the watchwords of the Iraqi Government. You do not have those as your national priorities unless you have something to hide. Saddam, at least as judged by those scientists and other insiders who worked in his military-industrial programs, had not given up his aspirations and intentions to continue to acquire weapons of mass destruction.

Another term that we heard over on the other side was whether or not Saddam was involved in September 11. I do not know the answer to that question; but so much was stated as fact from the 9/11 Commission, the commission that is studying the events around 9/11. In today's Washington Times, and anyone is free to pick this up, it only costs a quarter, and read it for themselves: "Iraqi Officer an Al Qaeda Operative, Papers Show."

"There is at least one officer of Saddam's Fedayeen, a lieutenant colonel, who was a very prominent member of al Qaeda," said September 11 commission member and former Navy Secretary John Lehman. Although he stressed that the intelligence "still has to be confirmed," Mr. Lehman told NBC's "Meet the Press" on Sunday that the information came from "captured documents" shown to the panel after the September 11 Commission's staff report had been written.

What we heard quoted tonight was from that staff report; so I would just tell the American people, Mr. Speaker, that the final word has not been written from the 9/11 Commission, and I would caution people about coming to conclusions based on data that is incomplete.

Mr. Speaker, I know that time is somewhat at a premium, so I will wrap up; but President Clinton said in 1998 that Saddam had weapons of mass destruction, he had used them in the past and someday, some way, if you don't take them away from him, I guarantee you he will use them again.

□ 2200

Mr. Speaker, I have been to Iraq a couple of times, and this is not a picture that I took, but this picture was taken by a member of the Corps of Engineers down in my district, Mr. Doug Cox, who was in the town of Kirkuk, Iraq right after Operation Iraqi Freedom started, and actually he was with one of the forward groups. And this picture was on the wall of the airport there in Kirkuk, the military training base, and this picture was in a room where apparently there was some sort of training facility. There were a lot of pictures on the wall, and we one might relate it to some type of training facility we might have seen in this country, but these pictures were obviously used

for a purpose in training Iraqi military individuals.

If people cannot see it well on C-SPAN, let me just describe it. It shows an individual here, who has a tank and an airplane and a couple of missiles at his disposal, and he is aiming them at a country, the United States of America, or the USA, as is abbreviated there, and we see an individual standing there in a cowboy hat or a Pilgrim hat, and we see the crosshairs on this individual's chest. It does not take a great deal of imagination to guess what was being taught in that training exercise in this military installation in Kirkuk, Iraq.

And, finally, the gentleman from Indiana (Mr. BURTON) did such an eloquent job of talking about the times in the past that Saddam Hussein had used chemical weapons against his own people, and this was the true threat of Saddam Hussein. Yes, there are other countries that had perhaps helped terrorists in the past. Saddam Hussein was the only world leader who had ever used weapons of mass destruction in an offensive fashion, and that is what made him so dangerous. We have the proof from, as the gentleman pointed out, northern Iraq.

We also have the proof from our poor individuals, our poor soldiers in the first Gulf War who suffered from Gulf War Syndrome, and Gulf War Syndrome was a result of neurologic chemical agents. Individuals who were susceptible, who had a specific enzyme defect, who were exposed to low levels of those neurologic agents, then became susceptible to Gulf War Syndrome.

So it is not a point for discussion that Saddam had weapons of mass destruction. He clearly did. He used them offensively, and he clearly had designs on using them again.

Mr. BURTON of Indiana. Mr. Speaker, I thank my colleague from Texas for that very comprehensive talk.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentleman from Indiana for yielding to me.

There are some, both at home and abroad, who would have us believe that Abu Ghraib is the true face of this war, that the acts of a few troubled individuals represent our cause. I believe there is a dramatically different face, and I would like to describe it to the Members.

In a recent news story, Lt. Riley Sharon, an Army emergency room charge nurse from St. Cloud, Minnesota, a city I am proud to represent, and a fellow alumnus from St. John's University, tells of incidents at the Abu Ghraib prison when it came under attack from mortars fired by insurgents, killing scores of prisoners and wounding hundreds of detainees.

In one 4-hour period, insurgents killed 22 detainees and Lt. Sharbonno's group treated over 100 enemy detainee patients. At the time Sharbonno and his fellow soldiers were fighting to save

the lives of those who might have gladly taken theirs, they were under such heavy fire, they had to wear a Kevlar helmet and a bullet-proof vest.

As Lt. Sharbonno said, "I am unaware of any military in the history of war that has built an entire hospital for the exclusive treatment of enemy detainees or POWs. I don't understand the media's insistence on ignoring the atrocities committed by anti-coalition forces or the amazing things that the military has accomplished over here."

The brave work of the likes of Lt. Sharbonno is the real face of this war. This is the courage, compassion, and humanity of the American soldiers who fight for us all in this war on terror. Too little attention has been paid to their noble work and sacrifices. Too little attention has also been paid to recent successes in moving Iraq towards a democratic form of government.

The Iraqi Governing Council has shown some real initiative recently. They selected a president America supposedly did not want and a prime minister the UN did not want. But by showing independence, they now have more credibility amongst Iraqis and the international community. The Security Council approved of a new government by a unanimous 15-to-nothing vote. The new interim government got to work early, integrated the many independent militias so that they are now part of the solution, not a potential problem, and reorganized Iraqi security forces. Al Sadr is now trying to be a political force rather than a leader of a rebellious militia.

There is no doubt that there will be further bumps in the road on the way to an elected government, but there can also be no doubt that significant progress has been made.

And then we look at the actions of our enemies. If there is any remaining doubt that this is truly a war between good and evil, it should be gone. One can have no doubt at the depths of the enemies will or hatred when we are forced to confront the atrocities committed against Nick Berg and Paul Johnson.

The insurgents attack oil pipelines, a source of hope for the Iraqi people. What is the point in this? Since the liberation of Iraq, the wealth of her natural resources is hers again. An Iraqi-led Oil Ministry controls the pipeline with revenues going to the Iraqi treasury. Iraqi officials disburse the profits for the benefit of Iraqis.

With the fall of the dictator's regime, the money no longer goes to encourage hopeless and desperate Palestinian use to kill themselves while they murder innocent. The revenues no longer subsidize a megalomaniac's architectural fantasies in the form of grandiose palaces. It no longer subsidizes the sadistic whims of the dictator's sons.

The revenue from Iraqi oil are a chance for the Iraqi people to use their own natural resources to educate Iraqi children, to build an Iraqi health care

system, an infrastructure, and a strong Iraqi economy.

Mr. Speaker, the important question we should ask ourselves is why are the terrorists so desperate? Why are they willing to commit so many inhumane acts not just against Americans, but against the Iraqi people as well? The terrorist leader Zarqawi's memo to Al Qaeda's leader, Osama bin Laden, in that we find the explanation for their desperation.

When pleading for bin Laden's assistance in the Iraqi insurgency, Zarqawi makes clear that his insurgency has failed to engender support within the country. Zarqawi also acknowledges that they have been unable to scare Americans into leaving, having been disabused of the idea that he had earlier professed that Americans were "the biggest cowards that God has created." We have certainly proved him wrong. He believes that the insurgents might be able to win if they are able to kill enough Shiites so that the Shiites will attack the Sunni minority, that by creating such turmoil, there will be a civil war. They clearly understand what is at stake, the terrorists do. I hope we do.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for that eloquent statement.

Let me say that the gentleman from California (Mr. ROHRBACHER) will be going into detail in just a few minutes about the reasons why 9-11 occurred.

And let me say one more thing, Mr. Speaker, and that is if we had had foresight that Winston Churchill had prior to World War II, we would have saved 50 million lives. President Bush has that foresight, and he is doing the right thing right now.

Ms. ROS-LEHTINEN. Mr. Speaker, on June 30th, Iraq will assume control of its own destiny. Iraq will enter the post-Saddam era with the hope of the world resting upon them. No longer will the Iraqi people be subjected to a climate of fear and desperation. Saddam's murderous, thieving cronies have been removed. Uday and Qusay's henchmen likewise, will no longer be free to roam the streets, terrorizing their people.

The challenge now for the Iraqi people and their new government is to set their future on a course for open thought, popular choice of their leaders, and freedom of action in which to conduct their lives and their futures.

The Iraqi people must understand that, with this new-found freedom comes responsibility—a responsibility to remember the interests of all Iraqis. Each and every Iraqi has a stake in that nation's future and now with our transfer of sovereignty to them, that stake can be fully realized.

We are thrilled to have played a role in empowering the Iraqi people and supporting them in their efforts to rebuild their country, after decades of corruption and oppression. They have the opportunity to make their nation a shining light for all to see, not only in the Middle East, but around the world. A nation filled with talent beyond imagination, Iraq can create a climate of freedom and opportunity for others to emulate.

Problems have arisen. Yet, we must all acknowledge that this opportunity could not have

happened without the brave men and women of the United States military. Through their courage, commitment and sacrifice, we have managed to free an enslaved people. We have brought down a tyrant who killed as many as one million of his own people.

And thus, history will record that the United States brought a beacon of light and hope to a people who had only known misery, suffering, and brutality under Saddam Hussein. The future will judge us to have done right for the Iraqi people and for our nation.

We are, however, not naive about the challenges that lie ahead. Freedom and democracy take time and hard work. They take vigilance and dedication to truth and a commitment to justice. These are things that come with patience. The terrorists want to deprive the Iraqi people of their future. But Iraq can and will prevail.

Iraq's chance is now. Let us stand by the Iraqi people as they struggle to enjoy those rights and liberties that they denied for so long. Let us be motivated by the knowledge that we have helped make the world a better place for the Iraqi people and for all.

As our beloved former President, Ronald Wilson Reagan, would say: "You and I have a rendezvous with destiny . . . If we fail, at least let our children and our children's children say of us we justified our brief moment here. We did all that could be done."

Mr. SMITH of New Jersey. Mr. Speaker, ten days from today, on Wednesday, June 30, 2004, a historic day will occur in the cradle of civilization: the Coalition Provisional Authority (CPA) will formally transfer power and sovereignty to an Iraqi Interim Government (IIG). We are ten days to sovereignty.

This step will be the most dramatic to date in a series of planned moves towards more democratic and representative government in Iraq. Since the elimination of the brutal Hussein regime, which terrorized and abused the Iraqi people for decades, significant changes have taken place, helping to put the country on a path to democracy, respect for human rights and economic prosperity.

About 33,000 secondary school teachers and 3,000 supervisors have been trained as part of an effort to upgrade the quality of education and level of learning in Iraq. Nearly 2,000 schools have been rehabilitated and an additional 1,200 schools are expected to be completed by the end of the year. New textbooks are also being developed and utilized. No more government mandates for indoctrinating, inciting hatred or demonizing Americans, the West, or Jewish people through the use of school books.

Last month, the first of several planned sewer treatment plants came online, ushering in a new era of sanitation and public health in an area rife with disease. On the technology side, the total number of telephone subscribers in Iraq is now over 1.2 million, which includes 429,000 cell phone subscribers—representing a 45% improvement above pre-war levels.

And, Iraqis want to be the business leaders in their new country. Already, 2,500 micro-credit clients have applied and received small business loans to help them build a free economy with robust industry. It is important to note that inflation is dropping, and the New Iraqi Dinar has been stable for the three months since its introduction.

This progress has not come without great cost and sacrifice. Thousands of American

families have lost irreplaceable time with their loved ones as they serve the cause of freedom in Iraq. Some American heroes have not and will not return home. We mourn their loss. For those who served, a grateful Nation must ensure those returning get world class healthcare and the compensation to which they are entitled.

After June 30th, other milestones will be marked. Democratically held elections will be conducted in January 2005 to create a National Assembly. This representative body will craft a permanent constitution to strengthen and replace the transitional administrative law (TAL). The Iraqi people will then vote up or down in a national referendum for or against their own constitution. By the end of 2005, if all goes according to plan, the first democratically elected Iraqi government in history will take office.

President Bush put it very succinctly during his speech before the Army War College, when he said: "The rise of a free and self-governing Iraq will deny terrorists a base of operation, discredit their narrow ideology, and give momentum to reformers across the region. This will be a decisive blow to terrorism at the heart of its power, and a victory for the security of America and the civilized world."

The people in Iraq—like people everywhere—want to live free. And among the many reasons why democracy has a chance to succeed in Iraq—although success is not assured—is because the United States is not in Iraq as an imperial power. We do not seek to permanently occupy Iraq. Far from it. Our mission is clear: to liberate Iraq from tyranny. Thus, it is absolutely at the heart of America's interests to see Iraq's new sovereign government succeed in establishing law and order in a just and democratic manner.

Iraqis are a justifiably proud people with an ancient and rich history and culture. Like many other people, they are patriotic and do not like to see their country occupied by any foreign power, no matter how ostensibly helpful they try to be. The Germans and Japanese were undoubtedly relieved when the Allies formally returned sovereignty to their people.

Although U.S. troops remained in each country in large numbers for decades, the former Axis nations truly thrived only after it became clear to the great majority of people that they faced a choice: they could either roll up their sleeves and get to work rebuilding their war-torn nation, or they could look backwards and remain in a miserable state.

Today, Iraqis essentially face the same choice. If they keep focused on the task at hand—rebuilding their shattered country's infrastructure and creating jobs—they too can create an economic boom similar to that experienced by Japan and Germany.

We must not forget that rebuilding Germany, Japan, Italy after World War II was not easy. Democratic traditions take time to set roots. Italy's political system was not stable throughout almost the entirety of the Cold War. Japan essentially had one-party rule until recently. All three nations faced many upheavals and set backs along the way. But like the three defeated Axis powers, Iraq will also have the benefit of extensive international economic and financial assistance in rebuilding.

Unlike an imperial power, when a nation is militarily liberated by the United States, we are willing to put our resources, technologies and willpower to work for democracy.

Our enemies are well aware that the return of real and meaningful sovereignty to Iraqis will undercut one of their chief recruiting justifications—the occupation. That is why we have seen a decrease in terrorist attacks against U.S. and Coalition troops, and more of a focus against foreign contractor personnel and Iraqis involved in their new government.

The terrorists are increasingly targeting new regime officials, police recruiting stations, and personnel involved in development programs. The terrorists and insurgents understand—perhaps better than the U.S. news media—that if the new Interim Iraqi Government headed by Prime Minister Ayad Allawi and President Sheikh Ghazi Al-Yawar succeeds, the terrorists will be defeated.

If Iraqis establish enough basic security to allow for the systematic rebuilding of Iraq's destroyed infrastructure, and commerce and prosperity return to Iraq, the moral swamps from which disaffected young Iraqi men are recruited by insurgents, will dry up. And as democratic traditions and tolerance begin to take root, and the social and economic status of women are uplifted, the appeal of radical misinterpretations of Islam will also diminish.

It is not an accident that Wahabbism and other forms of militant Islam flourish in conditions of chaos, in failed states, in places of misery and suffering, and in communities where women are seen as less than second class citizens. Our task in Iraq is to make sure these conditions never return, and are instead replaced by prosperity, freedom, and tolerance.

When, over time, democracy takes hold in Iraq, other Muslims throughout the region will be able to use the experience of Iraq to refute the arguments of repressive regimes in the Muslim world who justify their corrupt and brutal regimes by saying that there is no other way.

But there is another way. A better way. We need to stick by the side of those brave Iraqis who want to create a free, open and democratic society in Iraq and are willing to risk their lives in order to do it.

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

#### THE MIDDLE-CLASS SQUEEZE

The SPEAKER pro tempore (Mr. GERLACH). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 55 minutes, which is half the time that remains from now to midnight.

Mr. PALLONE. Mr. Speaker, I do not intend to use all the time, but I did want to spend my time this evening talking about what has been referred to in recent weeks as "the middle-class squeeze," basically an effort to point out how Republican policies, both at the presidential level and the congressional level, have made it more and more difficult for the middle class in the United States to get through the day or get through the year, despite Republican claims that the economy is getting better, that jobs are being created. The reality is that more and more people find it difficult to make ends meet.

Mr. Speaker, when President Bush took office, he inherited a \$236 billion

budget surplus, an economy that had created 22 million jobs over 8 years, and lowered poverty levels to their lowest rate in 20 years. Four years later, today, 8.2 million Americans are looking for work, unemployment is 30 percent higher, 1.9 million private sector jobs and 2.7 million manufacturing jobs have been lost, and the average household income has decreased by almost \$1,500.

However, recent statements by the Bush administration and my Republican colleagues in Congress are beginning to paint an increasingly cheery picture about our economy. Every day my Republican colleagues come to the House floor here touting a number of new jobs that are being created each month. They talk about how the stock market is on the rise and how our economy is beginning to rebound.

But despite this sunny economic forecast from the Bush administration, it seems that the American people simply do not agree. Recent polls show that fewer Americans than at the start of the year are willing to say that our economy is improving. In fact, the President's economic approval numbers are at the lowest level of his presidency.

So what is it that the American people know that the Republicans do not seem to know? And the answer is very simple, and that is that rising job numbers tell only part of the economic story. What the Republicans are not telling the American people is that about 90 percent of the new jobs that they are boasting about pay an average hourly wage that is less than the national average. What they are not telling the American people is that those lower-paying jobs are less likely to include health care coverage.

And what they are not telling the American people is that middle-class Americans are being squeezed by Republican policies that have allowed the price of health care, education, and gas to skyrocket and created record deficits. Essentially what they are not telling the American people is that they are paying the price, the middle class is paying the price, of the Bush administration and Republican policies here in the Congress.

When I talk to people in my district in New Jersey, Mr. Speaker, they are not telling me about how great our economy is doing or rejoicing about the number of new jobs being created. When I talk to these residents of my district, they are more likely to tell me about the explosion of health care and education costs. For those who did not lose their jobs during the economic slump, they are more likely to tell me about how they have watched the wages stagnate over the last few years or about how their son or daughter's college tuition keeps going up or that they are having to rely more on credit cards to make ends meet.

Let me talk a little bit, Mr. Speaker, about wages, and again refute some of the comments that are being made by

my Republican colleagues on the other side. When Republicans talk about all the new jobs being created, notice that they are not mentioning what kinds of jobs they are creating or how well those jobs are paying. As I mentioned earlier, 90 percent of the new jobs created since August of 2003, I guess about 10 months ago, are in industries that pay an average hourly wage that is less than the national average. About 1.3 million of the jobs created are in service sector industries with an average wage of \$15.42 an hour, 40 cents less than the national average, and 195,000 of these jobs are temporary jobs.

Approximately 580,000 of these jobs were in low-paying domestic industries that could not be outsourced, and I use as examples wait staff in restaurants and bars and retail workers, things that cannot be outsourced to other countries. Over 235,000 of the new jobs created since August of last year pay an average hourly wage that is over 40 percent less than the national average, and more than 148,000 pay 20 percent less. And if I could use my home State of New Jersey as an example, Mr. Speaker, the new jobs being created pay \$21,551 less than the jobs recently lost in my home State.

Let me talk a little bit about rising health costs because that is one of the issues that my constituents talk about the most, the cost, the rising cost of health care.

□ 2215

These new jobs that the Republicans talk about not only pay less than jobs being lost, they are less likely to have health benefits.

In my home State, using New Jersey again as an example, there has been an 11 percent drop in the number of jobs offering health insurance. Nationwide, 43 million Americans have no health insurance, including 1.19 million in New Jersey; and millions more are underinsured. Underinsured means they may have health care part of the year, but not the whole year.

Mr. Speaker, for those workers that do have health insurance, they are watching their health insurance premiums skyrocket. Health care costs increased by 13.9 percent nationwide last year, the third year in a row of double-digit increases and the largest increase since 1990.

Let us go back to my home State of New Jersey again. In New Jersey, health insurance premiums have increased by 52 percent since the beginning of the Bush administration. Nationally, the increase in family health insurance premiums over the last 3 years has tripled the amount of the tax cut that the Bush administration talks about going to middle-income families over 4 years.

I would like to talk a little bit about rising education costs, because after health care, that is the issue that my constituents talk about the most. So far, we have covered wages and health insurance, but that is only half of it.

For those families with a son or daughter in college who have to face these rising education costs, the future does not look good, and in the last 4 years have not looked good.

In my home State of New Jersey, the cost of a college education has increased by 36 percent since the beginning of the Bush administration. Nationwide, tuition has increased 30 percent. Crunched State education budgets means that an estimated 250,000 college-qualified students were shut out of higher education in the fall of 2003 due to rising tuition or cutbacks in admissions and course offerings. These kids were simply shut out. They could not even go to school, primarily because of the cost.

Now, Mr. Speaker, as tuition rises, student loan debt continues to soar. Between 1997 and 2002, the typical undergraduate's debt rose 66 percent, to \$18,900; and more than one-quarter of today's 14 million undergraduate students will incur more than \$25,000 in debt to earn a degree.

Yet if you listen to my Republican colleagues on the other side, they have introduced legislation blocking student borrowers from locking in low fixed interest rates on their loans. That would mean the typical student borrower would pay an additional \$5,500 for their college loans, according to the non-partisan Congressional Research Service. The same Republican bill raises student loan interest rates. As a result, student borrowers will pay hundreds, even thousands, of dollars more for their loans.

Meanwhile, President Bush has failed to live up to a campaign promise to raise the depressed value of the maximum Pell grant to \$5,100. This was a promise he made during the campaign. This is the largest student grant program for low income students. He promised to raise it; but his 2005 budget would raise, instead, taxes on students, again, taking out college loans, forcing them to pay an additional \$3.8 billion over the next 10 years. So he is making it more difficult for kids to pay for their college education after he promised that he would basically increase the value of Pell grants.

Now let me talk about an issue that everybody is talking about. Again, I have to say that I hear more about health care costs and education than even gas prices, but obviously rising gas prices are a major issue.

Since the start of the Bush administration, the cost of gas has increased 48 percent, a simple statistic. In recent months, gasoline prices have increased rapidly in my home State. Just last week, the state wide average price of a gallon of regular in New Jersey was \$2. Compared to the prices at the beginning of the Bush administration, this represents an increase of 65 cents per gallon, a 48 percent increase.

Last week, the House Republicans scheduled votes on a series of energy proposals they marketed as a response to higher gas prices. But why is it that

none of the Republican bills address the consolidation of oil companies, something the U.S. Government Accounting Office has identified as one of the most significant factors affecting gas prices?

You see, the top 10 oil refiners control 78 percent of our oil supply. That is 22 percent higher than a decade ago. Coincidentally, some of these companies have reported record profits in the first quarter of this year. If Republicans were really concerned about doing something about gas prices, they would have joined me and 52 of my Democratic colleagues in calling last week for an investigation to determine whether gas companies are purposefully inflating prices at the pump.

I believe, Mr. Speaker, that the American people deserve to know if these record profits are a result of a coordinated effort by the oil and gas companies to inflate prices.

Mr. Speaker, I just wanted to say, I think it all comes down to this: Yes, the economy is beginning to create new jobs, but it is creating the wrong kinds of jobs. The jobs that are being created are lower paying and are less likely to offer health insurance. For those people that have health insurance, premiums and health care costs are skyrocketing.

When you combine all that with rising education costs and gas prices, and take into account that the Bush administration and Congress have passed \$1 trillion tax cuts that mostly benefit the wealthy and pursued a variety of policies that hurt workers and their families, together, all of these factors answer the question of why the American people are not feeling very positive about our economy.

What Republicans cannot seem to realize is that when they talk about how the economy is improving, the American people know they are only being told half the story.

Mr. Speaker, I am not going to spend the whole time, but I just wanted to go into four issues again, or four areas, where what is characterized, I use the term middle-class squeeze, and I know a number of my colleagues and some of the media commentators are talking about the problem in the same way, the so-called middle-class squeeze. I wanted to talk about four issues again in a little more detail where you can see this squeeze.

One is paychecks; second is education; third is prices at the pump; and, lastly, is the debt burden, which I think ultimately is going to be the biggest problem that we face, not only as a government but also individuals and their households.

I talked a little bit about paychecks and workers feeling the squeeze. Declining real wages are putting the squeeze on middle-class Americans. Meanwhile, tax policies, Republican tax policies, shower huge benefits on the wealthiest 5 percent of taxpayers, and corporate profits have soared.

Middle-class Americans are noticing their paychecks do not stretch as far as

they used to; and yet some economists in the Bush administration insist that the economy is recovering, leaving most Americans to wonder what has happened to the better wages that should have come with this so-called recovery. The short answer is that these wages have essentially, Mr. Speaker, gone to corporate profits, to CEO pay and to tax cuts that reward wealth and not work.

In the last 3 months, average wages in the United States increased at an annual rate of just 2.2 percent, and the last two consecutive quarters have seen the slowest wage growth for any 6-month period on record. Meanwhile, over the last 3 months, the inflation rate was 3.9 percent. So if you think about it, that essentially means during the most recent stage of this so-called economic recovery that the Republicans boast about, most American workers actually took a pay cut.

This pay cut has taken place amid continued gains in worker productivity. So the workers are being more productive. The amount that the workers produce in an hour, obviously, is productivity. If middle-class workers are performing so well and if their hard work is paying off and making the economy grow, then why are their wages falling?

Middle-class Americans are getting squeezed by their employers and by government policies. Since March of 2001, corporate profits skyrocketed by 57.5 percent, while wages and salaries decreased by 1.7 percent. American companies raked in an enviable \$1 trillion in profit in the last 3 months of 2003 alone; but even while profits soared, companies froze pay. Now, they were not freezing the pay for the top executives; they were freezing it for the little guy, for the middle-class worker.

Again, these are the Republican policies. We have a Republican President; Republicans are in the majority in both Houses of Congress.

What is essentially happening is the Republican policies are making matters worse, shifting the tax burden from wealth to work; taxes on wages now average almost 24 percent; taxes on income from investments like stocks and bonds average less than 10 percent. That is why the stock market is soaring.

On top of that, President Bush's \$1 trillion tax cuts for the wealthiest Americans have helped to create a budget-busting record deficit of over \$500 billion, which adds to the burden on middle-class families through future debt repayments, rising interest rates, and a scarcity of Federal funds to help alleviate rising college and health care costs.

Now, I know that the debt issue is not one that a lot of people pay attention to; but, again, as I said, Mr. Speaker, I think ultimately that is going to cause the biggest problem for the middle class and this squeeze when this debt has to be paid off.

I mentioned education before, and I want to talk about that again in the context of the so-called middle-class squeeze.

Families are struggling to pay for the high-quality college education necessary to succeed in the 21st century. Between the weak national economy and shrinking State budgets, students and their families face rising college costs, while the Federal programs to help them are being undermined by Republican policies and the Bush policies here in Washington.

The cost of college is skyrocketing, and families are paying the price. The U.S. Department of Education tells us that tuition at 4-year public colleges has increased by almost 30 percent by 2001. As tuition rises, student loan rates continue to soar. Again, the debt issue.

Between 1997 and 2002, the typical undergraduate's debt rose 66 percent to \$18,900, and more than one-quarter of today's 14 million undergraduate students will incur more than \$25,000 in debt to earn a degree. Meanwhile, President Bush has failed to live up, as I said, to his promise to increase the Pell grants, and I talked about how his budget would raise taxes on students taking out college loans. I do not want to repeat that.

But clearly, these Republican policies are failing to make college more affordable for middle-class families. Just as they pay for Bush's \$1 trillion tax cut for the wealthiest Americans, middle-class families are finding they are being squeezed when it comes to a college education too.

I talked before, Mr. Speaker, about prices at the pump; and now I would like to just elaborate a little bit on the middle-class squeeze as it relates to prices at the pump. I refer to it as the Bush gas tax.

After 3 months of record-high gas prices, middle-class families are feeling squeezed by prices at the pump. Experts agree that high gas prices are the equivalent of a tax on consumers, wiping out any benefits of the Bush tax for middle-class families. That is why we call it the Bush gas tax.

After 3 months of record-high gas prices across the country, the average cost of a gallon of gasoline is now \$2.10, the highest average on record in dollar terms. Skyrocketing gas prices are a tax on middle-class families that are taking money out of their pockets each time they fill up at the pump.

According to Fortune magazine, gas price increases since the beginning of the year have cost American consumers \$55 billion, much more than the \$15 billion to \$20 billion middle-class consumers got from the Bush tax cuts this April. Already families are feeling the pinch, the middle-class squeeze.

The summer driving season began a few weeks ago, but has not gotten to its highest pitch; that will be the next week or so over the July 4th weekend. A recent National Retail Federation survey found that nearly 20 percent of

families with annual incomes below \$50,000 reported that they had to cut back on grocery spending due to higher gas prices. Among families earning over \$50,000 a year, more than one-quarter reported that they had to cut back on travel, and 15 percent spent less on clothing for their families.

This is real. Gas prices go up, you do not buy as many groceries, you do not buy as many clothes, certainly you do not travel as much or go on vacation.

Rising gas prices translated into the higher prices on consumer goods and services across the board, further squeezing family budgets by ratcheting up the costs of grocery, travel, and countless manufactured goods.

When he was running for office, President Bush, then when he was running as a candidate, promised in 2000 to jawbone OPEC if elected President to keep oil prices down. But there is no evidence he has fought for lower oil prices, and it is clear he has no plan for lower gas prices. The Bush Republican energy bill, which is stalled in Congress, would only increase gas prices, according to the administration's estimates.

The last thing I want to mention before I conclude, Mr. Speaker, is about the debt burden, because I think that ultimately this is the biggest problem that the middle-class faces and the biggest example of the squeeze.

The debt burden is not only the debt that they incur themselves for their household, but also the debt that Republican policies here in Congress are incurring for the Nation, which ultimately have to be paid, primarily by the middle class, because they pay most of the taxes.

Again, America is awash in debt. Typical household debt in 2003 equaled more than 105 percent of disposable income for the average family. That is incredible. I am going to repeat it. Typical household debt last year equaled more than 105 percent of disposable income for the average family.

The government, as I said, has a debt problem too. President Bush's fiscal policies have racked up the largest budget deficit ever, putting an added debt tax on middle-class families. Keep in mind, that debt has to be paid back; and the average worker is paying it back, not the wealthy guy. With interest rates likely to rise, the debt will put an added squeeze on the middle class.

Let me just talk about the various types of debt that we are facing. Housing debt, first of all. The ratio of debt to home equity is at a record high of 45.4 percent. According to the Center For Economic and Policy Research, it has typically been close to 30 percent.

The ratio of debt payments and other financial obligations, like car lease payments and rent, to disposable income is at a record high of nearly one-third for renters. Ten years ago it was just under one quarter, according to the Center For Economic and Policy Research.

□ 2230

Education debt, talked about that already, parents and students are also taking on an increasing level of debt to pay exploding costs since 2001.

Then credit card debt, this is the biggest problem. Every month tens of thousands of unemployed workers are exhausting their unemployment benefits nationwide. Millions more work in jobs that do not pay enough to make ends meet or have not seen their earnings keep pace with inflation. Without a decent paycheck or unemployment assistance, many of these workers take on debt like credit cards to meet their basic needs.

Today the average credit card debt among American households is \$8,000. Credit cards help families cover the gap in earnings when a family person is out of work, but the slow wage growth and long term unemployment makes it difficult to payoff that debt. Essentially that credit card debt that the average person is taking on is the same thing that the Federal Government is doing when they go into debt.

Republican policies are sending the Federal Government's own budget deficit into the stratosphere. The deficit is now estimated at \$5.6 trillion over 10 years, which works out to \$4,392 debt tax per family of four this year. That is how much they are paying, the average family of four is paying to the Federal Government in income taxes. It ends up being used just to pay off the Federal debt.

In a particularly vicious circle the deficit will put pressure on interest rates making it even harder for American families to meet many of their debt obligations and, worse yet, future generations must pay for today's irresponsible fiscal policies. I know that a lot of people do not pay attention to it. But ultimately that is what is going to happen.

Right now short term interest rates are low. Over the long term, because of the Federal deficit and the increase in the deficit that has been incurred by Republican policies, interest rates, long-term interest rates will go up. The majority of this is going to be paid back by middle-class households. So over the long term, the burden on the middle-class, the middle class squeeze from the Federal deficit becomes greater and greater with Republican fiscal policies.

I am not going to get into it all, but obviously, the Democrats have been very critical of this. A few years ago, I remember coming down to the floor when I was first elected back in 1988 and most of the people that were getting up and talking about the problems of the Federal deficit were Republicans.

I specifically remember that there were a group of Republicans that would come down every night in the late 1980s and early 1990s with a clock. The pages would bring out this clock on the floor of the House of Representatives. It practically ran the whole width of the

platform here. It would show how the Federal deficit was going up.

We finally put an end to that on a bipartisan basis frankly in the mid 1990s when we passed the Balanced Budget Act. But ever since President Bush came into office and the Republicans had the majority here, in the House and in the other body, collectively with the President, their fiscal policies have simply run up the debt again.

I wish I could get some of those Republicans now to come down and talk about the Federal deficit. And maybe I will bring out that clock myself one night just to show how the Federal debt continues to rise. But, again, it is not the debt, per se, that bothers me, but the impact on the middle-class.

The average American is going to have to pay back that debt. They are already being squeezed enough with the higher gas prices health care costs, education costs, without having to worry about the increased costs of the debt they are going to have to pay in the future generations.

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

#### 9/11 REPRESENTED A DRAMATIC FAILURE OF POLICY AND PEOPLE

The SPEAKER pro tempore (Mr. GERLACH). Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROHRABACHER. Mr. Speaker, the American people need to know that the 9/11 terrorist attack on New York and Washington D.C. was not predestined nor was it unavoidable. Unfortunately, the commission investigating 9/11 seems uncomfortable with fixing responsibility, branding such attempts at accountability as the blame game or pointing fingers, or so some of them said, early on in their hearings.

So instead of looking for policies that were dead wrong or people who were incompetent, we have heard about all glitches in the system, about a lack of communication, a lack of a shared database. So expect recommendations from this commission and this task force to be consistent with this thinking. Changes will be suggested in flow charts, organizational restructuring, and, of course, you can expect them to recommend the creation of a new central authority and intelligence czar.

Sorry. 9/11 represented a dramatic failure of policy and people. A number of insane policies led to the creation of the hostile radical Islamic movement we face today. Policies that enabled weird, feudalistic religious zealots to become a major threat to the Western world, and especially to the people of the United States.

Yes, the origins of this frightening reality go back a ways. In the 1980s, for example, the CIA permitted Pakistan to channel America's support to those Afghans who were fighting against the Soviet troops who were occupying their

country. Much of that support that we were giving the Afghan freedom fighters ended up in the hands of Pakistan's favorite Muslim fanatics Golbadin Hekmatyar, a fiend who, in his college days, threw acid in the face of young women who refused to cover themselves totally with a burka.

During the war, I hiked into the Afghanistan, that is the war against the Soviet's occupation of Afghanistan, I hiked into Afghanistan with a small mujahadeen infantry unit. On our way to the south of Jalalabad, which was the last major battle in which Soviet troops fought in that war, we came across an encampment of Saudi volunteers. In stark contrast to the spartan living conditions of the Afghan fighters, this camp site was complete with large safari-style tents, cots and even SUVs. I was told not to speak English because the Saudi crazy man who led this bunch would rather kill Americans than Soviet troops. His name, you guessed it, was Osama bin Laden.

So by the end of the 1980s the presence of a potentially dangerous whack element in Afghanistan was well known. And contrary to leftist cliches, the roots of our current terrorist problem lie not in the support that we gave the Afghan people in their gallant fight against Soviet occupation, but in America's willingness to let Pakistan distribute war supplies and our unconscionable decision after the retreat of the Soviet Army to walk away ourselves and to leave the poor and wounded Afghans to live in the rubble and suffering and to leave them there in their own history.

Milton Bearden, a senior CIA officer who oversaw American support, has suggested that his job was beating the Soviets and that he should not have been expected to keep our weapons and our support out of the hands of those who might pose a long-term threat to the United States. Nonsense. Put this man, the head of the CIA operation overseeing our aid to the mujahadeen, put him, the CIA officer, Milton Bearden, on the list of people who helped bring about 9/11.

I can assure you that complaints were made at the highest level about America's support ending up in the hands of these crazies. I personally made such protests while I was working in the Reagan White House.

Furthermore, it was a policy decision that let Pakistan distribute our supplies and it was wrong. To fix responsibility on this one, I look to the list of senior foreign service officers at our embassy in Islamabad in the 1980s and 1990s. Up to this day, there are State Department geniuses who still tow the Pakistani line, who still seem unable to call Pakistan to task for its transgressions of omission and commission. These State Department pros who ran our policy from Islamabad, Pakistan, in the 1980s and 1990s, these are the ones who also helped give us 9/11. Look at the list of the people who worked there.

Furthermore, it was a policy decision to walk away and abandon our Afghan allies even after psychopathic killers like Golbadin Hekmatyar rose up as the Soviets departed. President Bush, father of our current President, has to accept a lion's share of the blame for this cowardly, arrogant, and selfish policy. There would be no Marshall Plan for Afghanistan nor anything else because, like during the war itself, we left post-war reconstruction and assistance up to the Saudis and up to the Pakistanis, which was, again, another indefensible policy decision. These countries predictably had their own agenda which included the creation of a radical Islamic state in Afghanistan.

The Saudis and the Pakistanis were not upset that the violent extremists were so well armed. The Saudis and the Pakistanis supported the arming of these violent extremists. Predictably, what followed was a period of havoc and bloodshed. Hekmatyar Golbadin peppered Kabul with American rockets that were stockpiled during the Soviet occupation. Well, thank you, Mr. Bearden.

There was a way out of this, of course. We did not need to have our support going to the radicals who hate us and hate our way of life. Instead, there was the king of Afghanistan who had been exiled in Rome for many years he was able and willing to return. King Zahir Shah was, and is, the most beloved man in Afghanistan, a pro-Western force for stability, a moderate Muslim.

Instead, our State Department opted to have the creation of a third force, this new force to be made up of religious fanatics educated in the madrases, the so-called schools that were in Pakistan, schools that were financed and built by the Saudis but taught nothing but hatred towards the west.

I pleaded with Saudi intelligence chief Prince Turki to at least give the old King Zahir Shah a chance to lead an interim government. No way. Again, our State Department let the Saudis and the Pakistanis take the lead rather than having us lead them. Rather than go with a pro-Western alternative we ended up supporting the Taliban, the creation of the Taliban as a means to bring stability to Afghanistan. And make no mistake about it, the Taliban's ascent to power as well as their ability to stay in power was a Clinton administration policy decision promoted by professionals in our State Department.

Let me just note that I fought that every step of the way, trying to push to get the king of Afghanistan Zahir Shah recognized as a moderate alternative. Unfortunately, once the Taliban came to power, yes, I gave them the benefit of the doubt for about 2 weeks before it was quite evident that our worst fears would be recognized and would come to reality under the Taliban.

Again, who to put on the list of those who blame for 9/11? The policy of the

State Department and the Clinton administration in collusion with the Saudis and the Pakistanis to create and support the Taliban control of Afghanistan, there is a huge cause of 9/11. They obviously did not learn, the Saudis and the Pakistanis and our own people, did not learn a thing from the horror that they created by backing Islamic fanatics like Hekmatyar Golbadin, and instead, went with the Taliban over the moderate alternative of the king.

Of course, our government's support for the Taliban was never publicly acknowledged. But for those of us engaged in that region, and there are darn few of us that were engaged in that region after the Soviets left, it was clear what our policy was.

But what is more poignant is the Afghan system believed the Americans were behind the Taliban. Why should they not? Our aid was channeled disproportionately through the Taliban controlled areas. I remember trying to clear the way for a shipment, private shipment of humanitarian relief for a non-Taliban area in northern Afghanistan only to be blocked by assistant Secretary of State Rick Inderfurth.

If there was any doubt about my suspicions, they were laid to rest and my suspicions were confirmed in 1997 when high level executives from the Clinton administration saved the Taliban from total defeat and extinction. This is long after it was clear what type of regime the Taliban had, the Nazi-like fanatics that they were.

What happened was this: In April of 1997 the Taliban launched a major offensive aimed at taking control over the northern third of Afghanistan, which to that point had remained free and under the control of regional leaders who were commonly referred to as warlords.

□ 2245

One of those regional leaders, General Malick, tricked the Taliban and managed to capture almost all of their frontline troops, along with most of their heavy weaponry. It was an utter disaster for the Taliban. The road to the capital, Kabul, was wide open. The Taliban were totally vulnerable and could have easily been wiped out.

I sent a message to Commander Masood and to others that Kabul should be liberated and that the King should be brought back to oversee a transition government, which then would hopefully evolve into a democratically elected government, perhaps like what happened in Spain where the King returned and it evolved into a democratic government; but before the anti-Taliban forces could strike, Assistant Secretary of State Rick Inderfurth and American U.N. Ambassador Bill Richardson flew to northern Afghanistan and convinced the anti-Taliban leadership that this was not the time for an offensive. Instead, they insisted this was the time for a ceasefire and an arms embargo.

This clearly was a statement of U.S. policy. Two top foreign policy leaders in the Clinton administration flew to northern Afghanistan to convince the anti-Taliban forces not to take advantage of their one opportunity to soundly defeat and, thus eliminate, this enemy.

These Clinton appointees saved the Taliban; and let me underscore, by this time the evil nature of these Islamic Nazis was clearly evident. Right after the cease-fire and the release of prisoners brokered by these Clinton administration geniuses, the Pakistanis began a Berlin-like airlift to resupply and re-equip the Taliban, obviously financed with Saudi money. If I knew of this massive resupply effort, certainly the Clinton administration officials who had set up this scenario knew about it.

So why were the anti-Taliban leaders not notified of this situation? Why did we continue an arms embargo on the anti-Taliban forces, even as the Taliban were rearmed and resupplied? Well, the answer is it was U.S. policy.

So add Clinton appointees Assistant Secretary of State Rick Indefurth and United Nations Ambassador Bill Richardson on the 9/11 blame list, and I say that with great hesitation because Bill Richardson is a friend, and I enjoyed serving with him in this House; but this particular action did great damage to the United States of America's security and, as I say, led to 9/11.

To be fair, they were obviously carrying out the policies that were made elsewhere and approved higher up in the administration, but how much higher can we go than the Assistant Secretary of State for the region and our United Nations ambassador? Well, I can tell my colleagues, it goes all the way up.

Last year, the current foreign minister of Pakistan visited California. Furious by my repeated accusations that Pakistan was responsible for the Taliban, the current foreign minister of Pakistan blurted out, and this was a well-attended event, that America was part of the Taliban deal from the first day it was created. I have been trying to prove that. I have been trying to prove the Clinton administration was covertly supporting the Taliban for a long time. Now, at last, I had confirmation by a nationally and internationally respected leader.

As a member of the Committee on International Relations, I have had the responsibility of overseeing such policy. During the last 2 years of the Clinton administration, I made numerous requests with the support of committee chairman Ben Gilman for Taliban-related documents. I wanted to find out what the genesis of our policy toward the Taliban was and try to expose exactly what our policy was. I asked for the cables, for talking points, meeting notes. This was part of my responsibility, as someone who is a senior member of the Committee on International Relations, to oversee the foreign policy of the United States.

Secretary of State Madeleine Albright made a commitment to me in an open congressional hearing to provide my office and Chairman Gilman with all the related documents concerning our policy toward the Taliban. Well, to make a long story short, years went by and we kept asking for them. We were stonewalled. They sent us meaningless documents that included innocuous news clippings. Well, this was about as arrogant as anything I had ever experienced as a Member of Congress, and it still is: unelected State Department careerists dismissing the request of elected officials for security-related information. One wonders if the current independent commission examining 9/11 has asked to see these documents.

Is it not important for us to know if our government policy actually helped create the Taliban and protected the Taliban in power, even as they used Afghanistan as a terrorist base, which eventually was used as a staging area for an attack that cost the lives of 3,000 Americans on 9/11? In some ways, it is hard to characterize the administration's support for the Taliban as covert. Anyone looking closely would have to assume that that is what it was; but over and over again we were told this was not the policy. Yet something stunk.

Covert or overt, it was a disgraceful policy, and that policy led to 9/11 by creating a base of operations for bin Laden and a training base and staging area for al Qaeda. By the way, what we know now is bin Laden is not just some voice in the wilderness. He is from an enormously wealthy Saudi family; and while our petroleum dollars flowed into Saudi Arabia over the years, by the hundreds of billions of dollars, the Saudi establishment not only turned a blind eye but also attempted to buy off this violent, anti-Western, Islamic fringe which included bin Laden. This fringe was in their country. They spent billions of our petrol dollars to try to buy off these radicals. So billions of our petrol dollars now have come back to bite us in a big way. It obviously continues to this very day.

The first Gulf War in 1990 did nothing but expand bin Laden's hatred for us. Our presence in Saudi Arabia, he has piously proclaimed, is an insult to his faith. Well, considering that the mass slaughter of unarmed people is perfectly consistent with his faith, perhaps we should quit taking seriously all of this self-righteous, Islamic rhetoric used by bearded, psychopathic killers. Most people who believe in Islam are total opponents to this type of murderous behavior in the name of their religion. It is our job to reach out to those people, those Muslims, those moderate Muslims, who want to live in freedom and want everyone to respect each other's faith, to reach out to them and to make them part of our coalition, to make sure that the radical Islam, just like Communism and every other ism that attempted to murder

tens of thousands and hundred of thousand get their way just as we have defeated them in the past.

In the mid-1990s, bin Laden and his cohorts began to set up a terrorist underground army for a war that he intended to wage on America and on the Western democracies. In the mid-1990s, he operated not out of Afghanistan but out of Sudan. America's official position was that bin Laden was a terrorist, and he was on our Most Wanted List. In fact, CIA Director George Tenet declared him America's and the CIA's number one target.

Inexplicably, while designated as such, the CIA's number one target, the self-aggrandizing monster organized, financed, and implemented attacks that caused tens of billions of dollars in damage and the death of thousands of innocent people, not just in the U.S. on 9/11 but worldwide over several years: the World Trade bombing back in 1993; the Khobar Towers bombing in Saudi Arabia in 1996; embassy attacks in Kenya and Tanzania in 1998; and then an attack on the USS *Cole*. All of these were all organized by bin Laden's monsters and bin Laden's conspirators, a man recognized as the number one target of the CIA. Yet with all of the CIA's money and power and technology and other assets, with a track record like that, knowing what they are capable of, the CIA could not thwart 9/11, nor did they warn us of 9/11.

So, remember, 9/11 was a major operation, planned and carried out by the CIA's number one target, as well as the number one target, as well as hundreds of others, I might add, who had to be involved in this, with millions and millions of dollars being spent on communication over large areas. Yet we were not warned, and it was not thwarted. If this is not incompetence, then what is?

Furthermore, there were mind-boggling missed opportunities to get bin Laden before 9/11. Either intentionally or as a matter of policy or through incompetence, bin Laden was never stopped, even though there were numerous opportunities to stop him. The Government of Sudan, for example, played close attention to bin Laden. That is why he was operating in that country in the early 1990s. I am told they actually cataloged the people to whom he spoke on the phone and the people who came to see him in person.

The former ambassador for the Sudan to the United States, Mahdi Ibrahim Mohamed, told me personally that he had offered our government this terrorist catalog which would have been a silver bullet for the total destruction of bin Laden's terrorist network, al Qaeda. Vanity Fair reports that the Sudanese Government's offer to provide us this information was abruptly turned down by no one else other than Secretary of State Madeleine Albright. That is right, the Secretary of State. Vanity Fair reports that she instructed that no one look at a copy of the material.

It just reconfirms, I might add, what the Sudanese ambassador has told me

personally. So in bold print let us add to the list of those responsible for 9/11 the former Secretary of State Madeleine Albright.

It should be noted that former President Clinton is denying that he turned down such an offer from the Sudan. Just even last night, I understand, he was being interviewed and denied that he had turned down this offer. Well, it is not unreasonable to assume that the wording of this denial has been crafted so we really do not know what is, and, unfortunately, we have to look at the words very carefully to see if someone's trying to leave us with a false impression without actually telling a lie.

While we are at it, let us add the name Dick Clarke, and look at Dick Clarke. Now, this is a man who got much attention for criticizing George W. Bush when he criticized him before the investigating panel. Clarke was a senior foreign policy official. While all that I have been describing to my colleagues, while all this was taking place, he was a senior policy person in the Clinton administration and even before. He either approved of what was happening, or he did nothing during this period. He either approved it, or he did nothing. Whichever, he is certainly on the 9/11 blame list and has no credibility in blaming President Bush who, as we know, was sworn in as President after the 9/11 plot was well under way, and it was well under way and started and conceived of at a time when Dick Clarke was a senior official in the administration of this previous administration.

So now we have him attacking our President? From the first attack on the World Trade Center in 1993 to the bombing of U.S. military barracks in Saudi Arabia, to the attack on the USS *Cole* and the destruction of our embassies in Africa, the response from the last administration was so tepid, so weak, that the perpetrators thought that we Americans are cowards.

□ 2300

That is why they went ahead with 9-11, which was aimed not just at killing 3,000 Americans. Let us remember this. It is God's gift to us that only 3,000 Americans died at the Pentagon and in those towers in New York. Tens of thousands of people could have died. This we have learned.

And what we have learned is that that plan to kill tens of thousands of Americans moved forward because the response that we had, our government had to these attacks on us before, during the 1990s, made these terrorists think that we were weak and cowardly. And so those we have captured since have told us that it was the weakness of the 1990s that led to the attacks on us and led to the war that we are in today.

By the way, after one attack it is reported that Richard Clarke, who was a White House official at that time, when they were looking for how to retaliate—it is reported that Richard Clarke

insisted that the retaliation take the form of a bombing of a pharmaceutical factory in Sudan, an aspirin factory which had nothing to do with terrorism. Yet that was the target that he insisted that we use as a retaliation to the attack upon us.

This while still helping the Taliban stay in power. Meaning the policy of the administration at the same time was letting the Taliban stay in power, even after we had been attacked. So here we are, we are attacked, but we still have not changed our policy of keeping the Taliban in power. We were still not working with those people who were anti-Taliban in Afghanistan. Something stinks about this whole situation.

Then, in an even more personal incident about bin Laden, which again clarifies whether or not we were doing what we needed to do, in April and May of 1999 America had an incredible opportunity to capture bin Laden. I personally was involved in this one. It is, unfortunately, yet another example of incompetence of those we trusted to protect us from an attack like 9-11.

In April 1999, a long-time friend, who had been deeply involved in the Afghan fight against Soviet occupation contacted me. My friend was, and is, an American. He has impeccable credentials, and he was widely known and admired among the Afghan people. My friend called to tip me that bin Laden was outside of Afghanistan and could be easily captured. I told him I would pass this on and pass on his name and phone numbers to the CIA.

The very next day, I was at a CIA briefing and I passed on my friend's name and phone number; explained his credential and told them we could have bin Laden on a platter. A week passed, I called my friend, and the CIA had not contacted him after a week. So I went back to the agency. This time they were adamant they would contact my friend. There was still a chance to get bin Laden.

Another week passed, and the CIA did not call my friend. So this time I went to the gentleman from Florida (Mr. Goss), chairman of the House Permanent Select Committee on Intelligence. When he heard my story, he immediately went into action and arranged a meeting for me the next day. That next day, at the appointed time, I went to a somewhat secret and heavily guarded part of this Capitol, where there in a secure room I met with not just the CIA but also a representative of the NSA and the FBI.

There they were, the bin Laden task force. I complained about my friend's vital information being ignored, and they took notes and apologized for those dunderheads over at the CIA and promised to get it right this time. A week later my friend still had not been contacted.

When I mentioned this to Chairman Goss, he was appalled. The very next day, and I am sure it was based on him reading someone the riot act, a rep-

resentative from an intelligence agency finally called my friend. The caller's tone of voice, my friend says, suggested that it was an obligatory inquiry.

It did not make any difference, because then the trail was cold. It was all very strange and very disheartening to see that the CIA and our intelligence people, and this was back during the last administration, did not seem to want to know how to get bin Laden. Then we end up bombing an aspirin factory after he commits a terrorist act against us.

Clearly, however, there was something dreadfully wrong at the CIA. And over at the FBI, it was just as bad, if not worse. It is widely known now that 2 months before the September 11 attacks, Phoenix FBI agent, Kenneth Williams, sent a memo to the FBI headquarters in Washington and New York warning that bin Laden disciples might be training at U.S. flight schools, and asking for a review to determine if this was happening in other parts of the country. The Williams memo was ignored by David Frasca, the supervisor special agent in Washington. David Frasca.

One month before 9-11, Minnesota FBI agent Colleen Rowley asked FBI headquarters to issue a warrant allowing agents to search the computer of a would-be terrorist, part of a gang, for information regarding Mr. Massaoui, who we knew was linked to the terrorist groups in the United States. She wanted to make sure we could check his computer. The FBI ignored her warnings. The FBI actually prohibited her from telling anybody else.

When she went to the CIA to try to warn them, she was rebuffed for her efforts. There was something terribly wrong with the culture of the FBI when they were upset that one of their people had gone to the CIA to warn them of a terrorist in the United States.

Clinton appointee, Louis Freeh, headed the Bureau for almost 8 years. The new director, Robert Mueller, took over just 2 days before 9-11. The Bureau, obviously, needed a major overhaul, as became painfully evident shortly thereafter when the World Trade Towers crashed to the ground before a shocked Nation.

The FBI, again like the CIA, had not done its job, for whatever reasons. The troubles in the FBI were not just an organizational mindset but also the restrictions and the mandates that were put upon the Bureau. So individuals there were at fault, the mindset was at fault, but there were also restrictions put on the Bureau, and restrictions that were put on many people who were responsible for protecting us from terrorism. This was put on them by the political powers of the 1990s.

A case in point, Jamie Gorelick, who now passes judgment on the Bush administration as part of the 9-11 investigation. In the 1990s, Gorelick was a Clinton administration official who basically oversaw policies for our domestic terrorist law enforcement and intelligence operations.

□ 2310

In a memo she wrote, while a Clinton lawyer—in that memo it forbade any cooperation between intelligence organizations and law enforcement agencies. Now, get this. A lady now in the committee investigating 9/11 wrote a memo, and that policy was put in place that prevented the cooperation between our intelligence organizations and law enforcement at a time when there were numerous, numerous terrorist attacks going on throughout the world and even after the terrorists had tried to bring down the World Trade Center in 1993.

So right on the 9/11 investigating panel is an example of why we had 9/11. Her presence on the investigating panel represents a massive conflict of interest. This is well known, and she should be removed.

The panel is, again, demonstrating the same inflexibility and aversion to corrective action that it is now investigating. Gorelick's directives reflected a hindsight in the last administration, even in the middle of terrorism restricting our intelligence people, even in the middle of terrorism making sure cooperation could not happen. It was a hindsight reflected even by career high-level intelligence officials.

The Defense Intelligence Agency, for example, is supposed to provide the Pentagon with the detailed information necessary for it to deal with any and every potential threat. With all that is spent on the DIA, the Pentagon, like the rest of the United States Government, I mean, think about it, all this money we spend; but yet, we were caught off guard and the Pentagon was caught off guard and unprepared for 9/11.

The Pentagon's lack of information and analysis had disastrous effects. The counterattack strategy almost implemented after 9/11 would have been to send American military forces to Afghanistan from the southern part of Afghanistan. The goal for that plan was occupying a few major cities after sending in maybe 100,000, 150,000 American troops, but to capture a few cities like Jalalabad and Kabul, leaving the Taliban in charge of the countryside; and then we would negotiate with the Taliban and offer to withdraw our forces when they turned over bin Laden.

The Taliban would have us, thousands, tens of thousands of our troops, surrounded in a few cities in Afghanistan on the other side of the world; but the Taliban would be left in power even if they did not give us bin Laden, which of course they would never have given us bin Laden. That is as insane a policy as you can imagine, but that was a plan that was being seriously proposed. That would be the plan that would rely on our troops being supplied out of the bases on the western Pakistani frontier, which we now know is an anti-American stronghold.

Now, an alternative plan, based on cooperation with the battle-tested

troops of the Northern Alliance, took a long time to develop, because the Pentagon did not know who the players were, much less what the anti-Taliban forces in the north could do. So it almost had disastrous consequences, that we did not know exactly what the strength of the anti-Taliban forces was.

My staff ended up providing the Pentagon with the names and strength assessment and the satellite telephone numbers, cell phone numbers of significant Afghan leaders who opposed the Taliban. That the Pentagon was unprepared was no surprise to me, however.

In early 1999, a DIA, that is, Defense Intelligence Agency, analyst came to me for help. She was in the process of being fired, and her story tells us volumes of why 9/11 caught America off guard and ill-prepared. Julie Sirrs was one of a small number of Afghan analysts. She took her job seriously, as she should have. She in fact visited Afghanistan, but only in those areas controlled by the Taliban. After returning, she realized that this was a one-dimensional view of Afghanistan and there were gaping holes in the DOD's understanding of the situation.

She requested to officially go back to northern Afghanistan, especially to the areas controlled by anti-Taliban Commander Masood, and she was turned down. She was denied the permission to go there, but realizing the danger posed by this lack of information, Julie Sirrs took the initiative and took her vacation, paid her own way, organized her own trip to the Panjeer Valley, which was the bastion of Commander Masood, the last Afghan holdout who was resisting the Taliban.

I had met with Masood in one of his mountain strongholds 2 years before. I had dinner with him and strategized with him. He was a friend. He was a hero. He was courageous. But he was not perfect. There is no doubt. All Afghans have made mistakes over their many years of conflict, but he was a wonderful man and a person who would have done great things as a friend of the United States.

But what I did was somewhat risky, to go into the mountains and see him, but what Julie Sirrs did was far more dangerous. What Julie Sirrs did was heroic.

When she got to the Panjir Valley, she found her assumptions were right. Something vital to America's security was happening, something she was not really able to discover when she visited the Taliban-controlled areas before. Commander Masood told her that he was facing a new enemy in Afghanistan. Masood's militia was finding itself in fire fights with some kind of fundamentalist foreign legion. Apparently, bin Laden, who was making Afghanistan into his base of operations, was importing Islamic radicals from all over the world, training them as terrorists and killers and then sending them up against Masood's troops for combat experience.

Masood offered to let Julie or other Americans interrogate the foreign pris-

oners he had captured. This again was an intelligence bonanza, but a missed opportunity. Julie Sirrs was uncovering the creation and organization and training of bin Laden's terrorist army, al Qaeda. She only had a short time, but she collected enough information for a preliminary report, and she headed home.

The minute she got back, she found herself under severe restrictions at the Defense Intelligence Agency and restricted to whom she could brief or show any of her reports. So her report was kept close hold rather than distributed as it should have been, a report that indicated that a terrorist army was being formed in Afghanistan that could and was threatening the United States of America. The commanding officer of the DIA labeled her as insubordinate, he fired her; and when she fought her dismissal, he set out to destroy her.

Amidst the fight to save her job, the DIA commanding officer told her what really upset him most was her contact with Masood, who, according to the DIA general, was one of the bad guys. This general was sending his people to be briefed by the Taliban, but any contact with Masood was a cause for dismissal. This was a mind set during the Clinton administration. It was a mind set of the man who headed the Defense Intelligence Agency. Something is terribly wrong with this picture. The vitriol and the attack against Sirrs was shockingly harsh. Patently false charges were brought up against her to overwhelm her defense and intimidate her and force her to go quietly, which she did not do.

She was charged, for example, with lying, even though an agency lie detector test, which I have looked at, proved that she was telling the truth. She was charged with misusing equipment, having borrowed an office camera to take with her to Afghanistan. The charge was nonsense. Even her superiors agreed it was a reasonable thing to do; yet they pushed that as if she was stealing, even though she brought the camera back right after the trip with pictures so people would understand what was going on in Afghanistan.

The attacks on this sincere and responsible intelligence analyst were arrogant, nasty, malevolent, and loathsome. The brutal treatment of Sirrs sent a negative message to anyone and everyone in the DIA who had any idea of taking the initiative or thinking creatively. Julie came to me because she had no one else to whom she could turn. I was the one elected official with experience in Afghanistan. I requested a meeting with the general in charge of the DIA and right off the bat he insisted to me when he came to my office that she was insubordinate. I told him from my view she was a hero, risking her life and her job, spending her own money, all to get information that she believed was necessary for our country to be prepared in case something happened in Afghanistan.

After hearing each other out, I recommended to the general that we compromise. He could give her back her job, and she would end up neither a hero nor a scofflaw and I would back off and he could use political pressure from me as an excuse to bring her back. After the general left my office, he not only reaffirmed the firing of Julie Sirrs but he later stripped her of her security clearance as well, thus eliminating her ability to earn a living as an intelligence analyst. He demonstrated how he could destroy anyone who would deviate from his program or the mind-set of the day or defy his directives. Insubordination was the ultimate challenge to his authority; and in reaffirming his authority, he said it was more important to reaffirm that authority than was the security of the United States of America.

A few months later, the general retired. All of this would be a regrettable, but forgotten, incident, except for the resulting 9/11 tragedy, except for how terribly unprepared the Pentagon was for the war in Afghanistan. It is my sad duty tonight to inform my colleagues that the general to whom I am referring is Lieutenant General Patrick Hughes, who is today one of the top officials running the Department of Homeland Security. I am certain that over his long and distinguished career he made many contributions, but his indefensible conduct in the Sirrs case cast serious doubt over his judgment. I have notified Secretary Ridge on this side of General Hughes's character and recommended that he should not hold the high-level position that he holds in the Department of Homeland Security.

When George W. Bush took office in January 2000, the 9/11 terrorist operation, as I said, unbeknownst to any of us in government or in the outside, was already under way; but the threat posed by the radical anti-Western Islamic regime in Afghanistan was well known. An aggressive new policy to counteract this threat was needed. After Bush came in, we expected some changes. But having worked in the Reagan White House, I understood that it took time for a new President to appoint staff and set new policy and to begin to take control of government.

Nevertheless, during that brief interlude, and it was brief, between Bush's inauguration and 9/11, I met with the new national security staff on 3 occasions, including one meeting with Condoleezza Rice to discuss Afghanistan. There were, in fact, signs noted in an overview story in *The Washington Post* about a month ago that some steps were being made to break away from the previous administration's Afghan policy. And the previous administration's Afghan policy was a pro-Taliban policy, a policy of not supporting the opposition to the Taliban, even as Afghanistan became the base of operations for bin Laden, who was conducting terrorist activities against us.

One thing was certain to me at that time. George W. Bush, unlike his prede-

cessor, would have a bold and unmistakable response to bin Laden's terrorist attacks.

□ 2320

As I stated earlier, we know now that those who planned and financed the 9/11 attack did not believe the United States would act forcefully and as unrelentingly as we have. This calculation resulted from the tepid American response to earlier al Qaeda attacks from Africa to New York City. But here again was an example of a rotten policy where we let these terrorist attacks happen and did not retaliate with our full strength that led to 9/11.

And, yes, had we retaliated more aggressively, had we retaliated more aggressively when our embassies were blown up in Kenya and Tanzania, the terrorists we have captured now tell us had we done that, had we responded more aggressively, they would have had second thoughts about taking this plan to fly their planes into the buildings in New York, they would have had second thoughts and might have pulled back.

I took pride in those days as being one Member of Congress, and this was before 9/11, who maintained an interest in Afghanistan, which I saw even then as a major national security threat to our country. It was an American calamity waiting to happen.

Then just a few days before 9/11, the news came that Commander Masood had been murdered in Afghanistan. I felt as if I had lost a close friend. And as I mourned his loss, I struggled to fully understand the significance of his death. Then it dawned on me. It dawned on me why Masood had been assassinated. America was going to be attacked. It would be so monstrous that bin Laden's gang in Afghanistan wanted to cut us off from a means of counterattacking them in their base of operations in Afghanistan. We would have turned to Masood if we were attacked. That is what we would have done, and they were cutting us off from turning to Masood, but now Masood was dead.

Perhaps his death was a signal to set the planned attack on our country in motion. So on September 10, after I had figured that out a few days before 9/11, on September 10 I tried to alert anyone and everyone who would listen to me. I tried to give my warnings of an imminent terrorist attack. A few people listened as a courtesy, but for most people their eyes simply glazed over as I tried to warn them. The gentleman from Pennsylvania (Mr. GREENWOOD) stood behind me in an elevator and overheard me lamenting that something horrible was about to happen and that I could not get anyone to take my warnings seriously. It was like being in the Twilight Zone, I said. And as I got off the elevator, he lightheartedly patted me on the back and with a smile told me not to be so melodramatic and certainly not to be so apocryphal.

Undeterred, I called the White House and asked for an emergency appoint-

ment with Condoleezza Rice in order to warn of an impending terrorist attack, a major attack. Her office apologized that she was incredibly busy that day but she respected my opinion and would see me the next day at 3:00 p.m. The next day was 9/11. The planes began flying into the buildings at 8:48 a.m.

I tell this story for one reason. We must ask how is it that one Member of Congress, with the help of one staff member, was able to analyze the situation and determine that the terrorists based in Afghanistan were about to launch a major terrorist attack on the United States when the CIA and others failed to do so? We spent billions of dollars on our intelligence apparatus. With one staff member, I was able to figure it out. Why were they not?

Yes, George Tenet should have resigned a long time ago, and he is certainly at the top of the list of those who should be held accountable for 9/11, for not thwarting the attack or not even warning us of the attack that was coming.

On 9/11 there was another incident that underscored this about the CIA. Shortly after the attack, I called King Zhir Shah in Rome. He was now America's greatest asset for any action that would be taken against the terrorist forces in Afghanistan. Masood was dead, but the Afghan people would rally behind the king. Well, if I could figure that out, that the king of Afghanistan exiled in Rome was our greatest asset in this war that we were in because thousands of our people had just been killed before our eyes, the Taliban certainly could have figured that out.

So I was shocked to find out that King Zhir Shah in his villa in Rome had no protection. He was totally vulnerable. So I told the king to stay put and went to work. Among others I called the CIA and managed to speak directly to one of Tenet's top lieutenants. I explained the situation, and he acknowledged the importance of the king, assuring me that he would take care of it.

A few hours later, I happened to talk to this gentleman again, and I will never forget the response, his response, when I asked if the king was under protection at that moment. This was 5 hours later. "You don't expect us to act that fast, do you?"

Just like the FBI, there was something wrong with the mindset at the CIA. Yes, we expect them—our people in the CIA—to act at a time when we have long-distance telephone calls and digital communication to act that fast at a time when thousands of Americans are losing their lives and we had no idea how many more would be losing their lives. And that mindset of "you did not expect us to act that fast," that blame must be placed on George Tenet. So his name is to be on that list and underlined.

By the way, late in the day on 9-11, the gentleman from Pennsylvania (Mr.

GREENWOOD) came running up to me when he saw me and said, "How did you know? How did you know?" Well, the question is why did any of us not know? Why did we not know? Why did those whom we have hired to protect us not know?

It is time for those who made possible the rise of the Taliban, the rise of bin Laden, and, yes, the tragedy of 9-11 to be held personally accountable and for us to understand the policies and the people that caused 9-11. It was not something that was ordained by God to happen. It could have been stopped had we been responsible and had people done their job.

The list stretches over both Republican and Democratic administrations. Through the failures of the CIA under Ronald Reagan when the CIA fellow in Islamabad channeled our money to fanatics when there were other people fighting the communists, the Soviets, who would have been happy to get those supplies. We could have built their strength up. So from that failure to the blunders of the State Department under George Bush to the incompetence and disingenuous posturing of the diplomats under Bill Clinton, accountability requires that their names be given.

Retired General Patrick Hughes, who as head of the Defense Intelligence Agency, fired Julie Sirrs and today holds a high position in the Department of Homeland Security. He must accept responsibility for something he did that was just demonstrably wrong. Former ambassador and now Governor Bill Richardson, a man who was our ambassador to the United Nations, a good person, a good human being whom I personally like, he, under orders from who knows who, saved the Taliban from defeat when they were vulnerable. He personally did, along with Former Assistant Secretary of State Rick Inderfurth.

Had the Taliban been defeated as they were in a position of being defeated, 9-11 just would not have happened. There would not have been a staging area for bin Laden to operate out of, and, as I say, the former CIA Officer Milton Bearden, who armed the most fanatic of the Afghan forces who struggled against the Soviet occupation.

The former CIA Director George Tenet, whose culpability I have mentioned several times, he resigned. He should have done so long ago. Former Secretary of State Madeleine Albright, she was the point person for the policy of covert support for the Taliban, and she was the one who detailed the opportunity for us to receive information from Sudan that would have permitted us to eliminate bin Laden's terrorist network. Of course it was not the policy. She was doing something that was consistent with the policy of that administration.

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Then, of course, Dick Clarke, who has criticized this President for the few

months he had in power before 9/11, was, along with a few others, in a high level position to argue against, if not to change, the grotesquely mistaken policies of the eighties and nineties, but he failed to do so. In fact, we know a few of the things that he did were exactly in the wrong direction.

If another 9/11 is to be avoided, we need accountability. We do not need the rearranging of a bureaucratic organizational chart. There is nothing wrong with our system that brought on 9/11, and there is nothing wrong with our system which will not be corrected by having different policies in place and different people in positions of authority.

Let us now, if nothing else, be honest with each other. We have Ms. Gorelick, who is on the panel investigating 9/11, when she herself issued mandates that undercut our ability to fight terrorism back in the 1990s. Let us be honest with each other. Let us have an honest accounting. We can start right there by relieving that person from her responsibilities and looking at that role that she played that undercut the ability of our departments and agencies to do their job.

So, let us be honest with one another, have an honest accounting, and then let us join together and let us commit ourselves to defeating this murderous enemy, this enemy that would destroy our way of life, who hates everything that America stands for, and let us defeat this enemy so completely that no one will ever again miscalculate about the power of the American people or the courage of the American people.

Today, we have a chance to make a better world for tomorrow. We saw where people and policies of a decade ago have left us in this turmoil and this bloodshed that we face today. But if we have courage, and our President has this courage, and he is unrelenting, and if we get behind him, and if the American people are unified in our commitment, this threat, just like the threat of Nazism and Japanese militarism in the 1940s and 1930s, we defeated that threat to mankind, and then we defeated the threat of communism.

But if we are honest with ourselves and we move forward, correcting our mistakes, and there will always be mistakes, there were mistakes in World War II, there were mistakes in the war against communism, but if we correct our mistakes and insist that people be held accountable, we will build a future for our children that is secure, and we will build a country that can live in peace and prosperity and in friendship with others.

More than that, we will live in friendship with all people, especially those moderate Muslims who do not share in the hatred and are appalled by the hatred of bin Laden towards the West. Let us build a world where Christians and Muslims can respect each other's faith. But we need to take the leadership. We cannot depend on the

Saudis or the Pakistanis or anyone else to provide the leadership. It is up to the people of the United States and our leaders here to lead the way, and I have every confidence that our President will do and is doing just that.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. CARSON of Indiana (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. EMANUEL (at the request of Ms. PELOSI) for June 18 and today on account of personal reasons.

Mr. FROST (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for today on account of illness in the family.

Mr. REYES (at the request of Ms. PELOSI) for today and June 22 on account of a family health matter.

Mr. MCINNIS (at the request of Mr. DELAY) for today and June 22 and 23 on account of attending a funeral.

Mr. PORTER (at the request of Mr. DELAY) for today on account of official business.

Mr. PUTNAM (at the request of Mr. DELAY) for today on account of official business.

Mr. TAUZIN (at the request of Mr. DELAY) for today and the balance of the week on account of 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 Mrs. MCCARTHY of New York) to revise and extend their remarks and include extraneous material:

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:

Mr. GOODLATTE, for 5 minutes, June 22.

Mr. BURTON of Indiana, for 5 minutes, June 22, 23, 24, and 25.

Mr. GUTKNECHT, for 5 minutes, today and June 22.

Mrs. MUSGRAVE, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 34 minutes p.m.), the House adjourned under its previous order, until tomorrow, Tuesday, June 22, 2004, at 9 a.m., for morning hour debates.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8669. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Israel for defense articles and services (Transmittal No. 04-09), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8670. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

8671. A letter from the Chairman, Consumer Product Safety Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2003 through March 31, 2004, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8672. A letter from the Secretary, Department of the Agriculture, transmitting the Department's Report to Congress on Fiscal Year 2003 Competitive Sourcing Efforts in accordance with section 647(b) of Division F of the Consolidated Appropriations Act, 2004, Pub. L. 108-199; to the Committee on Government Reform.

8673. A letter from the Secretary, Department of Agriculture, transmitting the Department's competitive sourcing policy and FY 2004 budget for contracting out in accordance with Division A of the Consolidated Appropriations Act, 2004, Pub. L. 108-199; to the Committee on Government Reform.

8674. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2003, through March 31, 2004, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8675. A letter from the Secretary, Department of Veterans Affairs, transmitting in accordance with Section 647(b) of the Transportation and Treasury Appropriations Act, FY 2004 Pub. L. 108-199 and the Office of Management and Budget Memorandum 04-07, the Department's Report to Congress on FY 2003 Competitive Sourcing Efforts; to the Committee on Government Reform.

8676. A letter from the Director, National Gallery of Art, transmitting in response to OMB Memorandum 04-07, dated February 26, 2004, the National Gallery of Art's FY 2003 Inventory of Commercial and Inherently Governmental Activities Report; to the Committee on Government Reform.

8677. A letter from the Deputy Director for Management, Office of Management and Budget, transmitting the Administration's competitive sourcing initiative for FY 2003, in accordance with Section 647(b) of the Transportation, Treasury, and Independent Agencies Appropriations Act, FY 2004 (Division F of the Consolidated Appropriations Act, Pub. L. 108-199); to the Committee on Government Reform.

8678. A letter from the Regulations Officer, FHA, Department of Transportation, trans-

mitting the Department's final rule — National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Specific Service and General Service Signaling for 24-Hour Pharmacies [Docket No. FHWA-2004-17321] (RIN: 2125-AF02) received May 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8679. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 1900C Airplanes [Docket No. 2003-CE-27-AD; Amendment 39-13620; AD 2004-09-30] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8680. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. (formerly AlliedSignal Inc., Garrett Turbine Engine Company, and AiResearch Manufacturing Company of Arizona) TPE331-10 and -11 Series Turbo-prop Engines [Docket No. 2003-NE-02-AD; Amendment 39-13619; AD 2004-09-29] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8681. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-7-100 Series Airplanes [Docket No. 2003-NM-153-AD; Amendment 39-13612; AD 2000-02-07 RI] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8682. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80E1 Model Turbofan Engines [Docket No. 2001-NE-45-AD; Amendment 39-13625; AD 2004-09-34] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8683. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Oshkosh, NE. [Docket No. FAA-2004-17427; Airspace Docket No. 04-ACE-27] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8684. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Superior, NE. [Docket No. FAA-2004-17432; Airspace Docket No. 04-ACE-30] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8685. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Minden, NE. [Docket No. FAA-2004-17426; Airspace Docket No. 04-ACE-26] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8686. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Holdrege, NE. [Docket No. FAA-2004-17425; Airspace Docket No. 04-ACE-25] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8687. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Air-

worthiness Directives; Eurocopter France Model AS332C, L, and L1 Helicopters; Correction [Docket No. 2002-SW-45-AD; Amendment 39-13471; AD 2004-03-27] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8688. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters [Docket No. 2003-SW-56-AD; Amendment 39-13495; AD 2004-01-51] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8689. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-70 and -70F Series Airplanes [Docket No. 2001-NM-133-AD; Amendment 39-13532; AD 2004-06-06] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8690. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Engine Components Incorporated (ECI) Reciprocating [Docket No. 2004-NE-07-AD; Amendment 39-13579; AD 2004-08-10] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8691. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SF340A and SAAB 340B Series Airplanes [Docket No. 2002-NM-146-AD; Amendment 39-13626; AD 2004-09-35] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8692. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB 340B Series Airplanes Equipped with Hamilton Sundstrand Propellers [Docket No. 2002-NM-200-AD; Amendment 39-13630; AD 2004-09-39] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8693. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 2002-NM-261-AD; Amendment 39-13610; AD 2004-09-21] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8694. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 2002-NM-259-AD; Amendment 39-13615; AD 2004-09-25] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8695. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model 1125 Westwind Astra Series Airplanes [Docket No. 2001-NM-402-AD; Amendment 39-13609; AD 2004-09-20] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8696. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model Hawker 800XP Airplanes [Docket No. 2002-NM-277-AD; Amendment 39-13616; AD 2004-09-26] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8697. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Series Airplanes [Docket No. 2004-NM-38-AD; Amendment 39-13623; AD 2004-03-14 R1] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8698. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400 and 747-400D Series Airplanes [Docket No. 2003-NM-93-AD; Amendment 39-13624; AD 2004-09-33] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8699. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-300 Series Airplanes [Docket No. 2003-NM-138-AD; Amendment 39-13611; AD 2004-09-22] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8700. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Series Airplanes [Docket No. 2002-NM-273-AD; Amendment 39-13627; AD 2004-09-36] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8701. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-300 Series Airplanes [Docket No. 2003-NM-121-AD; Amendment 39-13629; AD 2004-09-38] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8702. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT9D-3A, -7, -7A, -7AH, -7H, -7F, -7J, -20, and -20J Turbofan Engines [Docket No. 2003-NE-34-AD; Amendment 39-13631; AD 2004-10-01] (RIN: 2120-AA64) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8703. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations, pursuant to Public Law 101—162, section 609(b); jointly to the Committees on Resources and Appropriations.

8704. A letter from the Administrator, Small Business Administration, transmitting a proposed legislative package containing provisions to implement the President's Fiscal Year 2005 Budget, provisions amending the SBA's existing statutory authority and other legislative initiatives relating to SBA programs and services; jointly to the Committees on Small Business, the Judiciary, and Government Reform.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3266. A bill to authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes; with amendments (Rept. 108—460, Pt. 3). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3266. A bill to authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes; with an amendment (Rept. 108—460, Pt. 4). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3742. A bill to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building" (Rept. 108—556). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3884. A bill to designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse" (Rept. 108—557). Referred to the House Calendar.

Mr. GOSS: Permanent Select Committee on Intelligence. H.R. 4548. A bill to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 108—558). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 683. Resolution providing for consideration of the bill (H.R. 4613) making appropriations for the Department of Defense for the fiscal year ending September 30, 2005 (Rept. 108—559). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. CUBIN:

H.R. 4625. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes; to the Committee on Resources.

By Mr. GREENWOOD (for himself and Mr. GREEN of Texas):

H.R. 4626. A bill to amend title XVIII of the Social Security Act to provide for coverage of screening ultrasound for abdominal aortic aneurysms under part B of the Medicare Program; 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 Ms. BERKLEY:

H.R. 4627. A bill to redirect the Nuclear Waste Fund established under the Nuclear Waste Policy Act of 1982 into research, development, and utilization of risk-decreasing technologies for the onsite storage and eventual reduction of radiation levels of nuclear

waste, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL (for himself, Mr. ANDREWS, Mr. BERRY, Mr. STENHOLM, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. STARK, Mr. RANGEL, Mr. BROWN of Ohio, Ms. PELOSI, Mr. MENENDEZ, Mr. FROST, Mr. SANDLIN, Mr. DAVIS of Florida, Mr. MEEHAN, Mr. LAMPSON, Mr. HOLDEN, Mr. GREEN of Texas, Mr. BELL, Mr. MOORE, Mr. TURNER of Texas, Mr. PALLONE, Mrs. CAPPS, Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mrs. MALONEY, Ms. DELAURO, Ms. WATERS, Mr. LARSON of Connecticut, Mr. JACKSON of Illinois, Mr. KENNEDY of Rhode Island, Ms. SLAGHTER, Mr. SERRANO, Mr. LIPINSKI, Mr. ETHERIDGE, Mr. BOSWELL, Mr. STRICKLAND, Mr. HOLT, Ms. KAPTUR, Mr. ACKERMAN, Mr. HINCHAY, Mr. MCNULTY, Mr. GORDON, Ms. DEGETTE, Ms. KILPATRICK, Mr. SPRATT, Mr. SKELTON, Mr. CONYERS, Mr. DOYLE, Mr. OBERSTAR, Mr. STUPAK, Mr. SHERMAN, Mrs. MCCARTHY of New York, Ms. LINDA T. SANCHEZ of California, and Mrs. TAUSCHER):

H.R. 4628. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT of New Jersey (for himself, Mr. FEENEY, Mr. CHOCOLA, Mr. WILSON of South Carolina, Mr. SHADEGG, Mr. HOSTETTLER, Mr. PENCE, Mr. FRANKS of Arizona, Mr. ISTOOK, Mrs. CUBIN, Mr. GOODE, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. KINGSTON, Mr. NORWOOD, Mrs. MUSGRAVE, Mr. WELDON of Florida, Mr. ENGLISH, Mr. PAUL, Mr. WOLF, Mr. SOUDER, and Mr. ISAKSON):

H.R. 4629. A bill to amend the Internal Revenue Code of 1986 to modify the alternative minimum tax on individuals by permitting the deduction for State and local taxes and to adjust the exemption amounts for inflation; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon:

H.R. 4630. A bill to amend title 10, United States Code, to provide that an officer of the Army or Air Force on the active-duty list may not be promoted to brigadier general unless the officer has had a duty assignment of at least one year involving the administration of the National Guard or Reserves; to the Committee on Armed Services.

By Mr. KUCINICH (for himself and Mr. LATOURETTE):

H.R. 4631. A bill to fund capital projects of State and local governments, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and the Budget, 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. MEEKS of New York (for himself, Mr. BISHOP of New York, Mr.

ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, 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. HINCHHEY, Mr. MCHUGH, Mr. BOEHLERT, Mr. WALSH, Mr. REYNOLDS, Mr. QUINN, Ms. SLAUGHTER, and Mr. HOUGHTON):

H.R. 4632. A bill to designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the "Archie Spigner Post Office Building"; to the Committee on Government Reform.

By Mr. MATSUI:

H.J. Res. 99. A joint resolution providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. McCOTTER (for himself and Mr. DINGELL):

H.J. Res. 100. A joint resolution recognizing the 100th anniversary year of the founding of the Ford Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many nations and a revolutionary industrial and global institution, and congratulating the Ford Motor Company for its achievements; to the Committee on Energy and Commerce.

By Mr. GREEN of Wisconsin:

H. Con. Res. 458. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of the bill S. 2238; considered and agreed to.

By Mrs. CAPITO (for herself and Mr. KANJORSKI):

H. Con. Res. 459. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor coal miners; to the Committee on Government Reform.

By Mr. CHOCOLA:

H. Res. 684. A resolution honoring David Scott Tidmarsh, the 2004 Scripps National Spelling Bee Champion; to the Committee on Government Reform.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

363. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 13 memorializing the United States Congress to provide sufficient funding for full implementation of the "No Child Left Behind Act" of 2001; to the Committee on Education and the Workforce.

364. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 20 memorializing the United States Congress to support an amendment to the proposed federal budget for Fiscal Year 2005 to fully fund the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

365. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 18 supporting the courageous leadership of the Unified Buddhist Church of Vietnam and the urgent need for religious freedom and related human rights in the Socialist Republic of Vietnam; to the Committee on International Relations.

366. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 97 memorializing the President and Congress of the United States

to support the passage of H.R. 3587 to benefit Filipino World War II veterans and their families; to the Committee on the Judiciary.

367. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 23 memorializing the United States Congress to take appropriate action to expedite the approval process necessary for foreign teachers to teach in the state's French immersion program; to the Committee on the Judiciary.

368. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 61 memorializing the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana; to the Committee on Transportation and Infrastructure.

369. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 203 memorializing the United States Congress to support the passage of S. 68, relating to improving benefits for Filipino veterans of World War II; to the Committee on Veterans' Affairs.

370. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 257 memorializing the United States Congress to implement a 36 percent federal wagering tax on gross receipts at Native American casinos and to redistribute the revenues to the states of origin; to the Committee on Ways and Means.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 218: Mr. BLUMENAUER.  
 H.R. 303: Mr. HILL.  
 H.R. 434: Mr. ISTOOK.  
 H.R. 584: Mr. BISHOP of Georgia.  
 H.R. 1043: Ms. HOOLEY of Oregon and Ms. DELAURO.  
 H.R. 1231: Mr. COLLINS.  
 H.R. 1316: Mr. LEWIS of Georgia.  
 H.R. 1329: Ms. ROS-LEHTINEN.  
 H.R. 1563: Mr. HINCHHEY.  
 H.R. 1684: Ms. WOOLSEY.  
 H.R. 1863: Mr. PRICE of North Carolina.  
 H.R. 2023: Mr. TERRY, Mr. ACEVEDO-VILLA and Mr. SAXTON.  
 H.R. 2125: Mr. CHANDLER.  
 H.R. 2291: Mr. CHANDLER.  
 H.R. 2505: Mr. PETERSON of Minnesota and Mr. SMITH of New Jersey.  
 H.R. 2727: Mr. DOGGETT.  
 H.R. 2852: Mr. RYAN of Ohio.  
 H.R. 2929: Mr. BURNS.  
 H.R. 3113: Mr. GARRETT of New Jersey.  
 H.R. 3180: Mr. OLVER.  
 H.R. 3193: Mr. KNOLLENBERG, Mr. BILIRAKIS, Mr. LEWIS of California, and Mr. STRICKLAND.  
 H.R. 3266: Mr. LANTOS, Mr. MEEHAN, Mrs. DAVIS of California, Mr. SMITH of New Jersey, Mrs. MALONEY, and Mr. LEWIS of Georgia.  
 H.R. 3355: Mr. HOLDEN.  
 H.R. 3476: Mr. SMITH of New Jersey and Mr. LOBIONDO.  
 H.R. 3523: Mr. GUTIERREZ and Mr. LEWIS of Georgia.  
 H.R. 3579: Mr. LAMPSON.  
 H.R. 3619: Mr. SWEENEY.  
 H.R. 3634: Mr. RAMSTAD.  
 H.R. 3801: Mr. GINGREY.  
 H.R. 3831: Mr. BLUMENAUER.  
 H.R. 3834: Mr. CALVERT.  
 H.R. 4016: Mr. TOWNS.  
 H.R. 4104: Mr. LANGEVIN.  
 H.R. 4108: Mr. DOYLE, Ms. JACKSON-LEE of Texas, Mr. LATHAM, Mr. MURPHY, Mr. MOORE,

Mr. DOGGETT, Mr. WELDON of Florida, and Mr. PALLONE.

H.R. 4155: Mr. GONZALEZ.  
 H.R. 4202: Mr. SCOTT of Virginia.  
 H.R. 4206: Mr. WALSH.  
 H.R. 4212: Ms. LEE, Mrs. TAUSCHER, Mr. CARDOZA, Ms. ESHOO, and Ms. WOOLSEY.  
 H.R. 4214: Mr. CANTOR and Mr. WEXLER.  
 H.R. 4256: Mr. CLAY.  
 H.R. 4257: Mr. MORAN of Kansas.  
 H.R. 4261: Mr. CARDIN and Mr. THOMPSON of Mississippi.  
 H.R. 4295: Mr. TERRY.  
 H.R. 4370: Mr. MATSUI and Mr. RUPPERSBERGER.  
 H.R. 4391: Mr. EDWARDS.  
 H.R. 4413: Mr. OTTER, Mr. FROST, and Mr. GONZALEZ.  
 H.R. 4430: Mr. CALVERT and Mr. UPTON.  
 H.R. 4440: Mr. GOODLATTE and Mr. ADERHOLT.  
 H.R. 4499: Mr. CULBERSON.  
 H.R. 4530: Mr. BUYER and Mr. SAM JOHNSON of Texas.  
 H.R. 4578: Mr. HALL, Mr. MCDERMOTT, Mr. OBERSTAR, Mr. DICKS, Mr. HOBSON, Mr. REGULA, and Mr. GREEN of Texas.  
 H.R. 4586: Mr. BOUCHER.  
 H.R. 4595: Mr. WAXMAN, Mr. HOLDEN, Mr. SAXTON, Mrs. MCCARTHY of New York, and Mr. OLVER.  
 H.R. 4600: Mr. ALLEN, Mr. SHAYS, and Mr. MEEKS of New York.  
 H.R. 4605: Mr. ALLEN, Mr. MICHAUD, Mrs. JONES of Ohio, and Mr. MEEKS of New York.  
 H. Con. Res. 319: Ms. ESHOO, Mr. McCOTTER, Mr. ACKERMAN, and Mr. SHERMAN.  
 H. Con. Res. 425: Mr. TURNER of Texas, Mr. MATSUI, Mr. CANTOR, Mr. CROWLEY, and Mr. RENZI.

H. Con. Res. 430: Mr. NYE and Mr. REGULA.  
 H. Con. Res. 436: Mr. ENGEL, Mrs. MCCOLLUM, Mr. TANCREDO, Mr. LEACH, Mr. HOUGHTON, Ms. ROS-LEHTINEN, and Mr. FLAKE.  
 H. Con. Res. 443: Mr. SIMPSON and Mr. DUNCAN.

H. Con. Res. 449: Mr. ETHERIDGE, Mr. WILSON of South Carolina, Mr. MOORE, Mr. COLLINS, Mr. McCOTTER, and Ms. MILLENDER-MCDONALD.

H. Con. Res. 450: Mr. WICKER, Mr. SNYDER, Ms. KAPTUR, Mr. BAIRD, Mr. KILDEE, Mr. ROSS, Mr. RODRIGUEZ, Ms. SCHAROWSKY, and Mr. McCOTTER.

H. Con. Res. 456: Mr. WAMP.  
 H. Res. 466: Mr. SNYDER.  
 H. Res. 550: Mr. WEINER.  
 H. Res. 567: Mr. SHUSTER and Mr. COLE.  
 H. Res. 591: Mr. McCOTTER.  
 H. Res. 604: Mr. RUPPERSBERGER and Mr. ENGEL.

H. Res. 667: Mr. AKIN, Mr. FOLEY, Ms. LORETTA SANCHEZ of California, Mr. CROWLEY, Mr. BLUNT, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. DELAY, Mr. BARTON of Texas, and Mr. WELLER.

H. Res. 679: Mr. HOEKSTRA, Mr. EHLERS, Mr. CAMP, Mr. SMITH of Michigan, Mrs. MILLER of Michigan, and Mr. McCOTTER.

## 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. 163: Ms. NORTON.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

84. The SPEAKER presented a petition of the Township Council of the Township of

Mahwah, New Jersey, relative to a resolution petitioning the United States Congress to adopt the appropriate legislation to reduce cable television costs, increase customer satisfaction, encourage competition in the cable and satellite markets and prevent the cable industry from discriminating against potential customers; to the Committee on Energy and Commerce.

85. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 117 of 2004 petitioning the United States Congress to take all steps necessary to ensure that the phrase "under God" remains in the Pledge of Allegiance; to the Committee on the Judiciary.

86. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 154 of 2004 petitioning the United States Congress to pass S. 1684 and H.R. 1886; jointly to the Committees on Energy and Commerce and Education and the Workforce.

87. Also, a petition of the Council of the City of Parma Heights, Ohio, relative to Resolution No. 2004-5 supporting the Breast Cancer Patient Protection Act of 2003; jointly to the Committees on Energy and Commerce and Education and the Workforce.

88. Also, a petition of the citizens of the Town of Leverett, Massachusetts, relative to a resolution petitioning national governments to increase dialogue, work conscientiously to build trust, and maintain and strengthen the Nuclear Non-Proliferation Treaty (NPT); that nuclear-weapon states and de facto nuclear-weapon states, including non-parties to NPT, immediately cease all nuclear development programs, including those intended for space, and bring the Comprehensive Test Ban Treaty into force forthwith; and that nations begin to map the road to a nuclear-weapons free world; jointly to the Committees on International Relations and Armed Services.

89. Also, a petition of the Board of Supervisors, La Crosse County, Wisconsin, relative to Resolution No. 3-4104, petitioning the Congress of the United States to authorize funding to construct 1,200-foot locks on the upper Mississippi and Illinois River system; jointly to the Committees on Resources and Transportation and Infrastructure.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

*[Omitted from the RECORD of Friday, June 18, 2004]*

Petition 6, by Mr. TURNER of Texas on House Resolution 523: Raham Emanuel, Artur Davis, Jim Marshall, Hilda L. Solis, Xavier Becerra, Stephanie Tubbs Jones, Gene Taylor, Calvin M. Dooley, Jim Cooper, Stephanie Herseth, Rodney Alexander, Ike Skelton, Brad Miller, James L. Oberstar, Collin C. Peterson, John S. Tanner, Neil Abercrombie, Ron Kind, Bill Pascrell, Jr., Michael M. Honda, Bob Etheridge, Karen McCarthy, Paul E. Kanjorski, Edolphus Towns, Steny H. Hoyer, Joseph Crowley, Jim Davis, Melvin L. Watt, Bernard Sanders, Earl Pomeroy, and George Miller.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4613

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 1: Page 7, line 21, insert after the dollar amount the following: "(increased by \$1,400,000,000)".

Page 17, line 21, insert after the dollar amount the following: "(increased by \$2,000,000,000)".

Page 33, line 19, insert after the dollar amount the following: "(reduced by \$3,500,000,000) (increased by \$100,000,000)".

H.R. 4613

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 2: Page 7, line 21, insert after the dollar amount the following: "(increased by \$60,000,000)".

Page 17, line 21, insert after the dollar amount the following: "(increased by \$400,000,000)".

Page 33, line 19, insert after the dollar amount the following: "(reduced by \$500,000,000) (increased by \$40,000,000)".

H.R. 4613

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 3: Page 33, line 19, insert after the dollar amount the following: "(reduced by \$5,000,000) (increased by \$5,000,000)".

H.R. 4613

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 4: Page 7, line 21, insert after the dollar amount the following: "(increased by \$140,000,000)".

Page 33, line 19, insert after the dollar amount the following: "(reduced by \$200,000,000)".

H.R. 4613

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 5: Add at the end of title VIII, the following new section:

SEC. 8. There shall be an Assistant Deputy Undersecretary of Defense for Military Munitions Response, who shall serve under the Deputy Undersecretary of Defense for Installations and Environment, oversee policy and budgeting issues involving the characterization, remediation, research, and management of military munitions response at former military ranges known or suspected to contain unexploded ordnance or other abandoned military munitions, and be the single point of contact for elements of the military departments with munitions response responsibilities. There shall be a separate account, to be known as "Military Munitions Response Program", through which funds will be provided for the remediation of unexploded ordnance, discarded military munitions, and munitions constituents at Formerly Used Defense Sites.

H.R. 4613

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 6: Page 17, line 21, insert after the dollar amount the following: "(increased by \$200,000,000)".

Page 33, line 19, insert after the dollar amount the following: "(reduced by \$250,000,000) (increased by \$50,000,000)".

H.R. 4613

OFFERED BY: MS. VELÁZQUEZ

AMENDMENT No. 7: At the end of the bill, add the following new title:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 10001. None of the funds made available in this Act may be used to fund any contract in contravention of section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)).

H.R. 4613

OFFERED BY: MS. WOOLSEY

AMENDMENT No. 8: Page 19, line 4, after the dollar amount insert the following: "(increased by \$15,000,000)".

Page 33, line 19, after the dollar amount insert the following: "(reduced by \$15,000,000)".