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WASHINGTON, SATURDAY, APRIL 12, 2003

No. 60

Senate

The Senate was not in session today. Its next meeting will be held on Monday, April 28, 2003, at 12 noon.

House of Representatives

SATURDAY, APRIL 12, 2003

The House met at 10 a.m.

The Reverend Stephen J. Rossetti, President, Saint Luke Institute, Silver Spring, Maryland, offered the following prayer:

Good and gracious God, during this season of the year, springtime follows winter, and we witness the emergence of new life. We see how You bring life out of death, light out of darkness, and hope supplants fear.

Fill us with Your goodness, so that we might be instruments of Your hands. May we, filled with this divine grace, be agents of a new springtime in our country and in our world.

Help us to bring Your freedom where there has been tyranny and Your healing where there has been much pain.

You are our hope. As we stretch out our hands into this country and into this world, may they be Your hands, offering a springtime of freedom and a message of new life.

As always, we raise our eyes to You, and give thanks.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. ISAKSON led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 145. An act to designate the Federal building located at 290 Broadway in New York, New York, as the "Ted Weiss Federal Building".

H.R. 258. An act to ensure continuity for the design of the 5-cent coin, establish the Citizens Coinage Advisory Committee, and for other purposes.

H.R. 1770. An act to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, and for other purposes.

The message also announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 109. Concurrent resolution expressing the sense of the Congress regarding the Blue Star Flag and the Gold Star.

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

S. 703. An act to designate the regional headquarters building for the National Park Service under construction in Omaha, Nebraska, as the "Carl T. Curtis National Park Service Midwest Regional Headquarters Building".

S. 763. An act to designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse".

The message also announced that the Senate has passed joint resolution titles in which the concurrence of the House is requested.

S.J. Res. 8. Joint resolution expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

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

S. Con. Res. 36. Concurrent resolution expressing the sense of the Congress regarding the Blue Star Service Banner and the Gold Star.

S. Con. Res. 37. Concurrent resolution expressing support for the celebration of Patriot's Day on April 19th and honoring the Nation's first patriots.

S. Con. Res. 38. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

CONFERENCE REPORT ON H.R. 1559, EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

Mr. YOUNG of Florida submitted the following conference report and statement on the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending

□ 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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H3357

September 30, 2003, and for other purposes:

CONFERENCE REPORT (H. REPT. 108-76)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1559), "making emergency wartime supplemental appropriations for the fiscal year 2003, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: *That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:*

TITLE I—WAR-RELATED APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", \$110,000,000, to remain available until expended.

PUBLIC LAW 480 TITLE II GRANTS

(INCLUDING TRANSFER OF FUNDS)

For additional expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, \$369,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act: Provided, That from this amount, to the maximum extent possible, funding shall be restored to the previously approved fiscal year 2003 programs under section 204(a)(2) of the Agricultural Trade Development and Assistance Act of 1954: Provided further, That of the funds provided under this heading, the Secretary of Agriculture shall transfer to the Commodity Credit Corporation \$69,000,000 to acquire a quantity of commodities for use in administering the Bill Emerson Humanitarian Trust: Provided further, That the authority contained in 7 U.S.C. 1736f-1(c)(4) shall not apply during fiscal year 2003 for any release of commodities after the date of enactment of this Act.

CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "General Administration, Salaries and Expenses", \$5,000,000, to remain available until September 30, 2004.

COUNTERTERRORISM FUND

For an additional amount for "Counterterrorism Fund", \$20,000,000, to remain available until December 31, 2003: Provided, That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of division B of Public Law 108-7.

DETENTION TRUSTEE

For an additional amount for "Detention Trustee" for the detention of Federal prisoners in the custody of the United States Marshals Service, \$40,000,000.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$2,500,000, to remain available until September 30, 2004.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES

MARSHALS SERVICE

For an additional amount for "Salaries and Expenses, United States Marshals Service" for necessary expenses, \$8,000,000, to remain available until September 30, 2004.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for "Federal Bureau of Investigations, Salaries and Expenses", \$367,192,000, to remain available until September 30, 2004: Provided, That the funds provided under this heading shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

OFFICE OF JUSTICE PROGRAMS

COMMUNITY ORIENTED POLICING SERVICES

For an additional amount for "Community Oriented Policing Services", \$54,750,000, to remain available until December 31, 2003, shall be for the Community Oriented Policing Services, Interoperable Communications Technology Program, for grants to States and localities to improve communications within and among law enforcement agencies: Provided, That the funds provided under this heading shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for "Supreme Court of the United States, Salaries and Expenses" for police enhancements, \$1,535,000, to remain available until September 30, 2004.

UNITED STATES COURT OF APPEALS FOR THE
FEDERAL CIRCUIT

SALARIES AND EXPENSES

For an additional amount for "United States Court of Appeals for the Federal Circuit, Salaries and Expenses" for court security officer expenses, \$973,000, to remain available until September 30, 2004.

UNITED STATES COURT OF INTERNATIONAL
TRADE

SALARIES AND EXPENSES

For an additional amount for "United States Court of International Trade, Salaries and Expenses" to enhance security, \$50,000.

DEPARTMENT OF STATE AND RELATED
AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for "Diplomatic and Consular Programs", \$88,420,000, to remain available until December 31, 2003: Provided, That \$35,800,000 shall be available for costs associated with the re-establishment of a United States diplomatic presence in Baghdad, Iraq.

In addition, for the costs of worldwide security upgrades, \$10,000,000, to remain available until December 31, 2003.

EMBASSY SECURITY, CONSTRUCTION, AND
MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", \$149,500,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
SERVICE

For an additional amount for "Emergencies in the Diplomatic and Consular Service", \$50,000,000, to remain available until expended, which may be transferred to, and merged with, the appropriations for "Diplomatic and Consular Programs".

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations" for activities related to the Middle East Television Network broadcasting to the Middle East and radio broadcasting to Iraq, \$30,500,000, to remain available until September 30, 2004.

GENERAL PROVISION, THIS CHAPTER

SEC. 1201. Funds appropriated under this Chapter for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956, as amended.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$7,700,000,000.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$1,600,000,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$1,200,000,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$2,800,000,000.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$3,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$100,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$16,000,000,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,100,000,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,650,000,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$7,100,000,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$1,200,000,000.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$3,000,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$7,000,000.

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$20,000,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL
GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$75,000,000.

OPERATION AND MAINTENANCE, AIR NATIONAL
GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$20,000,000.

IRAQ FREEDOM FUND

(TRANSFER OF FUNDS)

There is established in the Treasury of the United States a special account to be known as

the "Iraq Freedom Fund". For additional expenses for ongoing military operations in Iraq, and those operations authorized by Public Law 107-40, and other operations and related activities in support of the global war on terrorism, not otherwise provided for, necessary to finance the estimated partial costs of combat, stability operations (including natural resource risk remediation activities), force reconstitution, replacement of munitions and equipment, and other costs, there is hereby appropriated \$15,678,900,000, to remain available for transfer until September 30, 2004: Provided, That amounts provided under this heading shall be available for transfer for the following activities:

Not less than \$1,771,180,000 for classified programs, which shall be in addition to amounts provided for elsewhere in this chapter, and under this heading, for procurement and research, development, test and evaluation;

Not less than \$1,100,000,000 for increased fuel costs, for transfer to "Defense Working Capital Funds";

Up to \$1,400,000,000 for transfer to "Operation and Maintenance, Defense-Wide", only for purposes further specified in section 1310 of this chapter;

Up to \$489,300,000 for transfer to the "Natural Resources Risk Remediation Fund";

Up to \$400,000,000 for transfer to Department of Homeland Security, "United States Coast Guard, Operating Expenses", to support military activities in connection with operations in and around Iraq and the global war on terrorism;

Up to \$57,600,000 for research, development, test, and evaluation; and

Up to \$25,000,000 for counter-terrorism military training activities for foreign governments in connection with the global war on terrorism, including equipment, supplies and services, on such terms as the Secretary of Defense, with the concurrence of the Secretary of State and 15 days following submission of a financial plan for the use of such funds to the congressional defense committees, may determine:

Provided further, That in addition to the transfers authorized in the preceding proviso, the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster Assistance, and Civic Aid; procurement; research, development, test and evaluation; military construction; the Defense Health Program appropriation; and working capital funds: Provided further, That the funds transferred under this heading shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary of Defense shall submit a report no later than July 1, 2003, and then 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

NATURAL RESOURCES RISK REMEDIATION FUND (TRANSFER OF FUNDS)

There is established in the Treasury of the United States a special account to be known as the "Natural Resources Risk Remediation Fund". Funds transferred to, appropriated to, and contributions made to, the Natural Re-

sources Risk Remediation Fund may be made available for expenses necessary, in and around Iraq, to address emergency fire fighting, repair of damage to oil facilities and related infrastructure, and preserve a distribution capability, and may remain available until expended: Provided, That up to \$489,300,000 of the funds appropriated to the Iraq Freedom Fund in this Act may be transferred to this fund: Provided further, That the Secretary of Defense may accept from any person, foreign government, or international organization, and credit to this fund, any contribution of money for such purposes: Provided further, That funds available in the Defense Cooperation Account may be transferred to and merged with the Natural Resources Risk Remediation Fund: Provided further, That the Secretary of Defense may transfer funds available in the Natural Resources Risk Remediation Fund to other appropriations or funds of the Department of Defense to carry out such purposes, or to reimburse such appropriations or funds for expenses incurred for such purposes: Provided further, That funds so transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided, such amounts may be transferred back to this appropriation: Provided further, That in administering the Natural Resources Risk Remediation Fund during fiscal year 2003, the Secretary of Defense may transfer funds from the Iraq Freedom Fund only to the extent that amounts transferred from the Defense Cooperation Account and amounts accepted pursuant to the authority of the second proviso of this paragraph are not currently available: Provided further, That, hereafter, contributions of money deposited into the Natural Resources Risk Remediation Fund shall be reported to the Congress in the same report, and under the same terms and conditions, as the report required for contributions to the Defense Cooperation Account under section 2608, chapter 155 of title 10, United States Code: Provided further, That the Secretary of Defense shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees of any transfer of funds from this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$4,100,000.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$3,100,000.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

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

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$447,500,000.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$241,800,000.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$113,600,000.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$451,000,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$70,000,000, to remain available for obligation until September 30, 2004.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$501,700,000 for Operation and maintenance.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$34,000,000.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1301. Except as otherwise specifically provided in this chapter, amounts provided to the Department of Defense under each of the headings in this chapter shall be available for the same time period, and subject to the same terms and conditions, as the amounts appropriated or otherwise made available in the Department of Defense Appropriations Act, 2003 (Public Law 107-248) and Making Further Continuing Appropriations for the Fiscal Year 2003, and for Other Purposes (Public Law 108-7).

SEC. 1302. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in previous fiscal year 2003 appropriations acts which make appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior notification to the congressional defense committees.

SEC. 1303. None of the funds in this chapter may be used to develop or procure any item or capability that will not be fielded within four years of enactment of this Act.

SEC. 1304. (a) Title II of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), is amended under the heading "Operation and Maintenance, Defense-Wide" by striking "\$25,000,000" and inserting "\$50,000,000".

(b) During fiscal year 2003 and notwithstanding the limitations in section 166a(e)(1) of title 10, United States Code, of the total amount available under such heading for the CINC initiative fund account (as amended by subsection (a)), not more than \$15,000,000 may be used for the purpose described in subparagraph (A) of such section 166a(e)(1), not more than \$10,000,000 may be used for the purpose described in subparagraph (B) of such section, and not more than \$10,000,000 may be used for the purpose described in subparagraph (C) of such section.

SEC. 1305. Title II of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), is amended under the heading "Operation and Maintenance, Defense-Wide" by striking "\$34,500,000" and inserting "\$50,000,000".

(TRANSFER OF FUNDS)

SEC. 1306. Section 8005 of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), is amended—

(1) by striking "\$2,000,000,000", and inserting "\$2,500,000,000";

(2) by striking the date "May 31, 2003", and inserting "June 30, 2003"; and

(3) by striking the sixth proviso, as added by section 112 of division M of Public Law 108-7, beginning with "Provided further" and ending with "to which transferred".

(INCLUDING TRANSFER OF FUNDS)

SEC. 1307. In addition to amounts made available elsewhere in this Act for the Department of

Defense, \$165,000,000 is appropriated to the Department of Defense to reimburse applicable appropriations for the value of drawdown support provided by the Department of Defense under the Afghanistan Freedom Support Act of 2002: Provided, That this appropriation shall not increase the limitation set forth in section 202(b) of that Act: Provided further, That the Secretary of Defense may transfer the funds provided herein to the applicable appropriations of the Department of Defense: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That notwithstanding any other provision of law, none of the funds provided in this or any other appropriations Act for the Department of Defense may be used for the drawdown authority in section 202 of the Afghanistan Freedom Support Act of 2002 (Public Law 107-327) prior to notifying in writing the House and Senate Committees on Appropriations of the source of the funds to be used for such purpose.

SEC. 1308. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 1309. (a) Of the amounts available to the Secretary of Defense, \$63,500,000 may be used to reimburse applicable appropriations for the value of support provided by the Department of Defense under the Iraq Liberation Act of 1998: Provided, That this appropriation shall not increase the limitation set forth in section 4(a)(2)(B) of that Act.

(b) Section 4(a)(2) of the Iraq Liberation Act of 1998 is amended by adding the following new subparagraph at the end:

“(C) The aggregate value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of assistance provided under this paragraph may not exceed \$86,500,000 in fiscal year 2003.”.

(c) Notwithstanding any other provision of law, none of the funds provided in this or any other appropriations Act for the Department of Defense may be used for the drawdown authority in section 4(a)(2) of the Iraq Liberation Act of 1998 (including the drawdown authority of this section) unless the House and Senate Committees on Appropriations are notified in writing of the sources of the funds to be used for such purpose not later than seven days following the exercise of the drawdown authority.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1310. Up to \$1,400,000,000 of funds transferred under the authority provided under the heading “Iraq Freedom Fund” to “Operation and Maintenance, Defense-Wide” may be used, notwithstanding any other provision of law, for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical and military support provided, or to be provided, to United States military operations in connection with military action in Iraq and the global war on terrorism: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That unless expressly provided in an appropriations act enacted after the date of enactment of this Act, and notwithstanding any other provision of law, no funds

other than those additional amounts provided herein shall be made available for any payments intended to fulfill the purposes specified in this section and similar reimbursement authorities expressly provided in section 304 of Public Law 107-117 and within the “Operation and Maintenance, Defense-Wide” appropriation account enacted in Public Law 107-206: Provided further, That not later than July 1, 2003, the Secretary of Defense shall submit a report in writing to the Committees on Appropriations that includes a financial plan for the obligation and expenditure of such funds: Provided further, That if such report is not provided to the Committees on Appropriations by the date specified in the previous proviso, unobligated balances of funds that are available from the amounts provided in this chapter for the purposes specified under this section shall be returned to the Treasury of the United States: Provided further, That, beginning not later than July 1, 2003, the Secretary of Defense shall provide quarterly reports to the Committees on Appropriations on the uses of funds made available for payments to Pakistan, Jordan, and other key cooperating nations for logistical and military support provided to United States military operations in connection with military action in and around Iraq and the global war on terrorism.

(TRANSFER OF FUNDS)

SEC. 1311. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may transfer between appropriations up to \$2,000,000,000 of the funds made available in this chapter: Provided, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of Public Law 107-248 except for the fourth proviso.

SEC. 1312. The Secretary of Defense shall notify the congressional defense committees no later than 15 days after the obligation of funds appropriated in this Act for military construction activities or minor construction in excess of \$7,500,000.

(TRANSFER OF FUNDS)

SEC. 1313. As of October 31, 2003, all balances of funds remaining in the “Defense Emergency Response Fund” shall be transferred to, and merged with, the “Iraq Freedom Fund”, and shall be available for the same purposes, and under the same terms and conditions, as funds appropriated to the “Iraq Freedom Fund” in this chapter.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1314. TECHNICAL ADJUSTMENTS TO PUBLIC LAW 107-248. Notwithstanding any other provision of law, the following adjustments and transfers shall apply to funds previously made available, and to restrictions, in the Department of Defense Appropriations Act, 2003 (Public Law 107-248):

(1) Under the heading, “Operation and Maintenance, Army National Guard”, not more than \$3,000,000 is available to build an Infantry Brigade Rifle Range for the South Carolina National Guard; and, in addition, appropriations available during fiscal year 2003 under the heading, “Operation and Maintenance, Army”, not more than \$2,000,000 is available for training range enhancements at Fort Indiantown Gap, Pennsylvania and, further, appropriations available for the Air Battle Captain program at the University of North Dakota may be used to provide summer flight training to the United States Military Academy cadets;

(2) Under the heading, “Operation and Maintenance, Air Force”, not more than \$6,800,000 is available to build and install fiber optic and power improvements and upgrades at the 11th Air Force Range;

(3) Under the heading, “Procurement, Defense-Wide”, strike “purchase of 4” and insert “purchase of 6”; and

(4) Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds provided in Public Law 107-248 for the Dismounted Intelligence Situation Mapboard (DISM) program, and such funds, once transferred, are available for the Dismounted Intelligence Situation Mapboard (DISM) program: Provided, That the amounts transferred shall be available for the same purpose as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: Provided further, That the amounts shall be transferred between the following appropriations in the amount specified:

From:

Under the heading, “Other Procurement, Army, 2003/2005”, \$3,600,000; and

Under the heading, “Research, Development, Test and Evaluation, Army, 2003/2004”, \$2,800,000;

To:

Under the heading, “Procurement, Marine Corps, 2003/2005”, \$2,800,000;

Under the heading, “Procurement, Defense-Wide, 2003/2005”, \$2,800,000;

Under the heading, “Research, Development, Test and Evaluation, Navy, 2003/2004”, \$1,400,000; and

Under the heading, “Research, Development, Test and Evaluation, Defense-Wide, 2003/2004”, \$1,400,000.

SEC. 1315. Section 811(b) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2608; 10 U.S.C. 2406c note) is amended by striking “on or after the date of the enactment of this Act” and inserting “on or after January 1, 2004”.

SEC. 1316. (a) INCREASE IN IMMINENT DANGER SPECIAL PAY.—Section 310(a) of title 37, United States Code, is amended by striking “\$150” and inserting “\$225”.

(b) INCREASE IN FAMILY SEPARATION ALLOWANCE.—Section 427(a)(1) of title 37, United States Code, is amended by striking “\$100” and inserting “\$250”.

(c) EXPIRATION.—(1) The amendments made by subsections (a) and (b) shall expire on September 30, 2003.

(2) Effective on September 30, 2003, sections 310(a) of title 37, United States Code, and 427(a)(1) of title 37, United States Code, as in effect on the day before the date of the enactment of this Act are hereby revived.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2002 and shall apply with respect to months beginning on or after that date.

(RESCISSION OF FUNDS)

SEC. 1317. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following account in the specified amount: “Research, Development, Test and Evaluation, Navy, 2003/2004”, \$3,400,000.

SEC. 1318. In the case of a member of the Armed Forces who is ill or injured as described in section 411h of title 37, United States Code, as a result of service on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, in addition to the transportation benefits authorized under that section, travel allowances may be provided to members of the family of the ill or injured member without regard to whether there is a determination that the presence of the family member may contribute to the member's health and welfare.

SEC. 1319. (a) For a member of the Armed Forces medically evacuated for treatment in a medical facility, or for travel to a medical facility or the member's home station, by reason of an illness or injury incurred or aggravated by the member while on active duty in support of Operation Noble Eagle, Operation Enduring

Freedom or Operation Iraqi Freedom, the Secretary of the military department concerned may procure civilian attire suitable for wear by the member during the travel.

(b) The Secretary may not expend more than \$250 for the procurement of civilian attire for any member under subsection (a).

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for homeland security expenses, for "Operation and Maintenance, General", \$39,000,000, to remain available until expended.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for homeland security expenses, for "Water and Related Resources", \$25,000,000, to remain available until expended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

SCIENCE

For an additional amount for "Science" for expenses necessary to support safeguards and security of nuclear and other facilities and for other purposes, \$11,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for "Weapons Activities" for expenses necessary to safeguard nuclear weapons and nuclear material, \$67,000,000, to remain available until expended: Provided, That \$20,000,000 of the funds provided shall be available for secure transportation asset activities: Provided further, That \$47,000,000 of the funds provided shall be available to meet increased safeguards and security needs throughout the nuclear weapons complex.

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for "Defense Nuclear Nonproliferation", \$148,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for "Defense Environmental Restoration and Waste Management", for expenses necessary to support safeguards and security activities at nuclear and other facilities, \$6,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For an additional amount for "Other Defense Activities", \$4,000,000, to remain available until expended.

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for "Child Survival and Health Programs Fund", \$90,000,000, to remain available until September 30, 2004.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", \$143,800,000, to remain available until expended: Provided, That amounts made available pursuant to section 492(b) of the Foreign Assistance Act of 1961 for the purpose of addressing relief and rehabilitation needs in Iraq, prior to enactment of this

Act, shall be in addition to the amount that may be obligated in any fiscal year under that section: Provided further, That during the remainder of fiscal year 2003 the authority referenced in the preceding proviso may not be utilized unless written notice has been provided to the Committees on Appropriations not less than 5 days prior to the exercise of such authority.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for "Operating Expenses of the United States Agency for International Development", \$24,500,000, of which not less than \$3,500,000 may be transferred to and merged with "Operating Expenses of the United States Agency for International Development Office of Inspector General" for financial and program audits of the Iraq Relief and Reconstruction Fund and other assistance for Iraq.

OTHER BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

IRAQ RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for humanitarian assistance in and around Iraq and to carry out the purposes of the Foreign Assistance Act of 1961 for rehabilitation and reconstruction in Iraq, there is appropriated to the President, \$2,475,000,000, to remain available until September 30, 2004, including for the costs of: (1) water/sanitation infrastructure; (2) feeding and food distribution; (3) supporting relief efforts related to refugees, internally displaced persons, and vulnerable individuals, including assistance for families of innocent Iraqi civilians who suffer losses as a result of military operations; (4) electricity; (5) healthcare; (6) telecommunications; (7) economic and financial policy; (8) education; (9) transportation; (10) rule of law and governance; (11) humanitarian demining; and (12) agriculture: Provided, That these funds shall be apportioned only to the Department of State, the United States Agency for International Development, the Department of the Treasury, the Department of Defense, and the Department of Health and Human Services, as appropriate, for expenses to meet such costs: Provided further, That funds appropriated under this heading shall be used to fully reimburse accounts administered by the Department of State, the Department of the Treasury and the United States Agency for International Development, not otherwise reimbursed from funds appropriated by this chapter, for obligations incurred for the purposes provided under this heading prior to enactment of this Act from funds appropriated for foreign operations, export financing, and related programs: Provided further, That prior to the initial apportionment of funds made available under this heading to any agency or department, the President, or his designee, shall consult with the Committees on Appropriations on plans for the use of the funds appropriated under this heading that will be used for assistance for Iraq: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the United States may accept from any person, foreign government, or international organization, and credit to this Fund, any contribution of money for such purposes: Provided further, That funds appropriated under this heading shall be available notwithstanding any other provision of law, including section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: Provided further, That funds appropriated under this heading or transferred under provisions of this chapter or section 632 of the Foreign Assistance Act of 1961 that are made available for assistance for Iraq shall be subject to notification of

the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of the obligation of funds.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", \$2,422,000,000, of which:

(1) not less than \$700,000,000 shall be made available for assistance for Jordan;

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

(3) not to exceed \$1,000,000,000, to remain available until September 30, 2005, for grants for Turkey: Provided, That during the period beginning March 1, 2003 and ending September 30, 2005, direct loans or loan guarantees may be made to Turkey, the principal amount of direct loans or loans, any part of which is to be guaranteed, shall not exceed \$8,500,000,000: Provided further, That the Government of Turkey will incur all the costs, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, associated with these loans or loan guarantees, including any non-repayment exposure risk: Provided further, That all fees associated with these loans or loan guarantees, including subsidy and administrative costs, shall be paid by the Government of Turkey to the Government of the United States: Provided further, That funds made available under this paragraph and other funds appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 and made available for assistance for Turkey may be used by the Government of Turkey to pay such fees to the United States Government: Provided further, That such guarantees shall constitute obligations, in accordance with the terms of such guarantees, of the United States and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations: Provided further, That none of the funds made available by this paragraph may be made available for assistance for Turkey if the Secretary of State determines and reports to the Committees on Appropriations of the House and Senate, the Committee on Foreign Relations of the Senate and Committee on International Relations of the House that the Government of Turkey is not cooperating with the United States in Operation Iraqi Freedom, including

the facilitation of humanitarian assistance to Iraq, or has unilaterally deployed troops into northern Iraq: Provided further, That the President shall determine the terms and conditions for issuing the economic assistance authorized by this paragraph and should take into consideration budgetary and economic reforms undertaken by Turkey: Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of such economic assistance not yet outlayed under this paragraph: Provided further, That any balance of funds not made available to Turkey under this paragraph shall be transferred to, and merged with, funds appropriated for "Iraq Relief and Reconstruction Fund";

(4) not less than \$30,000,000 for assistance for the Philippines to further prospects for peace in Mindanao, and not less than \$167,000,000 for assistance for Afghanistan: Provided, That of the funds appropriated under this heading, \$10,000,000 should be made available for investigations and research into allegations of war crimes, crimes against humanity, or genocide committed by Saddam Hussein or other Iraqis, and for a contribution to an international tribunal to bring these individuals to justice;

(5) regional funds made available under this heading for assistance that are not specified in paragraphs (1) through (4) shall be subject to the regular notification procedures of the Committees on Appropriations; and

(6) unless otherwise specified herein, funds appropriated under this heading shall remain available until September 30, 2004.

LOAN GUARANTEES TO ISRAEL

During the period beginning March 1, 2003, and ending September 30, 2005, loan guarantees may be made available to Israel, guaranteeing 100 percent of the principal and interest on such loans, the principal amount, any part of which is to be guaranteed, not to exceed \$9,000,000,000, of which up to \$3,000,000,000 may be issued prior to October 1, 2003, or thereafter and of which \$3,000,000,000 may be issued subsequent to September 30, 2004: Provided, That such guarantees shall constitute obligations, in accordance with the terms of such guarantees, of the United States and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations: Provided further, That if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2005, the authority to issue the balance of such guarantees shall extend to the subsequent fiscal year: Provided further, That guarantees may be issued under this section only to support activities in the geographic areas which were subject to the administration of the Government of Israel before June 5, 1967: Provided further, That the amount of guarantees that may be issued shall be reduced by an amount equal to the amount extended or estimated to have been extended by the Government of Israel during the period from March 1, 2003, to the date of issue of the guarantee, for activities which the President determines are inconsistent with the objectives and understandings reached between the United States and the Government of Israel regarding the implementation of the loan guarantee program: Provided further, That the President shall submit a report to Congress no later than September 30 of each fiscal year during the pendency of the program specifying the amount calculated under the preceding proviso and that will be deducted from the amount of guarantees authorized to be issued in the next fiscal year: Provided further, That the interest rate for loans guaranteed under this heading may include a reasonable fee to cover the costs and fees incurred by the borrower in connection with this program or financing under this heading in the event the borrower elects not to finance such costs or fees out of loan principal: Provided further, That no appropriations under this heading

are available for the subsidy costs for these loan guarantees: Provided further, That the Government of Israel will pay the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, including any non-payment exposure risk, associated with the loan guarantees issued in any fiscal year, on a pro rata basis as each guarantee is issued during that year: Provided further, That all fees (as defined in section 601(e) of Public Law 102-391) associated with the loan guarantees shall be paid by the Government of Israel to the Government of the United States: Provided further, That funds made available for assistance to Israel under chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, may be utilized by the Government of Israel to pay such fees to the United States Government: Provided further, That the President shall determine the terms and conditions for issuing guarantees, taking into consideration the budgetary and economic reforms undertaken by Israel: Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of the loan guarantees not yet issued under this heading.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

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

ANDEAN COUNTERDRUG INITIATIVE

For an additional amount for the "Andean Counterdrug Initiative", \$34,000,000, to remain available until September 30, 2004: Provided, That of the funds appropriated under this heading that are made available for Colombia, not less than \$5,000,000 should be made available for programs and activities to assist persons who have been displaced as a result of armed conflict.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", \$80,000,000, to remain until expended, notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)(2)).

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-Terrorism, Demining and Related Programs", \$28,000,000: Provided, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for the "Foreign Military Financing Program", \$2,059,100,000: Provided, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: Provided further, That of the funds appropriated under this heading, not less than \$406,000,000 shall be made available for grants only for Jordan and not less than \$1,000,000,000 shall be available for grants only for Israel: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed to by the United States and Israel, be available for

advanced weapons systems, of which not less than \$263,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That up to \$20,000,000 of the funds appropriated by this paragraph may be transferred to and merged with funds appropriated under the heading "Andean Counterdrug Initiative" for aircraft, training, and other assistance for the Colombian Armed Forces: Provided further, That, except for Israel and Jordan, funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of the commitment of funds: Provided further, That such notification shall be in the form of a report (in classified or unclassified form) which contains each country receiving assistance from funds aggregated under this heading, other than Israel and Jordan, the amount of assistance to be provided and a description of the equipment and other assistance being financed from such funds.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", \$100,000,000, to remain available until September 30, 2004.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1501. Any appropriation made available in this chapter under the headings "International Disaster Assistance", "United States Emergency Refugee and Migration Assistance Fund", "Nonproliferation, Anti-Terrorism, Demining and Related Programs", "Peacekeeping Operations", or "Iraq Relief and Reconstruction Fund" may be transferred between such appropriations for use for any of the purposes for which the funds in the such receiving account may be used: Provided, That the total amount transferred from funds appropriated under these headings shall not exceed \$100,000,000: Provided further, That the Secretary of State shall consult with the Committees on Appropriations prior to exercising the authority contained in this section: Provided further, That funds made available pursuant to the authority of this section shall be subject to the regular notification procedures of the Committees on Appropriations, except that notification shall be transmitted at least 5 days in advance of the obligations of funds.

SEC. 1502. Assistance or other financing under this chapter may be provided for Iraq notwithstanding any other provision of law: Provided, That the authority contained in this section shall not apply to section 553 of Public Law 108-7: Provided further, That funds made available for Iraq pursuant to this authority shall be subject to the regular reprogramming procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except that notification shall be transmitted at least 5 days in advance of obligation: Provided further, That the notification requirements of this section may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

SEC. 1503. The President may suspend the application of any provision of the Iraq Sanctions Act of 1990: Provided, That nothing in this section shall affect the applicability of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102-484), except that such Act shall not apply to humanitarian assistance and supplies: Provided further, That the President may make

inapplicable with respect to Iraq section 620A of the Foreign Assistance Act of 1961 or any other provision of law that applies to countries that have supported terrorism: Provided further, That military equipment, as defined by Title XVI, section 1608(1)(A) of Public Law 102-484, shall not be exported under the authority of this section: Provided further, That section 307 of the Foreign Assistance Act of 1961 shall not apply with respect to programs of international organizations for Iraq: Provided further, That provisions of law that direct the United States Government to vote against or oppose loans or other uses of funds, including for financial or technical assistance, in international financial institutions for Iraq shall not be construed as applying to Iraq: Provided further, That the President shall submit a notification 5 days prior to exercising any of the authorities described in this section to the Committee on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives: Provided further, That not more than 60 days after enactment of this Act and every 90 days thereafter the President shall submit a report to the Committee on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives containing a summary of all licenses approved for export to Iraq of any item on the Commerce Control List contained in the Export Administration Regulations, 15 CFR Part 774, Supplement 1, including identification of end users of such items: Provided further, That the authorities contained in this section shall expire on September 30, 2004, or on the date of enactment of a subsequent Act authorizing assistance for Iraq and that specifically amends, repeals or otherwise makes inapplicable the authorities of this section, whichever occurs first.

SEC. 1504. Notwithstanding any other provision of law, the President may authorize the export to Iraq of any nonlethal military equipment controlled under the International Trafficking in Arms Regulations on the United States Munitions List established pursuant to section 38 of the Arms Export Control Act, (22 U.S.C. 2778), if the President determines and notifies within 5 days prior to export the Committee on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives that the export of such nonlethal military equipment is in the national interest of the United States: Provided, That the limitation regarding nonlethal military equipment shall not apply to military equipment designated by the Secretary of State for use by a reconstituted (or interim) Iraqi military or police force: Provided further, That the authorities contained in this section shall expire on September 30, 2004, or on the date of enactment of a subsequent Act authorizing assistance for Iraq and that specifically amends, repeals or otherwise makes inapplicable the authorities of this section, whichever occurs first.

SEC. 1505. Division E of Public Law 108-7, under the heading "Assistance for the Independent States of the Former Soviet Union", is amended in subsection (f) by: (1) striking "assistance for the Government" and inserting "assistance for the central Government"; and (2) striking "unless" and inserting "if"; and striking "not facilitated" and inserting "facilitated".

SEC. 1506. REPORTS ON UNITED STATES STRATEGY FOR RELIEF AND RECONSTRUCTION IN IRAQ.

(a) INITIAL REPORT.—Not later than 45 days after the date of enactment of this Act, the President shall submit to the Committees on Appropriations a report on the United States strategy regarding activities related to post-conflict security, humanitarian assistance, governance, and reconstruction in Iraq that are undertaken

as a result of Operation Iraqi Freedom. The report shall include the following:

(1) The distribution of duties and responsibilities regarding such activities among agencies of the United States Government, including the Department of State, the United States Agency for International Development, and the Department of Defense (to be provided within 30 days of enactment of this Act).

(2) A detailed plan describing the roles and responsibilities of foreign governments and international organizations including the United Nations, in carrying out activities related to post-conflict security, humanitarian assistance, governance, and reconstruction in Iraq.

(3) A strategy for coordinating such activities among the United States Government, foreign governments and international organizations, including the United Nations.

(4) An initial estimate of the costs expected to be associated with such activities.

(5) A strategy for distributing the responsibility for paying costs associated with reconstruction activities in Iraq among the United States, foreign governments, and international organizations, including the United Nations, and an estimate of the revenue expected to be generated by Iraqi oil production that could be used to pay such costs.

(b) SUBSEQUENT REPORTS.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2004, the President shall submit to the Committees on Appropriations a report that contains:

(1) A list of significant United States Government-funded activities related to reconstruction in Iraq that, during the 90-day period ending 15 days prior to the date the report is submitted to the Committees on Appropriations—

(A) were initiated; or

(B) were completed.

(2) A list of the significant activities related to reconstruction in Iraq that the President anticipates initiating during the 90-day period beginning on the date the report is submitted to the Committees on Appropriations, including:

(A) Cost estimates for carrying out the proposed activities.

(B) The source of the funds that will be used to pay such costs.

(3) Updated strategies, if changes are proposed regarding matters included in the reports required under subsection (a).

(4) An updated list of the financial pledges and contributions made by foreign governments or international organizations to fund activities related to humanitarian, governance, and reconstruction assistance in Iraq.

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

DEPARTMENTAL MANAGEMENT

COUNTERTERRORISM FUND

For an additional amount for the "Counterterrorism Fund" for necessary expenses as determined by the Secretary of Homeland Security, \$150,000,000, to remain available until expended, to reimburse any Department of Homeland Security organization for the costs of providing support to prevent, counter, investigate, respond to, or prosecute unexpected threats or acts of terrorism: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds in accordance with section 1601 of this Act.

CITIZENSHIP AND IMMIGRATION SERVICES

OPERATING EXPENSES

For necessary expenses for "Operating Expenses" related to conducting Operation Liberty Shield, \$3,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

UNITED STATES SECRET SERVICE

OPERATING EXPENSES

For an additional amount for "Operating Expenses" for necessary expenses related to conducting Operation Liberty Shield, \$30,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

BORDER AND TRANSPORTATION SECURITY

CUSTOMS AND BORDER PROTECTION

For necessary expenses for "Customs and Border Protection" related to conducting Operation Liberty Shield and for other purposes, \$333,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

IMMIGRATION AND CUSTOMS ENFORCEMENT

For necessary expenses for "Immigration and Customs Enforcement" related to conducting Operation Liberty Shield and for other purposes, \$170,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

TRANSPORTATION SECURITY ADMINISTRATION

For necessary expenses for "Transportation Security Administration", \$665,000,000, to remain available until expended: Provided, That \$130,000,000 of this amount shall not be made available until September 30, 2003: Provided further, That of the total amount provided, the following amounts are made available solely for the purposes specified below:

(1) physical modification of commercial service airports for the purposes of installing checked baggage explosive detection systems into airport baggage systems, \$235,000,000;

(2) port security grants, \$20,000,000; and

(3) passenger screener hiring, training and related costs, \$280,000,000, which shall not be obligated (a) until the President transmits an official budget request for such amount to the Congress and (b) until the Administrator of the Transportation Security Administration submits a fiscal year 2003 budget execution plan approved by the Office of Management and Budget detailing spending levels by budget line item, program, project and activity: Provided, That such plan shall fully fund all programs and activities specifically funded by Congress in Public Laws 107-206 and 108-7:

Provided further, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

OPERATING EXPENSES

For an additional amount for "Operating Expenses" related to conducting Operation Liberty Shield, \$2,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

OFFICE FOR DOMESTIC PREPAREDNESS

For an additional amount for the "Office for Domestic Preparedness", \$2,230,000,000, to remain available until December 31, 2003, as authorized by Sections 403(5) and 430 of the Homeland Security Act of 2002 (Public Law 107-296) and Section 1014 of the USA PATRIOT Act of 2001 (Public Law 107-56), for grants, contracts, cooperative agreements, and other activities, including grants to State and local governments for terrorism prevention activities, which shall be allocated as follows:

(1) \$1,300,000,000 for grants pursuant to Section 1014 of Public Law 107-56: Provided, That

the application for grants shall be made available to States within 15 days of enactment of this Act; that States shall submit applications within 30 days of the grant announcement; that the Office for Domestic Preparedness shall act on each application within 15 days of receipt; and that each State shall transfer no less than 80 percent of the total amount of the grant to local governments within 45 days of the grant award;

(2) \$30,000,000 for technical assistance;

(3) \$200,000,000 for formula-based grants for critical infrastructure protection, subject to Section 1014(c)(3) of Public Law 107-56: Provided, That the application for these grants shall be made available to States within 15 days of enactment of this Act; that States shall submit applications within 30 days of the grant announcement; that the Office for Domestic Preparedness shall act on each application within 15 days of receipt; and that each State shall transfer no less than 50 percent of the total amount of the grant to local governments within 45 days of the grant award; and

(4) \$700,000,000 for discretionary grants for use in high-density urban areas, high-threat areas, and for protection of critical infrastructure, as determined by the Secretary of Homeland Security: Provided, That no less than 80 percent of any grant to a State shall be transferred by the State to local governments within 45 days of the receipt of funds: Provided further, That Section 1014(c)(3) of Public Law 107-56 shall not apply to these grants:

Provided, That none of the funds appropriated under this heading shall be used for the construction or renovation of facilities: Provided further, That funds appropriated in subsections (3) and (4) under this heading shall be available for operational costs, to include personnel overtime as needed: Provided further, That the Secretary of Homeland Security shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of the funds provided under this heading.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses" for expenses related to conducting Operation Liberty Shield and for other purposes, \$228,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

EMERGENCY PREPAREDNESS AND RESPONSE

OPERATING EXPENSES

For necessary expenses for "Operating Expenses" related to conducting Operation Liberty Shield, \$45,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount for "Emergency Management Planning and Assistance", \$54,750,000, for grants for interoperable communications equipment: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1601. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies fund-

ed by this Act shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by Congress; or (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose, unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, projects or activities, as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 1602. (a) The Under Secretary of Homeland Security for Border and Transportation Security may issue letters of intent to airports to provide assistance for the installation of explosive detection systems by the date prescribed by section 44901(d)(2)(i) of title 49, United States Code.

(b) Beginning 30 days after the date of enactment of this Act, and every 60 days thereafter in calendar year 2003, the Under Secretary shall transmit a classified report to the House of Representatives Committee on Appropriations, the Senate Committee on Appropriations, the House of Representatives Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation describing each letter of intent issued by the Under Secretary under subsection (a).

SEC. 1603. In accordance with section 873(b) of the Homeland Security Act of 2002 (6 U.S.C. 453(b)), the Bureau of Customs and Border Protection may accept donations of body armor for United States Border Patrol agents and United States Border Patrol canines if such donations would further the mission of protecting our Nation's borders and ports of entry as determined by the Under Secretary for Border and Transportation Security.

CHAPTER 7

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for "Centers for Disease Control and Prevention, Disease Control, Research, and Training", \$16,000,000 for costs associated with the prevention and control of Severe Acute Respiratory Syndrome (SARS).

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for "Public Health and Social Services Emergency Fund", for the Centers for Disease Control and Prevention, \$100,000,000, to remain available until expended.

For an additional amount for the "Public Health and Social Services Emergency Fund", \$42,000,000, to remain available until expended, for costs associated with compensating individ-

uals with injuries resulting from smallpox vaccinations and countermeasures: Provided, That such funds shall become available only upon the enactment of legislation authorizing a smallpox vaccination compensation program.

GENERAL PROVISION

REPATRIATION

SEC. 1701. Section 1113(d) of the Social Security Act (42 U.S.C. 1313(d)), is amended by striking "1991" and inserting "2003".

CHAPTER 8

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

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

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For an additional amount for salaries and expenses of standing committees, special and select, authorized by House resolutions, \$11,000,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2004.

CAPITOL POLICE

GENERAL EXPENSES

For an additional amount for "General expenses", \$37,758,000, to remain available until expended.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$111,000.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDING

For an additional amount for "Capitol building", \$1,100,000.

CAPITOL POWER PLANT

For an additional amount for "Capitol power plant", \$22,679,000, which shall remain available until September 30, 2007.

CAPITOL POLICE BUILDINGS AND GROUNDS

For an additional amount for "Capitol police buildings and grounds", \$40,140,000, to remain available until September 30, 2007.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$5,500,000 to remain available until September 30, 2007.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,863,000, to remain available until September 30, 2004.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$4,849,000.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1801. POSTAL PATRON POSTCARDS. The matter under the subheading "MISCELLANEOUS ITEMS" under the heading "CONTINGENT EXPENSES OF THE SENATE" under title I of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7) is amended by striking "with a population of less than 250,000".

CHAPTER 9

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY

For an additional amount for "Military Construction, Navy", \$48,100,000, to remain available until September 30, 2007: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$152,900,000, to remain available until September 30, 2007: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

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

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1901. (a) TRANSFER AUTHORITY.—Subject to subsection (b), the Secretary of Defense may transfer not more than \$150,000,000 of the funds appropriated or otherwise made available to the Department of Defense in this Act to the contingency construction account, authorized under section 2804 of title 10, United States Code, for the purpose of carrying out military construction projects not otherwise authorized by law. The transfer authority under this section is in addition to any other transfer authority available to the Department of Defense.

(b) CONDITIONS ON TRANSFER.—A transfer of funds under subsection (a) may not be made until the end of the seven-day period beginning on the date the Secretary of Defense submits written notice to the appropriate committees of Congress certifying that the transfer is necessary to respond to, or protect against, acts or threatened acts of terrorism or to support Department of Defense operations in Iraq, and specifying the amounts and purposes of the transfer, including a list of proposed projects and their estimated costs.

(c) NOTICE OF OBLIGATIONS.—Notwithstanding section 2804(b) of title 10, United States Code, when a decision is made to carry out a military construction project using funds transferred to the contingency construction account under subsection (a), the Secretary of Defense shall submit written notice to the appropriate committees of Congress no later than fifteen days after the obligation of the funds for the project, specifying the estimated cost of the project and including form 1391.

(d) DEFINITIONS.—For purposes of this section, the terms "appropriate committees of Congress", "military construction", and "military installation" have the meanings given such terms in section 2801 of title 10, United States Code, except that, with respect to military construction in a foreign country, the term "military installation" includes, not only buildings, structures, and other improvements to real property under the operational control of the Secretary of a military department or the Secretary of Defense, but also any building, structure, or other improvement to real property to be used by the Armed Forces, regardless of whether such use is anticipated to be temporary or of longer duration.

SEC. 1902. (a) The Secretary of the Army may accept funds from the State of Utah, and credit them to the appropriate Department of the Army accounts for the purpose of funding the costs associated with extending the runway at Michael Army Airfield, Dugway Proving Ground, Utah, as part of a previously authorized military construction project.

(b) The Secretary may use the funds accepted for the refurbishment, in addition to funds authorized and appropriated for the project. The authority to accept a contribution under this section does not authorize the Secretary of the Army to reduce expenditures of amounts appropriated for the refurbishment project. The funds accepted shall remain available until expended.

(c) The authority provided in this section shall be effective upon the date of the enactment of this Act.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized, \$25,000,000, to remain available until September 30, 2005: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That none of the funds under this heading may be obligated or expended until the Department of Transportation Inspector General certifies to the House and Senate Committees on Appropriations that the recommendations of report CR-2003-031 have been implemented to his satisfaction.

TITLE II—MISCELLANEOUS AND TECHNICAL APPROPRIATIONS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES

GENERAL PROVISIONS

SEC. 2101. (a) Section 756 in Division A of Public Law 108-7 is amended by striking "section 7404" and inserting in lieu thereof "sections 7404(a)(1) and 7404(c)(1)".

(b) Section 7404(e) of Public Law 107-171 is amended by striking "0.1 percent of the amount of appropriations available to the Agricultural Research Service" and inserting in lieu thereof "\$499,000 of the amount of appropriations available to the Department of Agriculture".

SEC. 2102. Section 210 of the Agricultural Assistance Act of 2003, "Assistance to Agricultural Producers Located in New Mexico for Tebuthiuron Application Losses", is amended in subsection (a)—

(1) by inserting "all" before "losses";

(2) by inserting after "losses" the following: "to crops, livestock, and trees, and interest and loss of income, and related expenses";

(3) by striking "during calendar years 2002 and 2003"; and

(4) by deleting "August" and inserting in lieu thereof "July".

SEC. 2103. LIVESTOCK COMPENSATION PROGRAM. Section 203(a) of the Agricultural Assistance Act of 2003 (title II of Division N of Public Law 108-7) is amended by adding at the end the following:

"(3) GRANTS.—

"(A) IN GENERAL.—To provide assistance to eligible applicants under paragraph (2)(B), the Secretary shall provide grants to appropriate State departments of agriculture (or other appropriate State agencies) that agree to provide assistance to eligible applicants.

"(B) AMOUNT.—The total amount of grants provided under subparagraph (A) shall be equal to the total amount of assistance that the Secretary determines all eligible applicants are eligible to receive under paragraph (2)(B)."

SEC. 2104. USE OF ORGANICALLY PRODUCED FEED FOR CERTIFICATION AS ORGANIC FARM. Section 771 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2003 (division A of Public Law 108-7) is repealed.

SEC. 2105. WILD SEAFOOD. Section 2107 of the Organic Foods Production Act of 1990 (7 U.S.C. 6503) is amended—

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

(2) by inserting after section (b) the following:

"(c) WILD SEAFOOD.—

"(1) IN GENERAL.—Notwithstanding the requirement of section 2107(a)(1)(A) requiring products be produced only on certified organic farms, the Secretary shall allow, through regulations promulgated after public notice and opportunity for comment, wild seafood to be certified or labeled as organic.

"(2) CONSULTATION AND ACCOMMODATION.—In carrying out paragraph (1), the Secretary shall—

"(A) consult with—

"(i) the Secretary of Commerce;

"(ii) the National Organic Standards Board established under section 2119;

"(iii) producers, processors, and sellers; and

"(iv) other interested members of the public; and

"(B) to the maximum extent practicable, accommodate the unique characteristics of the industries in the United States that harvest and process wild seafood."

SEC. 2106. TECHNICAL ASSISTANCE FOR CONSERVATION PROGRAMS. (a) IN GENERAL.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (b) and inserting the following:

"(b) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—Effective beginning on the date of enactment of the Agricultural Assistance Act of 2003, subject to paragraph (2), Commodity Credit Corporation funds made available under paragraphs (4) through (7) of subsection (a) shall be available for the provision of technical assistance (subject to section 1242) for the conservation programs specified in subsection (a).

"(2) CONSERVATION SECURITY PROGRAM.—Effective for fiscal year 2004 and subsequent fiscal years, Commodity Credit Corporation funds made available to carry out the conservation security program under subsection (a)(3)—

"(A) shall be available for the provision of technical assistance for the conservation security program; and

"(B) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the conservation security program."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on February 20, 2003.

CHAPTER 2

DEPARTMENT OF COMMERCE AND

RELATED AGENCIES

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

EUROPEAN COMMUNITIES MUSIC LICENSING DISPUTE

For the payment to the European Communities with regard to the European Communities music licensing dispute, \$3,300,000.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction" for satellite programs, \$65,000,000, to remain available until September 30, 2004: Provided, That funds provided under this heading for the National Polar-orbiting Operational Environmental Satellite System shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense.

RELATED AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Equal Employment Opportunity Commission, Salaries and Expenses", \$15,000,000.

NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for "National Commission on Terrorist Attacks Upon the United States, Salaries and Expenses", \$11,000,000, to remain available until September 30, 2004.

GENERAL PROVISION, THIS CHAPTER

SEC. 2201. Section 501(b) of title V of division N of the Consolidated Appropriations Resolution, 2003 is amended—

(1) by striking "program authorized for the fishery in Sec. 211" and inserting "programs authorized for the fisheries in sections 211 and 212"; and

(2) by striking "program in section 211" and inserting "programs in sections 211 and 212".

CHAPTER 3

SUBCOMMITTEE ON DISTRICT OF COLUMBIA DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, \$8,752,000 are rescinded (including \$8,655,000 from local funds and \$97,000 from other funds).

ECONOMIC DEVELOPMENT AND REGULATION

(INCLUDING RESCISSION)

For an additional amount for "Economic Development and Regulation", \$13,428,000 (including a rescission of \$1,282,000 from local funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, and an additional amount of \$14,710,000 from other funds).

PUBLIC SAFETY AND JUSTICE

For an additional amount for "Public Safety and Justice", \$11,462,000 from local funds.

PUBLIC EDUCATION SYSTEM

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, \$11,435,000 are rescinded (including a rescission of \$13,546,000 from local funds and an additional amount of \$2,111,000 from other funds), to be allocated as follows:

(1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—An increase of \$2,029,000 (including a rescission of \$29,000 from local funds and an additional amount of \$2,058,000 from other funds);

(2) STATE EDUCATION OFFICE.—A rescission of \$181,000 from local funds;

(3) PUBLIC CHARTER SCHOOLS.—Notwithstanding any other provision of law, a rescission of \$12,000,000 from local funds;

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—A rescission of \$1,040,000 from local funds;

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES.—A rescission of \$237,000 (including a rescission of \$290,000 from local funds and an additional amount of \$53,000 from other funds); and

(6) COMMISSION ON THE ARTS AND HUMANITIES.—A rescission of \$6,000 from local funds.

HUMAN SUPPORT SERVICES

(INCLUDING RESCISSION)

For an additional amount for "Human Support Services", \$30,258,000 (including an additional amount of \$34,292,000 from local funds and a rescission of \$4,034,000 from other funds appropriated under this heading in the District of Columbia Appropriations Act, 2003).

In addition, this heading in the District of Columbia Appropriations Act, 2003, is amended by striking the following proviso, "": Provided further, That \$37,500,000 in local funds, to remain available until expended, shall be deposited in the Medicaid and Special Education Reform Fund." and inserting the following proviso "": Provided further, That \$74,500,000 in local funds may be deposited in the Medicaid and Special Education Reform Fund and shall then remain available until expended.".

PUBLIC WORKS

(INCLUDING RESCISSION)

For an additional amount for "Public Works", \$2,420,000 (including a rescission of \$8,998,000 from local funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, and an additional amount of \$11,418,000 from other funds): Provided, That \$512,000 from other funds shall remain available until expended for the taxicab revolving loan fund.

REPAYMENT OF LOANS AND INTEREST

(INCLUDING RESCISSION)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, \$2,466,000 are rescinded.

WILSON BUILDING

(INCLUDING RESCISSION)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, \$700,000 are rescinded.

WORKFORCE INVESTMENTS

(INCLUDING RESCISSION)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, \$2,000,000 are rescinded.

NON-DEPARTMENTAL AGENCY

(INCLUDING RESCISSION)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, \$5,799,000 are rescinded.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 2301. The District of Columbia is hereby authorized to transfer an amount not to exceed \$12,081,000, to remain available until expended, from funds identified in the fiscal year 2002 comprehensive annual financial report as the District of Columbia's undesignated, unreserved fund balance to the local general fund to cover revenue shortfalls: Provided, That nothing in this provision shall be deemed as granting the District additional authority to expend funds from the emergency or contingency reserves established under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50a(b)).

SEC. 2302. The authority which the Chief Financial Officer of the District of Columbia exercised with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period (as defined in Public Law 104-8) shall remain in effect through September 30, 2004.

SEC. 2303. In the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108-7; House Report 108-10), in the matter in title I of Division C, under the heading "Federal Payment to the Chief Financial Officer of the District of Columbia" the provision specifying \$100,000 to Friends of Fort Dupont to restore and upgrade unused Fort Dupont baseball fields shall be deemed to read as follows: "\$100,000 to Friends of Fort Dupont to restore and upgrade unused Fort Dupont baseball fields and to support the Fort Dupont's Kids on Ice program".

CHAPTER 4

SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

STATE AND TRIBAL WILDLIFE GRANTS

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

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

Division F of Public Law 108-7 is hereby amended under the heading "National Park Service, Operation of the National Park System" by striking "\$1,565,565,000" and inserting "\$1,574,565,000".

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

Within thirty days of enactment of this Act, the Secretary of the Interior shall make available for obligation funds previously appropriated in Public Law 107-63 for construction of the Qjibwa Indian School.

GENERAL PROVISION, THIS CHAPTER

SEC. 2401. Section 328 of Division F, Public Law 108-7 is amended by striking the phrase

"under the authority of Section 504 of the Revisions Act of 1995 (Public Law 104-19)" in the proviso.

CHAPTER 5

SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES

ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The matter under the heading "Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services", in Public Law 108-7 is amended—

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

(2) by striking "Tressler Lutheran Services, Harrisburg, PA, for abstinence education and related services" and inserting "DIAKON Lutheran Social Ministries, Allentown, PA, for abstinence education and related services in Cumberland and Dauphin counties" in lieu thereof;

(3) by striking "Community Ministries of the Lutheran Home at Topton, Reading, PA, for abstinence education and related services" and inserting "DIAKON Lutheran Social Ministries of Allentown, PA, for abstinence education and related services in Berks county" in lieu thereof;

(4) by striking "\$298,153,000" and inserting "\$296,638,000" in the first proviso; and

(5) by inserting after "a study regarding delivery of pediatric health care in northeastern Oklahoma," "\$225,000 is available for the Mental Health Association of Tarrant County, Ft. Worth, Texas to provide school-based mental health education to schools in Tarrant County, \$200,000 is available for the AIDS Research Institute at the University of California, San Francisco for a Developing Country Medical Program to facilitate clinician exchange between the United States and developing countries, \$1,000,000 is available for the Geisinger Health System, Harrisburg, PA to establish centers of excellence for the treatment of autism".

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The matter under the heading "Office of the Secretary, Public Health and Social Services Emergency Fund", in Public Law 108-7 is amended by striking ", to remain available until expended" after the "\$5,000,000".

GENERAL PROVISIONS

(TRANSFER AUTHORITY)

SEC. 2501. Section 207 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003 (Public Law 108-7; Division G) is amended by striking "or any other".

INTERNATIONAL HEALTH ACTIVITIES

SEC. 2502. (a) In addition to the authority provided in section 215 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003 (Public Law 108-7; Division G), in order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2003, the Secretary of Health and Human Services may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)).

(b) The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and

other applicable statutes administered by the Department of State.

DEPARTMENT OF EDUCATION SCHOOL IMPROVEMENT PROGRAMS

The matter under the heading "Department of Education, School Improvement Programs", in Public Law 108-7 is amended—

- (1) by striking "\$8,052,957,000" and inserting "\$8,053,507,000";
- (2) by striking "\$508,100,000" and inserting "\$537,100,000";
- (3) by striking "\$4,132,167,000" and inserting "\$4,233,167,000";
- (4) by striking "\$814,660,000" and inserting "\$815,210,000"; and,
- (5) by striking "\$212,160,000" and inserting "\$212,710,000".

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

(1) the provision specifying \$150,000 for Illinois State Board of Education, Springfield, Illinois, for computers, hardware and software for the implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and Pleasant Plain Illinois District #18 shall be deemed to read as follows: "Illinois State Board of Education, Springfield, Illinois, for implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and for improving mathematics achievement in Peoria School District #150 and Jacksonville School District #117, \$150,000";

(2) the provision specifying \$2,000,000 for Pinellas County Florida School District, St. Petersburg, Florida, for technology for Title I schools shall be deemed to read as follows: "St. Petersburg College, St. Petersburg, Florida, for the Pinellas County EpiCenter, \$2,000,000";

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

(4) the provision specifying \$200,000 for the Harford County Board of Education in Aberdeen, MD, for a collaboration between a science and technology high school and the Aberdeen Proving Ground shall be deemed to read as follows: "Harford County Board of Education in Aberdeen, MD, for a collaboration between a science and technology high school and the Aberdeen Proving Ground, \$700,000";

(5) the provision specifying \$25,000 for the Boys and Girls Club of El Dorado, Arkansas, for drug prevention and after school programs shall be deemed to read as follows: "Boys and Girls Club, Southeast Unit, El Dorado, Arkansas, for drug prevention and after school programs, \$25,000";

(6) the provision specifying \$100,000 for the American Academy of Liberal Education, Washington, D.C., to develop projects and survey best practices in the study of American democracy and principles of free government at colleges and universities shall be deleted;

(7) the provision specifying \$400,000 for the Milwaukee Public Schools, Wisconsin, to expand before- and after-school programs shall be deemed to read: "Milwaukee Public Schools, WI, for before- and after-school programs, \$400,000";

(8) the provision specifying \$200,000 for Tensas Reunion, Inc., Newellton, LA, for instructional technology training, and after school programs at the Tensas Charter School shall be deemed to read: "Tensas Reunion, Inc., Newellton, LA, for the TREES Project in Tensas Parish, including activities such as the purchase of computers and educational software, tutoring, and workshops to promote parental involvement, \$200,000";

(9) the provision specifying \$250,000 for Community School District 8, Flushing, NY, for after-school programs shall be deemed to read:

"Community School District 8, Bronx, NY, for after-school programs, \$250,000";

(10) the provision specifying \$20,000 for Westside High School, Bakersfield, California, for equipment shall be deemed to read: "West High School, Bakersfield, California, for equipment, \$20,000";

(11) the provision specifying \$1,000,000 for the National Science Center Foundation, Atlanta, Georgia, for educational technology and other purposes shall be deemed to read: "National Science Center Foundation, Augusta, Georgia, for educational technology and other purposes, \$1,000,000";

(12) the provision specifying \$200,000 for the Golden Gate National Parks Association, San Francisco, CA, for environmental education programs at the Crissy Field Center shall be deemed to read: "Golden Gate National Parks Conservancy, San Francisco, CA, for environmental education programs at the Crissy Field Center, \$200,000" and a provision shall be added that reads: "Beresford Community Education in Beresford, SD to expand community education programs, \$150,000";

(13) the provision specifying \$100,000 for the University of South Florida, Tampa, FL, for the Tampa Bay Consortium for the Development of Educational Leaders and the Preparation and Recruitment of Teachers shall be deemed to read: "University of South Florida, Tampa, FL, for the Tampa Bay Consortium for the Development of Educational Leaders, \$100,000";

(14) the provision specifying \$25,000 for the Meredith-Dunn Learning Disabilities Center, Inc., Louisville, Kentucky for technology shall be deemed to read as follows: "Meredith-Dunn Learning Disabilities Center, Inc., Louisville, Kentucky for school counseling services, \$25,000";

(15) the provision specifying \$40,000 for the Father Maloney's Boys Haven, Louisville, Kentucky for technology shall be deemed to read as follows: "Father Maloney's Boys Haven, Louisville, Kentucky for an educational program, \$40,000";

(16) the provision specifying \$50,000 for the Joel II Restoration Ministries for education programs shall be deemed to read as follows: "Joel II Restoration Outreach, Inc. for education programs, \$50,000"; and

(17) the provision specifying \$1,500,000 for the City of Upland, California, for after school programs shall be deemed to read as follows: "YMCA of the City of Upland, California, for after-school activities, \$1,500,000".

HIGHER EDUCATION

The matter under the heading "Higher Education", in Public Law 108-7 is amended—

- (1) by striking "\$2,100,701,000" and inserting "\$2,100,151,000"; and,
- (2) by striking "\$140,599,000" and inserting "\$140,049,000".

In the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108-7; House Report 108-10), in the matter in title III of Division G, relating to the Fund for the Improvement of Postsecondary Education under the heading "Higher Education"—

(1) the second reference to the provision specifying \$1,000,000 for the University of Massachusetts-Boston to purchase research equipment and technology infrastructure shall be deleted;

(2) the provision specifying \$500,000 for Harford County Public Schools, Bel Air, MD, for support of a math and science magnet school program at Aberdeen High School shall be deleted and a provision shall be added that reads: "American Academy of Liberal Education, Washington, D.C., to develop projects and survey best practices in the study of American democracy and principles of free government at colleges and universities, \$100,000";

(3) the provision specifying \$100,000 for Slippery Rock University, Slippery Rock, PA, for Knowledge Pointe at Cranberry Woods, as part

of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents shall be deemed to read as follows: "Regional Learning Alliance, Marshall Township in Allegheny County, PA, as part of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents, \$200,000";

(4) the provision specifying \$150,000 for Beresford Community Education in Beresford, SD to expand community education programs shall be deleted;

(5) the provision specifying \$100,000 for Slippery Rock University, Slippery Rock, Pennsylvania, for the North Hill Educational Alliance shall be deleted;

(6) the provision specifying \$400,000 for the University of Southern Maine, Portland, Maine, for telecommunications and technology upgrades to support science, engineering and advanced technology programs shall be deleted and the provision specifying \$600,000 for the University of Maine, School of Applied Science, Engineering & Technology for purchase of equipment and technology shall be deemed to read as follows: "University of Southern Maine, School of Applied Science, Engineering & Technology for purchase of equipment and technology, \$1,000,000"; and

(7) the provision specifying \$250,000 to the National Aviary Conservation Education Technology Integration in Pittsburgh shall be deemed to read as follows: "National Aviary Conservation Education Technology Integration in Pittsburgh, for the Remote Audio-Visual Engagement Network (RAVEN) project, \$250,000".

GENERAL PROVISIONS

SEC. 2503. Section 1707(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(3)) is amended by striking "17" and inserting "19".

SEC. 2504. Section 7304(a)(2)(P) of the Elementary and Secondary Education Act of 1965 is amended by striking "such as" and inserting in lieu thereof "operated by".

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The matter under the heading "Corporation for National and Community Service, Domestic Volunteer Service Programs, Operating Expenses", in Public Law 108-7 is amended by inserting after "in this Act" the following: "for activities authorized by section 122 of part C of title I and part E of title II of the Domestic Volunteer Service Act of 1973".

CHAPTER 6

SUBCOMMITTEE ON LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

SEC. 2601. (a) The third sentence of section 1203(a) of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7, division H) is amended by striking "not later than 90 days" and inserting "not later than 180 days".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003.

SEC. 2602. Notwithstanding any other provision of law, the Architect of the Capitol may obligate and expend such amounts from the Capitol Preservation Fund established under section 803 of the Arizona-Idaho Conservation Act of 1988 (2 U.S.C. 2083, formerly 40 U.S.C. 188a-2) as approved by the Capitol Preservation Commission established under section 801 of such Act (2 U.S.C. 2081, formerly 40 U.S.C. 188a) for the purposes of planning, engineering, design or construction of the Capitol Visitor Center.

LIBRARY OF CONGRESS

SEC. 2603. The Legislative Branch Appropriations Act, 2003 (Public Law 108-7, division H) is amended in the item relating to "Library of

Congress—Salaries and Expenses” by striking the period at the end and inserting the following: “: Provided further, That of the amount transferred under this heading to the educational consortium formed to conduct the ‘Joining Hands Across America: Local Community Initiative’, not more than \$500,000 may be used for a math and science education pilot project.”.

SEC. 2604. The Legislative Branch Appropriations Act, 2003 (Public Law 108-7, division H) is amended in the item relating to “Library of Congress—Salaries and Expenses” by striking “North Carolina” and inserting the following: “North Carolina, and for developing a high-capacity computer facility to serve that region”.

CHAPTER 7

SUBCOMMITTEE ON TRANSPORTATION, TREASURY AND GENERAL GOVERNMENT

GENERAL PROVISIONS, THIS CHAPTER

SEC. 2701. Section 336 of Division I of Public Law 108-7 is amended by striking “Transportation Management” and inserting in lieu thereof “Urbanized”.

SEC. 2702. Section 321 of Division I of Public Law 108-7 is amended by—

- (1) inserting “or underneath” in subsection (q)(2) before “the Class B airspace”;
- (2) deleting “has sufficient capacity and” in subsection (q)(3) after “Title 49”; and
- (3) inserting “passenger” in subsection (q)(3) before “delays”.

SEC. 2703. Amounts made available to carry out sections 1212(k) and 5117(b)(6) of 112 Stat. 107 et seq. shall be used to carry out item number 1278 of the table contained in section 1602 of such Act (112 Stat. 263).

SEC. 2704. It is the sense of the Senate that—

- (1) the asset acquisition of Trans World Airlines by American Airlines was a positive action that should be commended;

- (2) although the acquisition was a positive action, the combination of the two airlines has resulted in a difficult seniority integration for the majority of the employee groups involved;

- (3) airline layoffs from American Airlines should be conducted in a manner that maintains the maximum level of fairness and equitable treatment for all parties involved; and

- (4) American Airlines should encourage its employee groups to integrate all employees in a manner that is fair and equitable for all parties involved.

SEC. 2705. No provision of this Act may be construed as altering or amending the force or effect of any of the following provisions of law as currently applied:

- (1) Sections 2631 and 2631a of title 10, United States Code.

- (2) Sections 901(b) and 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).

- (3) Public Resolution Numbered 17, Seventy-third Congress (48 Stat. 500).

- (4) Any other similar provision of law requiring the use of privately owned United States flag commercial vessels for certain transportation purposes of the United States.

SEC. 2706. (a) Notwithstanding any other provision of law, projects and activities designated on pages 1267 through 1278 of the Joint Explanatory Statement of the Committee of Conference for Public Law 108-7 shall be eligible for fiscal year 2003 funds made available from the program for which each project or activity is so designated and projects and activities on pages 1305 through 1307 shall be awarded those grants upon receipt of an application.

(b) Public Law 108-7 is amended in the first paragraph under the heading “Federal Highway Administration Limitation on Administrative Expenses” by striking “\$269,700,000” and inserting “\$299,745,000”.

SEC. 2707. Notwithstanding any other provision of law, funds made available under the heading “Federal Transit Administration Formula Grants” for fiscal year 2003 shall be available to finance the operating cost of equipment and facilities for use in public transportation in

an urbanized area with a population of at least 200,000 as determined under the 2000 Federal decennial census of population for a portion of the area that was not designated as an urbanized area as determined under the 1990 Federal decennial census of population if that portion of the area received assistance under section 5311 of title 49, United States Code.

SEC. 2708. Section 41743(c)(4) of title 49, United States Code, is amended by inserting before the period at the end the following: “in each year for which funds are appropriated for the program”.

SEC. 2709. Section 626 of title VI of division B of Public Law 108-7 is amended by striking “previously”.

SEC. 2710. None of the funds in this Act or any other Act may be obligated or expended to pay for transportation described in section 41106 of title 49, United States Code, to be performed by any air carrier that is not effectively controlled by citizens of the United States: Provided, That for purposes of implementing section 41106, an air carrier shall not be considered to be effectively controlled by citizens of the United States if the air carrier receives 50 percent or more of its operating revenue over the most recent three year period from a person not a citizen of the United States and such person, directly or indirectly, either owns a voting interest in the air carrier or is owned by an agency or instrumentality of a foreign state: Provided further, That this prohibition applies to transportation performed under any contract awarded or re-awarded after the date of enactment of this Act: Provided further, That when the Secretary of Defense decides that no air carrier holding a certificate under section 41102 is capable of providing, and willing to provide, such transportation, the Secretary of Defense may make a contract to provide the transportation with an air carrier not having a certificate: Provided further, That the Secretary of Transportation is directed to use an Administrative Law Judge in a formal proceeding to resolve docket number OST-2002-13089.

CHAPTER 8

SUBCOMMITTEE ON VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for costs associated with processing claims of veterans who may have incurred injuries with service in the Persian Gulf War combat arena, \$100,000,000, to remain available until expended: Provided, That the Secretary may transfer such sums as may be necessary to “Veterans Health Administration, Medical Care” to provide health care services as authorized by 38 U.S.C. 1710(e)(1)(D) subject to a determination by the Secretary of Veterans Affairs that such additional funds are necessary: Provided further, That the Secretary shall notify the Committees on Appropriations at least 15 days prior to the transfer or allocation of any funds provided under this paragraph.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The referenced statement of managers under the heading “Community development fund” in title II of Public Law 108-7 under grant No. 26 under the Neighborhoods Initiative program is amended by striking “Glendale, Montana” and inserting in lieu thereof “Glendive, Montana”.

The referenced statement of managers under the heading “Community development fund” in title II of Public Law 108-7 is amended by striking “\$200,000 for Light of Life Ministries in Allegheny County, Pennsylvania for infrastruc-

ture improvements at the Serenity Village homeless programs” and inserting in lieu thereof “\$200,000 for Light of Life Ministries in Allegheny County, Pennsylvania for renovation and infrastructure improvements for a homeless service center on Penn Avenue in Pittsburgh”.

The referenced statement of managers under the heading “Community development fund” in title II of Public Law 108-7 under grant No. 201 under the Economic Development Initiatives program is amended by striking “the Clearwater Economic Development Association in Clearwater, Idaho” and inserting in lieu thereof “the State of Idaho”.

The referenced statement of managers under the heading “Community development fund” in title II of Public Law 108-7 under grant No. 873 under the Economic Development Initiatives program is amended by striking “Grant County Commission in West Virginia” and inserting in lieu thereof “Grant County Library Commission in Grant County, West Virginia”.

INDEPENDENT AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

To liquidate obligations previously incurred by the Corporation for National and Community Service (“Corporation”), up to \$64,000,000 is provided to the National Service Trust: Provided, That the Corporation may use these funds only to liquidate the deficiency that it has already incurred and that these funds are not available for obligation, or to liquidate obligations, for any other purpose whatsoever: Provided further, That the Corporation may not use these funds unless and until it reports these overobligations to the Congress and the President in accordance with the requirements of the Antideficiency Act and the guidance of the Office of Management and Budget in OMB Circular A-11 (2002): Provided further, That the second proviso under the heading “Corporation for National and Community Service” in Public Law 108-7 is deemed to be amended by inserting after “section 501(a)(4)” the following: “with not less than \$2,500,000 for the Office of the Chief Financial Officer to enact financial reform in the Corporation, without regard to the provisions of section 501(a)(4)(B) of the Act”.

ENVIRONMENTAL PROTECTION AGENCY

STATE AND TRIBAL ASSISTANCE GRANTS

The referenced statement of the managers under this heading in Public Law 106-74 is deemed to be amended in reference to item number 135, as amended, by striking everything after “135.” and inserting, “\$437,000 for the Huntington Sanitary Board of Huntington, West Virginia for the construction of wastewater treatment facilities in the Fourpole Watershed; and \$513,000 for the Region I Planning and Development Council in Princeton, West Virginia for water and wastewater infrastructure improvements”: Provided, That the referenced statement of the managers under this heading in Public Law 107-73 is deemed to be amended by striking everything after “District” in reference to item number 222 and inserting, “for water infrastructure improvements”: Provided further, That the referenced statement of the managers under this heading in Public Law 108-7 is deemed to be amended by striking everything after the word “Agency” in reference to item number 72 and inserting, “for the Mojave Desert Arsenic Demonstration Project”.

ADMINISTRATIVE PROVISION

Within 30 days of enactment of this Act, the Administrator of the Environmental Protection Agency shall adjust each “maximum annual fee payable” pursuant to 7 U.S.C. 136a-1(i)(5)(D) and (E) in a manner such that maintenance fee collections made to reach the level authorized in division K of Public Law 108-7 shall be established in the same proportion as those maintenance fee collections authorized in Public Law 107-73.

NATIONAL SCIENCE FOUNDATION
RESEARCH AND RELATED ACTIVITIES

The first sentence under this heading in Public Law 108-7 is amended by striking "\$320,000,000" and inserting in lieu thereof "\$330,000,000".

TITLE III—COLUMBIA ORBITER
MEMORIAL ACT

SEC. 301. SHORT TITLE.

This title may be cited as the "Columbia Orbiter Memorial Act".

SEC. 302. CONSTRUCTION OF MEMORIAL TO CREW OF COLUMBIA ORBITER AT ARLINGTON NATIONAL CEMETERY.

(a) **CONSTRUCTION REQUIRED.**—The Secretary of the Army shall, in consultation with the Administrator of the National Aeronautics and Space Administration, construct at an appropriate place in Arlington National Cemetery, Virginia, a memorial marker honoring the seven members of the crew of the Columbia Orbiter who died on February 1, 2003, over the State of Texas during the landing of space shuttle mission STS-107.

(b) **AVAILABILITY OF FUNDS.**—Of the amount appropriated or otherwise made available by title II of the Department of Defense Appropriations Act, 2003 (Public Law 107-248) under the heading "OPERATION AND MAINTENANCE, ARMY", \$500,000 shall be available for the construction of the memorial marker required by subsection (a).

SEC. 303. DONATIONS FOR MEMORIAL FOR CREW OF COLUMBIA ORBITER.

(a) **AUTHORITY TO ACCEPT DONATIONS.**—The Administrator of the National Aeronautics and Space Administration may accept gifts and donations of services, money, and property (including personal, tangible, or intangible property) for the purpose of an appropriate memorial or monument to the seven members of the crew of the Columbia Orbiter who died on February 1, 2003, over the State of Texas during the landing of space shuttle mission STS-107, whether such memorial or monument is constructed by the Administrator or is the memorial marker required by section 302.

(b) **TRANSFER.**—(1) The Administrator may transfer to the Secretary of the Army any services, money, or property accepted by the Administrator under subsection (a) for the purpose of the construction of the memorial marker required by section 302.

(2) Any moneys transferred to the Secretary under paragraph (1) shall be merged with amounts in the account referred to in subsection (b) of section 302, and shall be available for the purpose referred to in that subsection.

(c) **EXPIRATION OF AUTHORITY.**—The authority of the Administrator to accept gifts and donations under subsection (a) shall expire five years after the date of the enactment of this Act.

TITLE IV—AVIATION-RELATED
ASSISTANCE

DEPARTMENT OF HOMELAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION

For expenses and revenue forgone related to aviation security, \$2,395,750,000, to remain available until September 30, 2003: Provided, That the first \$100,000,000 of such amounts shall be available, notwithstanding any other provision of this Act, until expended to compensate air carriers for the direct costs associated with the strengthening of flight deck doors and locks on aircraft required by section 104(a)(1)(B) of the Aviation and Transportation Security Act: Provided further, That the remaining \$2,295,750,000 of such amounts shall be remitted to United States flag air carriers in the proportional share each such carrier has paid or collected as of the date of enactment of this Act in passenger security and air carrier security fees to the Transportation Security Administration: Provided further, That payments made under the preceding proviso may be used by an air car-

rier for such purposes as the carrier determines appropriate: Provided further, That payments made under this heading shall be distributed as a lump sum payment and made not later than 30 days after the date of enactment of this Act: Provided further, That the Transportation Security Administration, not later than 30 days after the last disbursement of funds made pursuant to the second proviso under this heading, shall certify that such funds were allocated by air carriers for security related expenses or revenue forgone as a result of meeting Federal security mandates and shall transmit such certification to the Senate Committee on Appropriations, the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Appropriations, and the House Committee on Transportation and Infrastructure: Provided further, That the Under Secretary for Border and Transportation Security of the Department of Homeland Security shall not impose the fees authorized by section 44940(a) of title 49, United States Code, during the period beginning June 1, 2003, and ending September 30, 2003: Provided further, That (1) notwithstanding any other provision of law, the Secretary of Homeland Security may not provide assistance to an air carrier pursuant to the second proviso under this heading unless that air carrier executes a contract with the Secretary under which the air carrier agrees that—

(A) the air carrier will not provide total cash compensation during the 12-month period beginning April 1, 2003, to an executive officer in an amount equal to more than the annual salary paid to that officer with respect to the air carrier's fiscal year 2002; and

(B) if the air carrier violates the agreement under subparagraph (A), the air carrier will pay to the Secretary of the Treasury, within 60 days after the date on which the violation occurs, an amount, determined by the Secretary of Homeland Security, equal to the total amount of assistance received by the air carrier pursuant to the second proviso under this heading.

(2) For the purpose of applying paragraph (1) of this proviso to an executive officer—

(A) who was employed by an air carrier for less than 12 months during the air carrier's fiscal year 2002, or whose employment began after the last day of the last fiscal year of such air carrier ending before the date of enactment of this Act—

(i) the salary paid to that executive officer in that air carrier's fiscal year 2002, or in the next fiscal year of that air carrier (if such next fiscal year began before the date of enactment of this Act), respectively, shall be determined as an annual rate of pay;

(ii) that annual rate of pay shall be treated as if it were the annual salary paid to that executive officer during the air carrier's fiscal year 2002; and

(iii) that executive officer shall be deemed to have been employed during that fiscal year; and

(B) whose employment begins after the date of enactment of this Act—

(i) the annual salary at which that executive officer is first employed by an air carrier may not exceed the maximum salary paid to any executive officer by that air carrier during that air carrier's fiscal year 2002 with the same or similar responsibilities;

(ii) that salary shall be treated as if it were the annual salary paid to the executive officer during that air carrier's fiscal year 2002; and

(iii) the executive officer shall be deemed to have been employed by that air carrier during that air carrier's fiscal year 2002.

(3) The Secretary shall not apply any of the conditions of this proviso for receiving assistance pursuant to the second proviso under this heading to any air carrier that operates aircraft exclusively with 85 seats or less, any Hawaii-based carrier or any air carrier that does not operate trans-Pacific or trans-Atlantic flights.

(4)(A) The Comptroller General, or any of the Comptroller General's duly authorized rep-

resentatives, shall have access for the purpose of audit and examination to any books, accounts, documents, papers, and records of air carriers entering into an agreement under this proviso that relate to the information required to implement the provisions of this proviso.

(B) The Comptroller General shall transmit a report of any investigation conducted under this proviso to the Senate Committee on Appropriations, the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Appropriations, and the House of Representatives Committee on Transportation and Infrastructure, together with a certification as to whether the Comptroller General has had access to sufficient information to make informed judgments on the matters covered by this report.

(5) In this proviso, the following definitions apply:

(A) The term "executive officer" means the two most highly compensated named executive officers (as that term is used in section 402(a)(3) of Regulation S-K promulgated by the Securities and Exchange Commission under the Securities and Exchange Act of 1934 (17 CFR 229.402(a)(3))).

(B) The term "salary" means the base salary of an individual, excluding any bonuses, awards of stock, or other financial benefits provided by an air carrier to the individual.

(C) The term "total cash compensation" has the meaning given the term "total compensation" by section 104(b) of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), but does not include awards of stock or stock options or preexisting contracts governing retirement.

(6) Nothing in this proviso shall be construed to prohibit or limit an air carrier in providing health benefits, life insurance benefits, or reimbursement of reasonable expenses to an executive officer.

GENERAL PROVISIONS—THIS TITLE

SEC. 4001. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking "2003," each place it appears and inserting "2004,".

(b) Section 44303(b) of such title is amended by striking "2003," and inserting "2004,".

(c) Section 44310 of such title is amended by striking "2003," and inserting "2004,".

SEC. 4002. ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION FOR DISPLACED AIRLINE AND RELATED WORKERS.

(a) **DEFINITIONS.**—For purposes of this section—

(1) the term "eligible individual" means an individual whose eligibility for temporary extended unemployment compensation under the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), is or would be based on the exhaustion of regular compensation under State law, entitlement to which was based in whole or in part on qualifying employment performed during such individual's base period;

(2) the term "qualifying employment", with respect to an eligible individual, means employment—

(A) with an air carrier, employment at a facility at an airport, or with an upstream producer or supplier for an air carrier; and

(B) as determined by the Secretary, separation from which was due, in whole or in part, to—

(i) reductions in service by an air carrier as a result of a terrorist action or security measure;

(ii) a closure of an airport in the United States as a result of a terrorist action or security measure; or

(iii) a military conflict with Iraq that has been authorized by Congress;

(3) the term "air carrier" means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code;

(4) the term "upstream producer" means a firm that performs additional, value-added, production processes, including firms that perform final assembly, finishing, or packaging of articles, for another firm;

(5) the term "supplier" means a firm that produces component parts for, or articles and contract services considered to be a part of the production process or services for, another firm;

(6) the term "Secretary" means the Secretary of Labor; and

(7) the term "terrorist action or security measure" means a terrorist attack on the United States on September 11, 2001, or a security measure taken in response to such attack.

(b) **ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION FOR ELIGIBLE INDIVIDUAL.**—In the case of an eligible individual, the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be applied as if it had been amended in accordance with subsection (c).

(c) **MODIFICATIONS.**—

(1) **IN GENERAL.**—For purposes of subsection (b), the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be treated as if it had been amended as provided in this subsection.

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

"SEC. 208. APPLICABILITY.

"(a) IN GENERAL.—Subject to subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

"(1) beginning after the date on which such agreement is entered into; and

"(2) ending before December 29, 2003.

"(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT.—

"(1) IN GENERAL.—Subject to paragraph (2), in the case of an individual who has amounts remaining in an account established under section 203 as of December 28, 2003, temporary extended unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such date for which the individual meets the eligibility requirements of this title.

"(2) NO AUGMENTATION AFTER DECEMBER 28, 2003.—If the account of an individual is exhausted after December 28, 2003, then section 203(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

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

(3) **ADDITIONAL WEEKS OF BENEFITS.**—Deem section 203 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended—

(A) in subsection (b)(1)—

(i) in subparagraph (A), by striking "50" and inserting "150"; and

(ii) by striking "13" and inserting "39"; and

(B) in subsection (c)(1), by inserting "4/5 of" after "equal to".

(4) **EFFECTIVE DATE OF MODIFICATIONS DESCRIBED IN PARAGRAPH (3).**—

(A) **IN GENERAL.**—The amendments described in paragraph (3)—

(i) shall be deemed to have taken effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002; but

(ii) shall be treated as applying only with respect to weeks of unemployment beginning on or after the date of enactment of this Act, subject to subparagraph (B).

(B) **SPECIAL RULES.**—In the case of an eligible individual for whom a temporary extended unemployment account was established before the date of enactment of this Act, the Temporary Extended Unemployment Compensation Act of 2002 (as amended by this section) shall be applied subject to the following:

(i) Any amounts deposited in the individual's temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as "TEUC-X amounts") before the date of enactment of this Act shall be treated as amounts deposited by reason of section 203(b) of such Act (commonly known as "TEUC amounts"), as deemed to have been amended by paragraph (3)(A).

(ii) For purposes of determining whether the individual is eligible for any TEUC-X amounts under such Act, as deemed to be amended by this subsection—

(I) any determination made under section 203(c) of such Act before the application of the amendment described in paragraph (3)(B) shall be disregarded; and

(II) any such determination shall instead be made by applying section 203(c) of such Act, as deemed to be amended by paragraph (3)(B), as of the time that all amounts established in such account in accordance with section 203(b) of such Act (as deemed to be amended under this subsection, and including any amounts described in clause (i)) are in fact exhausted.

TITLE V—PANEL TO REVIEW SEXUAL MISCONDUCT ALLEGATIONS AT UNITED STATES AIR FORCE ACADEMY

SEC. 501. ESTABLISHMENT OF PANEL.

(a) **ESTABLISHMENT.**—There is established a panel to review sexual misconduct allegations at the United States Air Force Academy.

(b) **COMPOSITION.**—The panel shall be composed of seven members, appointed by the Secretary of Defense from among private United States citizens who have expertise in behavioral and psychological sciences and standards and practices relating to proper treatment of sexual assault victims (to include their medical and legal rights and needs), as well as the United States military academies.

(c) **CHAIRMAN.**—The Secretary of Defense shall, in consultation with the Chairmen of the Committees on Armed Services of the Senate and House of Representatives, select the Chairman of the panel from among its members under subsection (b).

(d) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.

(e) **MEETINGS.**—The panel shall meet at the call of the Chairman.

(f) **INITIAL ORGANIZATION REQUIREMENTS.**—(1) All original appointments to the panel shall be made not later than May 1, 2003.

(2) The Chairman shall convene the first meeting of the panel not later than May 8, 2003.

SEC. 502. DUTIES OF PANEL.

(a) **IN GENERAL.**—The panel established under section 501(a) shall carry out a study of the policies, management and organizational practices, and cultural elements of the United States Air Force Academy that were conducive to allowing sexual misconduct (including sexual assaults and rape) at the United States Air Force Academy.

(b) **REVIEW.**—In carrying out the study required by subsection (a), the panel shall—

(1) review the actions taken by United States Air Force Academy personnel and other Department of the Air Force officials in response to allegations of sexual assaults at the United States Air Force Academy;

(2) review directives issued by the United States Air Force pertaining to sexual misconduct at the United States Air Force Academy;

(3) review the effectiveness of the process, procedures, and policies used at the United States Air Force Academy to respond to allegations of sexual misconduct;

(4) review the relationship between—

(A) the command climate for women at the United States Air Force Academy, including factors that may have produced a fear of retribution for reporting sexual misconduct; and

(B) the circumstances that resulted in sexual misconduct at the Academy;

(5) review, evaluate, and assess such other matters and materials as the panel considers appropriate for the study; and

(6) review, and incorporate as appropriate, the findings of ongoing studies being conducted by the Air Force General Counsel and Inspector General.

(c) **REPORT.**—(1) Not later than 90 days after its first meeting under section 501(f)(2), the panel shall submit a report on the study required by subsection 502(a) to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives.

(2) The report shall include—

(A) the findings and conclusions of the panel as a result of the study; and

(B) any recommendations for legislative or administrative action that the panel considers appropriate in light of the study.

SEC. 503. PERSONNEL MATTERS.

(a) **PAY OF MEMBERS.**—(1) Members of the panel established under section 501(a) shall serve without pay by reason of their work on the panel.

(2) Section 1342 of title 31, United States Code, shall not apply to the acceptance of services of a member of the panel under this title.

(b) **TRAVEL EXPENSES.**—The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the panel.

TITLE VI—GENERAL PROVISIONS—THIS ACT

SEC. 6001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Emergency Wartime Supplemental Appropriations Act, 2003".

And the Senate agree to the same.

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
HAL ROGERS,
FRANK WOLF,
JIM KOLBE,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
ERNEST J. ISTOOK, Jr.,
HENRY BONILLA,
JOE KNOLLENBERG,
JACK KINGSTON,
RODNEY P.

FRELINGHUYSEN,
DAVID OBEY,
JOHN P. MURTHA,
NORMAN DICKS,
MARTIN OLAV SABO,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
PETER J. VISCLOSKEY,
NITA M. LOWEY,
JOSE E. SERRANO,
JAMES P. MORAN,
CHET EDWARDS,

Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
CONRAD BURNS,

RICHARD SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,
BEN NIGHTHORSE
CAMPBELL,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
MIKE DEWINE,
SAM BROWNBACK,
ROBERT C. BYRD,
DANIEL K. INOUE,
PATRICK J. LEAHY,
TOM HARKIN,
BARBARA A. MIKULSKI,
HARRY REID,
HERB KOHL
(except for P.L. 480),
PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
DICK DURBIN,
TIM JOHNSON,
MARY L. LANDRIEU,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included by the House in the report accompanying H.R. 1559 (H. Rept. 108-55) and included by the Senate in the report accompanying S. 762 (S. Rept. 108-33) should be complied with unless specifically addressed in this statement of the managers. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

TITLE I—WAR-RELATED APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

AGRICULTURE RESEARCH SERVICE

BUILDINGS AND FACILITIES

The conference agreement includes \$110,000,000 for continued modernization of facilities in Ames, Iowa, which will provide a laboratory building, fixed equipment, and associated infrastructure as a complete and usable phase of construction.

PUBLIC LAW 480 TITLE II GRANTS (INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$369,000,000 for Public Law 480 title II grants. Within this amount, the conferees provide \$69,000,000 to the Bill Emerson Humanitarian Trust. In addition, the conferees recommend language to prohibit the exchange of an eligible commodity for another commodity of equal value. It is the intention of the conferees that no restriction is imposed on the purchase of any authorized commodity for replenishment of the Bill Emerson Humanitarian Trust.

The conference agreement for Public Law 480 title II grants will allow the restoration of funds to on-going food aid programs which were redirected as a result of prioritizing food aid funds to respond to the conflict in Iraq. The conferees expect that these funds will be utilized for previously approved title II food aid programs in such countries as Bangladesh, Uganda, Malawi, Haiti, Mozambique, Ghana, Kenya, Bolivia, Guatemala, Peru, and Ethiopia.

CHAPTER 2 DEPARTMENT OF JUSTICE GENERAL ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes \$5,000,000 for the Office of Intelligence Policy and Professional Responsibility as proposed in the House bill for increased operational support for the Federal Bureau of Investigation (FBI), primarily through the application of warrants under the Foreign Intelligence Surveillance Act. Of the amount provided, \$2,000,000 is for additional personnel costs, and \$3,000,000 is for information technology enhancements. The Senate did not provide funding for this program.

The conferees adopt by reference House language regarding submission of a proposal on enhanced oversight of the FBI.

COUNTERTERRORISM FUND

The conference agreement includes \$70,274,000 for the Counterterrorism Fund, instead of \$100,274,000 as proposed in the House bill, to cover extraordinary costs associated with a terrorist threat or incident. This amount includes \$20,000,000 in new direct appropriations, and \$50,274,000 in unobligated balances currently available in the Fund. The Senate did not fund this program.

The Counterterrorism Fund was established in 1995 after the bombing of the Alfred P. Murrah Building in Oklahoma City, and is under control and direction of the Attorney General. These funds may be used to reimburse any Department of Justice organization for the costs incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to counter, investigate, or prosecute domestic or international terrorism activities. The conferees include language requiring the Attorney General to notify the Committees on Appropriations in accordance with section 605 of Division B of Public Law 107-7 prior to obligation of funds from this account.

DETENTION TRUSTEE

The conference agreement provides \$40,000,000 for the detention of prisoners in the custody of the U.S. Marshals Service, instead of \$45,000,000 as proposed by the Senate and \$15,000,000 as proposed by the House.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$2,500,000 as proposed in the House bill for the Office of Inspector General to provide additional oversight to expanded Department authorities and activities, including oversight related to the implementation of the USA PATRIOT Act. The Senate did not provide funding for this program.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES MARSHAL SERVICE

The conference agreement provides \$8,000,000 for the Marshals Service, instead of \$26,080,000 as proposed by the House and no funding as proposed by the Senate. The recommendation includes \$5,800,000 to be allocated to those districts with the highest priority needs for the protection of the judicial process and \$2,200,000 to upgrade the Marshals Service secure communications capability.

FEDERAL BUREAU OF INVESTIGATION SALARIES AND EXPENSES

To respond to immediate or emerging terrorism-related prevention and response requirements in the United States, the conference agreement includes a total of \$367,192,000 for the FBI instead of \$398,862,000 proposed in the House bill and \$63,000,000 proposed in the Senate bill. Prior to obligating

any of these funds, the conferees direct the Attorney General to notify the Committees on Appropriations in accordance with section 605 of Division B of Public Law 108-7.

OFFICE OF JUSTICE PROGRAMS

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement provides \$54,750,000 for the Office of Community Oriented Policing Services, Interoperable Communications Technology Program, instead of \$109,500,000 as proposed by the Senate and no funding as proposed by the House. Funding should be used to improve State and local law enforcement cross-jurisdictional communication and information sharing.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement provides \$1,535,000 for the Supreme Court of the United States for police enhancements as proposed in the House bill. The Senate proposed no funding for this account.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement provides \$973,000 for the United States Court of Appeals for the Federal Circuit for court security officers as proposed in the House bill. The Senate proposed no funding for this account.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement provides \$50,000 for the United States Court of International Trade for a security system upgrade as proposed by the House. The Senate proposed no funding for this account.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes \$88,420,000 for costs related to evacuations, emergency response, increased security, and re-establishing a mission in Iraq. The conference agreement includes \$32,000,000 for requirements related to the provision of consular services; \$35,801,000 for costs associated with the re-establishment of a diplomatic mission in Iraq; \$15,619,000 for medical and vaccination services; and \$5,000,000 for public diplomacy surge activities in Iraq and throughout the Middle East. The amount provided for re-establishing a diplomatic mission in Iraq includes \$17,862,000 for post operations and \$17,939,000 for diplomatic security.

In addition, the conference agreement includes \$10,000,000 for increased security measures at United States diplomatic missions worldwide.

The conferees expect the Department to intensify public diplomacy activities in the Middle East, including the establishment of an Information Center in the Gulf region. The conferees further expect the Department to aggressively develop new public diplomacy approaches and initiatives. In this regard, the conferees expect the Department to establish an advisory group on public diplomacy for the Arab and Muslim world as described in the House report.

The conference agreement includes language requiring the Department to conduct bimonthly reviews of Machine Readable Visa fee revenue to monitor and better predict possible shortfall. The conferees direct the Department, immediately upon identifying such a shortfall, to reprogram funds as necessary to maintain the fiscal year 2003 Border Security Program, as described in the

Statement of Managers accompanying Public Law 108-7.

EMBASSY SECURITY, CONSTRUCTION, AND
MAINTENANCE

The conference agreement includes \$149,500,000 under this account, including \$61,500,000 for the costs of establishing an interim diplomatic facility in Iraq. This funding will allow the Department to acquire, secure, and renovate facilities, as necessary, to provide functional temporary facilities in Iraq. The conferees direct the Department to report to the Committees on Appropriations regarding the special security considerations and procedures associated with the hiring of Iraqi nationals to work in United States diplomatic facilities. The conferees expect the Department to submit to the Committee on Appropriations, as soon as possible, a plan for a permanent facility in Iraq. The proposed plan should adhere to right-sizing principles and rigorous security standards. The conferees expect this construction project will adhere to any cost-sharing arrangement that might be implemented.

The conference agreement includes \$10,000,000 for costs of security-related enhancements to non-official facilities worldwide including non-military American schools, as described in the Senate report.

The conference agreement also includes \$78,000,000 for facilities acquisition and security improvements in Rome, Italy.

EMERGENCIES IN THE DIPLOMATIC AND
CONSULAR SERVICE

The conference agreement includes \$50,000,000 under this heading for costs associated with evacuating United States Gov-

ernment employees, their families, and private American citizens, and assisting American citizens overseas, as necessary, as a result of the conflict in Iraq. The conference agreement also includes language allowing funds under this account to be transferred to, and merged with, the Diplomatic and Consular Programs account only for the purpose of maintaining funding levels for the fiscal year 2003 Border Security Program as described under that heading.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes \$30,500,000 to expand broadcasting efforts to the Middle East, as described in the House report.

GENERAL PROVISION—THIS CHAPTER

The conference agreement includes language waiving provisions of existing legislation that require authorizations to be in place prior to the expenditure of any appropriated funds.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

Chapter 3 of the conference agreement recommends \$62,378,100,000 for the Department of Defense, as proposed by the Senate, instead of \$62,409,500,000 as proposed by the House.

Within this amount, the conferees recommend a total of \$46,699,200,000 for appropriation to specific accounts and provisions, instead of \$36,973,100,000 as proposed by the House and \$51,359,100,000 as proposed by the Senate. In addition, the conferees rec-

ommend \$15,678,900,000 for a new appropriation, the "Iraq Freedom Fund". This transfer account, available to the Secretary of Defense, has been expressly provided to maximize the Department of Defense's flexibility to address future requirements associated with the military operations in and around Iraq and the global war on terrorism. The conferees have also recommended additional transfer authorities for the Department of Defense.

The conference agreement also includes a new appropriations account requested by the President, the "National Resources Risk Remediation Fund", to pay for emergency fire fighting, repair damage to oil facilities and related infrastructure, and preserve a distribution capability in and around Iraq. This account has been structured to allow the use of foreign contributions, as well as a limited amount of appropriated funds, if required.

The conferees have also, consistent with existing authorities, agreed to address fiscal year 2003 funding requirements requested by the President relating to reimbursements to nations providing support to U.S. military operations; the drawdown of defense funds, articles and supplies; and special emergency expense authority for the Secretary of Defense and the combatant commanders. The conference agreement also includes funding for Department of Defense counter-terrorism military training for foreign nations, as well as funds to support ongoing Department of Defense counter-terrorism efforts in support of the government of Colombia.

The following table provides details of the supplemental appropriations in this chapter.

[Dollars in thousands]

	Budget request	House	Senate	Conference
Transfer Funds:				
Defense Emergency Response Fund	59,863,200		11,019,000	
Operation Iraqi Freedom Response Fund		59,682,500		
Combat, Stability Operations and Force Reconstitution Costs		[25,436,400]		
Iraq Freedom Fund				15,678,900
Military Personnel:				
Military Personnel, Army		[6,974,500]	7,724,500	7,700,000
Military Personnel, Navy		[1,984,300]	1,784,300	1,600,000
Military Personnel, Marine Corps		[1,204,900]	1,254,900	1,200,000
Military Personnel, Air Force		[1,834,800]	2,834,800	2,800,000
Reserve Personnel, Army		[3,000]	6,000	3,000
National Guard Personnel, Army		[93,000]	110,000	100,000
Total Military Personnel			13,714,500	13,403,000
[Total, Military Personnel transfers]		[12,094,500]		
Operation and Maintenance:				
O&M, Army		[10,481,500]	16,142,500	16,000,000
O&M, Navy		[3,904,300]	5,296,600	5,100,000
O&M, Marine Corps		[1,383,700]	1,752,700	1,650,000
O&M, Air Force		[3,668,200]	7,209,200	7,100,000
O&M, Defense-Wide	1,400,000	1,400,000	4,007,700	1,200,000
[O&M, Defense-Wide transfer]		[901,900]		¹ [1,400,000]
O&M, Army Reserve				3,000
O&M, Navy Reserve			15,000	7,000
O&M, Marine Corps Reserve			50,000	20,000
O&M, Army National Guard		[58,400]	88,400	75,000
O&M, Air National Guard			20,000	20,000
Natural Resources Risk Remediation Fund	489,300	¹ [489,300]	489,300	¹ [489,300]
Total, O&M	1,889,300	1,400,000	35,071,400	31,175,000
[Total, O&M transfers]		[20,434,000]		
Procurement:				
Aircraft Procurement, Army		[4,100]	4,100	4,100
Missile Procurement, Army		[3,100]	3,100	3,100
Procurement of W&TCV, Army		[53,300]	53,300	53,300
Procurement of Ammunition, Army		[447,500]	447,500	447,500
Other Procurement, Army		[241,800]	241,800	241,800
Other Procurement, Air Force		[113,600]	113,600	113,600
Procurement, Defense-Wide		[451,000]	451,000	451,000
Total, Procurement			1,314,400	1,314,400
[Total, Procurement transfers]		[1,314,400]		
Research, Development, Test and Evaluation:				
RDTE&E, Army		[11,500]	11,500	11,500
RDTE&E, Defense-Wide		[90,000]		70,000
Total, RDTE&E			11,500	81,500
[Total, RDTE&E transfers]		[101,500]		
Revolving and Management Funds: Defense Working Capital Funds	430,000	1,100,000	550,000	² [1,100,000]
Other Department of Defense Programs:				
Defense Health Program		[301,700]	501,700	501,700
Drug Interdiction and Counter-Drug Activities, Defense	34,000	34,000	34,000	34,000
Total, Other DoD Programs	34,000	34,000	535,700	535,700
[Total, Other DoD Programs transfers]		[301,700]		
General Provisions:				
Sec. 1307 Reimburse O&M Accounts for Drawdowns [Afghan Freedom Support Act]	165,000	165,000	165,000	165,000
Defense Cooperation Account	28,000	28,000		28,000
Sec. 1317 RDTE&E, Navy Rescissions			-3,400	-3,400
Total, General Provisions	193,000	193,000	161,600	189,600

(Dollars in thousands)

	Budget request	House	Senate	Conference
Grand Total, Chapter 3 [Grand Total, Transfers]	62,409,500	2,727,000 [59,682,500]	62,378,100	62,378,100

Note.—Brackets in the House column indicate transfers from Operation Iraqi Freedom Response Fund.

¹ Dollars are not included in the total. Indicates the maximum amount that may be received from transfer fund.

² Dollars are not included in the total. Indicates the minimum amount that must be received from transfer fund.

FISCAL YEAR 2003 APPROPRIATIONS REPORTING REQUIREMENT

The conferees recommend supplemental funds based on the best financial estimates available at the time the President's request was submitted. In providing funds, the conferees held public hearings and had extensive briefings by senior Department of Defense officials and representatives of the military departments. The conferees have endeavored to achieve a workable balance between congressional oversight, providing the Department with financial flexibility to meet the unknowns of ongoing combat operations, and responding promptly to the Department's urgent financial requirements.

The conferees understand that ongoing, dynamic combat operations generate an equally dynamic situation for the Department. As operations are carried out, financial planning assumptions are replaced with actual data. Over time, even the best fiscal projections become real costs and financial obligations.

As fiscal year 2003 progresses, the conferees expect that Department of Defense and the military departments will be able to provide actual fiscal execution information, and better, more refined projections of expected costs.

Accordingly, the conferees direct the Secretary of Defense to submit to the congressional defense committees, no later than July 1, 2003, a comprehensive financial analysis and update for fiscal year 2003. This report will detail both actual and projected obligations of appropriations provided in this Act, the Department of Defense Appropriations Act, 2003 (P.L. 107-248), and the Consolidated Appropriations Resolution, 2003 (P.L. 108-7).

CLASSIFIED PROGRAMS

Recommended adjustments to classified programs are addressed in a classified annex accompanying this report.

MILITARY PERSONNEL

The conference agreement recommends \$13,403,000,000 for the military personnel accounts, instead of \$12,094,500,000 as proposed by the House (by transfer from the "Operation Iraqi Freedom Response Fund") and \$13,714,500,000 as proposed by the Senate. The conferees' recommendation will fund the known incremental costs of pays and allowances for active duty and Reserve personnel through the end of the fiscal year. The conferees recommend including section 1316, as proposed by the Senate, which increases Imminent Danger Pay and Family Separation Allowance.

OPERATION AND MAINTENANCE

The conference agreement recommends \$31,175,000,000 for the Operation and Maintenance accounts, instead of \$21,834,000,000 (\$1,400,000,000 by direct appropriation in "Operation and Maintenance, Defense-Wide", and \$20,434,000,000 by transfer from the "Operation Iraqi Freedom Response Fund") as proposed by the House, and \$35,071,400,000 as proposed by the Senate.

DEFENSE EMERGENCY RESPONSE FUND

The President requested \$59,863,200,000 for the "Defense Emergency Response Fund". The House proposed no appropriation. The Senate recommended \$11,019,000,000 for this fund. The conferees recommend no appro-

priation for the "Defense Emergency Response Fund".

OPERATION IRAQI FREEDOM RESPONSE FUND

The House recommended \$59,682,500,000 in the "Operation Iraqi Freedom Response Fund" of which \$34,246,100,000 was for transfer to service appropriation accounts, and \$25,436,400,000 was for transfer to a new "Combat, Stability Operations and Force Reconstitution Costs" account. The Senate provided no appropriation for either account. The conference agreement recommends no appropriation in the "Operation Iraqi Freedom Response Fund".

IRAQ FREEDOM FUND

The conference agreement recommends an appropriation of \$15,678,900,000 for a new appropriation called the "Iraq Freedom Fund". These funds will be available to the Secretary of Defense for transfer. In exercising their oversight role in the use of these funds, the conferees provide language requiring five day prior notification to the congressional defense committees, in writing, of the details of any transfer of funds, as well as quarterly reports.

The conference agreement creates a framework within which these funds are expressly provided to maximize flexibility for the President and the Department of Defense. The conferees provide the authority for the Department of Defense to transfer not less than \$1,771,180,000 for classified programs; not less than \$1,100,000,000 for increased fuel costs; up to \$1,400,000,000 for payments to key cooperating nations; up to \$489,300,000 for the "Natural Resources Risk Remediation Fund"; up to \$400,000,000 for the United States Coast Guard; up to \$57,600,000 for research, development, test, and evaluation; and up to \$25,000,000 for counter-terrorism training activities.

The conferees direct the Department of Defense give priority in using the "Iraq Freedom Fund" to ensure that military personnel accounts and the Defense Health Program are adequately supported.

PAYMENTS TO REIMBURSE KEY COOPERATING NATIONS

The conference agreement includes language under the "Iraq Freedom Fund" and in section 1310 of the general provisions that provides up to \$1,400,000,000 in authority to make payments to reimburse Pakistan, Jordan, and other key cooperating nations for certain expenses. The conference agreement limits funds available for such reimbursements to those provided in this chapter. The conference agreement includes language similar to the House bill on notification and reporting requirements.

NATURAL RESOURCES RISK REMEDIATION FUND

The conference agreement includes language creating a new account called "Natural Resources Risk Remediation Fund" (NRRRF). Funds may be transferred to, appropriated to, and contributions made to the NRRRF in order to cover expenses incurred in and around Iraq for emergency fire fighting, repairing damage to oil facilities and related infrastructure, and preservation of a distribution capability. Up to \$489,300,000 of the funds appropriated to the "Iraq Freedom Fund" in this Act may be transferred to this fund.

In addition, the Secretary of Defense is authorized to accept contributions for the fund.

The conferees also recommend that amounts available in the "Defense Cooperation Account" may be transferred to and merged with this fund, and that the Secretary of Defense may transfer funds available in the NRRRF to other appropriations. The Secretary of Defense may transfer funds appropriated to the "Iraq Freedom Fund" only to the extent that amounts transferred from the "Defense Cooperation Account" and other contributions are not available. To the extent that it becomes necessary to transfer funds from appropriations made in this chapter, and contributions become available later in the fiscal year, the conferees intend that these contributions shall be used to reimburse the "Iraq Freedom Fund".

COUNTER-TERRORISM TRAINING

The conference agreement includes language that provides up to \$25,000,000 for counter-terrorism military training activities for foreign governments in connection with the global war on terrorism 15 days following submission of a financial plan to the congressional defense committees.

PROCUREMENT

The conferees have reviewed possible allocations of funding requested by the President and believe that there are sufficient funds in the "Iraq Freedom Fund" for procurement of items to meet anticipated requirements for weapons, and equipment such as munitions, unmanned aerial vehicles, communications equipment, and other items required for military operations in Iraq, Afghanistan, and the global war on terrorism. The conferees note that in addition to equipment lost in Operation Iraqi Freedom, the Department has also sustained losses in Afghanistan, as well as losses due to mishaps. Among these losses are high-demand, low-density items such as Special Operations MH-47 helicopters and Marine Corps CH-46 helicopters. The conferees believe that the Department of Defense should consider replacing or seeking safety improvements to these assets as well as those described in the President's request.

Within the total recommended by the conferees, funds are also available to restock munitions, including precision munitions, expended in combat or in training. Precision-guided weapons may include Laser Guided Bombs, Wind Corrected Munitions Dispenser (WCMD), Joint Standoff Weapon (JSOW), Affordable Weapon System, Javelin, Tube-launched Optically-tracked Wire-guided (TOW) Anti-tank Missile, Laser and Longbow Hellfire, Army Tactical Missile System (ATACMS), Multiple Launch Rocket System (MLRS) Rockets, and Stinger. In some cases, this is not intended to be a one-for-one replacement of expended munitions and precision-guided weapons, but should instead be used to acquire upgraded versions of these munitions, such as Tactical Tomahawk and Patriot missiles. The conferees agree to the reporting requirements concerning precision-guided munitions, as proposed by the House.

APPROPRIATE USE OF FUNDS FOR ACQUISITION

The conferees agree with the House direction regarding the appropriate use of funds for acquisition with the following changes:

(1) Items or capabilities that can be fielded in less than 18 months (from the date of obligation) require no additional notification.

(2) Items or capabilities requiring greater than 18 months (from the date of obligation) to operationally field require submission of a prior approval reprogramming.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement recommends \$501,700,000 for Defense Health Program operation and maintenance costs. From within this amount, the conferees direct that the Department of Defense give priority to the direct care system and military medical treatment facilities.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides \$34,000,000, as requested by the President, to fund increased operational tempo in Colombia's unified campaign against narcotics trafficking and terrorist activities. The conferees also agree to the reporting requirement concerning the obligation of these funds proposed by the House.

GENERAL PROVISIONS—THIS CHAPTER

The conferees agree to retain section 1301, as proposed by the House, which directs that amounts in the bill shall be available for the same time period and subject to the same terms and conditions as in Public Law 107-248 and Public Law 108-7.

The conferees agree to retain and amend section 1302, as proposed by the Senate, which prohibits the financing of activities specifically denied by Congress or the initiation of a procurement or research, development, test and evaluation new start program without prior notification to the congressional defense committees. The conferees direct the Department of Defense to submit a prior approval reprogramming in any instance in which it seeks to use funds in this Act for any program denied in previous fiscal year 2003 Appropriations Acts as delineated in either the Act or the Statement of the Managers accompanying those Acts.

The conferees agree to retain section 1303, as proposed by the House, which prohibits the use of funds provided for programs that require greater than four years to operationally field.

The conferees agree to retain and amend section 1304, as proposed by the House and the Senate, which provides additional funds for the CINC Initiative Fund.

The conferees agree to retain and amend section 1305, as proposed by the House and the Senate, which amends the limitation on the amount of "Operation and Maintenance, Defense-Wide" funds that may be used for emergency and extraordinary expenses.

The conferees agree to retain and amend section 1306, as proposed by the House and the Senate, which amends section 8005 of Public Law 107-248 and Public Law 108-7, addressing transfer authority.

The conferees agree to retain and amend section 1307, as proposed by the House and the Senate, which appropriates \$165,000,000 to reimburse appropriations accounts for the value of drawdown support provided by the Department of Defense under the Afghan Freedom Support Act. The conference agreement includes House language that requires prior written notification of the source of funds in any future drawdown. The conferees note that the net remaining drawdown authority under the Afghan Freedom Support Act of \$135,000,000.

The conferees agree to retain section 1308, as proposed by the Senate, which provides that funds appropriated in this Act are deemed specifically authorized for the purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414). The House included similar language.

The conferees agree to retain and amend section 1309, as proposed by the House and the Senate, which allows for the use of \$63,500,000 of the amounts available to the Department of Defense to reimburse appropriations accounts for the value of support provided under the Iraq Liberation Act of 1998. Senate language is also included that provides for specific transfer authority in addition to other transfer authorities available to the Department of Defense. The conference report amends House language that provides that the aggregate value of drawdown authority in fiscal year 2003 may not exceed \$86,500,000. The Department of Defense is required to provide the congressional defense committees written notification not later than seven days following the use of the drawdown authority under the Iraq Liberation Act of the sources of the funds to be used for such purpose. The conferees note that the net remaining drawdown authority available in fiscal years 2003 and 2004 under the Iraq Liberation Act of 1998 is \$120,000,000.

The conference agreement includes a new provision, section 1310, similar to language in the House bill and the Senate amendment that provides guidance and restrictions on the use of up to \$1,400,000,000 for the reimbursement of key cooperating nations, as discussed elsewhere in this Statement.

The conferees agree to include a new provision, section 1311, regarding additional transfer authority for funds provided in this chapter. While the conferees believe that the allocation of funding recommended in this bill will closely reflect the needs of the military services, they also recognize that the unpredictable nature of conflict could require some reallocation of funds. As such, the conference agreement provides the Secretary of Defense with an additional \$2,000,000,000 in transfer authority for the funds provided in this chapter. The conferees direct that the use of this transfer authority should be in accordance with the restrictions in section 8005 of the fiscal year 2003 Department of Defense Appropriations Act (PL 107-248). Furthermore, the conferees direct that the Defense Department shall comply with accepted reprogramming practices to include the submission of DD Form 1415 prior approval reprogramming requests in using this expanded authority.

The conferees agree to retain section 1312, as proposed by the Senate, and deletes language as proposed by the House which provides for notification 15 days after obligation of military construction funds in excess of \$7,500,000.

The conferees agree to amend section 1313, as proposed by the House, which transfers all balances of funds remaining in the "Defense Emergency Response Fund" on October 31, 2003 to the "Iraq Freedom Fund".

The conferees agree to delete language, as proposed by the Senate, that would have allowed for the use of unobligated Cooperative Threat Reduction funds outside the states of the former Soviet Union. The House bill did not address this matter.

The conferees agree to amend and retain section 1314, which amends three sections as proposed by the Senate, making certain technical adjustments regarding funds in the fiscal year 2003 Department of Defense Appropriations Act (P.L. 107-248).

Conferees agree to retain section 1315, as proposed by the Senate, which makes a technical correction to the National Defense Authorization Act of 2003 with respect to certain multi-year services contracts.

The conferees agree to retain section 1316, as proposed by the Senate, which increases the monthly allowance for Imminent Danger Pay and Family Separation Allowance for fiscal year 2003.

The conferees agree to delete language, as proposed by the Senate, which provided

\$7,500,000 for the Armed Forces Institution of Pathology (AFIP) and halted any decrease in the number of personnel, but expect the Department of Defense to provide sufficient funds and personnel to meet the mission of AFIP through the end of this fiscal year.

The conferees agree to retain section 1317, as proposed by the Senate, which rescinds \$3,400,000 of the Public Law 107-248 "Research, Development, Test and Evaluation, Navy" appropriation, for Treatment of Radiation Sickness Research.

The conferees agree to retain and amend section 1318, as proposed by the Senate, which provides certain authorities to cover travel and transportation benefit for family members of military personnel injured during Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom.

The conferees agree to retain section 1319, as proposed by the Senate, which provides certain authorities for the procurement of civilian attire for medically evacuated military personnel.

The conferees agree to retain section 1319, as proposed by the Senate, which provides certain authorities for the procurement of civilian attire for medically evacuated military personnel.

The conferees agree to delete section 607 of title VI in the Senate pass bill.

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

The conference agreement provides \$39,000,000 to support increased security measures at Corps of Engineers owned and operated infrastructure facilities instead of \$29,000,000 as proposed by the Senate.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The conference agreement provides \$25,000,000 to support increased security measures at Bureau of Reclamation owned and operated infrastructure facilities as proposed by the Senate. The conferees expect that the funds provided in this act will be used primarily for facility hardening activities, additional vulnerability assessments, and guards and law enforcement.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

SCIENCE

The conference agreement provides an additional \$11,000,000 for the Office of Science to enhance safeguards and security at its laboratories, to meet the requirements of a revised design basis threat, to fund the costs of maintaining those facilities at an elevated security condition in fiscal year 2003, and for other purposes.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

The conference agreement includes \$67,000,000 for the National Nuclear Security Administration (NNSA) to meet increased safeguards and security needs throughout the nuclear weapons complex. The funding provided includes \$20,000,000 for the activities of the Secure Transportation Asset and \$47,000,000 to meet increased safeguards and security needs throughout the nuclear weapons complex.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides \$148,000,000 for Defense Nuclear Nonproliferation activities by the National Nuclear Security Administration. This funding includes:

\$84,000,000 under the International Nuclear Materials Protection and Cooperation program to develop and deploy radiation detectors at mega seaports, in coordination with the Department of Homeland Security, Bureau of Customs and Border Protection; \$17,000,000 to expand efforts under the International Nuclear Materials Protection and Cooperation program to secure radioactive materials that may be used to construct a radioactive dispersal device (RDD), and to develop standards for the cleanup of contamination resulting from a potential RDD event; \$15,000,000 under Nonproliferation and International Security Assistance to expand nonproliferation assistance to countries other than the former Soviet Union; \$15,000,000 under Nonproliferation and Verification R&D for nuclear nonproliferation programs, including \$2,500,000 for the Caucasus Seismic Network; \$5,000,000 under Nonproliferation and International Security for international export controls; \$5,000,000 under International Nuclear Materials Protection and Cooperation to support activities in Iraq; \$5,000,000 under Nonproliferation and Verification R&D for materials and devices to detect nuclear materials; and \$2,000,000 under Nonproliferation and International Security to conduct vulnerability assessments for spent nuclear fuel casks.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference recommendation provides \$6,000,000 for the Office of Environmental Management to meet safeguards and security requirements at its defense cleanup and waste disposal sites.

OTHER DEFENSE ACTIVITIES

The conference recommendation provides \$4,000,000 under Other Defense Activities, including \$1,000,000 for additional security testing by the Office of Independent Oversight and Performance Assessment, and \$3,000,000 to meet increased intelligence and counterintelligence mission requirements.

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUNDS

The conference agreement appropriates \$90,000,000 as proposed by the Senate instead of \$40,000,000 as proposed by the House. The recommended level is provided to reimburse the account for funds previously borrowed and provided to preposition personnel and commodities to address humanitarian needs anticipated prior to the commencement of the conflict with Iraq. The conferees include language that provides that funds are made available until September 30, 2004.

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement appropriates \$143,800,000, to remain available until expended, instead of \$160,000,000 as proposed by the House and \$112,500,000 as proposed by the Senate. These funds include \$112,500,000 to reimburse the account for funds used to preposition personnel, supplies and commodities required to rapidly commence implementation of humanitarian assistance in Iraq.

The conference agreement includes language requested by the President that would allow additional "borrowing" from other foreign assistance accounts within this Act. In the event that additional "borrowing" is contemplated, the conferees expect to be consulted by USAID simultaneously with the initiation of any discussions with the Office of Management and Budget.

UNITED STATES EMERGENCY FUND FOR COMPLEX FOREIGN CRISES

The President requested \$150,000,000 for a new United States Emergency Fund for Complex Foreign Crises. The Senate provided the President's request; the House did not. The conferees believe that this request should be considered within the context of the fiscal year 2004 appropriations and authorization processes and therefore do not provide funds for this initiative in fiscal year 2003. The conference agreement distributes amounts requested for this account to similar existing accounts and the new Iraq Relief and Reconstruction Fund (Iraq Fund).

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The conference agreement appropriates \$24,500,000 for Operating Expenses of United States Agency for International Development instead of \$23,000,000 as proposed by the House and \$23,600,000 as proposed by the Senate. These funds are to be used to implement programs recommended elsewhere in this chapter and for security costs in Afghanistan and Pakistan. The conferees intend for \$1,000,000 to be provided to reimburse the USAID Bureau for Asia and the Near East for costs incurred in connection with the evacuation of its mission in Jakarta, Indonesia, for which no request was received.

Not less than \$3,500,000 from this account may be transferred and merged with "Operating Expenses of the United States Agency for International Development Office of Inspector General" to support financial and program audits of the Iraq Relief and Reconstruction Fund. The conferees expect the Inspector General of USAID to monitor, in particular, the contracts and awards that utilize the Iraq Fund, and to report promptly to the Committees any credible information he may receive regarding impediments to rapid program implementation or irregularities in contracting. In making awards to contractors engaged in the reconstruction of Iraq, the conferees request the Administrator of the U.S. Agency for International Development to actively seek to include significant participation by small, minority, and disadvantaged American-owned business enterprises.

OTHER BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

IRAQ RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement appropriates to the President \$2,475,000,000 for a new Iraq Relief and Reconstruction Fund, to remain available until September 30, 2004, instead of \$2,483,300,000 as proposed by the House and \$2,468,300,000 as proposed by the Senate.

The conferees note that this appropriation, some of which is requested to meet immediate relief requirements, is likely to be a down payment on a much larger United States contribution toward the longer-term reconstruction of Iraq.

As requested by the President, the Iraq Relief and Reconstruction Fund (the Iraq Fund) will be used for such programs as (1) water/sanitation infrastructure; (2) feeding and food distribution; (3) supporting relief efforts related to refugees, internally displaced persons, and vulnerable individuals, including assistance for families of innocent Iraqi civilians who suffer losses as the result of military operations; (4) electricity; (5) healthcare; (6) telecommunications; (7) economic and financial policy; (8) education; (9) transportation; (10) rule of law and governance; (11) humanitarian demining; and (12) agriculture.

The conferees expect that initial obligations from the Iraq Fund will focus on the first six priorities listed above, especially

water/sanitation infrastructure. The conferees expect the Office of Foreign Disaster Assistance in cooperation with the Office of Reconstruction and Humanitarian Assistance to initially focus on provision of clean water, food, electricity and other forms of direct relief to vulnerable communities. As regions of Iraq are declared to be secure by the United States Central Command, economic stabilization technical assistance of the Department of the Treasury and longer-term reconstruction activities the United States Agency for International Development would be mobilized within Iraq.

The conference agreement designates the Iraq Fund as bilateral economic assistance under the authorities of the Foreign Assistance Act of 1961, as amended. The funds are appropriated to the President who customarily has apportioned them to the Department of State and the United States Agency for International Development. Because of the special circumstances in Iraq, the conferees also provide for direct apportionment from the Fund, as necessary, to the Departments of Treasury, Defense, and Health and Human Services for activities such as Treasury technical assistance, Army Corps of Engineers, civil affairs team grants, and for deployment of personnel of the Centers for Disease Control.

The conferees request that the relevant officials of the Departments of the Treasury, Defense, and Health and Human Services promptly consult with the Subcommittee on Foreign Operations, Export Financing, and Related Programs regarding modalities for provisions of financial data regarding Iraq activities under this account, including memoranda of understanding with the USAID Inspector General and notification documentation. The conference agreement also provides that obligations from the Iraq Fund are subject to notification to the Committees on Appropriations 5 days in advance of the obligation of such funds. The conferees intend such notifications to be treated by the Administration as having the same force and effect as notifications provided to the Committees on Appropriations in accordance with the Committees' regular notification procedures.

In addition, transfers to agencies other than the Department of State and USAID under section 632 of the Foreign Assistance Act and under the general provisions of this chapter are made subject to notification procedures of the Committees on Appropriations.

The conference agreement includes language directing that the Iraq Fund shall be used to fully and promptly reimburse accounts administered by the Departments of State and the Treasury and the United States Agency for International Development, not otherwise reimbursed from funds appropriated by this chapter, for obligations incurred for the purposes provided under this heading prior to enactment of this Act from funds appropriated for foreign operations, export financing, and related programs. In particular, \$150,000,000 "borrowed" for purchase of food under the authority of section 507 of the fiscal year 2003 Foreign Operations, Export Financing and Related Programs Appropriations Act from the Development Assistance account and the Economic Support Fund should be reimbursed without delay. The conferees expect rapid reimbursement of an additional \$50,000,000 that was "borrowed" from the Development Assistance account for Iraq assistance under the provisions of section 492(b) of the Foreign Assistance Act.

The conference agreement provides that funds made available for rehabilitation and reconstruction in Iraq should include assistance to families of innocent Iraqi civilians who suffer losses as a result of the military

operations. The managers intend that USAID and the Department of State, in coordination with the Department of Defense and nongovernmental organizations, will seek to identify families of non-combatant Iraqis who were killed or injured or whose homes were damaged during recent military operations, and to provide appropriate assistance.

The conference agreement also includes a general provision requiring two reports from the President: (1) within 30 days of enactment on this Act on the proposed Iraq Fund management structure and (2) within 45 days on strategies for reconstruction and the establishment of an independent civil government in Iraq, coordination with other governments and international organizations, burden-sharing, and estimated costs.

Beginning not later than 90 days following enactment of this Act and every 90 days thereafter until September 2004, the conference agreement requires the President to submit periodic reports on significant ongoing and proposed United States-funded reconstruction activities in Iraq and the extent of financial pledges and actual contributions for assistance in Iraq by foreign governments and international organizations.

ECONOMIC SUPPORT FUND

The conference agreement appropriates \$2,422,000,000 instead of \$2,342,000,000 as proposed by the House and \$2,357,900,000 as proposed by the Senate.

The conference agreement includes not less than \$700,000,000 for Jordan, as proposed by both the Senate and the House.

The conference agreement includes \$300,000,000, to remain available until September 30, 2005, only for grants to Egypt, which may be used to guarantee loans of not to exceed \$2,000,000,000 as proposed by both the House and Senate. The conference agreement: (1) provides that all fees associated with Egypt's loan guarantees shall be paid by the Government of Egypt to the Government of the United States; (2) allows funds in this Act and prior appropriated funds for Egypt to be used for the cost of loan guarantees; (3) provides that the President should take into consideration budgetary and economic reforms undertaken by Egypt; and (4) provides that loan guarantees are backed by the full faith and credit of the United States.

The conference agreement includes permissive language that allows the President to provide not to exceed \$1,000,000,000 for Turkey similar to the Senate bill and the same as the House bill. These funds remain available until September 30, 2005 and may be used to provide or guarantee loans up to \$8,500,000,000. The conferees agree to the Senate provision that any balance of funds not made available to Turkey under this paragraph shall be transferred to, and merged with, funds appropriated for the Iraq Relief and Reconstruction Fund.

The conference agreement provides that none of the funds for Turkey in this Act under the Economic Support Fund may be made available for Turkey if the Secretary of State determines and reports to the Committees on Appropriations of the House and Senate, the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House that the Government of Turkey is not cooperating with the United States in Operation Iraqi Freedom, including the facilitation of humanitarian assistance to Iraq, or has unilaterally deployed forces into northern Iraq.

The conference agreement also: (1) allows funds in this Act and prior appropriated funds for Turkey to be used by the Government of Turkey to pay the United States for all fees associated with loans and loan guarantees; (2) provides that the President should

take into consideration budgetary and economic reforms undertaken by Turkey; and (3) specifies that loan guarantees are backed by the full faith and credit of the United States.

The conference agreement includes not less than \$30,000,000 for assistance for the Philippines to further the prospects for peace in Mindanao. The Senate Bill included \$50,000,000 for this purpose and the House bill did not address this issue. The conferees endorse the Senate report language related to this assistance.

The conference agreement includes \$167,000,000 for Afghanistan to continue efforts to support security and economic growth in that nation, of which up to \$100,000,000 is provided to accelerate the completion of the major Kabul = Kandahar road; \$10,000,000 is provided, as necessary, for grants by provincial reconstruction teams; and \$57,000,000 is provided for implementation of the Bonn electoral process and operational support for the Afghanistan Government.

The conferees note the continued importance of ensuring that women are active participants in all facets of the reconstruction process in Afghanistan, particularly as the Afghan people assume greater responsibility for Afghan development. The conferees support efforts by women-led, Afghan nongovernmental organizations to expand their capacity to manage critical programs and services. The conferees also urge that United States funds be used to bolster the role of women in the Bonn electoral process.

The conference agreement includes \$10,000,000 for investigations and research into allegations of war crimes, crimes against humanity, or genocide committed by Saddam Hussein or other Iraqis, and for a contribution to an international tribunal to bring these individuals to justice. This proviso is similar to language included in the Senate bill as section 505. The House bill did not address this issue. The conferees request that not later than 120 days after enactment of this Act the Secretary of State report to the Committees on Appropriations on plans for the prosecution of these individuals.

The conference agreement also includes \$40,000,000 to reimburse the Economic Support Fund account for resources advanced to fund supplies, commodities and services prior to the conflict in Iraq.

As all fiscal year 2003 funds that were transferred from this account to accommodate pre-positioning of Iraq relief and reconstruction are being fully reimbursed and restored by this Act, the conferees expect the Department of State to revise its current 653(a) country allocation report, consistent with the intent of Congress in Division E of Public Law 108-7 and House Report 108-10, with regard to the Special Court for Sierra Leone, the Muslim Exchange Program, and technical assistance to implement the Kimberley Process Certification Scheme.

LOAN GUARANTEES TO ISRAEL

The conference agreement includes \$9,000,000,000 in loan guarantees for Israel during the period beginning March 1, 2003 and ending September 30, 2005 as included in both the House and Senate bills. Of this assistance, \$3,000,000,000 may be issued in fiscal year 2003 or thereafter, and \$3,000,000,000 may be issued subsequent to September 30, 2004. The conference agreement provides that these guarantees shall be backed by the full faith and credit of the United States. The agreement restricts these resources to support activities in the geographic areas which were subject to the administration of the Government of Israel before June 5, 1967 and that guarantees may be reduced for any activities that the President of the United

States determines are inconsistent with the objectives and understandings reached between the United States and the Government of Israel regarding the implementation of the loan guarantee program, as was proposed by the House and Senate bills. The conference agreement provides that the President shall take into consideration budgetary and economic reforms undertaken by Israel. The conferees expect the State Department to provide to the appropriate Committees of Congress any letters of understanding reached between the government of the United States and Israel on economic reform measures and settlement related activities that pertain to the issuance of these loan guarantees.

As was previously the case with the 1992 loan guarantees, all associated fees are to be paid by the Government of Israel to the United States Government, and the conference agreement includes language, not in the House or Senate bills, clarifying that the interest rate for loans guaranteed may include a reasonable fee to cover the costs and fees incurred by the borrower in connection with this financing.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement appropriates \$25,000,000 as proposed by the House and the Senate. These funds would remain available for obligation until September 30, 2004, as proposed by the House and the Senate.

ANDEAN COUNTERDRUG INITIATIVE

The conference agreement appropriates \$34,000,000 as proposed by the House and the Senate. The conference agreement provides that funds shall remain available for obligation until September 30, 2004 as proposed by the House and by the Senate.

The conferees are concerned with reports of rising numbers of impoverished Colombians who are displaced from their homes as a result of armed conflict. Therefore, the conference agreement provides that not less than \$5,000,000 should be made available for assistance to these people, and encourages USAID and the State Department's Bureau of Population, Refugees and Migration to support organizations such as the League of Displaced Women in Bolivar, which work to protect the rights and needs of displaced women and children.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement appropriates \$80,000,000 as proposed by the House instead of \$75,000,000 as proposed by the Senate. The President has drawn down \$40,000,000 to date from ERMA for Iraq-related costs. Including the President's request for ERMA replenishment, the ERMA balance is considerably lower than recent historical levels. Therefore the conferees recommend an additional \$40,000,000 for ERMA to meet unforeseen emergency needs.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING, AND RELATED PROGRAMS

The conference agreement appropriates \$28,000,000 as proposed by the House and the Senate for Nonproliferation, Anti-Terrorism, Demining and Related Programs.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement recommends \$2,059,100,000 for Foreign Military Financing Program as provided by the House and Senate.

The conference agreement includes not less than \$1,000,000,000 for grants only for Israel, requires these funds to be disbursed

within 30 days of enactment of this Act, and specifies \$263,000,000 of this allocation shall be available for acquisition of defense services and articles in Israel. The conference agreement also provides not less than \$406,000,000 for Jordan.

The conference agreement assumes the following allocations as supported in the House and Senate reports; \$170,000,000 for Afghanistan to train, equip and support the Afghan National Army; \$175,000,000 to provide Pakistan with improved border security and counter-terrorism capabilities, and \$30,000,000 for counter-terrorism assistance to the Philippines.

The conferees agree to Senate language that provides up to \$20,000,000 may be transferred to and merged with the Andean Counterdrug Initiative account for aircraft, training and other assistance for the Colombian Armed Forces.

The conferees have included language requiring regular notification procedures of the Committees on Appropriations in advance of commitment of funds and clarifying the basis for such notifications. The Senate bill included language that required notification in advance of obligation of funds and the House did not address the issue.

The conferees expect that notifications to the Committees of deviation from the notification report in terms of the amount, and significant deviation in terms of the kind of assistance being provided, will be transmitted to the Committee five days in advance of commitment.

PEACEKEEPING OPERATIONS

The conference agreement appropriates \$100,000,000 for Peacekeeping Operations instead of \$115,000,000 as provided by the House and \$150,000,000 as recommended by the Senate. The conferees include language that provides that the funds are available until September 30, 2004. The conferees note that the supplemental budget request provided little detail in support of the \$200,000,000 request. The conferees note that section 1501 provides not to exceed \$100,000,000 in transfer authority should peacekeeping activities occur in excess of the amounts provided in this agreement.

GENERAL PROVISIONS—THIS CHAPTER

Under section 1501, the conference report includes language similar to section 501 of the Senate amendment that allows transfers among certain international assistance programs in this chapter in an amount not to exceed \$100,000,000. The section requires consultation and a five-day notification. The Senate amendment included an amount not to exceed \$200,000,000 and the House bill did not address this matter.

Under section 1502 of the general provisions, language is included similar to that in the House bill and Senate amendment that would extend the authority to provide assistance for Iraq notwithstanding any other provision of law. The conference agreement provides that funds made available for assistance for Iraq under this chapter are subject to section 553 of Public Law 108-7. However, the conferees recognize that the uniquely insecure conditions in Iraq may necessitate some modification of normal vetting procedures under section 553 until the security conditions improve.

Use of the notwithstanding provision in section 1502 is subject to a five day notification in advance of obligation. Similar to the House provision, the section allows a waiver of notification in the case of substantial risk to human health or welfare.

The conference agreement, under section 1503, includes a provision similar to the House bill that would make inapplicable the Iraq Sanctions Act of 1990 and authorize the President to make inapplicable with respect

to Iraq section 620A and section 307 of the Foreign Assistance Act with respect to Iraq. The conference agreement includes a provision similar to that proposed by the House and Senate stating that nothing in this section shall affect the applicability of the Iran-Iraq Arms Non-Proliferation Act of 1992, but the conferees allow for an exception as it applies to humanitarian assistance and supplies. The purpose of this proviso is to clarify that the suspension of the Iraq Sanctions Act is not intended to affect the continued applicability of that Act to Iran pursuant to section 1603 of the Iran-Iraq Arms Non-Proliferation Act of 1992. The exception in the proviso for humanitarian assistance and supplies will permit, notwithstanding section 1603, the issuance of export licenses for Iran that support the provision of humanitarian assistance and supplies to Iraq. The conference agreement provides that military equipment as defined by Title XVI, section 1608(1)(A) of Public Law 102-484 shall not be exported. The conference agreement requires that the exercise of authorities of section 1503 are subject to notification, and the conferees require a periodic report containing a summary of all licenses approved for export to Iraq if the item is on the Commerce Control List contained in the Export Administration Regulations, including the identification of end users of such items. The conferees do not intend for the authorities contained in this section to be permanent, and the section will expire on September 30, 2004 unless a prior Iraq authorization bill has been enacted that amends, repeals or makes the section inapplicable.

Under section 1504, the conference agreement provides for the export to Iraq of any nonlethal military equipment notwithstanding any other provision of law. The conference agreement provides an exception to the non-lethal military equipment limitation for equipment designated by the Secretary of State for use by a reconstituted (or interim) Iraqi military or police force. The conferees intend that such exports be limited to small arms and ammunition.

The section provides the President with the flexibility to authorize exports to Iraq upon determining that they are in the national interest of the United States. The conferees do not intend for the authority contained in this section to be permanent, and the section will expire on September 30, 2004 unless a prior authorization bill has been enacted that amends, repeals or makes the section inapplicable.

The conference agreement does not include section 505 of the Senate amendment. This provision is addressed under the Economic Support Fund. The House did not address this matter.

The conference agreement does not include section 506 of the Senate amendment that expressed the Sense of the Senate regarding the awarding of contracts and grants for relief and reconstruction in Iraq from funds in this chapter. The House addressed this matter in section 3002 of Title III.

The conference agreement does not include section 507 of the Senate amendment that expressed the Sense of the Senate that reconstruction of Iraq should be funded from Iraqi oil revenues. The House did not address this matter.

Under section 1505 the conference agreement amends current law restrictions on fiscal year 2003 funding for Ukraine to limit assistance to the central Government of Ukraine if the Secretary of State reports that the Government of Ukraine has facilitated arms sales or arms transfers to Iraq. The Senate proposed a waiver of current law, and the House did not address this matter.

Under section 1506 the conference agreement requires reports related to United

States and other activities in Iraq and associated costs.

CHAPTER 6

HOMELAND SECURITY APPROPRIATIONS, 2003 SUPPLEMENTAL

The conference agreement on the Homeland Security chapter of the Emergency Wartime Supplemental Appropriations Act, 2003, incorporates some of the language and allocations set forth in House Report 108-55 and some of the language and allocations set forth in Senate Report 108-33. The language in House Report 108-55 and Senate Report 108-33 should be complied with unless specifically addressed in the accompanying statement of managers.

Throughout the accompanying explanatory statement, the managers refer to the Committee and Committees on Appropriations. Unless otherwise noted, in both instances, the managers are referring to the House Subcommittee on Homeland Security and the Senate Subcommittee on Homeland Security.

DEPARTMENT OF HOMELAND SECURITY

DEPARTMENTAL MANAGEMENT

COUNTERTERRORISM FUND

The conferees agree to provide \$150,000,000 for the Counterterrorism Fund, instead of \$1,135,000,000 as proposed by the Senate. The Counterterrorism Fund exists to reimburse any Department of Homeland Security organization for the unanticipated costs of providing support to prevent, counter, investigate, respond to, or prosecute unexpected threats or acts of terrorism. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations. In addition, the funds are subject to the reprogramming requirements set forth in Section 1601 of this chapter.

CITIZENSHIP AND IMMIGRATION SERVICES

OPERATING EXPENSES

The conferees agree to provide \$3,000,000 for additional expenses related to Operation Liberty Shield, instead of \$1,000,000 as proposed by the House. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations.

UNITED STATES SECRET SERVICE

OPERATING EXPENSES

The conferees agree to provide \$30,000,000 for additional expenses related to Operation Liberty Shield, as proposed by the House. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations.

BORDER AND TRANSPORTATION SECURITY

CUSTOMS AND BORDER PROTECTION

The conferees agree to provide \$333,000,000 for additional expenses related to Operation Liberty Shield and for other homeland security purposes, instead of \$428,000,000 as proposed by the House. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations. This amount includes \$35,000,000 to support the Container Security Initiative and \$25,000,000 to fully fund the transfer of 285 Border Patrol Agents to the Northern Border.

In addition, the conferees include \$60,000,000 for the cost of additional inspectors and associated positions on the Northern Border and at maritime ports of entry, and \$90,000,000 for portal radiation detection and monitoring technology and non-intrusive inspection technology. In addition to the requirement for a 15-day prior notification, the conferees direct that none of these funds may be obligated (1) for additional personnel until the Commissioner of the Bureau

of Customs and Border Protection submits to the Committees on Appropriations a detailed budget execution plan for hiring and deploying the additional personnel, including timeframe and locations; or (2) for new detection, monitoring and inspection technology until the Commissioner submits to the Committees a revised technology investment plan that includes the impact of this additional funding on agency performance, as well as proposed deployment schedules and locations.

COMMERCIAL VEHICLE SCREENING AT KEY BRIDGES

The conferees are concerned about the vulnerability of bridge ports of entry on the U.S.-Canada border to vehicle traffic that might contain radioactive material and direct the Bureau of Customs and Border Protection to implement its current plan to install a portal radiation monitor in May of 2003 at the Blue Water Bridge port of entry at Port Huron, Michigan. The conferees also direct that inspectors at the port of entry be fully trained in the detection of radioactive materials in cargo and equipped, as appropriate, with both personal radiation detectors and isotope identifiers. Because commercial motor vehicles carrying municipal solid waste may be used intentionally or accidentally to transport radioactive or other hazardous material, the conferees direct the Bureau to screen and inspect such vehicles as necessary to enforce federal law and, as appropriate, State law governing such traffic. The Bureau should give particular attention to traffic using the Ambassador Bridge port of entry in Detroit, Michigan, and the Blue Water Bridge port of entry in Port Huron, Michigan. The Bureau of Customs and Border Protection shall also reevaluate whether municipal solid waste should continue to be classified as a "low risk commodity" under the Border Release Advanced Screening and Selectivity (BRASS) System.

IMMIGRATION AND CUSTOMS ENFORCEMENT

The conferees agree to provide \$170,000,000 for additional expenses related to Operation Liberty Shield and related homeland security missions, instead of \$185,000,000 as proposed by the House. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations. This amount includes \$15,000,000 for additional special agents, intelligence analysts, and air and marine enforcement personnel at the Northern Border and maritime ports of entry. However, none of these funds may be obligated until the Assistant Secretary for Immigration and Customs Enforcement submits to the Committees on Appropriations a detailed budget execution plan for hiring and deploying the additional personnel, including timeframe and locations.

ENTRY EXIT SYSTEM

The Department has not formally submitted a budget execution plan for the use of the \$380,000,000 appropriated for the Entry Exit project as provided by Public Law 108-7. However, in order to avoid significant delays, the conferees approve the Department's use of up to \$5,000,000 of these funds to support contract work on critical prerequisite elements to include privacy impacts, system security, cost-benefit analysis, statement of work, and systems requirements specifications. The conferees direct that no additional obligations shall be made until an expenditure plan has been approved by the Department and by the Office of Management and Budget, reviewed by the General Accounting Office (GAO), and approved by the Committee on Appropriations. Such plan must meet the requirements specified in Public Law 108-7, with the exception that

availability of these funds for obligation and expenditure shall be governed by reprogramming guidelines set forth in Section 1601 of this Act. The conferees expect that the expenditure plan will contain sufficient detail and documentation to explain planned capabilities and benefits, timeframes for delivery, costs, and progress in meeting prior expenditure plan targets. The plan should also describe the management actions being taken to assure that the Entry Exit system will meet established goals for system capability, benefits, schedule, and cost. The conferees also direct that the Bureau and Department, in their quarterly briefings to the Committee, include information on any changes in previously submitted expenditure plans and documentation.

As the Entry Exit project is now the responsibility of the Department of Homeland Security, the conferees direct the Department to develop a close cooperative working relationship with GAO. In order for GAO to support the Committees in their oversight of this important and expensive project, the Department should allow access to working documents and consultation and Departmental, Directorate, Bureau and project staff on a routine, confidential and professional basis prior to submission of spending plans to the Committees. The Department should establish the same relationship with GAO on Entry Exit as has been established with the Automated Commercial Environment (ACE) project. The Committees on Appropriations will take no action on funding requests until GAO has completed its review of proposed plans and shares its evaluation with the Committees. If GAO has been permitted to develop sufficient understanding of the overall management of the Entry Exit program, and is provided adequate information of a plan before its submission, the review should be completed within 30 days. If GAO is afforded insufficient advance information, the time will be as long as reasonably required for GAO to conduct its review to assess compliance of the plan with established requirements.

TRANSPORTATION SECURITY ADMINISTRATION

The conferees agree to provide \$665,000,000 for the Transportation Security Administration (TSA) instead of \$390,000,000 as proposed by the House. Funds shall remain available until expended but may not be obligated until 15 days after notification of the Committees on Appropriations. The Act includes funding for critically needed transportation security requirements as follows:

Physical modifications of commercial service airports to install checked baggage explosive detection machines	\$235,000,000
Port security grants	20,000,000
Passenger screener hiring, training, and related costs	280,000,000

No funding has been provided in this Act to hire additional staff, particularly aviation screeners, or to otherwise supplement previously appropriated funding for TSA staffing requirements.

FISCAL YEAR 2003 FUNDING REQUIREMENTS

By May 1, 2003, the conferees direct the Administrator of the Transportation Security Administration to submit a budget execution plan, approved by the Office of Management and Budget, detailing spending levels, by budget line item, program, project, and activity. The conferees expect the budget line items included in this plan to be the same line items informally submitted by TSA to the Committees on Appropriations in July of 2002 and modified in December of 2002. In developing this budget execution plan, TSA

should detail the following: (1) fiscal year 2003 obligations by budget line item as of March 31, 2003, (2) TSA's fiscal year 2003 yearly obligation estimates by budget line item, (3) how the yearly estimates by budget line item were derived, and (4) a detailed explanation of why and how these costs have changed since the July and December 2003 budget documents. The conferees expect all programs and activities specifically funded by Congress either in bill or report language in Public Laws 107-206 and 108-7 to be fully funded in this plan. For those items that TSA believes should be reprogrammed, a detailed explanation of why this reprogramming should occur must accompany the plan. TSA shall follow the reprogramming guidelines contained in this Act.

PORT SECURITY GRANTS

The conferees are aware of approximately \$1,000,000,000 in port security requirements in the first year and \$4,400,000,000 over 10 years, as estimated by the Coast Guard. To date, \$368,000,000 has been appropriated to these efforts and an additional \$20,000,000 is provided in this Act. However, TSA has only issued port security grants totaling \$93,000,000. The conferees direct TSA to issue grants for the remainder of these previous appropriations no later than 60 days after enactment of this Act.

TRUCKING INDUSTRY GRANTS

Of the funds provided under Public Law 108-7 for trucking industry grants, the conferees direct that \$20,000,000 (as adjusted by section 601 of Division N of Public Law 108-7) be used to fund nation-wide trucking security and safety initiative utilizing the existing joint industry-government Highway Watch program.

OPERATION SAFE COMMERCE

Of the funds provided under Public Law 108-7 for Maritime and Land Security, the conferees direct that \$30,000,000 (as adjusted by section 601 of Division N of Public Law 108-7) be used for Operation Safe Commerce.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

OPERATING EXPENSES

The conferees agree to provide \$2,000,000 for additional expenses of the Federal Law Enforcement Training Center as proposed by the House. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations.

OFFICE FOR DOMESTIC PREPAREDNESS

The conferees agree to provide \$2,230,000,000 for the Office for Domestic Preparedness (ODP) instead of \$2,200,000,000 as proposed by the House and the Senate. The conferees agree that none of these funds may be used for construction activities and further agree that these funds shall be used for purposes consistent with State domestic preparedness plans.

Within the amounts provided, the conferees include \$1,300,000,000 for a formula grant program to be allocated to the States subject to Section 1014 of Public Law 107-56. The conferees agree that funds shall be disbursed within 60 days of enactment of this Act; the conferees further agree that not less than 80 percent of funding provided to each State shall be transferred to local governments within 45 days of the State's receipt of funds.

An additional \$200,000,000 is provided for critical infrastructure formula-based grants subject to Section 1014(c)(3) of Public Law 107-56. The conferees agree that funds shall be disbursed within 60 days of enactment of this Act; the conferees further agree that not less than 50 percent of funding provided to each State shall be transferred to local governments within 45 days of the State's receipt of funds.

The conferees also provide \$700,000,000 for discretionary grants to high-threat, high-density urban areas, and for the protection of critical infrastructure. The conferees expect that ODP will allocate these funds no later than 30 days after enactment of this Act. The conferees also agree that no less than 80 percent of discretionary grants provided to any State shall be transferred to local governments within 45 days of the State's receipt of funds. In making grants to State and local governments, the conferees further direct the Secretary of Homeland Security to take into consideration credible threat, vulnerability, the presence of infrastructure of national importance, population, and identified needs of public agencies. Grants may be made to single or multiple jurisdictions in the same urban area.

Finally, the conferees agree to provide \$30,000,000 for direct technical assistance to States.

The conferees agree that overtime expenses incurred and related to heightened security levels are an eligible use of funds provided for both critical infrastructure grants and discretionary grants to high-threat, high-density urban areas and for the protection of critical infrastructure.

The conferees direct ODP to submit a plan, no later than 120 days after enactment of this Act, on overtime accountability. This report shall include how overtime costs in direct support of increased security can be properly measured at the State and local government levels and a plan for reimbursement of these expenses.

In addition to reports to be submitted to the Committees on Appropriations in accordance with Senate Report 108-33, the conferees further direct the Department to provide a report that lists all federal programs within the Department of Homeland Security that make grants to States and/or local governments, including those for emergency preparedness and support for first responders, public health agencies, local law enforcement agencies and other security providers. The report shall be submitted by May 30, 2003 and include: (1) the amount of funds appropriated for each of fiscal years 2002 and 2003; (2) the amount of appropriated funds that have been obligated by the Department of Homeland Security and the grantee and expended by the grantee; (3) the point of contact in the federal government responsible for responding to inquiries on the status of grant funds; and (4) the administrative or other impediments that may delay the obligation of grant funds.

UNITED STATES COAST GUARD OPERATING EXPENSES

The conferees agree to provide a total of \$228,000,000 for additional operating expenses of the Coast Guard instead of \$230,000,000 as proposed by the House and \$580,000,000 as proposed by the Senate. In addition to the \$228,000,000 provided under this heading, \$400,000,000 is provided to the Coast Guard by transfer from the Department of Defense. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations. Funds are provided as follows:

Deployment of Coast Guard personnel and assets overseas	\$180,000,000
Military outload security ..	220,000,000
Targeted increase to homeland security activities related to Operation Liberty Shield	180,000,000
Port security assessments	38,000,000
Merchant mariners documentation	10,000,000

The conferees expect that the funding provided under this act will allow the Coast

Guard to complete port security assessments at all tier one strategic ports.

SCIENCE AND TECHNOLOGY

The conferees direct the Under Secretary for Science and Technology to prepare a program plan for the development of an anti-missile device for commercial aircraft. The plan should identify the process for delivery and certification of a prototype and the proposed cost and schedule for such an activity. The report should be provided to the Committees on Appropriations within 30 days of enactment of this Act.

EMERGENCY PREPAREDNESS AND RESPONSE OPERATING EXPENSES

The conferees agree to provide \$45,000,000 as proposed by the House. Funds shall remain available until expended, but may not be obligated until 15 days after notification of the Committees on Appropriations.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

The conferees agree to provide \$54,750,000 for the Emergency Management Planning and Assistance account for interoperable communications, instead of \$109,500,000 as proposed by the Senate. Funds may not be obligated until 15 days after notification of the Committees on Appropriations.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION OPERATING EXPENSES

The conferees agree to provide no funds for the Information Analysis and Infrastructure Protection Directorate, instead of \$10,000,000 as proposed by the House.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 1601. The conferees agree to modify a provision proposed by the House providing reprogramming guidelines for the Department of Homeland Security.

Section 1601 requires the Department of Homeland Security to promptly and fully inform the Committees on Appropriations when a change in program execution and funding is required during the fiscal year. To assist the Department in this effort, the following guidance is provided for reprogramming during fiscal year 2003.

A reprogramming shall be submitted for any action that (1) creates a new program; (2) eliminates a program, project or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by Congress; or (4) proposes to use funds directed for a specific activity in an appropriations Act or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference, for a different purpose.

A reprogramming shall be submitted when any Departmental action results in the movement of funds to or from any program, project, or activity in excess of \$5,000,000 or 10 percent, whichever is less.

The Department must notify the Committees on Appropriations on both Houses of Congress 15 days in advance of such reprogrammings. The Department must also notify the Committees at the end of each quarter during the fiscal year of all reprogramming actions that have been completed during that quarter involving less than \$5,000,000 or 10 percent.

Clearly stated and detailed documentation presenting justification for the reprogramming shall accompany each request. Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

For purposes of this section, the term "program, project, and activity" shall mean any item for which a dollar amount is contained in an appropriations Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statement of the committee of conference.

The conferees further expect the Department to comply with directives in the statements of managers accompanying any appropriations conference report relative to appropriations for programs, projects and activities transferred to the Department.

Sec. 1602. The conferees agree to include a provision proposed by the Senate allowing the Under Secretary of Homeland Security for Border and Transportation Security to issue letters of intent to airports to provide assistance for the installation of explosive detection systems and requiring status reports.

Sec. 1603. The conferees agree to include a provision proposed by the Senate allowing the Bureau of Customs and Border Protection to accept donations of body armor for United States Border Patrol agents and Border Patrol canines.

Senate Bill Sec. 601. —The conferees agree not to include a provision proposed by the Senate requiring inspection of all commercial motor vehicles entering the United States through specific ports of entry. This issue has been addressed in the Bureau of Customs and Border Protection section of the statement of managers.

CHAPTER 7

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes \$16,000,000 for costs associated with the prevention and control of Severe Acute Respiratory Syndrome (SARS) as proposed by the House. The Senate had provided the same amount within the Office of the Secretary.

The conferees understand that sufficient funds were made available to the CDC for injury prevention and control to maintain support for activities to better understand the scope of child abuse and neglect and its consequences at the FY2002 level.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes \$100,000,000 within the Public Health and Social Services Emergency Fund for the Centers for Disease Control and Prevention to assist State and local health authorities with the costs associated with the civilian smallpox vaccination program, instead of \$94,000,000 as proposed by the House. The Senate had provided \$105,000,000 for this purpose within the Office of the Secretary. Because many State and local health departments have already devoted substantial resources to the smallpox vaccination program, often at the expense of other important public health and bioterrorism preparedness tasks, the conferees intend that these funds be available to assist health departments in covering costs already incurred as well as to assist with costs that will be incurred in the future.

In addition, the conference agreement includes \$42,000,000 within the Public Health and Social Services Emergency Fund for costs associated with compensating individuals with injuries resulting from smallpox vaccine and related countermeasures, instead of \$50,000,000 as proposed by the House

and \$35,000,000 as proposed by the Senate. The funds are made available subject to the enactment of authorizing legislation and remain available until expended as proposed by both the House and Senate. The conferees intend the funds to be used to provide compensation under the rules and conditions specified in legislation authorizing a smallpox vaccine compensation program.

SMALLPOX AND OTHER BIOTERRORISM INOCULATION ACTIVITIES

The conference agreement does not include funds within this new account to support grants to States for smallpox and other bioterrorism inoculation activities as proposed by the Senate. Funds for this purpose have been provided within the Public Health and Social Services Emergency Fund account as proposed by the House.

SEVERE ACUTE RESPIRATORY SYNDROME (SARS)

The conference agreement does not include funds within this new account to support costs associated with the prevention and control of Severe Acute Respiratory Syndrome as proposed by the Senate. Funds for this purpose have been provided within the Centers for Disease Control and Prevention account as proposed by the House.

GENERAL PROVISION REPATRIATION

Section 1701 of the conference agreement includes a provision proposed by the Administration and included in both the House and Senate bills that removes, for fiscal year 2003, the \$1,000,000 statutory cap included in the Social Security Act on funds used to provide assistance to U.S. citizens and their dependents returning from foreign countries who have been determined by the Department of State to be destitute, mentally ill, or requiring emergency evacuation due to threatened armed conflict, civil strife, or natural disasters.

CHAPTER 8 LEGISLATIVE BRANCH APPROPRIATIONS HOUSE OF REPRESENTATIVES SALARIES AND EXPENSES COMMITTEE EMPLOYEES STANDING COMMITTEES, SPECIAL AND SELECT

Appropriates \$11,000,000 for Committee Employees Standing Committees, Special and Select, to fund the Select Committee on Homeland Security authorized by House Resolution 5, adopted January 7, 2003. Inasmuch as this item relates solely to the House, and in accord with the long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the amendments of the House.

CAPITOL POLICE

GENERAL EXPENSES

Appropriates \$37,738,000 for general expenses of the Capitol Police. The conferees note that no part of such amount may be obligated without prior approval of the Committee on Appropriations of the House of Representatives and the Senate.

OFFICE OF COMPLIANCE SALARIES AND EXPENSES

Appropriates \$111,000 to cover contracted services of hearing officers and mediators for the increased number of hearings.

ARCHITECT OF THE CAPITOL CAPITOL BUILDING

Appropriates \$1,100,000 for an emergency egress project.

CAPITOL POWER PLANT

Appropriates \$22,679,000, of which \$3,900,000 is for high voltage switchgear transformers

and \$18,779,000 is provided for Phase II of the West Refrigeration Plant Expansion.

CAPITOL POLICE BUILDINGS AND GROUNDS

Appropriates a total of \$40,140,000 for the Capitol Police Buildings and Grounds. Of this amount, \$14,140,000 is provided to be used, in addition, to previously appropriated fund for the Headquarters requirements. The conferees anticipate that additional funding for construction will be requested in the future through the normal budget process. In addition, the Architect of the Capitol is directed to have the Naval Facilities Command serve as the primary executing agency for this project. A total of \$10,000,000 is for the cost of leasing interim space, pending execution of the facilities master plan. The remaining \$16,000,000 shall be used to construct the Tactical Training Facility in Cheltenham, Maryland, for the sole use of the United States Capitol Police.

LIBRARY OF CONGRESS SALARIES AND EXPENSES

Appropriates \$5,500,000 for the purchase and installation of a public address system for the Library buildings. The conferees direct procurement and installation of any public address system to conform with any system selected by the United States Capitol Police. The Librarian of Congress, in conjunction with the Chief of the Capitol Police, shall report to the Committees on Appropriations of the House and the Senate no later than June 1, 2003 that the system meets the requirements as specified by the Capitol Police.

CONGRESSIONAL RESEARCH SERVICE SALARIES AND EXPENSES

Appropriates \$1,863,000 for the implementation of the Congressional Research Service's portion of the alternate computer facility.

GENERAL ACCOUNTING OFFICE SALARIES AND EXPENSES

Appropriates \$4,849,000 for the security of GAO facilities and information systems.

GENERAL PROVISIONS, THIS CHAPTER

A general provision is included making a technical correction relative to a Senate item regarding town meeting notices. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

CHAPTER 9 DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION MILITARY CONSTRUCTION, NAVY

The conference agreement includes a proviso, as proposed by the House, which provides project authorization pursuant to section 2802, title 10, United States Code. The Senate did not include a similar provision.

The following project is included in the account:

Location/Installation	Project title	Cost
Cuba: Guantanamo Bay	JTF Military Commission Complex.	\$48,100,000

MILITARY CONSTRUCTION, AIR FORCE

The conference agreement includes \$152,900,000 for Military Construction, Air Force, instead of \$5,100,000 as proposed by the House and \$127,400,000 as proposed by the Senate. The conference agreement also includes a proviso, as proposed by the House, which provides project authorization pursuant to section 2802, title 10, United States Code. The Senate did not include a similar provision.

The following projects are included in the account:

Location/Installation	Project title	Cost
Diego Garcia	Explosive Ordnance Pad	\$3,200,000
Classified Location	Millennium Village	110,500,000
Guam: Andersen AFB	Aircraft Maintenance Hangar	35,500,000
Worldwide Various	Planning and Design	3,700,000
Total		152,900,000

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement includes \$1,800,000 for "Family Housing Operation and Maintenance, Air Force," as proposed by the House instead of \$2,000,000 as proposed by the Senate. The funding is provided for the following purpose:

Location/Installation	Project title	Cost
Guam: Andersen AFB	Family Housing Repairs	\$1,800,000

GENERAL PROVISIONS—THIS CHAPTER

This chapter contains two provisions.

The conferees agree to provide authority for the Department of Defense (DOD) to expend up to \$150,000,000 of funds from the Act for military construction, not otherwise authorized by law, which is certified necessary to support the war on terrorism or operations in Iraq. Section 1901 establishes guidelines for transferring funds from other accounts into the contingency construction account under the auspices of section 2804 of title 10. The provision creates a notification system that informs Congress of the transfer and justifies the need for the project without slowing down the obligation of funds for urgent requirements. The provision clarifies the definition of military construction to preclude interpretations that would permit the expenditure of inappropriate funds for military construction purposes.

Approximately \$750,000,000 appropriated to operation and maintenance accounts has been obligated for construction activities supporting the global war on terrorism and operations in Iraq. Funds for these projects have been expended without providing notice to Congress despite repeated requests for information by both House and Senate Appropriations Committees and House and Senate Armed Services Committees and as required by law.

Some of these projects are, by definition, military construction projects. Under title 10, chapter 169, military construction projects require congressional authorization and appropriation before funds can be obligated. Exceptions exist but are limited. Admittedly, the statutorily-mandated military construction process is cumbersome and can be slow. Another complication is the lack of a dedicated source of funding for contingency construction needs. These problems impede timely response to urgent requirements of armed conflict.

To circumvent these obstacles, DOD created a class of construction activities for which it deemed operation and maintenance funds could be expended. Effectively, without benefit of legal authority or regulation, the statutory definition of "military construction" was obviated for certain types of construction projects. Formalized in a memorandum issued by the Under Secretary of Defense/Comptroller on February 27, 2003, DOD purported to establish a "practice of expending operation and maintenance appropriations for construction activities—apart from those projects for which [these] appropriations are available under Title 10, United States Code, Chapter 169—under narrowly limited conditions."

DOD argues that long-standing practice enables it to utilize this legal construct under certain circumstances despite its effect of vitiating and/or amending the underlying statute. Furthermore, DOD asserts

that if Congress opposed the practice, then Congress would amend the law. The conferees disagree with this pronouncement, which effectively obviates the law and turns an alleged practice into de facto law. Even more troubling to the conferees is the lack of information and/or notification to Congress about this practice despite repeated requests.

This provision is narrowly tailored to affect only those military construction projects that have been construed by the February 27, 2003, memorandum to be operation and maintenance construction. The provision neither modifies current law regarding the use of operation and maintenance funds nor does it change the threshold amounts for operation and maintenance or unspecified minor construction. The provisions are not intended to, nor do they, hamstring the commanders in the field who need to execute projects quickly and efficiently. The conferees have been assured that the authorization committees will investigate this matter further and seek to amend the law to prevent future actions of this kind.

Section 1902 provides the Secretary of the Army with authority to accept funds from the State of Utah to extend a runway at Michael Army Airfield, Dugway Proving Ground, Utah.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The conference agreement appropriates \$25,000,000 instead of \$50,000,000 as proposed by the Senate, for the cost of guaranteed loans under the Maritime Guaranteed Loan (title XI) program. As proposed by the Senate, such funds are to remain available until September 30, 2005. The House bill contained no similar appropriation. The bill specifies that none of these funds may be obligated until the House and Senate Committees on Appropriations receive a certification from the Department of Transportation Inspector General that the Maritime Administration has adopted and is implementing the recommendations of report #CR-2003-031 to his satisfaction. The Conferees further direct the Maritime Administration to submit a written report to the House and Senate Committees on Appropriations on the status of implementation of these recommendations no later than June 1, 2003. It is expected that the Maritime Administration will work closely with the Secretary of Defense to ensure that priority is given to vessels that not only provide commercial viability, but also exhibit military utility, such as tank vessels capable of transporting refined product as a business commodity and jet fuel in time of war or roll-on/roll-off vessels capable of carrying automobiles during peacetime and light military vehicles in time of armed conflict.

TITLE II—MISCELLANEOUS AND TECHNICAL APPROPRIATIONS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES

GENERAL PROVISIONS

Senate Section 101.—The conference agreement (Section 2106) includes certain provisions related to technical assistance for conservation programs.

Senate Section 102.—The conference agreement does not include bill language proposed by the Senate establishing a statutory reporting requirement. The conferees direct that not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture (in coordination with the Adminis-

trator of the Agency for International Development) shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committees on Appropriations, a report that describes the policy of the Secretary with respect to the Bill Emerson Humanitarian Trust. This report shall include: whether that policy includes an intent to replenish the trust; the means by which the Secretary proposes to ensure that the United States retains the long-term capability to respond to international food shortages; and whether, and to what extent, other food aid programs conducted by the Secretary and the Administrator will be part of that strategy.

Senate Section 201(a).—The conference agreement (Section 2101) includes language regarding a USDA task force.

Senate Section 201(b).—The conference agreement does not include language regarding ginseng labeling requirements.

Senate Section 201(c).—The conference agreement (Section 2102) includes language regarding certain losses in New Mexico.

Senate Section 201(d).—The conference agreement does not include language regarding dairy provisions.

Senate Section 201(e).—The conference agreement (Section 2103) includes language regarding the Livestock Compensation Program.

Senate Section 202.—The conference agreement (Section 2104) includes language regarding organically produced feed.

Senate Section 203.—The conference agreement (Section 2105) includes language regarding wild seafood.

CHAPTER 2

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

EUROPEAN COMMUNITIES MUSIC LICENSING DISPUTE

The conference agreement includes \$3,300,000 for a one-time only, lump-sum payment of the European Communities to cover a three-year period for nullification or impairment from Section 110(5) of the U.S. Copyright Act.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes \$65,000,000 for the costs of weather satellite systems, including \$41,000,000 or geostationary systems and \$24,000,000 for polar orbiting systems.

RELATED AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$15,000,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 2003. The conferees expect the EEOC to use these funds to avoid furloughs during fiscal year 2003. The EEOC may use funds provided to pursue employee buyouts, as authorized by Public Law 107-296.

The conferees are concerned about the lack of sound managerial and fiscal practices that resulted in the EEOC's shortfall in fiscal year 2003. It is troubling that the Commission's shortfall was not uncovered until after a quarter of the fiscal year had transpired.

The conferees direct the EEOC to submit quarterly reports to the Committees on Appropriations, including projected and actual

spending and staffing levels. This information will allow the Committees to better understand EEOC's fluctuations in cost and staff. This data will also assist the EEOC in making more accurate estimates during the budget formulation process or, at a minimum, making adjustments to the budget request prior to the commencement of the fiscal year.

NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes \$11,000,000 for the Commission, as described in the Senate report.

GENERAL PROVISION—THIS CHAPTER

The conference agreement includes language amending a provision of law regarding fisheries capacity reduction programs, as proposed in the Senate bill.

CHAPTER

SUBCOMMITTEE ON DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

On February 20, 2003, the District of Columbia announced additional fiscal year 2003 budget pressures totaling \$128,000,000 resulting from \$52,500,000 in lower estimated revenues and \$75,500,000 in higher estimated operating costs. A revised outlook on March 10, 2003 increased the budget deficit to \$133,567,000. On March 31, 2003, the Council of the District of Columbia enacted the Fiscal Year 2003 Supplemental Budget Request Emergency Act of 2003 to close this budget gap. This Chapter of the conference agreement provides the necessary Congressional action to balance the District's budget. The conferees expect the Chief Financial Officer of the District of Columbia to submit a final accounting of all actions taken to close the budget gap no later than May 5, 2003.

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSIONS)

The conferees rescind \$8,752,000 from Governmental Direction and Support, instead of \$9,358,000 as proposed by the Senate. Included in this amount is a rescission of \$8,655,000 from local funds and \$97,000 from other funds. The House bill contained no similar provision. These funds are attributable to savings associated with the reduction in risk management functions within the Office of the Corporation Counsel, a District-wide hiring freeze, and a reduction of telecommunications costs and contractual obligation savings within various agencies.

The conferees authorize the District to expend additional other-type revenues with the understanding that these funds will only be used for the purposes for which they are designated.

ECONOMIC DEVELOPMENT AND REGULATION

(INCLUDING RESCISSIONS)

The conferees provide a net increase of \$13,428,000 for Economic Development and Regulation, instead of \$14,998,000 as proposed by the Senate. Included in this amount are a rescission of \$1,282,000 from local funds and an increase of \$14,710,000 from other funds. The House bill contained no similar provision. The additional funds are attributable to increased costs associated with the Summer Youth Program, the Home Purchasing Assistance Program, the Multi-family Rehabilitation Program, the Relocation Program and Workers Compensation Fund, and the Public Charter School Revolving Fund and Credit Enhancement Fund. The rescission is attributable to reducing various Department of Housing and Community Development

programs, the suspension of the Net 200 Partnership Program, and savings associated with a District-wide hiring freeze.

The conferees authorize the District to expend additional other-type revenues with the understanding that these funds will only be used for the purpose for which they are designated.

PUBLIC SAFETY AND JUSTICE

The conferees provide an increase of \$11,462,000 in local funds for Public Safety and Justice instead of \$10,422,000 as proposed by the Senate. The House bill contained no similar provision. These funds are attributable to increased costs associated with additional overtime for the Metropolitan Police Department, the Department of Corrections, and the Fire and Emergency Management Agency.

PUBLIC EDUCATION SYSTEM (INCLUDING RESCISSIONS)

The Conferees rescind \$11,435,000 from the Public Education System instead of \$11,667,000 as proposed by the Senate. Included in this amount is a rescission of \$13,546,000 from local funds and an additional amount of \$2,111,000 from other funds. The House bill contained no similar provision. This funding is to be distributed as follows: and increase of \$2,029,000 for the District of Columbia Public Schools; a rescission of \$181,000 from the State Education Office from savings attributable to a District-wide hiring freeze; a rescission of \$12,000,000 from the District of Columbia Public Charter Schools from savings attributable to a lower than projected student enrollment; a rescission of \$1,040,000 from the University of the District of Columbia from savings attributable to a District-wide hiring freeze; and a rescission of \$237,000 from the District of Columbia Public Libraries and \$6,000 from the Commission on the Arts and Humanities from savings attributable to reductions made in the Arts project program.

The conferees do not include language proposed by the Senate to require that no less than \$3,000,000 of the \$12,000,000 rescinded from the District of Columbia Public Charter Schools be used for providing adequate charter school facilities and educational programming in public charter schools. The House bill contained no similar provision.

The conferees authorize the District to expend additional other-type revenues with the understanding that these funds will only be used for the purposes for which they are designated.

HUMAN SUPPORT SERVICES (INCLUDING RESCISSION)

The conferees provide a net increase of \$30,258,000 for Human Support Services instead of \$28,278,000 as proposed by the Senate. Included in this amount are an additional amount of \$34,292,000 from local funds and a rescission of \$4,034,000 from other funds. The House bill contained no similar provision. The additional funds are attributable to an increase in Health Care Safety Net medical claims, higher Medicaid costs at nursing facilities, a Medicaid shortfall for the Youth Service Administration and the Child and Family Services Agency, enhanced court order costs associated with the Mental Retardation and Developmental Disabilities Agency, unbudgeted costs associated with out-of-state tuition for foster care students, increased unemployment compensation funds, and a decrease of TANF surplus funds. The rescission is attributable to savings associated with a District-wide hiring freeze and a reduction of telecommunications costs and contractual obligation savings within various agencies.

The conferees do not include language proposed by the Senate to amend the District of

Columbia Appropriations Act, 2003 to delete the earmark for the Interim Disability Assistance Fund. The House bill contained no similar provision.

The conferees include language proposed by the Senate to amend the District of Columbia Appropriations Act, 2003 to increase the amount of local funds to be deposited in the Medicaid and Special Education Reform Fund from \$37,500,000 to \$74,500,000. The House bill contained no similar provision.

The conferees authorize the District to expend additional other-type revenues with the understanding that these funds will only be used for the purposes for which they are designated.

PUBLIC WORKS (INCLUDING RESCISSION)

The conferees provide a net increase of \$2,420,000 for Public Works instead of \$3,107,000 as proposed by the Senate. Included in this amount are a rescission of \$8,998,000 from local funds and an additional amount of \$11,418,000 from other funds. The House bill contained no similar provision.

The conferees include language proposed by the Senate to extend the availability of \$512,000 from other funds for the taxicab revolving loan fund until expended. The House bill contained no similar provision.

The conferees authorize the District to expend additional other-type revenues with the understanding that these funds will only be used for the purposes for which they are designated.

REPAYMENT OF LOANS AND INTEREST (INCLUDING RESCISSION)

The conferees rescind \$2,466,000 from Repayment of Loans and Interest as proposed by the Senate. The House bill contained no similar provision.

WILSON BUILDING (INCLUDING RESCISSION)

The conferees rescind \$700,000 from the Wilson Building. The House and Senate bills contained no similar provision.

WORKFORCE INVESTMENT (INCLUDING RESCISSION)

The conferees rescind \$2,000,000 from Workforce Investment as proposed by the Senate. The House bill contained no similar provision.

NON-DEPARTMENTAL AGENCY (INCLUDING RESCISSION)

The conferees rescind \$5,799,000 from the Non-Departmental Agency as proposed by the Senate. The House bill contained no similar provision.

General Provisions, This Chapter

Sec. 2301. The conferees include a modified Senate provision to allow the District of Columbia to use \$12,081,000 from funds identified in the fiscal year 2002 Comprehensive Annual Financial Report (CAFR) as the District's undesignated, unreserved fund balance to cover revenue shortfalls. The House bill contained no similar provision.

The CAFR is a government-wide financial statement prepared by the Chief Financial Officer of the District of Columbia. At the close of fiscal year 2002, the total fund balance was \$865,328,000. Of this total, \$115,327,000 is unreserved, undesignated, and available for expenditure pending appropriation authority. The conferees provide authority to transfer \$12,081,000 of these funds to the District of Columbia's operating budget to partially cover the \$52,500,000 reduction in revenues that is part of the \$133,567,000 budget shortfall.

The conferees note that of the total fund balance amount, \$447,431,000 or 52 percent is restricted. These restricted funds may be ex-

pended only when established legal prerequisites have been met. It is within this restricted fund balance that the District maintains its congressionally-mandated seven percent emergency and contingency cash reserve of \$248,731,000, established under section 450A of the District of Columbia Home Rule Act (Public Law 93-198). The conference agreement allows the District to transfer funds to address revenue shortfalls due to the economic downturn, but does not provide authority for the District to draw upon this restricted portion of the fund balance. Any funds expended from the emergency and contingency cash reserves must be replenished during fiscal year 2004.

Sec. 2302. The conferees include a provision proposed by the Senate to extend the Chief Financial Officer's personnel, procurement, and preparation of fiscal impact statement authorities through September 30, 2004. The House bill contained no similar provision.

Sec. 2303. The conferees include a provision to amend the District of Columbia Appropriations Act, 2003 to allow funds made available to the Friends of Fort Dupont to be used to support the Fort Dupont's Kids on Ice program. The House and Senate bills contained no similar provision.

CHAPTER 4

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE STATE AND TRIBAL WILDLIFE GRANTS

The conference agreement includes a technical correction to the fiscal year 2003 appropriation for State and Tribal Wildlife Grants, correcting a reference to the amount of be deducted for competitive grants to Tribes prior to the distribution of the remaining grant funds. The House and Senate proposed identical language.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement corrects the amount provided for the Operation of the National Park System in fiscal year 2003 as proposed by the Senate. The agreement adds \$9,000,000 for park operations to reflect accurately the fiscal year 2003 conference agreement for this account.

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

The conference agreement provides for the release of previously appropriated funds for construction of the Ojibwa Indian School in North Dakota as proposed by the Senate. The House had no similar provision.

GENERAL PROVISION, THIS CHAPTER

Sec. 2401. The conference agreement, as proposed by the Senate, modifies section 328 of the Interior and Related Agencies Appropriations Act, 2003, dealing with the processing of grazing permits by the Forest Service. The House had no similar provision.

The managers are concerned that an ambiguity may exist with respect to Section 328 of Division F of Public Law 108-7 concerning grazing permits issued by the Forest Service. This ambiguity may lead to court decisions that are not consistent with Congressional intent. The intent of Section 328, among other things, was that no grazing permit should be invalidated because the Forest Service had not completed the allotment analysis prior to the date listed in a 1996 Forest Service schedule adopted by the agency pursuant to Section 504 of the Rescissions Act. Accordingly, this section has been included to remove the clause, ". . . under the authority of Section 504 of the Rescissions Act of 1995 (Public Law 104-19)" from Section 328. The managers reiterate that any Forest Service grazing permit issued to replace a permit that expired after the date for analysis of the allotment in the 1996 schedule is

valid even though the allotment analysis may not have been completed by the due date in the 1996 schedule.

This section does not exempt the Forest Service from completing the environmental analysis of grazing allotments on the 1996 Schedule. It simply allows for the continuation of ongoing activities while the required environmental analysis is completed. The managers emphasize that this provision does not prevent the Forest Service from taking appropriate action consistent with agency policies and procedures to address violations of permit terms and conditions.

The conference agreement does not require the Secretary of the Interior to report on her intentions with respect to the sale of 983 acres in Clark County, Nevada as proposed by the Senate.

The conference agreement does not extend the authorization for energy savings performance contracting as proposed by the Senate in section 602 of title VI.

CHAPTER 5

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION TRAINING AND EMPLOYMENT SERVICES

The conference agreement does not include language as proposed by the Senate providing \$1,000,000 for the Jobs for America's Graduates program. The House bill did not have a similar provision.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes Senate bill language making technical corrections to projects funded in the fiscal year 2003 appropriations act. The House bill included almost identical language. In addition to the technical corrections described in the House and Senate reports accompanying the supplemental appropriations bill, the conferees also include the following technical changes to the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108-7; House Report 108-10) in the matter in title II of Division G:

—the provision specifying Northwestern Medical Center, St. Albans, Vermont shall be deemed to read as follows: "Missisquoi Valley Union High School District, Swanton, Vermont";

—the provision specifying Springfield Regional Outpatient Cancer Center shall be deemed to read as follows: "Mercy Health Partners, Springfield, Ohio";

—the provision specifying St. John Bosco Clinic, Miami, Florida shall be deemed to read as follows: "Mercy Hospital, Miami, Florida";

—the provision specifying Oklahoma State Department of Health, Oklahoma City, Oklahoma, for a Mississippi-Oklahoma Rural Telemedicine Initiative shall be deemed to read as follows: "Oklahoma State Office of Rural Health"; and

—the provision specifying Iowa Telecare Consortium to develop a disease management demonstration project in Iowa shall be deemed to read as follows: "Iowa Chronic Care Consortium to develop a disease management demonstration project in Iowa".

The conferees concur in the description in the Senate report of the grant for the Children's Hospital Central California as being in Madera, CA rather than in Fresno, CA as described in the House report.

The conferees intend that the amounts provided will still be subject to the across the board cut of 0.65 percent included in Public Law 108-7.

ADMINISTRATION FOR CHILDREN AND FAMILIES CHILDREN AND FAMILIES SERVICES PROGRAMS

The conferees concur with language contained in the Senate report that makes a

technical correction to a project contained in the statement of managers accompanying H.J. Res. 2.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conferees concur with language contained in the Senate report that makes technical corrections to projects contained in the statement of managers accompanying H.J. Res. 2.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes language making a technical correction to the Public Health and Social Services Emergency Fund as proposed by the Senate. The House bill had included the same correction in section 2003 of Title II.

GENERAL PROVISIONS

Section 2501 of the conference agreement includes a provision making a technical correction to section 207 of the Departments of Labor, Health and Human Services, and Related Agencies Appropriations Act, 2003 (Public Law 108-7, div. G) as proposed by the House. The Senate bill included no similar provision.

Section 2502 of the conference agreement includes a provision making a technical correction to language in Section 215 in title II of the Departments of Labor, Health and Human Services, and Related Agencies Appropriations Act, 2003 (Public Law 108-7, div. G) regarding international health activities as proposed by the House and Senate.

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes language making technical corrections to the Math and Science Partnerships program and the Troops to Teachers program as proposed by both the House and the Senate. The conference agreement also includes technical corrections to various projects as proposed by the House and the Senate. The conferees intend that the amounts provided will still be subject to the across the board cut of 0.65 percent included in Public Law 108-7.

HIGHER EDUCATION

The conference agreement includes technical corrections to various projects as proposed by the House and the Senate. The agreement also includes a technical correction relating to a project for the University of Southern Maine that was not contained in either House or Senate bills. The conferees intend that the amounts provided will still be subject to the across the board cut of 0.65 percent included in Public Law 108-7.

GENERAL PROVISIONS

Section 2503 of the conference agreement includes language proposed by the Senate amending the Elementary and Secondary Education Act to raise the maximum age of student eligibility in the Advanced Placement program from 17 to 19. The House bill contained no similar provision.

Section 2504 of the conference agreement also includes a provision proposed by the Senate (Title VI, Section 605 of the Senate bill) amending the Elementary and Secondary Education Act to make a technical change to the Alaska Native Equity in Education program. The House bill contained no similar provision.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The conference agreement includes a technical correction clarifying the restrictions

on providing stipends to certain volunteers as proposed by both the House and the Senate.

CHAPTER 6

SUBCOMMITTEE ON THE LEGISLATIVE BRANCH

Includes two technical corrections related to the "Library of Congress—Salaries and Expenses" of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7, Division H).

Includes a technical correction to Section 1203(a) of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7, Division H).

Includes a provision related to the Capitol Preservation Fund

CHAPTER 7

DEPARTMENT OF TRANSPORTATION

The conference agreement includes a provision proposed by the House and Senate amending section 336 of division I of Public Law 108-7 by striking "Transportation Management" and inserting "Urbanized".

The conference agreement includes a provision proposed by the Senate amending section 321 of division I of Public Law 108-7 by: (1) inserting "or underneath" in subsection (q)(2) before "the Class B airspace"; (2) deleting "has sufficient capacity and" in subsection (q)(3) after "Title 49"; and (3) inserting "passenger" in subsection (q)(3) before "delays". The House bill contained no similar provision.

The conference agreement includes a provision proposed by the House clarifying that amounts made available to carry out sections 1212(k) and 5117(b)(6) of 112 Stat. 107 et seq. shall be used to carry out item number 1278 of the table contained in section 1602 of 112 Stat. 263. The Senate bill contained no similar provision.

The conference agreement includes a provision proposed by the Senate expressing the sense of the Senate regarding the integration of employee groups resulting from the acquisition of Trans World Airlines by American Airlines. The conferees reiterate that this provision expresses the sense of the Senate. The House bill contained no similar provision.

The conference agreement includes a provision proposed by the Senate which states that no provision of this Act may be construed as altering or amending provisions of law requiring the use of privately-owned United States flag commercial vessels for certain transportation purposes. The House bill contained no similar provision.

The conference agreement includes provisions clarifying the eligibility of certain projects funded in Public Law 108-7 and adjusting the funding for projects under "Federal Highway Administration, limitation on administrative expenses" in that bill to conform to the intent of Congress as referenced in the Statement of the Managers accompanying that conference agreement.

The conference agreement includes a provision relating to the use of Federal Transit Administration formula grant operating funds for certain communities that became part of an urbanized area as determined by the 2000 federal decennial census. This provision is similar to statutory changes enacted last year in Public Law 107-232.

The conference agreement includes a provision amending section 41743(c)(4) of title 49, U.S. Code, to provide flexibility in the award of grants under the Small Community Air Service Development Pilot Program. The revision will allow the Department of Transportation to consider grant requests from applicants who are not currently in the program.

The conference agreement includes a provision proposed by the Senate amending section 626 of title VI of division B of Public

Law 108-7 by striking the word "previously". The House bill contained no similar provision.

The conference agreement modifies language proposed by the Senate limiting the use of funds for transportation services provided under section 41106 of title 49. The agreement limits the obligation of funds in this or any other Act for transportation described in section 41106 to air carriers effectively controlled by citizens of the United States. The agreement further provides criteria to make this determination, and specifies that the Secretary of Defense may waive these provisions in certain instances. The agreement further directs the Secretary of Transportation to use the services of an administrative law judge in a formal proceeding to resolve docket number OST-2002-13089. The House bill contained no similar provision.

The conferees direct the Secretary of Transportation to examine the impact that airlines emerging from bankruptcy could have on hub airports as well as the ramifications on airport systems and U.S. capital bond markets. The conferees further direct the Secretary of Transportation to report his findings to the House and Senate Committees on Appropriations no later than thirty days after enactment of this Act.

CHAPTER 8

Subcommittee on Veterans Affairs and Housing and Urban Development, and Independent Agencies

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENT ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$100,000,000 for providing medical care and for the evaluation and administration of benefits to veterans returning from the conflict in the Persian Gulf pursuant to 38 U.S.C. 1710(e)(1)(D). The Secretary has the authority to transfer such sums in this paragraph as necessary to medical care.

ADMINISTRATIVE PROVISION

The conference agreement does not include a provision proposed by the House allowing the VA to use funds appropriated in P.L. 108-7 for the purpose of creating medical response centers. The Senate did not include a similar provision.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The conference agreement includes modified language similar to language proposed by the Senate, making technical corrections to specific grants funded in prior appropriations Acts. The House bill did not include similar language.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement does not include language proposed by the Senate related to the Chief Financial Officer. The House bill did not include similar language.

INDEPENDENT AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

Appropriates \$64,000,000 to the Corporation for National and Community Service ("Corporation") to liquidate prior year obligations as proposed by both the House and the Senate. The conference agreement includes two provisions proposed by the Senate limiting the funds provided under this heading only for liquidation of the prior year obligations

and only after the Corporation provides a letter declaring the deficiency pursuant to the Anti deficiency Act and OMB Circular A-11.

The conferees have included a technical correction to P.L. 108-7, proposed by both the House and the Senate, regarding funds provided to the Office of the Chief Financial Officer.

ENVIRONMENTAL PROTECTION AGENCY STATE AND TRIBAL ASSISTANCE GRANTS

The conferees have included language which makes technical corrections to specific grants funded in previous appropriations Acts.

ADMINISTRATIVE PROVISION

The conferees have included language as proposed by the Senate making a technical correction in order to maintain the balance among payers of the maintenance fees as previously established by FIFRA. The language requires the Administrator of EPA to adjust the "maximum annual fee payable" (per-company caps) for pesticide maintenance fees proportional to the increase from the previous maximum collection level of \$17,000,000 as set forth in Public Law 107-73 to the newly-established maximum level of \$21,500,000 as set forth in Public Law 108-7. The House bill included no similar provision.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

Amends P.L. 108-7 by allowing up to \$330,000,000 of previously appropriated funds to be used for the U.S. Polar Research Program as proposed by the Senate. This is an increase of up to \$10,000,000 to cover unanticipated costs due to weather. The House did not include a similar provision.

GENERAL PROVISIONS, THIS TITLE

The conferees have not included funding nor legislative language regarding the Waterbury Dam, Vermont, project as proposed by the Senate. The conferees direct the Corps of Engineers to report to Congress within 30 days of enactment of this Act on what is required to address the seepage and stability problems at Waterbury Dam for fiscal year 2004.

TITLE III—COLUMBIA ORBITER MEMORIAL ACT

The conference agreement includes the Columbia Orbiter Memorial Act as proposed by the Senate. The House did not include a similar title.

TITLE IV—AIRLINE-RELATED ASSISTANCE

The conference agreement includes a separate title providing airline-related assistance, as proposed by the Senate. The House bill provided airline-related assistance in Title I, chapter 5 under "Transportation Security Administration."

DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION

The conference agreement includes an appropriation of \$2,395,750,000 for grants to air carriers. Of this appropriation, the first \$100,000,000 shall remain available until expended and shall compensate air carriers for the direct costs associated with the strengthening of flight deck doors and locks on aircraft required by the Aviation and Transportation Security Act. The remaining amount, or \$2,295,750,000, is for grants to be made by the Transportation Security Administration to U.S. flag air carriers based on the proportional share of expenses incurred related to aviation security each carrier has paid or collected by the date of enactment of this Act by such air carrier in passenger security and air carrier security fees to the Transportation Security Adminis-

tration. Air carriers may use these funds for such purposes as each air carrier determines appropriate; however, the conferees intend that the direct assistance to air carriers made available under this heading should be expended, to the greatest extent possible, to address aviation security and should not be used to support non-security related business entities, ventures or activities including, but not limited to, ticket agent ventures.

The Transportation Security Administration may not remit passenger security and air carrier security fees to any airline providing compensation as defined in this Act to the two most highly compensated named executive officers that exceeds the base compensation that such executives received in 2002. The Transportation Security Administration shall not apply any conditions of receiving such assistance to any air carrier that operates aircraft exclusively with 85 seats or less, any Hawaii-based carrier or any carrier that does not operate trans-Pacific or trans-Atlantic flights.

Not later than thirty days after the last disbursement of funds made to airlines, the Transportation Security Administration shall certify that such funds were allocated by air carriers for security related expenses or revenue forgone as a result of meeting Federal security mandates and shall transmit such certification to the Senate Committee on Appropriations, the Senate Committee on Commerce, Science and Transportation, the House of Representatives Committee on Appropriations and the House Committee on Transportation and Infrastructure.

The conference agreement includes a provision that directs the Undersecretary for Border and Transportation Security of the Department of Homeland Security not to impose the fees authorized by section 4494(a) of title 49, U.S.C., during the period beginning June 1, 2003 ending September 30, 2003.

Though the Senate bill proposed appropriations to compensate airports for operating expenses and capital investments related to improvements in aviation security, the conferees have addressed this item in Title I, under Department of Homeland Security.

The conferees note that the additional burden placed upon the Transportation Security Administration in administering these grants is nominal and of limited duration since these payments constitute simple rebates. As such, the conferees direct that the administrative costs associated with this activity to be absorbed within existing staffing levels.

The conference agreement deletes sections 407 and 408 of the Senate bill. The House bill contained no similar provisions. The conferees direct the General Accounting Office to submit a report to the Congress on measures taken by air carriers to reduce costs and to improve their revenues and profits and to strengthen their balance sheets, as well as how the funds provided in this Act were expended by the air carriers to offset operating expenses. As part of this effort, the conferees expect that each carrier receiving assistance under this heading will transmit a plan to the Comptroller General within 90 days of enactment of this Act to reduce that air carrier's annual operating expenses by an amount equal to the greater of 10 percent of that carrier's annual operating expenses or the amount of financial assistance that the carrier has received under this heading.

The conference agreement extends the war risk insurance program under current conditions through the end of fiscal year 2004 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement contains a provision providing an additional 26 weeks of

temporary extended unemployment. compensation for displaced airline related workers, as proposed by the Senate. The House bill contained no similar provision.

TITLE V

PANEL TO REVIEW SEXUAL MISCONDUCT ALLEGATIONS AT UNITED STATES AIR FORCE ACADEMY

The conferees agree to amend language in this title, as proposed by the Senate, which establishes a panel to review sexual misconduct allegations at the U.S. Air Force Academy.

TITLE VI—GENERAL PROVISIONS—THIS ACT

The conference agreement includes a provision, as proposed by the House, that limits the availability of funds provided in this Act to the current fiscal year unless provided otherwise in this Act. The Senate bill contained no similar provision.

CONFERENCE TOTAL—WITH COMPARISONS

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

[In thousands of dollars]

Budget estimates of new (obligational) authority, fiscal year 2003	\$74,725,028
House bill, fiscal year 2003	77,903,328
Senate bill, fiscal year 2003	77,947,209
Conference agreement, fiscal year 2003	78,459,520
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 2003	+3,734,492
House bill, fiscal year 2003	+556,192
Senate bill, fiscal year 2003	+512,311

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
HAL ROGERS,
FRANK WOLF,
JIM KOLBE,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
ERNEST J. ISTOOK, Jr.,
HENRY BONILLA,
JOE KNOLLENBERG,
JACK KINGSTON,
RODNEY P.
FRELINGHUYSEN,
DAVID OBEY,
JOHN P. MURTHA,
NORMAN DICKS,
MARTIN OLAV SABO,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
PETER J. VISCLOSKEY,
NITA M. LOWEY,
JOSE E. SERRANO,
JAMES P. MORAN,
CHET EDWARDS,

Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,
BEN NIGHTHORSE
CAMPBELL,

LARRY CRAIG,
KAY BAILEY HUTCHISON,
MIKE DEWINE,
SAM BROWNBAC,
ROBERT C. BYRD,
DANIEL K. INOUE,
PATRICK J. LEAHY,
TOM HARKIN,
BARBARA A. MIKULSKI,
HARRY REID,
HERB KOHL,

(except for P.L. 480),

PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
DICK DURBIN,
TIM JOHNSON,
MARY L. LANDRIEU,

Managers on the Part of the Senate.

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 6 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1201

AFTER RECESS

The recess having expired, the House was called to order at 12 o'clock and 1 minute p.m.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 1559, EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to consider the conference report to accompany H.R. 1559; all points of order against the conference report and against its consideration are waived; the conference report shall be considered as read; and clause 10 of rule XX shall not apply to the question of adoption of the conference report.

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

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report accompanying H.R. 1559 and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1559, EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the previous order of the

House, I call up the conference report on the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Pursuant to the order of the House of today, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I might consume. I want to begin, Mr. Speaker, by thanking the Speaker for all of the tremendous effort that he put into this process to let us get to where we are today and also to the gentleman from Wisconsin (Mr. OBEY) and especially to the gentleman from Maryland (Mr. HOYER), who played an important role in the process of getting us where we are.

Mr. Speaker, we visited with the President just a little over 2 weeks ago, and we promised the President that we would deal with his supplemental request to, number one, pay for the war that has already taken place, provide additional money to fight the Iraqi Freedom operation.

In just about three weeks, we have done that, Mr. Speaker. We have produced the legislation in the House. Our colleagues in the Senate produced a similar bill, although they added some extraneous material, most of which we were able to take out in conference, but Mr. Speaker, this conference report, I have been on this Committee on Appropriations for a long, long time. This is probably the cleanest supplemental conference report that this House has seen, and so I feel pretty good about the product that we have, and we did what the President asked.

He asked for certain amounts of money for the war. He asked for certain amounts of money for homeland defense. He asked for certain amounts of money to deal with our colleagues in the coalition, and Mr. Speaker, we provided that, while at the same time preserving some of the constitutional responsibility of the Congress to be involved in the appropriation and to have some knowledge of how the appropriation was going to be used.

So, all in all, I think we have a great product here and over 400 Members voted for bill when it went through the House early on so I think that we can move this bill expeditiously, get it to the President, and then, Mr. Speaker, begin our work on the 13 regular 2004 appropriations bill.

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
TITLE I - WAR-RELATED APPROPRIATIONS						
CHAPTER 1						
DEPARTMENT OF AGRICULTURE						
Agricultural Research Service:						
Buildings and facilities.....	---	---	98,000	110,000	+110,000	+12,000
Public Law 480 Title II Grants.....	---	250,000	600,000	369,000	+119,000	-231,000
Bill Emerson Humanitarian Trust.....	---	69,000	---	---	-69,000	---
Total, Chapter 1.....	---	319,000	698,000	479,000	+160,000	-219,000
Appropriations.....	---	(319,000)	(698,000)	(479,000)	(+150,000)	(-219,000)
CHAPTER 2						
DEPARTMENT OF JUSTICE						
General Administration						
Salaries and expenses.....	---	5,000	---	5,000	---	+5,000
Counterterrorism fund.....	500,000	50,000	---	20,000	-30,000	+20,000
Detention trustee.....	---	15,000	45,000	40,000	+25,000	-5,000
Office of Inspector General.....	---	2,500	---	2,500	---	+2,500
Subtotal, General administration.....	500,000	72,500	45,000	67,500	-5,000	+22,500
Legal Activities						
United States Marshals Service:						
Salaries and expenses.....	---	26,080	---	8,000	-18,080	+8,000
Interagency Law Enforcement						
Interagency Law Enforcement support.....	---	---	72,000	---	---	-72,000
Federal Bureau of Investigation						
Salaries and expenses.....	---	398,862	63,000	367,192	-31,670	+304,192
Construction.....	---	---	10,000	---	---	-10,000
Subtotal, Federal Bureau of Investigation.....	---	398,862	73,000	367,192	-31,670	+234,192
State and Local Law Enforcement Assistance						
Terrorism prevention and response training for Law enforcement.....	---	---	91,000	---	---	-91,000

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Community Oriented Policing Services						
Interoperability communications program.....	---	---	109,500	54,750	+54,750	-54,750
Total, Department of Justice.....	500,000	497,442	390,500	497,442	---	+106,942
THE JUDICIARY						
Supreme Court of the United States						
Salaries and expenses.....	---	1,535	---	1,535	---	+1,535
United States Court of Appeals for the Federal Circuit						
Salaries and expenses.....	---	973	---	973	---	+973
United States Court of International Trade						
Salaries and expenses.....	---	50	---	50	---	+50
Total, The Judiciary.....	---	2,558	---	2,558	---	+2,558
DEPARTMENT OF STATE AND RELATED AGENCY						
Administration of Foreign Affairs						
Diplomatic and consular programs.....	101,420	106,420	93,420	98,420	-8,000	+5,000
Embassy security, construction, and maintenance.....	20,000	71,500	82,000	149,500	+78,000	+67,500
Emergencies in the diplomatic and consular service....	65,708	65,708	40,000	50,000	-15,708	+10,000
Subtotal, Administration of Foreign Affairs.....	187,128	243,628	215,420	297,920	+54,292	+82,500
RELATED AGENCY						
Broadcasting Board of Governors						
International Broadcasting Operations.....	30,500	30,500	62,000	30,500	---	-31,500
Total, Department of State.....	217,628	274,128	277,420	328,420	+54,292	+51,000
Total, Chapter 2.....	717,628	774,128	667,920	828,420	+54,292	+160,500
Appropriations.....	(717,628)	(774,128)	(667,920)	(828,420)	(+54,292)	(+160,500)

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

CHAPTER 3

DEPARTMENT OF DEFENSE - MILITARY

Military Personnel

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Military Personnel, Army.....	--	--	7,724,500	7,700,000	+7,700,000	-24,500
(By transfer).....	--	(6,974,500)	--	--	(-6,974,500)	--
Military Personnel, Navy.....	--	--	1,784,300	1,600,000	+1,600,000	-184,300
(By transfer).....	--	(1,984,300)	--	--	(-1,984,300)	--
Military Personnel, Marine Corps.....	--	--	1,254,900	1,200,000	+1,200,000	-54,900
(By transfer).....	--	(1,204,900)	--	--	(-1,204,900)	--
Military Personnel, Air Force.....	--	--	2,834,800	2,800,000	+2,800,000	-34,800
(By transfer).....	--	(1,834,800)	--	--	(-1,834,800)	--
Reserve Personnel, Army.....	--	--	6,000	3,000	+3,000	-3,000
(By transfer).....	--	(3,000)	--	--	(-3,000)	--
National Guard Personnel, Army.....	--	--	110,000	100,000	+100,000	-10,000
(By transfer).....	--	(93,000)	--	--	(-93,000)	--
Total, Military Personnel.....	--	--	13,714,500	13,403,000	+13,403,000	-311,500
(By transfer).....	--	(12,094,500)	--	--	(-12,094,500)	--
Operation and Maintenance						
Operation and Maintenance, Army.....	--	--	16,142,500	16,000,000	+16,000,000	-142,500
(By transfer).....	--	(10,481,500)	--	--	(-10,481,500)	--
Operation and Maintenance, Navy.....	--	--	5,296,600	5,100,000	+5,100,000	-196,600
(By transfer).....	--	(3,940,300)	--	--	(-3,940,300)	--
Operation and Maintenance, Marine Corps.....	--	--	1,752,700	1,650,000	+1,650,000	-102,700
(By transfer).....	--	(1,383,700)	--	--	(-1,383,700)	--
Operation and Maintenance, Air Force.....	--	--	7,209,200	7,100,000	+7,100,000	-109,200
(By transfer).....	--	(3,668,200)	--	--	(-3,668,200)	--
Operation and Maintenance, Defense-Wide.....	1,400,000	1,400,000	4,007,700	1,200,000	+1,200,000	-2,807,700
(By transfer).....	--	(901,900)	--	--	(-901,900)	--
Operation and Maintenance, Army Reserve.....	--	--	--	3,000	+3,000	+3,000
Operation and Maintenance, Navy Reserve.....	--	--	15,000	7,000	+7,000	-8,000
Operation and Maintenance, Marine Corps Reserve.....	--	--	50,000	20,000	+20,000	-30,000
Operation and Maintenance, Army National Guard.....	--	--	88,400	75,000	+75,000	-13,400
(By transfer).....	--	(58,400)	--	--	(-58,400)	--
Operation and Maintenance, Air National Guard.....	--	--	20,000	20,000	+20,000	--
Iraq Freedom Fund.....	--	--	--	15,678,900	+15,678,900	+15,678,900
Defense emergency response fund.....	59,863,200	--	11,019,000	--	--	-11,019,000
Operation Iraqi Freedom Response Fund.....	--	--	--	--	--	--
Military Personnel (transfer out):						
Military Personnel, Army.....	--	59,682,500	--	--	-59,682,500	--
Military Personnel, Navy.....	--	(-6,974,500)	--	--	(-6,974,500)	--
Military Personnel, Marine Corps.....	--	(-1,984,300)	--	--	(-1,984,300)	--
Military Personnel, Air Force.....	--	(-1,204,900)	--	--	(-1,204,900)	--
Reserve Personnel, Army.....	--	(-1,834,800)	--	--	(-1,834,800)	--
National Guard personnel, Army.....	--	(-3,000)	--	--	(-3,000)	--
(By transfer).....	--	(-93,000)	--	--	(-93,000)	--
Subtotal.....	--	-12,094,500	--	--	+12,094,500	--

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Operation and Maintenance (transfer out):						
Operation and maintenance, Army.....	--	(-10,481,500)	--	--	(+10,481,500)	--
Operation and maintenance, Navy.....	--	(-3,940,300)	--	--	(+3,940,300)	--
Operation and maintenance, Marine Corps.....	--	(-1,383,700)	--	--	(+1,383,700)	--
Operation and maintenance, Air Force.....	--	(-3,668,200)	--	--	(+3,668,200)	--
Operation and maintenance, Defense-wide.....	--	(-901,900)	--	--	(+901,900)	--
Operation and maintenance, Army National Guard.....	--	(-58,400)	--	--	(+58,400)	--
Defense Health Program.....	--	(-301,700)	--	--	(+301,700)	--
Subtotal.....	--	-20,735,700	--	--	+20,735,700	--
Procurement (transfer out):						
Aircraft procurement, Army.....	--	(-4,100)	--	--	(+4,100)	--
Missile procurement, Army.....	--	(-3,100)	--	--	(+3,100)	--
Procurement of weapons and tracked combat vehicles, Army.....	--	(-53,300)	--	--	(+53,300)	--
Procurement of ammunition, Army.....	--	(-447,500)	--	--	(+447,500)	--
Other procurement, Army.....	--	(-241,800)	--	--	(+241,800)	--
Other procurement, Air Force.....	--	(-113,600)	--	--	(+113,600)	--
Procurement, Defense-wide.....	--	(-451,000)	--	--	(+451,000)	--
Subtotal.....	--	-1,314,400	--	--	+1,314,400	--
Research, Development, Test, and Evaluation (transfer out):						
RDTE, Army.....	--	(-11,500)	--	--	(+11,500)	--
RDTE, Defense-wide.....	--	(-90,000)	--	--	(+90,000)	--
Subtotal.....	--	-101,500	--	--	+101,500	--
Combat, Stability Operations, and Force Reconstruction Costs (transfer out):						
Total, Operation Iraqi Freedom Response Fund..	--	(-25,436,400)	--	--	(+25,436,400)	--
Subtotal.....	--	(-25,436,400)	--	--	(+25,436,400)	--
Natural Resources Risk Remediation Fund.....						
Total, Operation and Maintenance.....	489,300	--	489,300	--	--	-489,300
(Transfer out).....	61,752,500	61,082,500	46,090,400	46,853,900	-14,228,600	+763,500
(By transfer).....	--	(-59,682,500)	--	--	(+59,682,500)	--
	--	(20,434,000)	--	--	(-20,434,000)	--

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Procurement						
Aircraft Procurement, Army.....	---	---	4,100	4,100	+4,100	---
(By transfer).....	---	(4,100)	---	---	(-4,100)	---
Missile Procurement, Army.....	---	---	3,100	3,100	+3,100	---
(By transfer).....	---	(3,100)	---	---	(-3,100)	---
Procurement of Weapons and Tracked Combat Vehicles, Army.....	---	---	53,300	53,300	+53,300	---
(By transfer).....	---	(53,300)	---	---	(-53,300)	---
Procurement of Ammunition, Army.....	---	---	447,500	447,500	+447,500	---
(By transfer).....	---	(447,500)	---	---	(-447,500)	---
Other Procurement, Army.....	---	---	241,800	241,800	+241,800	---
(By transfer).....	---	(241,800)	---	---	(-241,800)	---
Other Procurement, Air Force.....	---	---	113,600	113,600	+113,600	---
(By transfer).....	---	(113,600)	---	---	(-113,600)	---
Procurement, Defense-Wide.....	---	---	451,000	451,000	+451,000	---
(By transfer).....	---	(451,000)	---	---	(-451,000)	---
Total, Procurement.....	---	---	1,314,400	1,314,400	+1,314,400	---
(By transfer).....	---	(1,314,400)	---	---	(-1,314,400)	---
Research, Development, Test and Evaluation						
Research, Development, Test and Evaluation, Army.....	---	---	11,500	11,500	+11,500	---
(By transfer).....	---	(11,500)	---	---	(-11,500)	---
Research, Development, Test and Evaluation, Defense-Wide.....	---	---	---	70,000	+70,000	---
(By transfer).....	---	(90,000)	---	---	(-90,000)	---
Total, Research, Development, Test and Evaluation.....	---	---	11,500	81,500	+81,500	+70,000
(By transfer).....	---	101,500	---	---	(-101,500)	---
Combat, Stability Operations, and Force Reconstitution Cost (by transfer).....	---	(25,436,400)	---	---	(-25,436,400)	---
Revolving and Management Funds						
Defense Working Capital Funds.....	430,000	1,100,000	550,000	---	-1,100,000	-550,000
Other Department of Defense Programs						
Defense Health Programs.....	---	---	501,700	501,700	+501,700	---
(By transfer).....	---	(301,700)	---	---	(-301,700)	---
Drug Interdiction and Counter-Drug Activities, Defense	34,000	34,000	34,000	34,000	---	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Chapter 3 General Provisions						
Additional transfer authority (Public Law 107-248, Sec. 8005) (Sec. 1306).....	(7,000,000)	(-500,000)	(3,500,000)	(2,500,000)	(+3,000,000)	(-1,000,000)
Afghanistan Freedom Support (Sec. 1307).....	165,000	165,000	165,000	165,000	---	---
Additional transfer authority (Sec. 1311).....	---	---	---	(2,000,000)	(+2,000,000)	(+2,000,000)
Research, Development, Test and Evaluation, Navy (rescission) (Sec. 1317).....	---	---	-3,400	-3,400	-3,400	---
Total, Chapter 3.....	62,381,500	62,381,500	62,378,100	62,350,100	-31,400	-28,000
Appropriations.....	(62,381,500)	(62,381,500)	(62,381,500)	(62,353,500)	(-28,000)	(-28,000)
Rescissions.....	---	---	-3,400	-3,400	3,400	---
(Transfer out).....	---	(-59,682,500)	---	---	(+59,682,500)	---
(By transfer).....	---	(59,682,500)	---	---	(-59,682,500)	---
CHAPTER 4						
DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
Operation and maintenance, general.....	---	---	29,000	39,000	+39,000	+10,000
DEPARTMENT OF THE INTERIOR						
Bureau of Reclamation						
Water and related resources.....	---	---	25,000	25,000	+25,000	---
DEPARTMENT OF ENERGY						
Energy Programs						
Science.....	---	---	11,000	11,000	+11,000	---
Atomic Energy Defense Activities						
National Nuclear Security Administration:	---	---	---	---	---	---
Weapons activities.....	---	---	61,000	67,000	+67,000	+6,000
Defense nuclear nonproliferation.....	---	---	150,000	148,000	+148,000	-2,000
Subtotal, National Nuclear Security Admin.....	---	---	211,000	215,000	+215,000	+4,000
Defense environmental restoration and waste management	---	---	---	---	---	---
Other defense activities.....	---	---	---	---	---	---
Total, Atomic Energy Defense Activities.....	---	---	235,000	225,000	+225,000	-10,000
Total, Chapter 4.....						
Appropriations.....	---	---	300,000	300,000	+300,000	---
	---	---	(300,000)	(300,000)	(+300,000)	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
CHAPTER 5						
BILATERAL ECONOMIC ASSISTANCE						
Funds Appropriated to the President						
United States Agency for International Development						
Child survival and health programs fund.....	40,000	40,000	90,000	90,000	+50,000	---
International disaster assistance.....	80,000	160,000	112,500	143,800	-16,200	+31,300
Loan Guarantees to Israel:						
(Limitation on guaranteed loans)	(9,000,000)	---	(9,000,000)	---	---	(-9,000,000)
Operating expenses of the U.S. Agency for International Development.....	22,000	23,000	23,600	24,500	+1,500	+900
(Transfer to U.S. AID Office of Inspector General)	(-2,000)	(-2,000)	(-2,000)	(-3,500)	(-1,500)	(-1,500)
Operating expenses of U.S. Agency for International Development Office of Inspector General (By transfer).....	(2,000)	(2,000)	(6,300)	(3,500)	(+1,500)	(-2,800)
Total, U.S. Agency for International Development	142,000	223,000	226,100	258,300	+35,300	+32,200
Other Bilateral Economic Assistance						
Iraq Relief and Reconstruction Fund.....	---	2,483,300	---	2,475,000	-8,300	+2,475,000
(Transfer authority).....	---	(200,000)	---	(200,000)	---	(+200,000)
Economic Support Fund:						
Economic support fund.....	2,442,000	2,342,000	2,357,900	2,422,000	+80,000	+64,100
Loan Guarantees to Egypt:						
(Limitation on guaranteed loans)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	---	---
Loan Guarantees to Turkey:						
(Limitation on guaranteed loans)	(8,500,000)	(8,500,000)	(8,500,000)	(8,500,000)	---	---
U.S. Emergency Fund for Complex Foreign Crises.....	150,000	---	150,000	---	---	-150,000
Loan Guarantees to Israel:						
(Limitation on guaranteed loans)	---	(9,000,000)	---	(9,000,000)	---	(+9,000,000)
Total, Other Bilateral Economic Assistance.....	2,532,000	4,825,300	2,507,900	4,897,000	+71,700	+2,389,100
Department of State						
International narcotics control and law enforcement....	25,000	25,000	25,000	25,000	---	---
Andean Counterdrug Initiative.....	34,000	34,000	34,000	34,000	---	---
(By transfer).....	---	---	(20,000)	(20,000)	(+20,000)	---
United States Emergency Refugee and Migration Assistance Fund.....	50,000	80,000	75,000	80,000	---	+5,000
Nonproliferation, anti-terrorism, demining and related programs.....	28,000	28,000	28,000	28,000	---	---
Total, Department of State.....	137,000	167,000	162,000	167,000	---	+5,000

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
MILITARY ASSISTANCE						
Funds Appropriated to the President						
Foreign Military Financing Program.....	2,059,100	2,059,100	2,059,100	2,059,100	---	---
(Transfer out).....	---	---	(-20,000)	(-20,000)	(-20,000)	---
Peacekeeping operations.....	200,000	115,000	150,000	100,000	-15,000	-50,000
OTHER BILATERAL ECONOMIC ASSISTANCE						
Funds Appropriated to the President						
Iraq Relief and Reconstruction Fund.....	2,443,300	---	2,468,300	---	---	-2,468,300
(Transfer authority).....	(200,000)	---	(200,000)	---	---	(-200,000)
(Transfer to U.S. AID Office of Inspector General)	---	---	(-4,300)	---	---	(+4,300)
Total, Chapter 5.....	7,573,400	7,389,400	7,573,400	7,481,400	+92,000	-92,000
Appropriations.....	(7,573,400)	(7,389,400)	(7,573,400)	(7,481,400)	(+92,000)	(-92,000)
(Transfer authority).....	(200,000)	(200,000)	(200,000)	(200,000)	---	---
(Transfer out).....	(-2,000)	(-2,000)	(-26,300)	(-23,500)	(-21,500)	(+2,800)
(By transfer).....	(2,000)	(2,000)	(26,300)	(23,500)	(+21,500)	(-2,800)
(Limitation on guarantee loans).....	(19,500,000)	(19,500,000)	(19,500,000)	(19,500,000)	---	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
CHAPTER 6						
DEPARTMENT OF HOMELAND SECURITY						
Departmental Management						
Counterterrorism fund.....	1,500,000	---	1,135,000	150,000	+150,000	-985,000
Citizenship and Immigration Services						
Operating expenses.....	---	1,000	---	3,000	+2,000	+3,000
United States Secret Service						
Operating expenses.....	---	30,000	---	30,000	---	+30,000
Border and Transportation Security						
Customs and border protection.....	---	428,000	---	333,000	-95,000	+333,000
Immigration and customs enforcement.....	---	185,000	---	170,000	-15,000	+170,000
Transportation Security Administration.....	---	390,000	---	665,000	+275,000	+665,000
Grants to air carriers.....	---	3,178,300	---	---	-3,178,300	---
Federal Law Enforcement Training Center:						
Operating expenses.....	---	2,000	---	2,000	---	+2,000
Office for Domestic Preparedness.....	2,000,000	2,200,000	---	2,230,000	+30,000	+30,000
United States Coast Guard						
Operating expenses.....	---	230,000	580,000	228,000	-2,000	-352,000
Emergency Preparedness and Response						
Operating expenses.....	---	45,000	---	45,000	---	+45,000
Emergency management planning and assistance.....	---	---	109,500	54,750	+54,750	-54,750
Information Analysis and Infrastructure Protection						
Operating expenses.....	---	10,000	---	---	-10,000	---
Total, Chapter 6.....	3,500,000	6,699,300	4,024,500	3,910,750	-2,788,550	-113,750
Appropriations.....	(3,500,000)	(6,699,300)	(4,024,500)	(3,910,750)	(-2,788,550)	(-113,750)

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
CHAPTER 7						
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Centers for Disease Control and Prevention						
Disease control, research, and training.....	---	16,000	16,000	16,000	---	---
Office of the Secretary						
Public Health and Social Services Emergency Fund.....	---	144,000	140,000	142,000	-2,000	+2,000
Total, Chapter 7.....	---	160,000	156,000	158,000	-2,000	+2,000
Appropriations.....	---	(160,000)	(156,000)	(158,000)	(-2,000)	(+2,000)

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
CHAPTER 8						
LEGISLATIVE BRANCH						
House of Representatives						
Committee Employees						
Standing Committees, Special and Select.....	---	11,000	---	11,000	---	+11,000
Joint Items						
Legislative Branch Emergency Response Fund.....	125,000	---	---	---	---	---
Capitol Police						
General expenses.....	---	37,758	38,165	37,758	---	-407
Office of Compliance						
Salaries and expenses.....	---	111	111	111	---	---
Architect of the Capitol						
General administration.....	---	---	18,672	---	---	-18,672
Capitol building.....	---	---	1,100	1,100	+1,100	---
Capitol Power Plant.....	---	---	14,600	22,679	+22,679	+8,079
Capitol police buildings and grounds.....	---	63,868	40,140	40,140	-23,728	---
Subtotal, Architect of the Capitol.....	---	63,868	74,512	63,919	+51	-10,593
Library of Congress						
Salaries and expenses.....	---	5,500	5,500	5,500	---	---
Congressional Research Service, salaries and expenses.	---	1,863	1,863	1,863	---	---
Subtotal, Library of Congress.....	---	7,363	7,363	7,363	---	---
General Accounting Office						
Salaries and expenses.....	---	4,900	4,849	4,849	-51	---
Total, Chapter 8.....	125,000	125,000	125,000	125,000	---	---
Appropriations.....	(125,000)	(125,000)	(125,000)	(125,000)	---	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
CHAPTER 9						
DEPARTMENT OF DEFENSE						
Military construction, Navy.....	48,100	48,100	48,100	48,100	--	--
Military construction, Air Force.....	129,400	5,100	127,400	152,900	+147,800	+25,500
Family housing, Air Force:						
Operation and maintenance.....	--	1,800	2,000	1,800	--	-200
Total, Chapter 9.....	177,500	55,000	177,500	202,800	+147,800	+25,300
Appropriations.....	(177,500)	(55,000)	(177,500)	(202,800)	(+147,800)	(+25,300)
CHAPTER 10						
DEPARTMENT OF TRANSPORTATION						
Maritime Administration						
Maritime Guaranteed Loan (Title XI) Program Account:			50,000	25,000	+25,000	-25,000
Guaranteed loans subsidy.....	--	--	--	--	--	--
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT						
Unanticipated needs:						
Emergency Response Fund.....	250,000	--	--	--	--	--
Total, Chapter 10.....	250,000	--	50,000	25,000	+25,000	-25,000
Appropriations.....	(250,000)	--	(50,000)	(25,000)	(+25,000)	(-25,000)
Total, title I.....	74,725,028	77,903,328	76,150,420	75,860,470	-2,042,858	-289,950
New budget (obligational) authority.....	74,725,028	77,903,328	76,150,420	75,860,470	-2,042,858	-289,950
Appropriations.....	(74,725,028)	(77,903,328)	(76,150,420)	(75,860,470)	(-2,042,858)	(-289,950)
Rescissions.....	--	--	(-3,400)	(-3,400)	(-3,400)	--
(Transfer out).....	(-2,000)	(-59,684,500)	(-26,300)	(-23,500)	(+59,661,000)	(-2,800)
(By transfer).....	(2,000)	(59,684,500)	(26,300)	(23,500)	(-59,661,000)	(-2,800)
(Limitation on guarantee loans).....	(19,500,000)	(19,500,000)	(19,500,000)	(19,500,000)	--	--

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

TITLE II

MISCELLANEOUS AND TECHNICAL APPROPRIATIONS

CHAPTER 2

DEPARTMENT OF JUSTICE

Office of Justice Programs

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Juvenile justice programs.....	---	---	529	---	---	-529
Rescission.....	---	---	-100	---	---	+100
Subtotal, Juvenile Justice Programs.....	---	---	429	---	---	-429

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

RELATED AGENCIES

Office of the United States Trade Representative

European communities music licensing dispute.....	---	---	---	3,300	+3,300	+3,300
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Procurement, acquisition and construction.....	---	---	117,060	65,000	+65,000	-52,060
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Equal Employment Opportunity Commission

Salaries and expenses.....	---	---	23,300	15,000	+15,000	-8,300
National Commission on Terrorism Attacks Upon the United States	---	---	---	---	---	---

Salaries and expenses.....	---	---	11,000	11,000	+11,000	---
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General Provision

Community oriented Policing services	---	---	5,000	---	---	-5,000
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Total, Chapter 2.....	---	---	156,789	94,300	+94,300	-62,489
Appropriations.....	---	---	(156,789)	(94,300)	(+94,300)	(-62,489)

CHAPTER 4

DEPARTMENT OF THE INTERIOR

National Park System

Operation of the National Park System.....	---	---	9,000	9,000	+9,000	---
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EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
CHAPTER 5						
DEPARTMENT OF LABOR						
Employment and Training Administration						
Training and employment services.....	---	---	1,000	---	---	-1,000
DEPARTMENT OF EDUCATION						
School improvement programs.....	---	---	550	550	+550	---
Higher education (rescission).....	---	---	-550	-550	-550	---
CHAPTER 8						
DEPARTMENT OF VETERANS AFFAIRS						
Veterans Health Administration						
Departmental Administration						
General operating expenses.....	---	---	155,000	100,000	+100,000	+100,000
Medical care.....	---	---		---	---	-155,000
INDEPENDENT AGENCIES						
Corporation for National and Community Service						
National and community service programs operating expense:						
Appropriation for the liquidation of deficiency.	(64,000)	---	(64,000)	(64,000)	(+64,000)	---
Portion applied to liquidate deficiencies.....	(-64,000)	---	(-64,000)	(-64,000)	(-64,000)	---
Total, Chapter 8.....	---	---	155,000	100,000	+100,000	-55,000
Appropriations.....	---	---	(155,000)	(100,000)	(+100,000)	(-55,000)
(Appropriation for the liquidation of deficiency).....	(64,000)	---	(64,000)	(64,000)	(+64,000)	---
(Portion applied to liquidate deficiencies).	(-64,000)	---	(-64,000)	(-64,000)	(-64,000)	---
Total, title II.....	---	---	321,789	203,300	+203,300	-118,489
Appropriations.....	---	---	(322,439)	(203,850)	(+203,850)	(-118,589)
Rescissions.....	---	---	(-650)	(-550)	(-550)	(+100)
(Appropriation for the liquidation of deficiency).....	(64,000)	---	(64,000)	(64,000)	(+64,000)	---
(Portion applied to liquidate deficiencies).	(-64,000)	---	(-64,000)	(-64,000)	(-64,000)	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
TITLE IV						
AVIATION-RELATED ASSISTANCE						
Transportation Security Administration:						
Grants to air carriers.....	---	---	---	2,395,750	+2,395,750	+2,395,750
Reimbursement of Airlines for certain increased security costs.....	---	---	1,000,000	---	---	-1,000,000
Cockpit door reinforcement reimbursement.....	---	---	100,000	---	---	-100,000
Airport security-related reimbursement.....	---	---	375,000	---	---	-375,000
Total, title IV.....	---	---	1,475,000	2,395,750	+2,395,750	+920,750
Appropriations.....	---	---	(1,475,000)	(2,395,750)	(+2,395,750)	(+920,750)
Grand total:						
New budget (obligational) authority.....	74,725,028	77,903,328	77,947,209	78,459,520	+556,192	+512,311
Appropriations.....	(74,725,028)	(77,903,328)	(77,951,259)	(78,463,470)	(+560,142)	(+512,211)
Rescissions.....			(-4,050)	(-3,350)	(-3,950)	(+100)
(Transfer authority).....	(200,000)	(200,000)	(200,000)	(200,000)	---	---
(Transfer out).....	(-2,000)	(-59,684,500)	(-26,300)	(-23,500)	(+59,661,000)	(+2,800)
(By transfer).....	(2,000)	(59,684,500)	(26,300)	(23,500)	(-59,661,000)	(-2,800)
(Limitation on guarantee loans).....	(19,500,000)	(19,500,000)	(19,500,000)	(19,500,000)	---	---

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

Mr. OBEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I want to express my gratification that we are, in fact, here with this legislation today. Frankly, it had many shortcomings. We fought out a lot of them on the floor earlier when the bill was first before us, and among the most serious shortcomings, in my view, would be what I consider to be still serious lack of funds for homeland security, but we fought that fight and lost.

This bill is focused on other fights which I think are institutionally just as important for the Congress.

This bill began when the administration asked for a series of blank checks totaling almost \$70 billion. The bill that is here today does not provide the administration with those blank checks and, instead, reintroduces them to the concept of checks and balances, and I would like to explain how.

The administration requested total flexibility and unaccountability for roughly \$59.9 billion for the Pentagon's defense emergency response fund. This conference report reduces that fund to \$15.7 billion and requires 5-day prior notification to the Congress before the Pentagon can obligate any of that money. That preserves to the Congress the right to review proposals for the spending of taxpayers' money.

The reason that is important is because almost the sole reason for Congress' existence is so that somebody outside of that narrow circle of people who run any administration will have an opportunity to review the way the administration wants to spend public money and be able to say to the administration, wait a minute, we think that is a mistake, we want you to look at it again. That is why it was so important to have that 5-day prior notification requirement, and I am pleased that the conferees provided it.

Second, the administration asked for what they call an indigenous forces fund. The President requested \$150 million for the Pentagon to support so-called indigenous forces, which are forces other than the formal military units of a nation, in countries where the Department of Defense felt such support would be appropriate. This conference report eliminates that \$150 million.

Third, the administration asked for what they called an allied nations fund. In plain language, they wanted authority for the Department of Defense to establish a new and parallel military assistance program, parallel to that which already exists, which is under, at least initially under the authority of the State Department. This conference report reduces that request to \$25 million, limits it only for military counterterrorism training and requires 15-day prior notification to Congress and requires that the Secretary of State concur in any such obligation.

Also, the administration asked for a \$2.4 billion Iraqi rebuilding program.

The President asked for \$2.4 billion in money to rehabilitate Iraq. He asked that money be directly appropriated to him for obligation to any agency. The conference report, in contrast, provides the money to the President but restricts it to the authorities under the Foreign Assistance Act and designates specific agencies that can receive direct apportionment of funds. It also requires, again, a 5-day prior notification to Congress before that money can be obligated, which is as it should be.

Next, the administration asked for a \$1.5 billion unallocated fund under the total control of the Secretary of Homeland Security. In other words, they wanted us to just give them a blank check to spend a billion and a half dollars on anything he wanted. In contrast, the conference report reduces this to \$150 million instead of a billion and a half, and it appropriated the remaining \$1.35 billion to specific accounts within the Department of Homeland Security so that this amounts to congressionally-determined funding rather than the agency determining it.

Next, the conference report rejected the President's request to have a \$250 million fund under the control of the President, no questions asked, and I think the Congress was right to do that.

Lastly, the administration requested a \$500 million fund to be under the total discretion of the Attorney General. The conference report reduces that to \$20 million and requires that the Justice Department must make a reprogramming request to the Congress before disbursing any funds from this account. The remaining \$480 million requested for the Justice Department, again, was specifically appropriated to other specific accounts by the Congress, not by an anonymous agency bureaucrat.

So I believe that for those Members, and I assume it is all of us, for those Members who are concerned with protecting our constitutional obligation to maintain firm control of the power of the purse, I think that this legislation lives up to that responsibility, and I think that Members of both parties can be highly pleased for that performance.

I have never yet met an administration that did not think that Article I of the Constitution was not a mistake, and I think it is helpful from time to time that the Congress remind all administrations that we have obligations which we have to meet, also.

I would also like to take just a moment to discuss the unemployment compensation provision in this bill. The bill provides \$3.8 billion in assistance to airlines. As Members know, I have minimum high regard for the idea that the airline industry even constitutes an industry. In my belief, the airline industry is composed of let-us-pretend capitalists. Every couple years, they come to the Congress for another bailout, and I think that instead of pre-

tending that they are independent business operations, I think they ought to be regulated as a publicly necessary public utility, but they are not, and in order to keep the economy functioning, the Congress had to provide something.

The problem was that the Congress took care of business, but they did not take care of the workers who were losing their jobs. So we included a provision which guarantees an additional 26 weeks in all States in the Union for workers in the airline industry and associated industries, at least upstream associated industries, and I think that that again represented the minimum of economic justice that was required.

So, in my view, this is not a perfect package. There are a number of items that we had to accept from the Senate as part of the negotiating process. When you negotiate in these circumstances, you are not dealing with an empty chair. You do have people on the other side of the table, and they do have opposite views sometimes, and we might like to not take that into account, but we have no choice.

So there are five provisions originating in the Senate that the committee had to accept, but we turned down far more, and I expect that in the end there will be far more gnashing of teeth on the Senate side of the Capitol than there will on the House side of the Capitol with respect to the committee's disposition of those provisions.

I want to say to my Republican friends on the committee that I think every Member of Congress can feel good about the way this conference proceeded because it was one of the few times in recent years when I have seen legislators able to behave like legislators rather than politicians, and that is important.

□ 1215

We all come here as politicians, but then we need, especially in committee, to deal with a lot of complicated issues requiring give and take, and it sometimes gets very heated. But I think we made decisions which were in the public interest. They were certainly in the interest of the Constitution.

I am sure the administration does not like the fact that we did not give them the blank check which they requested, but they have ample flexibility to meet their requirements under the Constitution, and we have maintained our prerogatives. That is not important to our egos, but it is important to the system of checks and balances that we are sent here to preserve.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the very distinguished majority leader, and I thank him for scheduling this bill for consideration today.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me this time, and, Mr. Speaker, I rise in support of this conference report.

I rise in support of it because I want to keep an eye on the big picture. The big picture is that we have men and women that are giving the ultimate sacrifice and dying in Iraq. We have spent an incredible amount of time and money bringing freedom to the Iraqi people, and the American people support this effort. We need to support our troops, and this bill does that. We need to support our troops and replace the ammunition, the resources that have been expended so that we do not put our Armed Forces in a vulnerable position.

Mr. Speaker, I rise in support of this because I support the chairman of the Committee on Appropriations and the ranking member. I do not think I have ever been as proud as I am now of the Committee on Appropriations and the chairman and the ranking member. The chairman and the ranking member of the Committee on Appropriations understood how important this effort was. When the President of the United States sent up his request for additional moneys to fight the war, they went right to work and put together a package that we can all be proud of, kept it clean and focused on the war, on homeland security, on our responsibilities around the world in order to fight the war on terrorism, and they brought a very good bill to this floor.

This House of Representatives passed that clean bill and sent it to the other side of the rotunda. Now, unfortunately, Mr. Speaker, in this town, we have people that will take advantage of even a war situation and a war supplemental. Mr. Speaker, we have people in this town that just cannot stop their appetite for spending money.

In the other body, Mr. Speaker, in the bill that they passed, they loaded the war supplemental, the bill that is to support our troops, with items such as a dairy provision in California, an item such as \$5 million for a communications system in Louisville, Kentucky, an item such as a dam in Vermont, an item such as a \$1 million earmark for jobs of America's graduates in Alexandria, Virginia, an item such as \$529,000 for local law enforcement costs related to the nightclub fire in Rhode Island, not exactly a Federal responsibility, an item such as a land exchange in Nevada, an item such as a provision on ginseng labeling. What does ginseng have to do with fighting the war in Iraq?

Mr. Speaker, I could go on and on, probably for the rest of the afternoon, listing the items that were put in the war supplemental. Yet our chairman and our ranking member stood up and said, this is not going to happen. We are not going to allow this to happen and we are going to try our best to send the President of the United States a supplemental appropriation that supports our troops and our homeland security. They fought into the wee hours of the night in trying to maintain not only the integrity of the work done by the House of Representatives, but also

to provide the President with what he was requesting.

I have to tell the Members they did an outstanding job at getting most of this stuff out. But in the end there are two bodies and there has to be something left because the other body just insists on having little, parochial spending. So I have to inform the Members that there is a provision in this bill for a lab in Ames, Iowa, that there is a provision relating to wild seafood being deemed as organic, a provision relating to payments to State agriculture to pay catfish farmers, a provision related to Forest Service grazing, and some provision, I cannot figure out, relating to an Indian school.

But that is all that we can be upset about. And we have to really focus on what this is all about, my colleagues, and remove the appetite of some in this body, not in this body, in this town, and understand that the most important part about this is to support our troops and support the war in Iraq. So I urge my Members to vote for this bill and I urge our Members to thank the chairman and the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I thank the ranking member for yielding me this time, and I rise on behalf of those on my side of the aisle, and I join the majority leader in urging all our Members to vote for this piece of legislation. I stand with him also in congratulating our chairman and ranking member of the Committee on Appropriations.

There are no two more faithful Members to this institution than the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY). They have worked together, they have overcome disagreements to bring to this floor a piece of legislation that deserves bipartisan support.

There are differences, deep differences, in this body, deep convictions held by Members on both sides of the aisle with respect to the war and the rectitude of our action, but that is not what this bill is about. This bill is about ensuring the support for the troops that we have sent abroad to carry out objectives of the United States of America and, indeed, of a large number of the international community.

We will be united in that support of our troops and united in support of the success of that effort. We see countless Iraqis waving and welcoming American troops to their land, and we have seen the fact that there is also distress in that land and we want to assist, assist quickly, the humanitarian relief and assist quickly in the rebuilding.

So on behalf of my side of the aisle, Mr. Speaker, I want to congratulate you, as well, for your leadership. Today is a day of bipartisanship. Today is a day when we will reflect to America

that we are united in our commitment to support our troops.

There will be, Mr. Speaker, I am sure, after we pass this legislation, a number of Members who will want to make some comments, and we expect them to do so. It is right and proper that they do so in this Democratic institution. But I urge all our Members, as the majority leader has urged his Members, to support this legislation which supports our troops, supports our effort and does so in a way, as the gentleman from Wisconsin (Mr. OBEY) has pointed out so eloquently, that is consistent with the Constitution of the United States.

Our Founding Fathers did not draft that document by mistake. It was their considered judgment that the collective wisdom in a democracy is what preserved freedom, is what preserved a Nation, a free people, as opposed to a people who would be overseen by one individual or one small group of individuals in the executive department.

In closing, let me say that there is a picture in the Rotunda of the Capitol of the United States. It is of particular significance to me, as the former President of the Maryland Senate. It depicts the old Senate Chamber in Annapolis. In that picture, George Washington on December 23, 1783, is resigning his commission as commander in chief of the Continental Army. My colleagues will note, when they look at that picture, that the members of the legislature of the Continental Congress are seated. They are seated at the request of General Washington, so that they would indicate their superior stature to General Washington.

Of course, at that point in time, there was no superior person to General Washington, perhaps in the history of our country, but certainly at that time. But it was his conviction that it was the Representatives of the people who ought to rule. And it has been stated over and over in this House, the people rule.

This bill preserves that principle, an important principle for democracy.

I thank the chairman and the ranking member, I thank the Speaker on behalf of all the Members for bringing us to this point where we can together, as Americans, not as Democrats, not as Republicans, support our troops, support our country.

Mr. OBEY. Mr. Speaker, could I inquire of the chairman if he is prepared to yield back? If he is, I have just 1 minute of closing comments and I would be happy to yield back.

Mr. YOUNG of Florida. Mr. Speaker, I would respond to the gentleman that I have one member of the leadership, a subcommittee chairman would like a brief period, and then I would be prepared to make a final closing statement and yield back the time.

Mr. OBEY. So the chairman has a subcommittee chairman who wants to make a comment?

Mr. YOUNG of Florida. Yes.

Mr. OBEY. In that case, we will have a subcommittee ranking member who

wants to make a comment, and then I will be prepared to yield back.

Mr. YOUNG OF Florida. And then I will reserve the balance of the time for closing.

Mr. Speaker, I yield myself 30 seconds to emphasize what the majority leader said. If Members will recall that long list of projects that he referred to that the other body came to conference with, that first long list, we took them out. We did not accept them. It was quite a battle, but we took those out.

So in case there was any doubt as to what was on the list he was reading, they are gone. They are not in this bill.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WALSH), the chairman of the Subcommittee on VA, HUD and Independent Agencies of the Committee on Appropriations.

Mr. WALSH. Mr. Speaker, I rise to support this emergency war supplemental and to congratulate and thank our leadership, the chairman, the gentleman from Florida (Mr. YOUNG), and ranking member, the gentleman from Wisconsin (Mr. OBEY), for the way they conducted themselves in that conference last night. They brought great credit upon this House, and I think that the will of the House was ably defended in that conference.

This bill provides billions of dollars for our national defense, for the rebuilding of Iraq, and for homeland security. What a remarkable statement by a nation, a nation 227 years old and yet still altruistic, idealistic, idealistic enough to provide funds to complete the defeat of the Hussein regime, to liberate the people of Iraq, and then to provide the funds to rebuild that country. And what a great debt we owe to our soldiers and sailors who fought so brilliantly throughout.

There are funds for homeland security that will go to all States and localities, with major help for my State, New York State and New York City, \$800 million to high-density, high-risk urban areas to protect critical infrastructure and to make sure an attack like September 11 never happens again.

Lastly, Mr. Speaker, an additional \$100 million has been provided to the Secretary of the Veterans Administration to provide health care and disability compensation for our returning soldiers and sailors. That is the very least we can do.

And in closing, I would just like to again congratulate the House leadership, the Committee on Appropriations leadership, both parties, for the remarkable job they did in keeping this bill on course.

□ 1230

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Subcommittee on Foreign Operations.

Mrs. LOWEY. Mr. Speaker, I want to first thank the gentleman from Florida (Mr. YOUNG) and the ranking member,

the gentleman from Wisconsin (Mr. OBEY), for the bipartisan way they approached this very critical war supplemental. We understood the urgency of getting this bill passed and getting the money out to the region, and it truly has been a privilege for me as a ranking member on one of the subcommittees working with the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY). I thank them for their leadership.

I am pleased in the bill in addition to the money for humanitarian aid and reconstruction, there is over \$7 billion for our critical allies in the region, and I think this is very important because they are in a hot spot, and they are very important, and I think it is important that we acknowledge their role and assistance to us.

I just want to make one point as we close out the debate. I certainly preferred the House-passed language on Iraq relief and reconstruction to what we decided on yesterday. However, as the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) stated, there was some compromise and I am very pleased that the role of the Congress and the oversight function of the Congress was finally acknowledged in giving us 5 days to review so many of the provisions that were included in the bill.

I felt that the House language stated more clearly that carrying out United States foreign policy is primarily the responsibility of the Secretary of State, not OMB or any other agency. That said, prosecuting the war and managing its aftermath is serious business, and the White House was explicit that it wanted the President to have flexibility in carrying out both of these important functions.

In the end, I think we did provide that flexibility to the administration. That is why at one point in the debate yesterday it really seemed nonsensical to me that the ultimate sticking point on this language was over the mere mention of the Foreign Assistance Act, the skeleton of the United States foreign assistance programs. This set of laws which has been developed and fine-tuned by Congress in consultation with various administrations since the 1960s provides the basic framework to carry out foreign aid, including relief and reconstruction. It has governed every United States relief and reconstruction effort in recent years, and the assertion that it hemmed in the President did not make any sense to me. We all acknowledge that the President is the Commander in Chief and has the ultimate authority and responsibility.

Appropriating these funds pursuant to the Foreign Assistance Act simply keeps the Secretary of State under the President, at the direction of the President, as the primary overseer of our foreign assistance program.

We have to ask, in conclusion, why the administration made such a big deal about this once they had gotten

most of the concessions they wanted on the issue already. It makes no difference, frankly, one way or the other in terms of the President's ability to provide funding to any government agency he chooses. So I felt dropping the language would have been a pointed rebuke of the Secretary of State's important key role in foreign policy.

Let me conclude by saying thank you again. I think we are putting forth an excellent bill that is important to address the current situation today. I thank our chairman and our ranking member for their leadership on these issues.

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

Mr. Speaker, in closing, I want to say thank you to the people who are really responsible for putting this package together. That would be the staff of the committee on this side of the Capitol, certainly led by Jim Dyer, the most able staff chief on the Republican side of the aisle, and led by Scott Lilly, the staff chief on our side of the aisle, and all of the staff who work with them.

It has become routine on the committee for that staff to be without sleep for one or two days in the row. I appreciate how hard they work.

I would like to say a special thank you to the gentleman from Florida (Mr. YOUNG), who has performed in his gracious and effective manner, helping us to balance the many equities involved, and a special thanks to the subcommittee chairs on that side, especially the gentleman from Arizona (Mr. KOLBE), the gentleman from California (Mr. LEWIS) and the gentleman from Ohio (Mr. REGULA), for helping us through some very tough problems, and Senators BYRD, STEVENS and LEAHY.

To those Members who are unhappy about the fact that we were not able to eliminate all of the Senate proposals, let me say batting 750 percent is not bad. Even Babe Ruth struck out 1,300 times, and I do not think any Member in this House comes close to Babe Ruth or pretending to be Babe Ruth.

I would also say to the Department of Defense because I know they do not like the fact that they did not get all of the authority that they wanted, I would simply say to them the Department of Defense may not get all of the money and all the power that they asked for, but they would do well to remember that every bit of money and every bit of power that they have gotten they have gotten from this institution. I think they would be well off to remember that.

Let me simply say again as I said at the beginning, this proposal came to the Congress as a blank check. It leaves here as a reaffirmation of checks and balances. That is the way it ought to be.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, since September 11 and our war against terrorism and the injuries to our troops coming from Afghanistan, my wife and I, and actually my wife more than I, have been regular visitors to the Army Hospital at Walter Reed and to the Naval Hospital in Bethesda to provide gifts, provide some comfort, and to do what they need and their families need in a time of real crisis in their life.

It brings tears to my eyes when I see these young kids with a leg or arm missing. One soldier was blinded. There are a lot of them out there now, sailors, soldiers, Marines, and even some Air Force folks. It is a sad time. But the sadness goes away when I talk to these kids. They are unbelievable. They are laying there with their whole life changed for the balance of their life. They love this country. They believe in the defense of this country, and they want to get back to the action, although many of them will not be able to because of their injuries.

But throughout the many, many conversations that we have through the day or on the weekends, one thing comes to the fore: How does my country feel about me? Am I going to come back and be ridiculed like some of my colleagues were from Vietnam?

Mr. Speaker, they worry about how does America feel about them. We do our best to convince them that America loves them, America appreciates them. I think a strong vote on passage of this bill is a strong message to those injured in our hospitals today and those still on the battlefield today risking their lives, a strong message to them, young Americans, young soldiers, your country loves you and respects you and appreciates you.

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

The SPEAKER. Without objection, the previous question on the conference report is ordered.

There was no objection.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF HON. MAC THORNBERRY TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH APRIL 29, 2003

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

WASHINGTON, DC,

April 12, 2003.

I hereby appoint the Honorable MAC THORNBERRY or, if not available to perform this duty, the Honorable WAYNE T. GILCHREST to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 29, 2003.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, the appointment is accepted.

There was objection.

PROVIDING FOR CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE AND ADJOURNMENT OF THE HOUSE

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 38) providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Friday, April 11, 2003, or Saturday, April 12, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 28, 2003, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Saturday, April 12, 2003, through Friday, April 18, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, April 29, 2003, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

HOUSE PASSES WARTIME SUPPLEMENTAL UNANIMOUSLY

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

Mr. OSE. Mr. Speaker, we just passed a wartime supplemental, and I wanted to make a note that it was unanimously done. I think it is a marvelous tribute to this country and this body that when this country is faced with the challenges that we have in front of us and our young people are deployed to protect us and our interests, that we bind together as a team, that we bind together as a country and that our leadership is able to take us to where we need to go.

The work that the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) have done in working with the Senate is a mar-

velous tribute to their skills as legislators, and to the gentleman from Illinois (Mr. HASTERT) and the gentleman from California (Ms. PELOSI) as Speaker and minority leader here in the House, they have my commendations. I am pleased to be here and be part of this momentous occasion.

AMERICA LOVES HER TROOPS

(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. Mr. Speaker, I rise to confirm my support for the Emergency Wartime Supplemental Appropriations Act that we just passed unanimously in this House.

I rise to answer the question of the chairman of the Committee on Appropriations and say resoundingly that America loves her troops, loves the young men and women who are serving, respects them, and offers our sympathy to those who lost their lives, their love to those who are now mending. And, as well, we will never forget our MIAs and POWs.

I, too, have visited our troops in our hospitals in this region, visited the Veterans Hospital, reinforced the fact that we believe in those who have been willing to offer the ultimate sacrifice.

I think it is important today, Mr. Speaker, to acknowledge as well that the beauty of America is that we acknowledge and appreciate dissent. Just a few blocks away today there are protesters against the continuation of this war. There will be those who will be promoting and supporting the troops. I agree with both because America is a place that fondles and cherishes its democracy. I have dissented against the war, but I have not dissented against America or its troops, and I believe in order to be prosperous we must work together, as we have done in this emergency wartime supplemental which I have supported, so we can have a lasting peace.

Mr. Speaker, I want to thank the chairman of the Committee on Appropriations and the ranking member and all the staff for their steadfastness. I want to thank them for providing to airline employees the 26 extra weeks that we fought for since September 11. Many have been laid off and not working.

□ 1245

I want to thank them, as well, for the homeland security moneys that will help some of our cities and rural areas, and I want to fight with them for more money for the many cities who have paid out moneys, Mr. Speaker, and have yet not been able to be reimbursed.

I would like to thank them in particular for the judgment that they have used with the defense funds so that there is not such a discretion, but it has been put in certain position to be oversight, or given oversight by this

Congress. I would like to thank them for recognizing the importance, Mr. Speaker, of the need to provide for the Coast Guard and to provide for the first responders.

Mr. Speaker, as I close, we are not yet finished with this work, and I would hope that we will go forward supporting our troops and, as well, supporting America in its effort for long-lasting peace that will only make us the great Nation that our promise indicates we can be.

IN SUPPORT OF OUR TROOPS

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

Mr. SHAYS. Mr. Speaker, congratulations to the Appropriations chairman, ranking member and all who worked on the Wartime Supplemental conference report. They did a tremendous job.

As a returned Peace Corps volunteer who strongly supported the President's effort to get Saddam Hussein's Iraq to cooperate with the UN inspectors and dismantle its weapons of mass destruction, I am proud, so proud, of our men and women who serve our great Nation. Our job in Congress, when we send our men and women into battle, is to make sure it is never a fair fight. We need to make sure those who risk their lives in service to this country have every advantage. We have done our job and we are doing our job.

As another returned Peace Corps volunteer, JIM WALSH, said, we are supporting our troops who brought freedom to a troubled land and we are helping to rebuild that land and nation and the good people who live there.

This is a good sign of a great Nation. May God continue to bless the United States of America.

COMMENDING THE TROOPS

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

Ms. WATSON. Mr. Speaker, I want to add my voice to the voices of the others in commending our troops for the bravery, the courage, in following their command. I too am not a war supporter, but I support Americans. I support America.

I am so pleased that in the supplemental budget we were able to recognize that those on the home front have to respond and that there is money in this budget for the hometown response, because that is what it is going to boil down to.

Mr. Speaker, as we exit the battlefield, as we leave Iraq, we must address our attention to the constant threat of terrorism that I am sure we are going to have to endure; and I would hope that we would address our attention to finding Osama bin Laden, because he indeed has been very effective in the threat to this Nation.

So I am very pleased to have voted "aye" for the supplemental. Let us bring our troops home. Let us see that they have the services and that they are well. I commend them. We all love them.

God bless America.

IN HONOR OF THOSE WHO HAVE SACRIFICED FOR FREEDOM

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

Mr. FRANKS of Arizona. Mr. Speaker, today I rise to express a deep and abiding gratitude to the families living in the Second District of Arizona who have lost their children in the Iraqi conflict. Those families include Carol Howland of Kingman, who lost her son James Kiehl in battle; Sandy Watson of Peoria, who lost her son Michael Williams in battle; the Piestewa family, and the entire Hopi Nation, who today mourn the loss of their daughter Lori Ann. I have spoken to each and have been inspired by their unwavering faith and their enduring strength.

Mr. Speaker, I know that the tragic stories of this war are not unique to Arizona. So many of this Congress have fallen heroes from their communities and they represent those noble families who personify the sacrifice of war, but America's sons and daughters have fought so bravely in this battle, and some have died defending their homeland and to bring freedom to a people they have never met. And today, Mr. Speaker, the American flag flies at half-mast in the hearts of all of us as this Nation tearfully lays these valiant sons and daughters of freedom in the loving arms of God.

Mr. Speaker, words fail me to truly express the unspeakable debt of gratitude that we all owe to these families of America who have sacrificed their own loved ones to the cause of freedom. So may I respectfully appropriate the words of Abraham Lincoln, who found himself in a similar dilemma as he sought to offer comfort in a letter to a precious mother who had lost five of her sons on the battlefield. It is my prayer, Mr. Speaker, that these words can be received into the hearts of all of those who mourn the loss of their beloved soldier this day.

Mr. Lincoln wrote: "I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming, but I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic that they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement and leave you only the cherished memory of the loved and lost, and a solemn pride that must be yours, to have laid such a costly sacrifice upon the altar of freedom."

Mr. Speaker, may all of us this day take poignant personal inventory of

American freedom and may we never ever forget those who gave their all to pay for it.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, APRIL 30, 2003

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, April 30, 2003.

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

There was no objection.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 703. An act to designate the regional headquarters building for the National Park Service under construction in Omaha, Nebraska, as the "Carl T. Curtis National Park Service Midwest Regional Headquarters Building"; to the Committee on Transportation and Infrastructure.

S. 763. An act to designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

S.J. Res. 8. Joint resolution expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month; to the Committee on the Judiciary.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, pursuant to Senate Concurrent Resolution 38, 108th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 38, 108th Congress, the House stands adjourned until 2 p.m. on Tuesday, April 29, 2003.

Thereupon (at 12 o'clock and 54 minutes p.m.), pursuant to Senate Concurrent Resolution 38, 108th Congress, the House adjourned until Tuesday, April 29, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1813. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Recognition of Animal Disease Status of Regions in the European Union [Docket No. 98-090-5] (RIN: 0579-AB03) received April 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1814. A letter from the Director, Regulatory Review and Foreign Investment Disclosure Group, Department of Agriculture,

transmitting the Department's final rule — 2002 Farm Bill Regulations-General Credit Provisions (RIN: 0560-AG78) received March 31, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1815. A letter from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's final rule — Methodology and Formulas for Allocation of Loan and Grant Program Funds (RIN: 0570-AA30) received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1816. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Decanoic Acid; Exemption from the Requirement of a Pesticide Tolerance; Technical Correction [OPP-2002-0272; FRL-7296-9] received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1817. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Tolerance Exemptions for Active and Inert Ingredients for Use in Antimicrobial Formulations (Food-Contact Surface Sanitizing Solutions); Withdrawal of Direct Final Rule [OPP-2002-0278; FRL-7299-4] received March 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1818. A letter from the Deputy Secretary, Department of Defense, transmitting notification of the transport of a chemical warfare agent, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

1819. A letter from the Secretary of the Navy, Department of Defense, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1820. A letter from the Secretary of the Army, Department of Defense, transmitting a Selected Acquisition Report (SAR) for a breach of 15 percent or more for the Program Acquisition Unit Cost (PAUC) and Average Procurement Unit Cost (APUC) thresholds which have been exceeded for both Army Tactical Missile System (ATACMS)/Bat end items, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1821. A letter from the Under Secretary, Department of Defense, transmitting the 2003 Report on National Defense Stockpile Requirements, pursuant to 50 U.S.C. 98h—5; to the Committee on Armed Services.

1822. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Larry R. Jordan, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1823. A letter from the Deputy Chief of Naval Operations, Department of Defense, transmitting notification of a decision to implement performance by the Most Efficient Organization (MEO) of the public works utilities functions of Naval District Washington DC; to the Committee on Armed Services.

1824. A letter from the Deputy Chief of Naval Operations, Department of Defense, transmitting notification of a decision to implement performance by the Most Efficient Organization (MEO) of the regional maintenance functions of Fleet Technical Support Center, San Diego, CA; to the Committee on Armed Services.

1825. A letter from the Principal Deputy, Department of Defense, transmitting the Department's report that covers two areas involving the Armed Services' aviation programs; to the Committee on Armed Services.

1826. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Rules Regarding Equal Opportunity [Docket No. R-1096] received April 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1827. A letter from the General Counsel, Department of the Treasury, transmitting the Department's draft bill entitled, "To authorize the United States participation in and appropriations for the United States contribution to the ninth replenishment of the resources of the African Development Fund"; to the Committee on Financial Services.

1828. A letter from the General Counsel, Department of the Treasury, transmitting the Department's draft bill entitled, "To authorize the United States participation in and appropriations for the United States contribution to the seventh replenishment of the resources of the Asian Development Fund"; to the Committee on Financial Services.

1829. A letter from the General Counsel, Department of the Treasury, transmitting the Department's draft bill entitled, "To authorize the United States participation in and appropriations for the United States contribution to the thirteenth replenishment of the resources of the International Development Association"; to the Committee on Financial Services.

1830. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Employee Retirement Income Security Act of 1974; Plans Established or Maintained Under or Pursuant to Collective Bargaining Agreements Under Section 3(40)(A) of ERISA (RIN: 1210-AA48) received April 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1831. A letter from the Assistant Secretary for Mine and Safety Health, Department of Labor, transmitting the Department's final rule — Alternate Locking Devices for Plug and Receptacle-Type Connectors on Mobile Battery-Powered Machines (RIN: 1219-AA98) received March 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1832. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule — Requirements for Low-Speed Electric Bicycles — received April 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1833. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Diseases (RIN: 0920-AA03) received April 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1834. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule — Light Truck Average Fuel Economy Standards Model Years 2005-2007 [Docket No. 2002-11419; Notice 3] (RIN: 2127-A170) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1835. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's report entitled, "Fleet Alternative Fuel Vehicles Program Report for Fiscal Year 2002"; to the Committee on Energy and Commerce.

1836. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promul-

gation of Air Quality Implementation Plans; Massachusetts; Amendment to 310 CMR 7.06, Visible Emissions Rule [MA-088-7216a; A-1-FRL-7466-2] received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1837. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plan; South Dakota [SIP NO. SD-001-0013, SD-001-0014, SD-001-0015; FRL-7475-1] received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1838. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Wisconsin [WI-113-7343A; FRL-7466-6] received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1839. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances; Correction [FRL-7477-7] (RIN: 2060-A612) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1840. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the Guideline on Air Quality Models: Adoption of a Preferred Long Range Transport Model and Other Revisions [AH-FRL-7478-3] (RIN: 2060-AF01) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1841. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Lake County Air Quality Control District and San Diego County Air Pollution Control District [CA 275-0384a; FRL-7471-4] received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1842. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Approval Under Sections 110 and 112(l); State of Kansas [KS 172-1172a; FRL-7471-9] received March 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1843. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 177-1177a; FRL-7471-6] received March 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1844. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clean Water for Sustainable Cities in China — received March 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1845. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Minor Clarification of National Primary Drinking Water Regulation for Arsenic [FRL-7472-5] received March 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1846. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the

Agency's final rule — Significant New Uses of Certain Chemical Substances [OPP-2002-0060; FRL-6758-7] (RIN: 2070-AB27) received March 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1847. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, "Report to Congress on Abnormal Occurrences, Fiscal Year 2002," pursuant to 42 U.S.C. 5848; to the Committee on Energy and Commerce.

1848. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification regarding a report entitled, "Country Reports on Human Rights Practices for 2002"; to the Committee on International Relations.

1849. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1850. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1851. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting copy of the Corporation's Annual Report for calendar year 2002, pursuant to 12 U.S.C. 1827(a); to the Committee on Government Reform.

1852. A letter from the Chairman, Federal Maritime Commission, transmitting the Final Annual Performance Plan for FY 2004; to the Committee on Government Reform.

1853. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Agency Use of Appropriated Funds for Child Care Costs for Lower Income Employees (RIN: 3206-AJ77) received March 31, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1854. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the Superior Court's Family Court Transition Plan; to the Committee on Government Reform.

1855. A letter from the Secretary, Department of the Interior, transmitting the annual report entitled, "Outer Continental Shelf Lease Sales: Evaluation of Bidding Results" for fiscal year 2002, pursuant to 43 U.S.C. 1337(a)(9); to the Committee on Resources.

1856. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Pacific Cod by Catcher Vessels 60 Feet (18.3 m) Length Overall and Longer Using Hook-and-line Gear in the Bering Sea and Aleutian Islands [Docket No. 021212307-3037-02; I.D. 032703E] received April 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1857. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Final Endangered Status for a Distinct Population Segment of Smalltooth Sawfish (*Pristis pectinata*) in the United States [Docket No. 000303059-3034-03; I.D. 021700B] (RIN: No. 0648-XA49) received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1858. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace; St. Louis, Spirit of St. Louis Airport, MO [Docket No. FAA-2003-14549; Airspace Docket No.

03-ACE-17] received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1859. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes; Model 747 Series Airplanes; and Model 757 Series Airplanes [Docket No. 2002-NM-309-AD; Amendment 39-12992; AD 2002-24-51] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1860. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 2001-SW-53-AD; Amendment 39-13079; AD 2003-05-03] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1861. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and 17AR Turbofan Engines [Docket No. 2002-NE-27-AD; Amendments 39-13083; AD 2003-05-07] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1862. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Sikeston, MO [Docket No. FAA-2003-14221; Airspace Docket No. 03-ACE-2] received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1863. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Beaches Environmental Assessment and Coastal Health Act — received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1864. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook-Approvals and Reviews (RIN: 2700-AC53) received March 31, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1865. A letter from the Secretary, Department of Veterans Affairs, transmitting a report covering those cases in which equitable relief was granted in calendar year 2002, pursuant to 38 U.S.C. 210(c)(3)(B); to the Committee on Veterans' Affairs.

1866. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that by reason of the public debt limit, the Secretary will be unable to fully invest the portion of the Civil Service Retirement and Disability Fund (CSRDF) not immediately required to pay beneficiaries, pursuant to 5 U.S.C. 8348(l)(2); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of April 9, 2003]

Mr. THOMAS: Committee on Ways and Means. H.R. 1531. A bill to amend the Inter-

nal Revenue Code of 1986 to enhance energy conservation and to provide for reliability and diversity in the energy supply for the American people, and for other purposes; with an amendment (Rept. 108-67). Referred to the Committee of the Whole House on the State of the Union.

[Submitted April 12, 2003]

Mr. YOUNG of Florida: Committee of Conference. Conference report on H.R. 1559. A bill making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes (Rept. 108-76). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[Omitted from the Record of April 11, 2003]

H.R. 810. Referral to the Committee on Energy and Commerce extended for a period ending not later than April 29, 2003.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ENGEL (for himself, Ms. ROSELEHTINEN, Mr. ANDREWS, Mr. BACHUS, Mr. BALLENGER, Mr. BELL, Ms. BERKLEY, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. BURTON of Indiana, Mr. CANTOR, Mr. CROWLEY, Mrs. JO ANN DAVIS of Virginia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. FOLEY, Mr. FROST, Mr. GREEN of Wisconsin, Mr. HOFFEL, Mr. ISRAEL, Mr. JANKLOW, Mr. KING of New York, Mr. LANTOS, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MATSUI, Mrs. MCCARTHY of New York, Mr. MCCOTTER, Mr. McNULTY, Mr. MICA, Mr. MOORE, Mr. NADLER, Mr. PALLONE, Mr. PENCE, Ms. PRYCE of Ohio, Mr. REYNOLDS, Mr. ROSS, Mr. SAXTON, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. TURNER of Texas, Mr. VAN HOLLEN, Mr. VITTER, Mr. WEINER, Mr. WELLER, and Mr. WEXLER):

H.R. 1828. A bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes; to the Committee on International Relations.

By Mr. HOEKSTRA (for himself, Mr. FRANK of Massachusetts, Mr. COLLINS, Mrs. MALONEY, Mr. SENSENBRENNER, Mr. CONYERS, Mr. COBLE, Mr. WATT, Mr. MANZULLO, Ms. VELAZQUEZ, Mr. BOEHNER, Mr. GEORGE MILLER of California, Mr. TOM DAVIS of Virginia, Mr. RANGEL, Mr. TOOMEY, Mr. NADLER, Mr. EHLERS, Mr. DINGELL, Mr. LOBIONDO, Mr. CANTOR, Ms. BALDWIN, Mr. NORWOOD, Ms. WOOLSEY, Mr. SOUDER, Mr. FERGUSON, Ms. SCHAKOWSKY, Mr. SHADEGG, Mr. KINGSTON, Ms. HART, Ms. LEE, Mr. HOSTETTLER, Mr. FILNER, Mr. BARTLETT of Maryland, Mr. OXLEY, Mr. ENGLISH, Mr. MCINTYRE, Mr. DEMINT, Mr. FLAKE, Mr. SMITH of New Jersey, Mr. RYAN of Wisconsin, Mr.

CULBERSON, Mr. EMANUEL, Mr. FORBES, Mr. GOODE, Mrs. NORTHUP, Mr. OLVER, Mr. BLUNT, Ms. PRYCE of Ohio, Mrs. MILLER of Michigan, Mr. CRAMER, Mr. CAMP, Mr. ROGERS of Michigan, Mr. LEACH, Mr. PENCE, Mr. HILL, Mr. UPTON, Mr. MCCOTTER, Mr. LANGEVIN, Mr. NETHERCUTT, Mr. OSBORNE, Mr. HAYES, Mr. WAMP, Mr. TERRY, Mr. KLECZKA, Mrs. MYRICK, Mr. NEY, Mr. BRADY of Pennsylvania, Mr. BRADY of Texas, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mr. SESSIONS, Mrs. CUBIN, Mrs. CAPITO, Mr. BURR, Mr. CLAY, Mr. KNOLLENBERG, Mr. MORAN of Kansas, Mr. TIBERI, Mr. PORTER, Mr. MCGOVERN, Mr. BALLENGER, Mr. DEAL of Georgia, Mr. EVERETT, Mr. KENNEDY of Rhode Island, Mr. MCKEON, Mr. ISAKSON, Mr. LATOURETTE, Mr. THORNBERRY, Mrs. WILSON of New Mexico, Mr. ROYCE, Mr. KLINE, Mr. KUCINICH, Mr. DUNCAN, Mr. TIAHRT, Mr. QUINN, Mr. WILSON of South Carolina, Mr. DOOLITTLE, Mr. MCDERMOTT, Mrs. BIGGERT, Mrs. MUSGRAVE, Mr. CHOCOLA, Mr. GINGREY, Mr. NUNES, and Mr. BURNS):

H.R. 1829. A bill to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 1830. A bill to amend the Immigration and Nationality Act to provide for permanent resident status for certain long-term resident workers and college-bound students, to modify the worldwide level of family-sponsored immigrants in order to promote family unification, and for other purposes; to the Committee on the Judiciary.

By Mr. RENZI (for himself and Mr. CANNON):

H.R. 1831. A bill to extend the grace period for personal watercraft use in Glen Canyon National Recreation Area; to the Committee on Resources.

By Mr. SIMMONS (for himself, Mrs. JOHNSON of Connecticut, Ms.

DELAURO, Mr. SHAYS, and Mr. LARSON of Connecticut):

H.R. 1832. A bill to name the Department of Veterans Affairs outpatient clinic located in New London, Connecticut, as the "John P. McGuirk Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. SIMMONS (for himself, Mr. WALSH, Mr. MCINNIS, Mrs. JOHNSON of Connecticut, Mr. BOSWELL, Mr. THOMPSON of California, Mr. GIBBONS, Mr. HAYES, Mrs. MUSGRAVE, Mr. BRADLEY of New Hampshire, Mr. MCHUGH, Mr. PORTER, Mr. SHAYS, Mrs. CUBIN, Mr. SHAW, Mr. BOEHLERT, Mr. PETERSON of Minnesota, Mr. REHBERG, Mr. GUTKNECHT, Mr. RAMSTAD, Mr. KENNEDY of Minnesota, Mr. MICHAUD, Mr. JENKINS, Mr. PAUL, Mr. HOUGHTON, Mr. WELLER, Mr. NORWOOD, Ms. GINNY BROWN-WAITE of Florida, Mr. ENGLISH, Mr. KLINE, Mr. MCCOTTER, Mr. RAHALL, Mr. GOODLATTE, Mr. CRANE, Mr. SANDERS, Mr. MANZULLO, Mr. OTTER, Mr. RYAN of Wisconsin, Mr. HINCHEY, Mr. SWEENEY, Mr. GILCHREST, Ms. JACKSON-LEE of Texas, Mr. MARSHALL, Mr. SANDLIN, Mr. NEY, Mr. YOUNG of Alaska, Mr. CAMP, and Mr. HASTINGS of Washington):

H.R. 1833. A bill to reduce temporarily the duty on certain articles of natural cork; to the Committee on Ways and Means.

By Mr. OSE:

H.J. Res. 53. A joint resolution proposing an amendment to the Constitution of the United States to require Members of Congress and the President to forfeit the compensation paid to them starting at the conclusion of each fiscal year until all of the general appropriations bills for the following fiscal year are enacted; to the Committee on the Judiciary.

By Mr. OSE:

H.J. Res. 54. A joint resolution proposing a tax limitation amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BRADLEY of New Hampshire:

H. Con. Res. 153. Concurrent resolution honoring the 129 sailors and civilians lost aboard the U.S.S. Thresher on April 10, 1963, and urging the Secretary of the Army to erect a memorial to this tragedy in Arlington National Cemetery; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. PAYNE:

H. Con. Res. 154. Concurrent resolution concerning the transition to democracy in the Republic of Burundi; to the Committee on International Relations.

By Mr. RODRIGUEZ:

H. Con. Res. 155. Concurrent resolution expressing the sense of Congress regarding the establishment of a National Librarians Week; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. YOUNG of Florida introduced a bill (H.R. 1834) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel *True Blue*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 277: Mr. NORWOOD.

H.R. 331: Mr. PAUL.

H.R. 391: Mr. CULBERSON.

H.R. 648: Mr. BURGESS.

H.R. 834: Mr. BISHOP of New York, Mr. LAHOOD, and Mr. DAVIS of TENNESSEE.

H.R. 1202: Mr. BURGESS and Mr. BEAUPREZ.

H.R. 1625: Mr. ROTHMAN, Mr. HOLT, Mr. FRELINGHUYSEN, Mr. MENENDEZ, Mr. SAXTON, and Mr. SMITH of New Jersey.

H.R. 1714: Ms. DUNN, Mr. BURGESS, Mr. DICKS, Mr. CULBERSON, Mr. TOWNS, Mr. PEARCE, Mr. NETHERCUTT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SIMMONS, Mr. MCCOTTER, and Mr. MORAN of Kansas.

H. Con. Res. 143: Mr. ENGLISH.

H. Res. 198: Mr. BEAUPREZ, Mr. PORTER, Mr. MURPHY, Mr. FRANKS of Arizona, and Mr. GERLACH.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1, by Mr. FROST on S. 121: Mike McIntyre, Julia Carson, James P. McGovern, and Michael R. McNulty.

EXTENSIONS OF REMARKS

TRIBUTE TO KAY PATTERSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a native South Carolinian, a close personal friend, and exemplary public figure in the State of South Carolina and his community, Senator Kay Patterson. On April 17, 2003, the Columbia Housing Authority will honor Senator Patterson's lifetime of achievements by placing his likeness on its Wall of Fame. This recognition comes on the heels of BellSouth's recognition of his accomplishments by honoring him on its 2003 African American History Calendar.

Born in Darlington County, SC, Senator Patterson was raised by his grandmothers, Meta B. Patterson and Emma Joseph. After graduation from Lincoln High School in Sumter, South Carolina, he enrolled at Claflin College for two years before leaving to serve in the U.S. Marine Corps and rose to the rank of buck-sergeant. Upon completing his military service, Senator Patterson returned to South Carolina and matriculated at Allen University where he earned a B.A. Degree in Social Sciences. Several years later, he would earn a Masters Degree in Education from South Carolina State University.

Like myself, he started his professional career as a middle school teacher. His commitment to educating our youth provided the foundation for Senator Patterson's illustrious career. His 14 years of service as an educator at W.A. Perry Middle School, C.A. Johnson High School and Benedict College and 16 years as a UniServ Representative for the South Carolina Education Association are testimony of his willingness and tenaciousness on behalf of students and teachers.

Senator Patterson began his successful odyssey toward high achievement as a politician in 1974, when he was elected to the South Carolina House of Representatives. He would serve in the House until 1985, when he was elected to his current position in the South Carolina Senate. Renowned as a fiery and inspirational orator, Patterson has been a dynamic force in promoting change in his native state. He represents the constituents in Richland County Senate District 19 on the Senate's Banking & Insurance, Corrections & Penology, Education, Finance & Transportation Committees. In addition, Senator Patterson currently serves as Chairman of the Richland County Legislative Delegation.

Among Senator Patterson's numerous civic activities are membership in the North Columbia Civic Club and life membership in the NAACP, and I am proud to claim him as my brother in the Omega Psi Phi Fraternity, Inc., to which he became a member while enrolled at Claflin.

Senator Patterson was elected by the South Carolina House Education Committee to serve on the University of South Carolina's Board of

Trustees in 1983. He was elected Chairman of the South Carolina Legislative Black Caucus in 1990, and was awarded an honorary Doctor of Laws degree from South Carolina State University in 2000. And on a personal note is Chair of Friends of Jim Clyburn, my political organization.

Mr. Speaker, I am honored to have been asked to deliver the Keynote address at Kay's induction ceremony and ask you and my colleagues to join me in applauding Senator Patterson for a lifetime of lofty achievements. My most sincere congratulations go out to him for his endless accomplishments, and loyal and dedicated friendship.

INTRODUCTION OF THE NATIONAL FLOOD INSURANCE PROGRAM FAIRNESS ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. STARK. Mr. Speaker, I am here today to re-introduce the National Flood Insurance Program Fairness Act. A few years ago many of my constituents were placed into a special flood hazard area, indicated by FEMA's Flood Rate Maps, that requires them to purchase flood insurance that can cost over \$1,000 per year.

These residents were not notified that they would be required to purchase flood insurance until 2 months or less before the maps became effective, even though the law is supposed to give them six months notice and ample time to purchase flood insurance. Needless to say, this took many of my constituents by surprise when they were required to purchase costly insurance at a moments notice, having not seen flooding in decades or even a lifetime.

Several residents who did not believe they were in the flood zone hired surveyors at their own expense, and many residents continue to hire surveyors. The private surveyors' data has resulted in removal of homes from the special flood hazard area, thus removing them from their obligation to purchase flood insurance. In the long run, while these residents are not required to purchase flood insurance, they have spent over \$200 each for surveyor costs. Unfortunately, this cost burden is the responsibility of the property owner. They were told by FEMA that under current law property owners who challenge the presumed flood classification are responsible for the surveyor expense even though the incorrect classification is no fault of their own.

Clearly, the National Flood Insurance Program needs to be revised to give homeowners more notice, due process, and financial protection when they succeed in removing their property from the base flood elevation classification. That is why I am proposing the National Flood Insurance Program Fairness Act.

The National Flood Insurance Program Fairness Act does the following:

The bill improves the existing program by requiring the FEMA Director to notify by registered mail the Chief Executive Officer of each community affected by the changes in Flood Insurance Rate Maps, rather than by first class mail as is the case currently. The Director will be required to provide a copy of the revised map, along with a statement explaining the process of appeal. The Director will also provide the affected community sufficient information to identify which homes are affected.

It also requires the Director to notify by registered mail, rather than first class mail, the Chief Executive Officer of each community of FEMA's response to the community's appeal of the flood insurance rate maps. This change will ensure that the community receives the notice of changes and has ample time to comply with the map changes within the statutory effective date.

The bill improves upon current law by requiring the Director to notify by first class mail each owner of property affected by the changes in the flood insurance rate maps. Currently, the community is responsible for making sure that the residents are aware of the flood map changes. Requiring FEMA to notify residents expedites the process by eliminating the middleman.

Finally, it requires FEMA to reimburse a resident or property owner for reasonable costs incurred in connection with a surveyor or engineer for a successful request to be removed from the special flood hazard area to the Director. This does not include legal services incurred by the resident.

It is my hope that this legislation will allow communities to work more effectively with FEMA to ensure that residents are given sufficient, fair, and timely notice if they are required to purchase flood insurance and to ensure that homeowners are not held financially liable when a change in a community's flood insurance rate map does not affect their property. In the last Congress I had members from both sides of the aisle cosponsor the bill. I hope to receive even greater support for the bill in the current Congress and look forward to working with my colleagues to see enactment of the National Flood Insurance Program Act.

INTRODUCTION OF FERN LAKE CONSERVATION AND RECREATION ACT

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. ROGERS of Kentucky. Mr. Speaker, today, I am joined by Congressman ZACH WAMP in reintroducing legislation to protect Fern Lake, an important part of our shared scenic heritage. Senator MITCH MCCONNELL will be introducing identical legislation in the U.S. Senate today.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

This legislation will allow the National Park Service to purchase Fern Lake and incorporate these lands into the Cumberland Gap National Historic Park boundary. Further, this legislation will secure a clean and reliable water source for the city of Middlesboro, Kentucky.

This bill authorizes the purchase of land now neighboring the Gap boundary and the 150-acre lake. The measure would also allow the Park Service to acquire another 4,500 acres of adjoining watershed from willing sellers if funds become available. By buying this property, we will protect this important national passageway for generations and address the resource needs of our local communities today.

This legislation began with a petition, delivered to me by Ben Hickman, the mayor of Middlesboro. From there, we sat down with the National Park Service and brought them together with local officials to create this win-win opportunity for the park and the entire region both in Kentucky and Tennessee.

This important acquisition fits into our efforts to create jobs, protect our environmental resources, and promote economic development by enhancing our potential for tourism. I am proud to have the support of Congressman WAMP and look forward to its passage at a later date.

TRIBUTE TO WILLIAM "BILL" SELLERS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Mr. William "Bill" Sellers of Waynesville, Missouri.

Mr. Sellers was born in Davisville, Missouri, on August 5, 1926. Bill was married to his wonderful wife, Melba, on November 2, 1945. He has always been a community, religious, and business leader.

Mr. Sellers has thirty-two years of sales experience in the automobile industry. He served as the General Manager of Springfield Lincoln-Mercury in Springfield, Missouri, and Sales Coordinator of Craig Distributing Company of Salem, Missouri. Bill went on to form Sellers-Sexton Ford, Lincoln, Mercury, and Mazda Dealership, in St. Robert, Missouri, with his partner Larry Sexton. Mr. Sellers was the Vice-President of Sellers-Sexton, Inc. He was also a member of the Missouri Automobile Dealers Association and a member of the National Automobile Dealers Association.

Mr. Sellers was a successful businessman, but above that, he was a caring community leader and a loving Christian man. Bill was the past President of the Fort Leonard Wood Mid-Missouri Chapter of Association of the United States Army, a member and past Chairman of the Committee of Fifty, and past board member of the Waynesville/St. Robert Chamber of Commerce. He was a 32nd degree Mason, member of Tyro Lodge No. 12 in Caledonia, member of Abou Ben Adheim Shrine in Springfield, Missouri, and member of the Missouri Association of State Troopers Emergency Relief Society.

Mr. Sellers was a strong Christian man who was not afraid to share his beliefs with others.

Bill was ordained Deacon in 1973 from Southaven Baptist Church, Springfield, Missouri, and was a member of Westside Baptist Church, Waynesville, Missouri.

Mr. Speaker, Bill Sellers was a man who never met a stranger and was always willing to help his fellow man. He had a steadfast dedication to his family, church, community, and business. I know the members of the House will join me in extending heartfelt condolences to his family: his wife Melba; his three children Connie Sexton, Billie Jean Dalton, and J. Craig Sellers; and his five grandchildren.

HONORING THE 50TH ANNIVERSARY OF NEWS40

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity to honor the 5th anniversary of NEWS40, which is currently serving Franklin, Hampden, and Hampshire counties in Massachusetts.

NEWS40 originally aired on April 14, 1953 on Channel 55 as an affiliate of CBS and Dumont Television Networks. However, in 1956 the station was reallocated to Channel 40, and in 1959 changed affiliations to join the ABC network. The Guy Gannett Publishing Company of Maine purchased the radio portion of the network in 1979, which necessitated new call letters for the television station. After an in-house contest, WHYN-TV became WGGB-TV, named after the publishing company. In April of 1999, the Sinclair Broadcast Group of Baltimore, MD purchased NEWS40 and facilitated the use of a digital transmitter while on the air. Despite a variety of administrative changes throughout its history, NEWS40 remains a dominant leader in local news.

Located in the heart of Springfield, MA, NEWS40 sets the standard in entertainment, news, and community involvement. It is the home of hits such as *Nightline*, *20/20*, *N.Y.P.D. Blue*, and *The Practice*, as well as quality children programming. Moreover, NEWS40 is an essential participant in local community events. NEWS40 was among the earliest stations to carry the Muscular Dystrophy telethon, and has been televising the event for 35 years. Also, the station collects over 10,000 coats to distribute throughout the winter for the "Coats for Kids" campaign, and collaborates with the Salvation Army to provide Thanksgiving meals for over 600 families. As an active partner with Head Start, the station is a vehicle to collect toys, clothing, and housewares from viewers for the "All I Want for Christmas" campaign. The station's annual contribution to the community demonstrates the essential role of NEWS40 in the greater Springfield area.

As the station celebrates its 50th anniversary I would like to commend their continuous role in the community. From the days of live news broadcasts to the beginning of the digital transmitter, NEWS40 is truly coverage you can count on to be an active and essential member of the community.

RURAL DISASTER ASSISTANCE FAIRNESS ACT OF 2003

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mrs. CUBIN. Mr. Speaker, in the dark of night on August 27, 2002, the town of Kaycee, Wyoming was overwhelmed by a four-foot surge of water from the Powder River caused by a severe and destructive rainstorm pouring down two-thirds of the town's annual rainfall within a six-hour period. The damage was disastrous, over 80 percent of Kaycee's businesses and one-third of their residences were damaged or destroyed. But despite Kaycee's massive loss—one that would have cost billions had Manhattan, Los Angeles or Chicago lost 80 percent of their businesses—there was no disaster declaration.

This flood effectively erased the community of Kaycee, and it's absolutely preposterous that a disaster of this magnitude does not qualify as a disaster. A comparable disaster in Washington, D.C. would have destroyed 96,196 homes and 15,575 businesses. Washington, D.C. would not function after such a disaster and neither can Kaycee, Wyoming. In fact, under today's criteria, a majority of Wyoming's communities could be destroyed without receiving a disaster designation, as Kaycee has shown. The federal disaster designation criteria need to be re-calibrated.

In the Stafford Act, the law that governs disaster relief, Congress prohibited discrimination against small communities by outlawing the use of formulas and scales based on income and population. Somehow, however, the rules that came after the Congressional action neglected to observe these guidelines. That's why I am drafting legislation that will reinstate fairness in disaster relief. My bill will send FEMA back to the drawing board to create rules that will respect Congressional intent and not freeze out cities and towns across the country simply because they are small towns. It will also create an office of rural advocacy to assist small states in the application for disaster assistance and advocate for rural concerns in rulemakings and other administrative actions. When federal agencies promulgate rules that are counter to the intent of Congress, it is our obligation as a body to reassert those intentions and have the appropriate agency correct its errors. Passage of this bill will do just that.

TRIBUTE TO ANGELA L. STONE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a native South Carolinian and multi-talented dignitary in the entertainment industry, Angela L. Stone. By proudly representing her home state in her enormously successful recording career, Ms. Stone will be inducted to the Columbia Housing Authority's Wall of Fame on April 17, 2003.

Like so many successful recording artists, Ms. Stone began her singing career in the church. At the age of 11, she performed her

first gospel solo, "The Harvest is Plentiful," at First Nazareth Baptist Church in Columbia. Recognizing his daughter's precocious ability, her father inspired his only child by taking her to gospel performances by the likes of the Singing Angels and the Gospel Keynotes.

While starring as a basketball player at C.A. Johnson High School, Stone spent much of her spare time nurturing her artistic talents by writing poetry. Upon graduation, she turned down college basketball scholarship offers to pursue her passion and embarked upon a career in the music industry.

Ms. Stone saved money to record her demo at a Columbia studio called PAW. Shortly thereafter, her self-taught keyboard skills along with her naturally melodious singing voice would quickly garner the attention of the music industry. Her professional career took off in the mid-80s when she joined the rap trio Sequence. After the group disbanded, she began collaborations with rap group Mantronix and rock singer Lenny Kravitz. She then formed the neo-soul trio Vertical Hold, who first reached the R&B charts in 1988 with "Summertime." The group's 1993 single, "Seems You're Much Too Busy" reached number 17 on the charts.

Ms. Stone signed a contract with Arista Records in 1997. While with Arista, she recorded her first album, Black Diamond, in 1999. The title of the album's first hit single was "No More Rain (In This Cloud)," was inspired by a phrase her father would use when Stone would ask for money: "There's no more rain in this cloud."

Several movie soundtracks feature Ms. Stone's talent. They include "Disappearing Acts," "Bamboozled" and "Love & Basketball." She released her second album, Mahogany Soul, in 2001. The album made Entertainment Weekly's Top 100 list of albums for that year. Ms. Stone was also a 2003 Grammy Nominee.

Ms. Stone made her "big screen" debut in the movie Hot Chicks. She has recently completed filming of her second movie, The Fighting Temptations starring Cuba Gooding, Jr. She can currently be seen in Coca-Cola and Gap television commercials, and is preparing for her first appearance on Broadway in the musical, Chicago.

Mr. Speaker, I plan to be present for Ms. Stone's induction ceremony on Thursday April 17th, and ask you and my colleagues to join me in commending Angela L. Stone for her achievements in the entertainment industry. Her status and visibility in music and film is worthy of much praise and pride from her family, friends, and all in her native state of South Carolina.

CELEBRATING THE LIFE OF PHIL BURTON

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. STARK. Mr. Speaker, as the Dean of the California Delegation and someone who was honored to serve in Congress with Phil Burton, I wanted to join with my colleagues in celebrating the life of this remarkable man.

When I hear the name Phil Burton what comes to mind is the memory of an elemental

force of nature. The fact that we reflect today on this man of the House twenty years after his death reaffirms this sense. It reminds me of black holes as astronomers describe them. While they can't be seen, they exert an awesome attractive force.

Phil once yelled at me, "If I'm shouting at you, it means I love you!" To be on the receiving end of such tough love was not always pleasant, but it was effective. And, it explains, in part, why Phil was a legislator's legislator.

One of his biographers describes him as "one of the most effective and forceful congressmen ever to pass through [these congressional] halls." She adds that, "His force would be missed by those who shared his views after he was gone." That is very true. But what is also true is that his force is still felt by those of us who were lucky enough to know and serve with him.

I learned much from Phil Burton and continue to use those lessons today.

TRIBUTE TO KAREN ENGLE

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a dedicated public servant, all around great Kentuckian, and someone I am proud to call a friend, Karen Engle. As Executive Director of the PRIDE program, Karen has worked tirelessly to improve the lives of people throughout southern and eastern Kentucky. I want to take this opportunity to express my deepest gratitude for her many contributions.

Born and raised in Pike County, Kentucky, Karen has spent much of her life working to make her region a better place. I first had the opportunity to get to know Karen when she joined my congressional staff in 1994. From the very beginning, it was clear that she was bright, motivated, and a natural born leader. For almost five years, she served as a Project Manager and Field Representative in my Pikeville District office. Her knowledge of the region and its people, along with her professionalism and commitment to service, made her a most valuable part of my team.

In 1999, I asked Karen to put her insight and leadership skills to work by taking the helm of the PRIDE program. Under Karen's leadership, this federal, state, and local partnership has made significant strides in cleaning up our region's rivers and streams, helping our counties address sewage and trash problems, and educating our children about the importance of a clean environment. Since the program's creation in 1997, more than 74,500 PRIDE volunteers have worked over 225,000 hours cleaning up 286 streams, 1,294 illegal dumps, and 3,000 roadways. Additionally, PRIDE has eliminated 20,560 straight pipes and failing septic systems that have long polluted our region's waterways. Thanks to Karen's unwavering commitment, the PRIDE program has soared to amazing heights and is going strong. There is no doubt that the people of Kentucky will continue to benefit from her contributions for many years to come.

Mr. Speaker, on behalf of my colleagues and myself, I want to thank my friend Karen Engle for the time, energy, and devotion she

has put into the lives of others. I am especially grateful for her unwavering commitment to the PRIDE program and the people of southern and eastern Kentucky.

TRIBUTE TO AMERICA'S TROOPS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. SKELTON. Mr. Speaker, let me take this means to bring to your attention a poem that was read at a "Support the Troops Rally" on March 22, 2003, in Jefferson City, Missouri. These words were given to the crowd by Rita Turley of Jefferson City, though they were written by an unknown author. Ms. Turley understands the words of the poem, as she has a son serving in Iraq, in the Infantry Regiment of the 101st Airborne, 3rd Battalion, 2nd Brigade.

Mr. Speaker, I believe that the members of the House should welcome these words of support and dedication.

I am a small and precious child, my mom's been sent to fight.

The only place I'll see her face is in my dreams at night.

She will be gone too many days for my young mind to track.

I may be sad, but I am proud. God, protect her in Iraq.

I am a strong and loving wife, with a husband soon to go.

There are times I'm terrified in a way most never know.

I bite my lip, and force a smile as I watch my husband pack.

My heart may break, but I am proud. God, protect him in Iraq.

I am a caring mother, my son has gone to war.

My mind is filled with worries that I have never known before.

Everyday I try to keep my thoughts from turning black.

I may be scared, but I am proud. God, protect him in Iraq.

I am a Soldier, Serving Proudly, Standing Tall.

I fight for freedom, yours and mine, by answering this call.

I do my job while knowing, the thanks it sometimes lacks.

Say a prayer that I'll come home. . . . God, protect me in Iraq.

HONORING WWLP-TV22

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity to honor the 50th anniversary of WWLP-TV22, which on March 17, 1953 became the first station to broadcast on the air in Western Massachusetts.

As an NBC affiliate, WWLP is a leader in broadcasting, news, and ratings in Western Massachusetts. In 2003, the station was recognized by the Massachusetts/Rhode Island Associated Press as having the Best TV Newscast, the Best Sportscast, and the Best Public Affairs Program. Also, the station hosts

the longest running high school program in the country, "As Schools Match Wits." WWLP's history of public service programming includes the live broadcast of the Gubernatorial Democratic Debate, which originated in the new, all digital studio, in Chicopee. The corporate owners of WWLP, the LIN Television Corporation, opened the Northeast Operations Center out of the Chicopee office to accommodate five television stations being controlled out of a single, state of the art facility.

WWLP continues to provide quality service to the community through their innovative Skylink program, which utilizes mobile satellite technology to broadcast live from anywhere within driving distance. Additionally, WWLP has a back up generator on Provin Mountain, and a UPS system and back up generator in Chicopee. Therefore, the back up systems will provide uninterrupted service to the viewers even in the event of a power outage at the transmitter or studio location.

As the station celebrates its 50th anniversary, I would like to express my deepest gratitude to their continuous service to the community. WWLP is the only weekday morning news at 5 am, and the only weekend morning newscast in the area. Through the 31 hours of weekly news broadcasting and live Doppler radar updates, WWLP is a leader in news coverage.

SMALL BUSINESS TAX FLEXIBILITY ACT OF 2003

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mrs. CUBIN. Mr. Speaker, one of the most important decisions for the founder of a business is "choice-of-entity," or the decision to operate as a corporation, partnership, limited liability company (LLC), or other form of business.

The law regarding choice-of-entity has changed enormously in the last 15 years, particularly with the widespread adoption of laws authorizing the creation of the LLC. As a result, many small business owners have more "choice of entity" flexibility than ever before.

First authorized in Wyoming in 1977, LLCs are organized under state law, and are now recognized in all 50 states. In essence, LLCs are allowed corporate treatment for local law purposes and partnership treatment for Federal income tax purpose. LLCs also provide for more than one class of ownership, allowing for increased flexibility to allocate income or losses to different investors. The flexibility and protections of the LLC has led to a rapid expansion in the number of small businesses electing to operate in this manner.

In 1995, the Internal Revenue Service (IRS) adopted the position that general partnerships could be converted into LLCs with little or no tax effects. Unfortunately, as incorporated entities, this does not hold true for small businesses operated as subchapter S corporations (S Corp).

Created in 1958, the S Corp structure allows for no more than 75 shareholders, can issue only one class of stock, and cannot have partnerships or corporations as shareholders. Yet, until the rise of the LLC, the S Corp structure provided, for all practical pur-

poses, the only way that a small business could enjoy the corporate protections of limited liability without being burdened with corporate taxation. Taxed much the same way as partnerships, many older, family-owned, small businesses operate as S corps.

Clearly, the original intent for creating the S Corp structure was the same reasoning that led to the creation of LLCs—to provide a simple and flexible tax category for small and family-owned businesses. However, despite the similarities to LLCs, S Corps are not granted the same conversion flexibility as other partnership-like entities and are instead grouped with larger companies under a cumbersome corporate structure. My bill would modernize the tax treatment of S Corps, allowing them the same choice-of-entity flexibility offered to other small businesses operating as LLCs. This is a common sense change that is overdue.

TRIBUTE TO COLONEL WALTER L. WATSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CLYBURN. Mr. Speaker I rise today to pay tribute to a native South Carolinian and an outstanding member of our community, Colonel Walter L. Watson, Jr. For his more than 25 years of service to our country and to the field of Aerospace Science, the Columbia Housing Authority will induct Colonel Watson into its Wall of Fame on April 17, 2003.

A native of Columbia, Colonel Watson attended public schools in Richland County School District One. Upon graduation from C.A. Johnson High School in 1967, Watson enrolled at Howard University where he would earn a Bachelor of Science Degree in Mechanical Engineering in 1971. In addition, he earned a commission through Reserve Officers Training Corps and entered the Air Force as an avionics maintenance officer.

In 1973, Colonel Watson was selected for aviation training, beginning a career that would take him around the globe. His many assignments included flight instructor, flight commander in tactical fighter and strategic reconnaissance squadrons flying F-4C/D/E, F111 D and SR-71 aircraft. Colonel Watson was the first and only African American to qualify as a crewmember of the SR-71, a super secret aircraft that set altitude and speed records that still stand today.

Holding a Masters Degree in Human Resource Management from Chapman College, Colonel Watson is also a graduate of Squadron Officer School, Air Command and Staff College, and Air War College. His military decorations include the Legion of Merit, Meritorious Service Medal with two oak leaf clusters, the Air Medal with four oak leaf clusters, Air Force Commendation Medal, Armed Forces Expeditionary Medal with two oak leaf clusters, and the Humanitarian Service Medal with one oak leaf cluster.

Colonel Watson's steadfast commitment to educating our youth is evidenced by his current position as the Senior Aerospace Science Instructor for the C.A. Johnson High School Air Force Junior ROTC (AFJROTC) unit. Under his tutelage, the unit has experienced

an increase of more than 8000 percent in funds for unit operations. Computer and technology assets have also increased by more than 700 percent.

Colonel Watson was recently selected as an Outstanding Senior Aerospace Science Instructor during the 1997-98 and 2001-02 school years. He was also chosen as C.A. Johnson High School's Teacher of the Year in 1998-99.

Mr. Speaker, I plan to be on hand for Mr. Watson's induction and ask you and my colleagues to join me in recognition of Colonel Watson's lifetime of high achievement. I congratulate him on his induction, and wish good luck and Godspeed to him and his family.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

The House in Committee of the Whole House on the State of the union had under consideration the bill Concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013:

Mr. CASTLE. Mr. Chairman, I must oppose the conference report on the Fiscal Year 2004 Budget Resolution. I am saddened that I must oppose the conference report, because I believe passage of a budget resolution is very important. A budget resolution is essential to allow the House and Senate set the overall limits for spending and taxes that guide all other legislation for the rest of the year. This final conference report is an improvement over the House budget resolution, but still falls short of a balanced plan for fiscal responsibility at a time when we are facing the tremendous challenges of international terrorism, war and reconstruction in Iraq, domestic needs here at home and the return of large federal budget deficits which could hinder future economic growth.

This conference report is an improvement over the House budget resolution because it provides for limited but fair funding for key programs like education, Medicaid, Medicare, and veterans, while meeting the essential needs of national defense and homeland security. I am pleased that the budget negotiators listened to those of us who said that the reductions in the original House budget resolution were not sustainable and restored funding for key areas like education, health care and veterans. I appreciate Chairman NUSSLE's responsiveness to these concerns. The spending limits for domestic discretionary programs will be tight, but probably manageable at a time when spending must be restrained.

However, this resolution does not apply the same restraint to tax cuts. It calls for a total of \$1.2 trillion in tax cuts over the next ten years, and more important, it sets up an expedited process to assure passage of up to \$550 billion in tax cuts. It is simply not sound policy to go forward with tax cuts of this size at a

time when we are facing the growing and, as yet, unknown total costs of completing the war against Iraq, fighting terrorism, protecting the homeland, while meeting essential needs like health care for our seniors and education for our young people. The Federal Government's role in addressing these issues is especially important at this time because state governments, including my state of Delaware, are experiencing severe budget problems forcing them to reduce funding for virtually every program at the state level.

The fact of the matter is that deficits do matter. Due in part to the economic slowdown and the costs of the war on terrorism, we are now facing federal deficits over the next ten years that could approach \$4.2 trillion. Adding debt at these levels can hurt the economy. In addition, they will come at a time when we will begin to face tremendous demands to fund the retirement of the Baby Boom generation and the growing health care needs of an aging population. If the tax cuts called for in this budget resolution are ultimately approved, we are really rolling the dice on whether they will strengthen the economy significantly or add to the growing deficit challenges we face.

I must also oppose this resolution based on the poor process that has brought us to this point. We are voting on this budget in the middle of the night because a compromise on a more realistic tax cut level could not be reached and the decision was made to try to force this through. Instead of attempting to find consensus on a more limited level of tax cuts of \$350 billion, which would provide more rapid tax relief for families and small businesses, this resolution not only expresses support for a total package of \$1.2 trillion in tax cuts, it attempts to get around the fact that the Senate is on record for limiting the tax cut to \$350 billion. This resolution creates an unprecedented loophole in the budget process to protect up to \$550 billion in tax cuts through an expedited Senate vote. Despite the fact that budget resolutions are supposed to establish one set of rules for considering tax legislation. This resolution makes it possible for a second, higher tax cut bill to get a protected vote in the Senate.

This is not a time when Congress should be attempting to force through the largest tax cut possible regardless of its economic effectiveness when we face the costs of war, serious challenges at home and the return of long-term budget deficits.

My constituents tell me that it does not make sense to rush forward with tax cuts of this size before we have won the war with Iraq, understand its true cost, and evaluate the recovery of the economy and what is needed to help working Americans.

A better solution would have been to seek agreement on a more affordable tax relief package that would help the economy now; allow us to pay for our national security needs abroad and at home; and provide limited, but fair funding for key needs like education and health care, all within a realistic long-term plan to balance the federal budget.

Unfortunately, because of the decision to push for maximum tax cuts over the reservations of Members of both parties, this resolution does not meet the overall test of fiscal responsibility and common sense. This budget plan is seriously flawed and I must oppose it. When it comes time to pass the actual tax and spending legislation to implement this budget

plan, I hope more reason and fairness are applied and we take action that helps the American people now without mortgaging their future.

CONGRESSMAN PHILLIP BURTON

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Ms. LEE. Mr. Speaker, I rise to share my great appreciation for and admiration of the late Congressman Phillip Burton. During his two decades in the House of Representatives—from 1964 to 1983—Congressman Burton was a great champion for the interests of the people of the Bay Area. Time and time again, Congressman Burton fought for the little people, ranging from the underprivileged to seniors to workers. His voice was loud and strong for these people. And his voice was persuasive in bringing people of all backgrounds and different ways of life together.

I had the privilege to know Congressman Burton while serving as a Hill staffer to Congressman Ronald V. Dellums. He was brilliant, compassionate, and a political whiz. During a reapportionment year, I remember Phil explaining to Ron the rationale for the boundaries of Ron's proposed new long District, and he said, "Don't worry, Ron, you are in your brother's arms."

Powerful voice that he was for his constituents, Congressman Burton will probably best be known for his respect for the environment. His record of establishing and preserving parks, wilderness areas, trails, and rivers may be unparalleled in the history of this country. As the Chairman of the Subcommittee on National Parks, the Congressman did everything that he could to protect our precious natural resources. His National Parks and Recreation Act of 1978 represents one of the most sweeping pieces of environmental legislation ever to pass Congress. That legislation doubled the national wild and scenic rivers system, tripled our national trails systems, and, by adding more than 2 million acres, doubled the wilderness acreage in the National Park Service.

In California, the Congressman's legislation ultimately protected nearly 5 percent of the state's land, including Redwood National Park. Even closer to my 9th Congressional District, Congressman Burton strengthened the beautiful Golden Gate National Recreation Area.

Congressman Burton's contribution to our state and country has become recognized as an impressive legacy in the two decades since his death. Our appreciation of Congressman Burton and his efforts will no doubt grow only stronger in the coming decades as we struggle to preserve our precious, finite resources.

INTRODUCTION OF LEGISLATION REQUIRING DOOR-TO-DOOR DELIVERY SERVICE FOR SENIORS

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. SAXTON. Mr. Speaker, today I am introducing legislation that would require door-to-door delivery service for senior citizens.

Over the years, I have been contacted by many seniors who live in adult-restricted communities and receive their mail in "cluster" mailboxes. This means that their mail is delivered to one central location instead of being placed in a mailbox at their own doorstep. With this type of mail delivery, seniors are forced to endure steps, curbs, bad weather, and moving cars in order to pick up their mail. Under these circumstances, something as simple as receiving mail can be one of the most inconvenient and dangerous daily tasks for those who are elderly.

Therefore, I am introducing this legislation to require the U.S. Postal Service to make door-to-door deliveries in senior housing areas. Under this bill, 80 percent of the residents in a community must be 55 and older in order to qualify to receive this service. Door-to-door deliveries would begin six months after enactment. Also, the bill clarifies that senior apartment buildings are specifically excluded from this bill.

It is imperative that we help our seniors receive their mail without putting their lives in danger, and I hope my colleagues will join me in supporting this important bill.

REMEMBERING REPRESENTATIVE PHILLIP BURTON

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. GEORGE MILLER of California. Mr. Speaker, for those of us who served in this House with the late Phillip Burton, who remember his vibrant, unrelenting and passionate leadership, and who share his dreams for an America where every resident enjoys dignity and equality—for those of us fortunate enough to have known and collaborated with him, today is a day of rededication.

It is almost impossible to believe that 20 years have passed since Phil Burton departed this scene, far too early and, I am sure he would admit, with far too much work left undone. He served with distinction in this Chamber from 1964 to the day he died, 20 years ago today. They simply do not make politicians like Phil Burton anymore, or at least, not enough of them, and this House and the country are much the worse for the shortage.

Those who worked with Phil never forgot the experience, for good or bad. He was a brilliant tactician, an unrelenting liberal, and a tireless advocate. He was not especially lovable, but he wasn't looking for love; he was looking for results, and he won the respect of friends and adversaries alike.

Phil would not like what he would see in American politics today. After decades of struggle and a decade of unparalleled economic prosperity, Americans work the longest work hours, for the lowest disposable income, with the smallest pensions and health insurance coverage and the least vacation time or maternity leave of any Western industrial nation. Today, the distribution of wealth in this country is more unequal than at any time since the New Deal, and is the most unequal of any society in the advanced industrial world. This is not the world Phil Burton would have wanted two decades after his death.

And yet our country in 2003, however enduring its problems, is a vastly better place for

Phillip Burton's service. Virtually all of the important steps forward taken in America during the turbulent 60's and 70's—civil rights, labor protections, pension security, education, land preservation, national parks—were deeply affected by Phillip Burton's tireless efforts. He was, in the words of Ted Simon in the *Los Angeles Times*, a "stupendous and original figure" who changed the political and legislative landscape as few before him ever dared to imagine.

Surely the greatest disappointment of his life was his failure to become Majority Leader, a race he lost by a single vote. And yet how proud he would be to know that one of his political godchildren—of which I happily count myself as one—would two decades later occupy the highest position in this House held by a Democrat, and the first woman to ever lead a party in Congress, his fellow San Franciscan NANCY PELOSI.

I knew Phil Burton throughout my entire life. He and my father worked together to build the modern California Democratic Party in the years after World War II. Many of the outstanding political leaders of our state, including George Moscone, Willie Brown, scores of members of the Legislature and Congress—including our current senate president John L. Burton—were students, friends and collaborators of Phil Burton.

When I came to Congress in 1975, I was placed on the same committees as Phil—Interior and Education and Labor. As a junior member, I saw first hand his extraordinary political acumen in meeting after meeting, often in his secret office in the Longworth Building, as he planned everything from minimum wage increases to welfare policy, to his historic mega-parks bill, or his even more impressive reapportionment map in 1982. Phil knew more details about any issue than just about anyone I have known here, and he knew more about almost everyone's district, too. Members might beg him to draw a line a little more in their favor, but Phil would be able to recite from memory, and without computers, the precise registration numbers in the newly configured district. "You're in your mother's arms," he'd tell disappointed colleagues, "now get to work."

The Congress and the Nation are very different from when Phil served here. The tone is different; the agenda is different; and our dedication to using the power granted us by the voters to improve the lives of the working people, minorities, the poor, the immigrants and to improve the environment—well, that's very different, too. I'd like to believe we'd be a better country if Phil Burton had gotten to be Majority Leader and Speaker of the House.

Instead, 20 years ago today, we lost a "brawling character and legislative strategist extraordinaire," in the words of Richard Cohen. In the sprawling, wildly popular Golden Gate National Recreation Area that he created—the Nation's most popular urban park—stands for all time an imposing statue of Phil Burton, tie askew, jacket flapping, arm outstretched. It is Phil at full throttle, in command, perpetually barking out a command direction and organizing the troops. There are a number of smaller models of that statue in some offices on the Hill, reminding us what it was like to serve with a true congressional legend, and continuing to summon up the best we have to offer for all the people of this nation.

RECOGNIZING THE DR. SAMUEL D. HARRIS NATIONAL MUSEUM OF DENTISTRY AS THE OFFICIAL NATIONAL MUSEUM OF DENTISTRY IN THE UNITED STATES

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CUMMINGS. Mr. Speaker, I am pleased to rise today to announce the introduction of a resolution to recognize the Dr. Samuel D. Harris National Museum of Dentistry, located in Baltimore, Maryland, as the official national museum of dentistry in the United States.

As the most comprehensive dental museum in the world, it is a national and international resource whose primary mission is to educate people, especially children, about the history of dentistry and the importance of good oral hygiene. The museum uses state-of-the-art, interactive exhibitions and expert presentations to deliver the message that oral health is important to achieve overall health. Currently, the museum is displaying an exhibit entitled, "The Future Is Now! African Americans in Dentistry."

The museum is affiliated with the University of Maryland at Baltimore, home of the world's first dental school, founded in 1840. It contains hundreds of interesting and significant dental artifacts, not the least of which is George Washington's dentures. It also serves as a national center of learning with an extensive library from which scholars may study the evolution of dental treatment and learn of the numerous accomplishments of the dental profession over the years.

Most importantly, this museum is a reminder to all of us that oral and general health are inseparable, and good dental care is critical to our overall physical health and well-being. While oral health in America has improved dramatically over the last 50 years, these improvements have not occurred evenly across all sectors of our population, particularly among low-income individuals and families. Too many Americans today lack access to dental care. According to the report, "Oral Health in America: A Report of the Surgeon General", an estimated 25 million Americans live in areas lacking adequate dental services.

Unfortunately, states are facing extremely tight budgets, and have been forced to implement difficult cost containment measures and unpopular proposals to generate revenue savings—tax increases, cuts in education and cuts/elimination of Medicaid services. As a result, Medicaid programs have taken a direct hit, and dentistry has already become a target for program cuts—17 states reducing or eliminating adult dental services between 2002–2003. As a result, medically needy groups, including the frail elderly, will no longer have access to necessary dental treatment.

Passage of my resolution to make the Dr. Samuel D. Harris National Museum of Dentistry the official national museum of dentistry in the United States will shine a bright light on the problem some Americans face in accessing dental care.

The museum is endorsed by the American Dental Association, National Dental Association, American Dental Education Association, American College of Dentists, International College of Dentists, and the American Academy of the History of Dentistry, among others.

Please join me in supporting this national treasure by becoming a cosponsor of this important resolution. Thank you.

UNCONDITIONAL SUPPORT FOR STATE OF ISRAEL

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. OWENS. Mr. Speaker, the following brief statement speaks for itself with respect to my appreciation for the State of Israel. Israel is presently in the midst of an intense violent struggle which has led to the accumulation of many progressive critics. While I sympathize with the plight of the Palestinian people, I am also convinced that they are primarily the victims of their own leaders—and the jihad fanatics around the world who insist on the use of savage violence to achieve their goals. Israel has no choice but to meet the fanatic violence with violence. Arafat and the Palestinian leadership have set the stage and made the rules for this ongoing destructive engagement. Even if you accept the assumption that the Palestinian people have some legitimate grievances, one can still not condone the method they have chosen to seek solutions. For any group confronted by an overwhelming governing power, Gandhi, Martin Luther King and Nelson Mandela have shown the way. The use of nonviolence to petition for the redress of assumed grievances was and still is a choice for the constructive forces among the Palestinians. On the other hand it is a certainty that Israel will never negotiate any change while confronted with the savagery of suicide bombings. We would all like to see this kingpin conflict in the Middle East resolved. I am convinced that it can be resolved permanently and peacefully because Israel is not just another government held together by greed and military power. Israel is the democratic nation guided by a long history of suffering and inspiring human spirits that I describe in this speech at the AIPAC Capitol Club Dinner on March 30, 2003:

I consider it an honor to have an opportunity to reaffirm my unconditional support for the State of Israel. On any major matter involving Israel my vote is always there. I believe firmly and fervently that the salvation of the kind of civilization I want my grandchildren to inherit and enjoy cannot be realized unless we establish many more truly democratic nations all over the globe. Those who believe that more democracy is the answer should also automatically be advocates for Israel. Starting with a constitution which is probably more thorough and more practical than even the United States Constitution, Israel is a model democracy. And woven into the tapestry that makes Israel a great nation are the spirits of Golda Meir, David Ben-Gurion, Menachem Begin and other similar great sages. These spirits accomplish for Israel what the spirits of Jefferson, Lincoln, Truman and others contribute to the definition of America as a nation. We all agree that a nation is more than anyone administration or one set of policies and diplomacy postures. Founding principles and ideals interwoven with the great spirits permanently define a nation. Those who say that Israel is a Middle East outpost for the U.S. or that the

enduring interests of Israel are inextricably interwoven with the interests of the U.S. may not be correct in a formal and legal sense, but the spirit of these positions should be welcomed and appreciated. From the ashes of any temporary crisis or stresses we expect Israel and the U.S. to emerge strongly, fighting together for the same long-term principles and ideals. Temporary disagreements about strategy and tactics must never be allowed to separate us. Based on our individual perceptions and interpretations some of us oppose the war in Iraq; and some others support it. This difference does not break out along any clear ethnic, racial or religious lines. What we must jointly never forget during this current crisis is that there are hostile enemies of democracy and that Israel must be kept strong in order to remain as a model on the front lines fighting to save the kind of government which Abraham Lincoln said should never perish from the earth.

INTRODUCTION OF THE TEACHING FELLOWS ACT

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. PRICE of North Carolina. Mr. Speaker, today I am introducing the Teaching Fellows Act of 2003 with fourteen original cosponsors.

The most critical education issue we face is the recruitment and retention of high-quality teachers. In order to keep pace with anticipated retirements and the growing student population, local school districts will need to hire an estimated 2.5 million teachers over the next ten years! These projected shortages are especially serious in some states and districts—especially inner cities and the rapidly growing West and South—and in subjects such as special education, mathematics, physical sciences, and foreign languages.

While all the education improvements and reforms we envision are dependent on a first-rate teaching force, neither political party has given teacher recruitment and retention top billing on its education agenda or has moved beyond stereotypical responses to the challenge.

Neither offering federal stipends or student loan forgiveness to prospective teachers—as proposed by the Clinton administration—nor exhorting individuals to pursue teaching careers—an approach favored by the current administration—is likely to produce the kind of intensive, sustained effort we need to nurture prospective teachers, strengthen their professional identity, and help them succeed once they enter the classroom.

There is no single, simple solution, but I believe that North Carolina's successful Teaching Fellows program offers a model for national emulation. The Teaching Fellows Act would create two federal programs to encourage our best and brightest students to enter and remain in the field of teaching by offering them scholarships as well as professional development and mentoring assistance. One program would offer fellowships and intensive training for high school seniors and college sophomores who want to become teachers, while another would enable teaching assistants and other community college students to

earn their four-year teaching certificates. In exchange, these scholarship recipients would be required to teach for at least four years in a public school or three years in a low-performing school following graduation.

The No Child Left Behind Act requires that every teacher be "highly-qualified" by the 2005–06 school year. In order to meet that need, we must embark on an unprecedented teacher recruitment and retention effort. The Teaching Fellows Act gets to the heart of the need for quality and quantity in America's teaching force. We know that such programs work, and with the federal support this bill would provide, these state programs could be building blocks for the intensive national recruitment and retention effort that is essential to strengthening our public education system.

I would like to invite all members of the House to cosponsor the Teaching Fellows Act, and I look forward to working with my colleagues to make sure our schools will have the teachers they need to be successful.

PERSONAL EXPLANATION

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. BOYD. Mr. Speaker, on rollcall votes 119, 120, 121, 122, 123, 124, 125, and 126 I was unavoidably detained. Had I been present, I would have voted: "Aye" on rollcall vote 119; "No" on rollcall vote 120; "No" on rollcall vote 121; "No" on rollcall vote 122; "No" on rollcall vote 123; "Aye" on rollcall vote 124; "Aye" on rollcall vote 125; and "Aye" on rollcall vote 126.

THE GOOD SAMARITAN VOLUNTEER FIREFIGHTER ASSISTANCE ACT OF 2003

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CASTLE. Mr. Speaker, I rise today to introduce the "Good Samaritan Volunteer Firefighter Assistance Act of 2003." This legislation removes a barrier which has prevented some organizations from donating surplus fire fighting equipment to needy fire departments. Under current law, the threat of civil liability has caused some organizations to destroy fire equipment, rather than donating it to volunteer, rural and other financially-strapped departments.

We know that every day, across the United States, firefighters respond to calls for help. We are grateful that these brave men and women work to save our lives and protect our homes and businesses. We presume that these firefighters work in departments which have the latest and best firefighting and protective equipment. What we must recognize is that there are an estimated 30,000 firefighters who risk their lives daily due to a lack of basic Personal Protective Equipment (PPE). In both rural and urban fire departments, limited budgets make it difficult to purchase more than fuel and minimum maintenance. There is not enough money to buy new equipment. At the

same time, certain industries are constantly improving and updating the fire protection equipment to take advantage of new, state-of-the-art innovation. Sometimes, the surplus equipment may be almost new or has never been used to put out a single fire. Sadly, the threat of civil liability causes many organizations to destroy, rather than donate, millions of dollars of quality fire equipment.

Not only do volunteer fire departments provide an indispensable service, some estimates indicate that the nearly 800,000 volunteer firefighters nationwide save state and local governments \$36.8 billion a year. While volunteering to fight fires, these same, selfless individuals are asked to raise funds to pay for new equipment. Bake sales, pot luck dinners, and raffles consume valuable time that could be better spent training to respond to emergencies. All this, while surplus equipment is being destroyed.

In states that have removed liability barriers, such as Texas, fire companies have received millions of dollars in quality fire fighting equipment. The generosity and good will of private entities donating surplus fire equipment to volunteer fire companies are well received by the firefighters and the communities. The donated fire equipment will undergo a safety inspection by the fire company to make sure firefighters and the public are safe.

We can help solve this problem. Congress can respond to the needs of fire companies by removing civil liability barriers. This bill accomplishes this by raising the current liability standard from negligence to gross negligence. I urge my colleagues to cosponsor this legislation and look forward to working with the Judiciary Committee to bring this bill to the House Floor.

CRACKDOWN IN CUBA

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Ms. LEE. Mr. Speaker, I'd like to submit the following interesting and insightful article for the CONGRESSIONAL RECORD.

WHY THE CRACKDOWN IN CUBA?
(By Wayne S. Smith)

Various newspaper articles reporting the deplorable crackdown on dissidents in Cuba have correctly noted that the situation there earlier had seemed to be inching toward somewhat greater tolerance. During his trip to Cuba in May of last year, for example, President Carter met with Cuban dissidents and in his televised speech to the nation spoke of the Varela Project, an initiative of theirs calling for greater political freedoms. And both before and after Carter's visit, many other Americans, myself included, regularly and openly met with the dissidents as part of a broad effort to expand dialogue and improve relations between our two countries.

Oswaldo Paya, the principal architect of the Varela Project, was even recently allowed to come to the United States to receive the W. Averell Harriman award from the National Democratic Institute in Washington, and from there he went on to Europe. The Cuban government may not have liked what he had to say while abroad, but he wasn't punished for it when he returned home. It did indeed seem that things might

slowly be moving toward somewhat greater tolerance of dissent on the island.

Why then the recent arrest of dissidents? Is it, as some in the United States quickly posited, that Castro was simply hoping the rest of the world was so distracted by the war in Iraq, that no one would notice or react to the detention of a few dissidents in Cuba?

No, that explanation simply doesn't hold up. First of all, no one in his right mind (and whatever else he is, Castro is that) would have expected the arrest of over 80 dissidents, many of them well-known international figures, to go unremarked. The Cubans expected a firestorm, and they got it.

Second, the timing could hardly be worse from Castro's standpoint. The UN Human Rights Commission has just begun its annual deliberations to decide, among other things, whether to condemn Cuba for violations of human rights. Given the greater tolerance discussed above, there had seemed a good chance that Cuba would not be condemned this year. The crackdown, coming just now, makes that far less likely.

Given all that, why the crackdown and why now? To answer those questions, we must first note that the greater leeway for dissent noted above came in response to the overtures of groups in the American Congress and the American public, not to any easing of the hard line on the part of the Bush Administration. Quite the contrary, its policies and rhetoric remained as hostile and as threatening as ever. It ignored all Cuban offers to begin a dialogue and instead held to an objective of regime change. As Mr. James Cason, the Chief of the U.S. Interests Section has stated publicly, one of his tasks was to promote "transition to a participatory form of government."

Now, we would all like to see a more open society in Cuba; that indeed, is what we are all working toward. But it is not up to the United States to orchestrate it. In fact, it is not up to the United States to decide what form of government Cuba should have. Cuba is, after all, a sovereign country. To the Cubans, for the chief U.S. diplomat in Cuba to seem to be telling them what kind of government they should have seemed a return to the days of the Platt Amendment.

The Bush Administration was uncomfortable with signs of greater tolerance on Castro's part, for that simply encouraged those in the United States who wanted to ease travel controls and begin dismantling the embargo. New initiatives along those lines were expected in the Congress this spring. What to do to head them off?

What the Administration did is clear enough. It ordered the Chief of the U.S. Interests Section in Havana to begin a series of high-profile and provocative meetings with dissidents, even holding seminars in his own residence and passing out equipment of various kinds to them. He even held press conferences after some of the meetings. The Administration knew that such "bull-in-the-china-shop" tactics would provoke a Cuban reaction—hopefully an overreaction. And given that the purpose was "regime change", the Cubans came to see them as "subversive" in nature and as increasingly provocative. Those arrested were not charged with expressing themselves against the state, but with "plotting with American diplomats."

The circumstances are different, but to understand Cuban sensitivities in this case, let us imagine the reaction of the U.S. Government if Cuban diplomats here were meeting with members of the Puerto Rican Independence Party to help them promote Puerto Rico's transition from commonwealth to independence. Perhaps the Attorney General would not arrest everyone involved, but I wouldn't take any bets on it.

And the beginning of the war in Iraq did play a role in the crackdown. The Cubans saw it as a signal that the United States was determined to throw its weight around and to blow away anyone it doesn't like through the unilateral use of force. As one Cuban official put it to me recently: "This new pre-emptive-strike policy of yours puts us in a new ball game, and in that new game, we must make it clear that we can't be pushed around."

It was this kind of mind set that led to the crackdown and that turned the latter into a massive overreaction. The Cubans did exactly what the Bush Administration had hoped they would do. Virtually the whole active dissident community has now not only been arrested but put on trial (or notified that they soon will be) and given extremely heavy sentences. Tragic. This is a blot that will not be easily erased and that will impede any significant progress in U.S.-Cuban relations until there is some amelioration of conditions in Cuba. The Bush Administration meanwhile will certainly continue the pressures, and the provocations, so as to prevent any such amelioration.

It has been argued that Castro simply saw this as a propitious moment to halt dissent in Cuba, and there are doubtless some elements of truth to that argument. Castro has never liked to be criticized. Still, over the past few years, he had tolerated criticism of the system. All things being equal, he might have continued to do so. But the situation has changed, not just between the U.S. and Cuba, but internationally, in ways that the U.S. public is just beginning to understand.

In the dark days that lie ahead, people of good will in the United States who want to see a more normal relationship between our two countries, and to see a more open society in Cuba, should hold to the demonstrable truth that the best way to bring about both is through the reduction of tensions, the beginning of a meaningful dialogue and increased contacts. As Elizardo Sanchez, Cuba's leading human rights activist, has often put it, "the more American citizens in the streets of Cuban cities, the better for the cause of a more open society; so why do you maintain travel controls?" The policies followed by one administration after another over the past 44 years have accomplished nothing positive. True to form, the policy followed by the Bush Administration, and the clumsy tactics of the U.S. Interests Section, have produced only a crackdown. Exactly what we should not want!

Wayne S. Smith, now a Senior Fellow at the Center for International Policy, was Third Secretary of Embassy at the American Embassy in Havana from 1958 until the U.S. broke relations in January of 1961, and was Chief of the U.S. Interests Section there from 1979 until 1982.

REINTRODUCTION OF THE TERRORIST VICTIM CITIZENSHIP RELIEF ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mrs. MALONEY. Mr. Speaker, today, I introduce legislation that would grant citizenship to the spouses and children of legal immigrants who were killed on September 11, 2001. Additionally, this legislation would grant honorary citizenship to those legal immigrants who were killed in the attacks. The terrorist attacks of September 11, 2001, left approximately 100

surviving spouses and children of legal immigrants in jeopardy of being deported, because their immigration status was linked to a family member who was employed at the World Trade Center. While the USA PATRIOT Act allowed these individuals to stay in the United States until September 10, 2002, that reprieve has expired. These individuals should not be forced to leave the country because of the actions of the terrorists.

GUY LEWIS SHOULD HAVE BEEN ELECTED INTO THE BASKETBALL HALL OF FAME

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. GREEN of Texas. Mr. Speaker, I was disappointed to learn that this past Monday, Guy V. Lewis was not elected into the Basketball Hall of Fame, despite of his obvious qualifications and contributions to the game.

Coach Lewis has had a tremendous impact on the game of basketball throughout our country and in Texas, having coached the University of Houston Cougars for more than 30 years. This university is my alma mater, and the school pride that he instilled during the tenure still lingers today.

This exemplary coach led the Cougars to 592 wins, 5 final fours, 14 NCAA title games, and 2 NCAA titles.

He also coached his team in the historical 1968 UH vs. UCLA game, which was the first collegiate game ever nationally televised and the largest crowd to watch a collegiate game at that time. I'm proud to say I was there as a University of Houston student.

Star players Hakeem Olajuwon, Clyde Drexler, and Elvin Hayes, all named among the NBA's 50 greatest players of all time, got their start at the University of Houston with Coach Lewis. But despite all of Coach Lewis' accomplishments, he was still over looked for the Hall of Fame.

Coach Lewis is only 81 years old, and although he may not have been elected this time around, I want him to know that sports fans everywhere consider him to be a true pioneer of basketball.

I know that I speak for all Houstonians when I say that we are very proud of Coach Lewis. I look forward to congratulating him on his election into the Basketball Hall of Fame in the very near future.

COMMENDING MR. RONNIE RAPER

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. WAMP. Mr. Speaker, I rise today to honor the bravery of Rhea County Commission Chairman Ronnie Raper. Earlier this week, Chairman Raper risked his own life to save Melinda Andrews, 13, from the raging waters of the Richland Creek in Rhea County, Tennessee.

On Monday, April 7th Ronnie Raper, a building inspector, happened to be in his car and heard a 911 call over his radio indicating

that a 13-year-old girl had fallen into the dangerous Richmond Creek and needed immediate assistance. Mr. Raper ran 200 yards to the creek and instinctively jumped into the freezing water to help the young girl. Risking his own safety, he quickly secured her to a large concrete structure in the middle of the creek until firefighters were able to throw them a rope. Mr. Raper calmed the young girl and led her to the shore.

The doctor who treated Ms. Andrews said the freezing temperatures of the creek water could have been detrimental to the 13-year-old girl if she hadn't been pulled to safety so quickly.

This story did not have a terrible ending because a man like Ronnie Raper was there and was willing to put the safety of another person above his own. He is not only an excellent public servant through his work as the Chairman of the Rhea County Commission; Mr. Raper is good neighbor and a heroic man.

I ask the United States House of Representatives to join me in commending Mr. Ronnie Raper for this brave act.

EXPRESSING HIS SALUTATIONS AND CONGRATULATIONS TO LIEUTENANT COLONEL ANN S. FREED, 77TH REGIONAL SUPPORT COMMAND, CHIEF OF PUBLIC AFFAIRS

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CROWLEY. Mr. Speaker, I rise today to salute and congratulate Lieutenant Colonel Ann S. Freed, 77th Regional Support Command, Chief of Public Affairs, on her retirement this week after 28 years of active duty service.

Lieutenant Colonel Freed has been exemplary in her field. She is an award-winning public relations professional with 28 years of experience in public and internal communications including public affairs support for military exercises, operations, and events. She has run media relations campaigns at home and overseas; directed the Combined and Joint Information Bureau in the Philippines in 2000 and 2001 during the overthrow of President Estrada and the return of the U.S. military to the Philippines, handled media relations for the 77th Regional Support Command during Desert Shield/Desert Storm to include planning and execution of the reserve participation in the NYC "Welcome Home" parade down the canyon of heroes. During the post-9/11 era, Lieutenant Colonel Freed published the award winning 77th RSC Liberty Torch magazine for the soldiers of the 77th, handled media relations for New York and New Jersey Army Reservists during their mobilization and deployment in support of the Global War on Terror (GWT) and Operation Iraqi Freedom.

Most recently, Lieutenant Colonel Freed has run public affairs operations for the 12,000 soldier 77th Regional Support Command. She has conducted media relations, produced the command magazine, and developed community relations projects. Lieutenant Colonel Freed has worked hard to ensure that the New York and New Jersey publics are aware of the legacy, and continuing contribution of the 77th to America's Army.

Lieutenant Colonel Freed has received numerous awards including the Meritorious Service Medal with third Oak Leaf Cluster for outstanding achievement in Public Affairs, the Department of the Army Keith L. Ware journalism award for the World Trade Center Memorial Issue of the Liberty Torch. She has also received six awards for excellence in broadcast or print journalism from First U.S. Army, Second U.S. Army, Forces Command, and Department of the Army.

I wish Lieutenant Colonel Freed all the best in this new stage of life, and continued health and success for many years to come.

JOB PROTECTION ACT OF 2003

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CRANE. Mr. Speaker, I am very pleased to introduce the Jobs Protection Act of 2003, legislation which will respond to a recent World Trade Organization ruling that held that our export-related tax benefit, the FSC/ETI provision in our tax code, violates our trade agreements. It is my distinct pleasure to be joined in this effort by my good friends CHARLES RANGEL and DON MANZULLO.

This legislation achieves two goals: it brings the United States into compliance with the WTO, and it keeps the playing field level for our manufacturers, which will keep jobs here. I'd like to address each of those issues.

As Chairman of the Trade Subcommittee, I have a strong interest in preserving and promoting free trade throughout the world. Trade is fundamental to our relations with other nations, and free trade has been the greatest civilizing force throughout modern history. I have fought ardently for many years to ensure that the United States, which is the largest exporter in the world, maintains its rightful role as world leader when it comes to trade.

Like my colleagues who have joined me in introducing this legislation, I believe that we must comply with our international agreements. To do otherwise could precipitate a trade war, which would be an unacceptable result. Therefore, this legislation repeals FSC/ETI and brings the United States into compliance with our WTO obligations.

The issue, then, is how to best replace FSC/ETI. In recognition of the fact that the repeal of FSC/ETI raises the tax burden of current beneficiaries by at least \$50 billion over ten years, this legislation returns that money to the U.S. manufacturers. In order to understand why that is so crucial to protecting our job base, it is important to understand why the FSC/ETI benefit exists in the first place.

U.S. corporations that export manufactured goods pay a 35 percent corporate tax rate on their profits. In addition, the corporation pays an additional value added tax when they sell its products in Europe. However, European manufacturers get a portion of their VAT rebated. FSC/ETI compensates manufacturers for this double taxation, thus leveling the playing field between U.S. and European manufacturers. That means jobs stay here. Were this benefit to be repealed with no replacement, U.S. jobs and wealth would be artificially transferred to Europe. This is another unacceptable result.

Therefore, the Job Protection Act of 2003 provides a permanent new deduction, which is an effective rate reduction for U.S. manufacturers, that is consistent with our trade agreements. It is structured in such a manner as to preserve and strengthen U.S. jobs. Surely, Mr. Speaker, that is a goal we should all support!

Mr. Speaker, I would like to be clear as to the process we should follow as we debate how best to replace FSC/ETI. We have faced challenges to export-related benefits in years past. As in the past, it is my fervent belief that our common goal must be to protect the interests of the United States, not our foreign competitors. While I expect a great deal of vigorous debate as we seek to comply with our WTO obligations, I remain hopeful that we will resolve any differences in a dignified manner, not giving our opponents the benefit of a public spectacle.

A summary of the provisions of the legislation follows.

THE JOB PROTECTION ACT OF 2003—STRENGTHENING U.S. MANUFACTURING AND ADDRESSING THE WTO CHALLENGE TO FSC/ETI (APRIL 2003)

REPEAL OF FSC/ETI

The Job Protection Act of 2003 (the "proposal") would repeal the current-law FSC/ETI benefit effective for transactions after the date of enactment.

Transition relief: The proposal would provide two types of transition relief—

(1) Binding Contracts: The proposal would not affect transactions pursuant to binding contracts in effect on the date of introduction of the legislation. This provision ensures that pre-existing arrangements of U.S. taxpayers are not retroactively penalized merely because of the WTO ruling.

(2) General Transition Relief: The proposal also would provide general transition relief based on the company's average FSC/ETI benefit during 2001. A company would receive a deduction for 100 percent of its base period amount (indexed for inflation) for 2004 and 2005, 75 percent for 2006 and 2007, and 50 percent for 2008 (no general transition relief thereafter). A permanent benefit for production activities in the U.S., described below, would begin to phase-in as the general transition relief phases out. The general transition relief is not contingent upon future exports and, therefore, is WTO compliant.

PERMANENT BENEFIT FOR MANUFACTURING ACTIVITIES IN U.S.

Strengthening U.S. Manufacturing: The proposal would provide a permanent new deduction which reduces the effective corporate tax rate that would apply to so much of the company's taxable income as is attributable to "U.S. production activities". U.S. production activities would be defined as the manufacture, production, growth, or extraction of property eligible for the current FSC/ETI benefit whether or not actually exported.

Calculating U.S. Production: The portion of the taxable income attributable to U.S. production activities would be calculated by computing total gross receipts from sale, rental or license of eligible property produced in whole or part by the taxpayer in the United States, and then subtracting from those gross receipts inventory costs, directly allocable deductions, and a pro rata portion of other deductions. Allocation would be done in a manner similar to the method used in allocating deductions between U.S. and foreign source income.

Corporate Tax Rate Reduction: For companies with 100 percent domestic production, the effective rate reduction would be 3½ points (35 percent corporate tax rate reduced

to 31½ percent) once fully phased-in. Other companies would receive a sliding-scale effective rate reduction based on the value of their U.S. production of eligible products compared to the value of their worldwide production.

REVENUE NEUTRAL

The bill has been structured to be roughly revenue neutral year-by-year and over the 10-year budget period. The proposal does not include any extraneous revenue offsets.

THE OAK TREE BILL

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. GOODLATTE. Mr. Speaker, it is my pleasure today, as the Commonwealth of Virginia celebrates its Arbor Day, to introduce legislation to recognize the people's selection of the oak tree as America's national tree. Selected by the American people during a 4-month-long open voting process sponsored by the National Arbor Day Foundation, the oak tree earned the title of America's Chosen National Tree. To recognize this distinction, I am proud to introduce legislation today that officially establishes the oak tree as America's national tree.

As a member of Congress representing a heavily forested district in Virginia, I know firsthand how trees add to our quality of life. As chairman of the House Agriculture Committee, I appreciate how trees and forests enhance the environment, add recreational opportunities and provide for the livelihoods of millions of individuals in the forest industry. Whether enjoying a product generated from a forest, or the simple satisfaction of lying under a shaded giant, trees contribute to all Americans.

The strong and stately oak tree is of particular importance in America's history and culture. Not only is this majestic tree an aesthetic beauty that characterizes the landscape of much of our great Nation, it also provides us with wood products in our homes, our offices and our places of gathering. Common to all 50 states, the oak has played a huge role in America's history as a valuable resource. It helped our founding fathers establish a new Nation, supplying building materials for the ever-expanding 13 original colonies. It served as a familiar sight to pioneers as they forged across the new republic to the west coast. And to this day it has remained an enduring, valuable, and highly prized raw material from which beautifully crafted furniture, sturdy door and window framing, ornate flooring and paneling, and the like, are made. This enduring and mighty tree, which has long been a part of our national heritage and strength, fully merits the distinction of America's National tree.

The oak tree has also played a key role in many specific historic moments in our Nation's history. Abraham Lincoln found his way across a river near Homer, IL, using the Salt River Ford Oak as a marker. The Richards White Oak in Cecil County, MD once served as a landmark on a 1681 map used by William Penn. Andrew Jackson took shelter under Louisiana's Sunnybrook Oaks on his way to the Battle of New Orleans. And "old iron-sides," the USS *Constitution*, earned its nickname from the strength of its live oak hull, famous for easily repelling British cannonballs.

Chosen by the people in a broad-based election, the oak tree represents the true characteristics of this great Nation: strength, beauty and endurance. Please join me in making official what we have known for many years—that the oak tree is America's national tree.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013:

Mr. BLUMENAUER. Mr. Chairman, it is ironic that we are voting on this resolution today when not one of the working people or business leaders visiting my office recently has asked me to support this budget or its tax cuts. Rather, they want the Federal Government to pass a budget that will help jump start the economy and improve our communities in Oregon and across the country by investing in transportation infrastructure, environmental cleanup, "hometown" security, education, and health care.

The concerns I voiced last month regarding the budget resolution remain valid and unaddressed in this conference report. It sets the stage for the largest budget deficit in our history and without even taking into consideration our significant financial commitment to rebuild and stabilize Iraq and Afghanistan. As our economy remains stagnant, this budget provides little help for our states, which are struggling to balance their budgets among decreasing revenues, higher Medicaid costs, and colossal homeland security demands.

Our Nation's cities are paying an estimated \$70 million per week on additional homeland security as a result of the war and high terrorism threat alerts. Instead of helping our communities with these costs, the proposed elimination of the dividend tax would reduce Oregon's 2003 revenue by \$91 billion, contributing to Oregon's current budget gap of \$1.3 billion. I oppose this budget which sacrifices these fundamental priorities and long-term fiscal stability.

CONGRATULATING CHARLOTTE TAYLOR FOR WINNING THE 2003 VOICE OF DEMOCRACY CONTEST

HON. CHRIS CHOCOLA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CHOCOLA. Mr. Speaker, I rise today to congratulate Charlotte Taylor, a senior at Elkhart Memorial High School, in Elkhart, Indiana, who has been named a National Winner in the 2003 Voice of Democracy Scholarship Program. This annual contest, sponsored by the

Veterans of Foreign Wars of the United States and its Ladies Auxiliary, is especially significant this year given America's fight for democracy at home and abroad. The theme for this year's contest, "Freedom's Obligation" is echoed poignantly in the words of Ms. Taylor. I share with you these words, and applaud Ms. Taylor not only for her success, but her desire to champion the cause of liberty.

The tone of America has changed and it is a sound that is comforting us in times of pain. Growing up in America, I am familiar with the grand tradition of the country, but it is in the present I can truly identify what patriotism is. A flame has been lit inside my soul and I understand that with my freedom comes an obligation. An obligation to sacrifice, and to believe.

I work in the Hospital on a Geriatric unit. My job is to talk with the patients, most of whom were either veterans, or lost loved ones in one of the wars. I listen to their stories, and watch the pain in their faces as they recount the price they paid for my freedom. One woman's sacrifice stands out in my mind. Her father fought in World War I. He came home a changed man, abusive and suffering from posttraumatic stress syndrome. He terrorized her, until finally she became old enough to leave home. Eventually she got married and her husband served in World War II. While he fared well fighting in the war, she was left alone raising three young children. One of those children would grow up to die in Vietnam; a victim of Agent Orange. The entire time I sat and chatted with this woman, she never expressed resentment toward her country or the men she lost who served it. She understood her obligation of sacrifice as I do. If I refuse this duty, the millions before me who lost their lives will have lost their lives in vain.

It also is my obligation to support freedom. Believing in a system that has supported me is the least I can do. I study current events, and problems through out the world. Every time I read about the plight people in non democratic countries face, I realize how fortunate I am to have the opportunity to make something of my life. Because of these opportunities I am obligated to support freedom by becoming a productive member of society. It is my obligation to pay taxes and more importantly to vote. While I am not old enough to vote in this year's election, I convinced both of my parents to register to vote. My solitary voice caused two people to cast ballots this election year. Single voices being heard is what freedom is all about.

More than anything I am beginning to understand what patriotism feels like. Last Friday night I played America the Beautiful on the xylophone with our high school marching band during half time. The fans sang along, and never in my life have I felt so united with my country. I drive down the road with an American flag sticker on my car, and I see that hundreds of others have done the same. On the Wednesday after the world trade center attacks I went to the hospital to see if I could help the blood bank. I was turned away because so many volunteers had already come to offer their services. The Senior Auxiliary was touched that so many young people were trying to help and that more importantly we understood the magnitude of what was happening. At a time in our lives when much of what we do is centered around ourselves, Young people do understand our obligation to defend America's Freedom with our time and energy, or even our lives.

The tone of America is changing, and it is the pleasant sound of unity. While the country may not be singing the same song, at

least we have the freedom to do so. My Peers and I are beginning to understand the sacrifices and support Veterans made to give us the freedom we enjoy today. I Thank veterans for fulfilling their obligation to freedom as I am beginning to fulfill mine.

APRIL SCHOOL OF THE MONTH

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Ms. MCCARTHY of New York. Mr. Speaker, I have named Gotham Avenue School in the Elmont Union Free School District as School of the Month in the Fourth Congressional District for April 2003. Mr. Marshal Zucker is the Principal at Gotham Avenue School, and Dr. Maria Palandra is the Superintendent of Schools in the Elmont Union Free School District. I also acknowledge Joy Madera, a Trustee on the Elmont Union Free School District Board of Education who helped arrange the school's selection. The school has 840 students in grades Prekindergarten through 6, with 65 members on staff.

The Gotham Avenue School Community is a close-knit body of parents, teachers, students, and administrators. Their goal is to ensure each child a stable early education through an enriched curriculum that keeps the children excited, and unique programs that appeal to a wide variety of younger children. The Elmont Union Free School District is a model of excellency with over 4,000 elementary school kids, which encompass over 70 spoken languages.

The school was one of two schools in the district, and one of the total 24 chosen schools in New York State, to win the 2003 Business Council of New York State Pathfinder Award. The award is given for Outstanding Educational Improvement. The recognition and honor is truly extraordinary in light of the 2,900 New York State elementary schools eligible for the Pathfinder Award.

Principal Zucker credits Gotham Avenue's recent success to the school district's new curriculum initiative. The school is focusing more attention on teacher planning and class curriculum mapping. Teachers try to instill in every student that every one of them has the capability of being a successful learner.

Long Island students receive a better education thanks to the faculty and teachers of Gotham Avenue School and I am proud to name them school of the month for April.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013:

Mr. UDALL of New Mexico. Mr. Chairman, in his State of the Union address to the Nation in January, President Bush acknowledged that the country faces many challenges and rightly said that "(w)e will not deny, will not ignore, we will not pass on our problems to other Congresses and future generations." These were noble words that spoke to the true spirit of America.

Unfortunately, the budget conference report denies or ignores many of the challenges we face and passes them along to our children and to our future leaders.

By insisting on new tax cuts for the wealthiest that we simply cannot afford, the budget blueprint will explode Federal deficits and debt for years to come. These piles of debt will be passed on to future generations and will severely weaken our ability to meet the funding challenges facing Social Security and Medicare because of the retirement of the baby boom generation.

This budget projects record deficits while paving the way for up to \$550 billion in new tax cuts. This budget agreement marks the worst deficits in our Nation's history. This historic achievement is at the same time that Republicans control both the Congress and the White House. What a sad legacy that is.

The result of this budget will be higher interest rates, the crowding out of private sector investment, and a reduction in long-term economic growth. Amazingly, in just two and a half years the \$5.6 trillion surplus that was projected when President Bush took office has been eliminated.

And not surprisingly, to make room for the latest round of non-stimulative tax cuts, the budget conference agreement again proposes cutbacks in domestic priorities like education, health care, transportation, and law enforcement—cuts that would have a significant negative impact on the vast majority of Americans.

I am not here just to condemn the Republican plan. In fact, I voted for an alternative, as did a few Republicans who objected to the Speaker's budget plan. The Democratic resolution would have adequately provided for education, would have provided \$528 billion for Medicare prescription drug benefit, and would have provided some tax cuts. We wanted to put some money in the pockets of American consumers likely to spend it to give this economy a boost, a jump. We wanted to give some money to businesses to encourage them to invest, some tax cuts to businesses to encourage them to invest. We had tax cuts too, just not as massive as those included in the president's proposal. Our proposal would have been balanced in the year 2010. We accumulated a trillion dollars less debt than the Republicans. We had a budget that was commendable. It was rejected.

Mr. Speaker, the sad truth is that this budget takes us further down the wrong path. This policy threatens the long-term fiscal health of our nation.

I am proud to vote against this flawed policy.

HONORING LEXISNEXIS FOR THIRTY YEARS OF ONLINE LEGAL RESEARCH

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. TURNER of Ohio. Mr. Speaker, today I recognize LexisNexis, a Dayton, Ohio company celebrating a very important milestone. LexisNexis, the first commercial, full-text legal information service, is celebrating its Thirtieth Anniversary this year. This company has more than 3,000 employees in Ohio and is headquartered in my district. It provides a service that has become a valuable information research tool to a wide range of professionals in the legal, government, business, and academic arenas.

Thirty years ago, LexisNexis launched the first online legal research system, an innovation that revolutionized the way legal and business research was conducted. Today, LexisNexis continues to revolutionize legal and business research by providing up-to-date information covering a variety of topics from legal documents to worldwide publications to legislative records. LexisNexis provides over a million and a half subscribers with a wealth of knowledge that is easily accessible.

As a lawyer and a lawmaker, I rely on the services provided by LexisNexis and am honored to recognize them today as a global leader in legal, news, and business information services. I congratulate LexisNexis on the success it has achieved over the past 30 years and wish the company and all of its 13,000 employees worldwide, continued success.

LexisNexis is truly deserving of this recognition and I am confident that it will maintain its commitment to deliver superior services and solutions to its customers over the next 30 years.

FALLEN HEROES IMMIGRANT SPOUSE FAIRNESS ACT

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. JONES of North Carolina. Mr. Speaker, I rise today to introduce legislation, the Fallen Heroes Immigrant Spouse Fairness Act, to address a situation of fundamental unfairness under current immigration law. Many of our active duty military are married to alien spouses who have applications pending for permanent legal residence. As the current law is written, should the U.S. citizen spouse die before a 2-year period of marriage is reached, the pending application of the non-citizen spouse is vacated. Widows and widowers of our men and women in uniform who are in the process of applying for a green card should not have their application process terminated if they are unfortunate enough to have lost their loved one prior to reaching the 2 year threshold.

In the 3rd District of North Carolina, where there are numerous military installations and facilities, one of my constituents, a Marine, was killed in the line of duty during Operation Iraqi Freedom. The spouse of this Marine is a

legal immigrant seeking to become a citizen and had been living in the 3rd District for 2 years and one month prior to her husband's death. Consequently her paperwork for a green card will proceed. However, it is incomprehensible to me that should this foreign spouse have been married for 1 year and 364 days her paper work would have been voided due to the death of her husband. That is wrong. The time limit should be eliminated for foreign spouses whose loved ones have given their life serving our Nation.

The Fallen Heroes Immigrant Spouse Fairness Act would amend Section 201(b)(2)(A)(i) of Immigration and Nationality Act to eliminate the 2 year marriage requirement for foreign spouses of U.S. citizens who die while serving. Additionally this legislation seeks to remedy a practice of charging families of non-citizen soldiers who are killed in the line of duty an \$80 fee for processing an application for posthumous citizenship. These brave men and women have made the ultimate sacrifice protecting the freedom and interests of the United States. There is no action more patriotic than dying for one's country. As such, the imposition of a fee to restart the application process for posthumous citizenship is an insult to the contribution these service men and women made to our national defense.

Please join me in supporting these common sense changes to our immigration process. We should not punish the families of our soldiers simply because they are unfortunate enough to have incurred the greatest loss of all with the death of their loved one in the service of our country.

COMMENDING AYNOR HIGH SCHOOL

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. BROWN of South Carolina. Mr. Speaker, I rise today to commend Aynor High School, of Aynor, South Carolina, for earning the prestigious Palmetto's Finest Award, recognizing it as the best high school in the state.

The Carolina First Palmetto's Finest Award is sponsored through a partnership between Carolina First Bank and SCASA. The award is based on extensive evaluations by colleagues and educators, and the school and community share the honor. This is the 25th anniversary of the award. The award was announced by Governor Mark Sanford on March 11, 2003.

Last fall, 38 schools submitted 17-page applications. The application process included elements on student achievement, faculty training, program goals and delivery systems, office practices and community involvement. Each nominee received an on-site visit by a peer review committee, and the 13 finalists received a second visit. From this process the four most outstanding schools are selected: two elementary schools, one middle school and one high school.

Dr. Darrell W. Ricketts, Principal of Aynor High School, as well as the teachers, staff, and students, have all worked incredibly hard to reach this milestone. Through their hard work and dedication, they serve as a great example to other schools in the First District and the state.

I wish Aynor High School further successes and achievements in the future.

HONORING LUNA ODLAND

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. HUNTER. Mr. Speaker, I rise today to recognize Luna Odland, a volunteer who will be receiving the President's Award of the Alzheimer's Association for her work and tireless effort on behalf of those suffering from Alzheimer's disease. The non-profit Alzheimer's Association currently has 81 local chapters throughout the Nation. For the past 25 years as a volunteer of the San Diego Chapter of the Alzheimer's Association, Luna Odland has been leading a support group for caregivers and professionals dealing with the challenges of Alzheimer's disease. She has served as a volunteer for the Alzheimer's Association longer than anyone else in the Nation, and her group in Escondido, CA, is the Nation's longest running Alzheimer's support group.

Luna began her group unofficially in August of 1978 from her home before the San Diego Chapter was incorporated. She went on to become one of the founding members of the Chapter, serving on its Board of Directors from 1980 until 1990, and chairing the Patient and Family Services Committee.

Little was known about Alzheimer's disease back in the late 1970's, and Luna's group quickly began drawing large numbers of people from as far away as Santa Barbara, CA. When her group moved to the Joslyn Senior Center in 1980, where it still meets today, the second meeting was so large it had to be relocated to the auditorium.

Luna does not limit her involvement with caregivers to simply facilitating her group every month. She phones group members in between meetings to inquire how they are doing or remind them of the next meeting. She also assists them in locating resources and contacting the Association to help with whatever current issues that need attention.

Luna was also instrumental in the development of the "Morning Out Club", which was the first early-stage daycare program in the country for Alzheimer's patients. The "Morning Out Club" model is still in operation today and has been replicated in many sites.

Mr. Speaker, people who take the time to care for others in need are the best example of being an American. It is the dedication and selfless efforts of people like Luna Odland that make our country great and I ask that you join me in congratulating her for receiving this award, an honor which is well deserved.

ENERGY POLICY ACT OF 2003

SPEECH OF

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 6) to enhance and development, to provide for security and di-

versity in the energy supply for the American people, and for other purposes:

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to this amendment that will do little more than punish the auto industry for the sin of building cars that people want to buy.

This amendment will force Americans to drive smaller cars that are less safe than what we drive now. Smaller cars mean more traffic fatalities, as noted by the National Highway Traffic Safety Administration and confirmed by the National Academy of Sciences. Safety should not be sacrificed.

The auto industry is already moving on its own to increase fuel economy through the development and use of advance technologies such as hybrids and fuel cells. But they are doing so in a way that will produce cars that are safe and that people will actually want to buy. That is what we should be supporting.

I urge my colleagues to oppose this amendment and support the American people's right to drive safer cars and the ability of the auto industry to finish the job it is already doing.

DON'T RUSH TO EXTEND PATRIOT ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. UDALL of Colorado. Mr. Speaker, recent news reports indicate that some are proposing that Congress make permanent some or all of the provisions of the "USA PATRIOT Act" now scheduled to expire at the end of 2005. I find that a matter of concern.

Terrorist attacks must not go unanswered, and our law enforcement authorities need adequate tools to fight terrorists. However, I think that need must be carefully balanced with the need to preserve our civil liberties. In that context, I have had serious reservations about the additional authorities provided by the "Patriot Act."

My concerns have been somewhat allayed by the fact that many provisions of the Act are not permanent. So, I share the view expressed by an editorial in today's Rocky Mountain News: "The jury is still very much out on whether the Patriot Act and its administration are consistent with constitutional safeguards and basic civil liberties. The sunset provisions should stay and the law should be subjected to a strong dose of sunshine."

For the information of our colleagues, I am attaching the full text of the editorial:

[From the Rocky Mountain News, Apr. 11, 2003]

DON'T DROP SUNSET OF PATRIOT ACT

As a precautionary measure to ensure that legislation works as planned, Congress often adds a "sunset" date, meaning that the targeted provisions of the law will expire after a certain period unless Congress reauthorizes them.

The idea is to ensure Congress returns to the law for a thorough re-examination.

Congress wisely added sunset provisions to the USA Patriot Act, the anti-terrorism bill it passed one month after Sept. 11, 2001.

That 342-page act gave federal law enforcement sweeping new search-surveillance powers, including covert access to computers and financial records—even the right to take a secret peek at what's being checked out of the local library.

Congress has still not thoroughly examined how the act is being used—or abused. But the sunset provisions don't kick in until Dec. 31, 2005, so there's still plenty of time—except that congressional Republicans want to lift those provisions now, making those broad new powers permanent.

Why there's a sudden rush to make the Patriot Act permanent is something of a puzzle. The old axiom "act in haste, repent at leisure" comes to mind.

The jury is still very much out on whether the Patriot Act and its administration are consistent with constitutional safeguards and basic civil liberties. The sunset provisions should stay and the law should be subjected to a strong dose of sunshine.

RECOGNIZING DR. ROD JULANDER

HON. CHRIS CANNON

OF UTAH

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CANNON of Utah. Mr. Speaker, we rise today to honor and recognize Dr. Rod Julander for his devotion and dedication to the students, faculty and staff of Weber State University. For 43 years, he has been an integral part of the Political Science Department.

Dr. Julander began his teaching career at Weber State College in 1960 after receiving a Bachelors of Science from the University of Utah in 1958 and a Masters Degree in Philosophy in 1963. He returned to the University of Utah in 1986 for his Ph.D. and has been a highly valued member of the faculty throughout his years of service.

His hard work and dedication has been acknowledged at the local and national level. He has received numerous National, Regional, State and Community recognition and honors, including the Dello Dayton Teaching Award in 1992, the Crystal Crest Mater Teacher Award in 1995 and the Coretez Honors Award in 1974, and was Social Work Legislative Advocate of the Year.

His exceptional service has also been appreciated by the University and Alumni Association, where he has served as a member of the Executive Committee of the WSU Faculty senate, Past President of the WSU UUAP Chapter, a member of the Search Committee for the WSU Assistant to the President for Diversity, and part of the WSU Continuing Education Lecture Series. Rod Julander has also been active in the community through his involvement in civic and public service. Dr. Julander was a Utah State Senator in 1972, a Member of the Utah Radiation Control Board, a Legislative Consultant for the National Association of Social Workers and has served as the Vice Chair for the Utah State Democratic Party from 1997 to the present.

Dr. Julander's research has been published in the Western Political Science Quarterly, the Institute of Public Administration and in unpublished reports for the United States Air Force. In 1993, Dr. Julander became the chair of the Political Science department at Weber State University. Under his direction the department has grown and thrived. Dr. Julander has distinguished himself throughout his career as a devoted educator, teacher, mentor and skillful leader.

In 42 years of teaching Dr. Julander has influenced thousands of students. He has through his teaching, inspired, taught and been an example for all those whom he came in contact. We wish to add our thanks to Dr. Julander for his long time service to Weber State University, its students and the state of Utah.

His lovely wife Paula served four years in the Utah State House and is currently serving her second term as a Utah State Senator. Between them, Rod and Paula have 5 children and 14 grandchildren. Therefore, we are proud to join with his many colleagues and former students in extending our congratulations and heartfelt thanks to Dr. Julander for his years of dedicated service to Weber State University. We wish him luck in all his future endeavors.

TRIBUTE TO THE TRAVERSE BAY ECONOMIC DEVELOPMENT CORPORATION

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to the Traverse Bay Economic Development Corporation for their outstanding service to the small businesses of the Traverse Bay area.

The Traverse Bay Economic Development Corporation is highly dedicated to the small businesses and commerce of its region. This tremendous organization has greatly assisted to improve the quality of life in the community it serves. Its unwavering commitment has been rewarded by the Michigan Economic Development Corporation, which has recognized them as America's top small town for business growth. This is not the first time TBEDC has been recognized for its efforts to attract and expand business in the Grand Traverse County area.

I am honored today to recognize the Traverse Bay Economic Development Corporation for their commitment to their region.

EXPRESSING SENSE OF CONGRESS REGARDING REFORM OF INTERNATIONAL REVENUE CODE

SPEECH OF

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, American families have fallen victim to an unfair and burdensome tax code. Duplicative and outdated tax policies—even dating back to the Spanish American War—are forcing families across the Nation to sacrifice health insurance, car payments or their child's education in order to fulfill their tax obligations.

The IRS plays too big of a role in the everyday lives of American families. In 2001, alone, the IRS spent close to \$9 billion administering the tax system. Americans spent \$135 billion and three billion hours complying with the tax code that same year.

As we quickly approach April 15th, Americans struggle to comply with an increasingly

unfair and complex tax code. Unfortunately, we can no longer justify our own system of taxation. The marriage penalty and the death tax epitomize the unjust taxation millions of families are impacted by each year.

Duplicative taxes also plague our tax code. The double taxation of dividends, for example, impacts the 52% of Americans invested in the stock market—half of which are seniors. The elimination of this injustice will create over 500,000 jobs each year and will eliminate a great burden on American investors.

Americans deserve a tax code that is simple, fair and encourages economic growth, not financial crisis. Our tax code provides disincentives for marriage, jobs and savings.

While many in this Chamber have spoken about reforming our tax codes, it has become clear that rhetoric does not produce results. Comprehensive tax reform and reform of the IRS must take place in order to ensure the economic stability of America and the financial stability of the American family.

I urge my colleagues to support H. Con. Res. 141, which acknowledges that our tax code is in desperate need of major reforms. Let us all stand committed to reforming a system that is sacrificing job growth, financial stability and economic recovery in order to build more bureaucracies like the IRS. I stand in strong support of this resolution.

THE GUARD AND RESERVE SELECTIVE REENLISTMENT BONUS EQUITY ACT OF 2003. APRIL 11, 2003

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce the Guard and Reserve Selective Reenlistment Bonus Equity Act of 2003. Joining me today are my colleagues Rep. MARK KIRK, himself a Navy reservist, and Reps. STEVE BUYER and GENE TAYLOR, Co-chairs of the House Guard and Reserve Caucus.

This bill would correct an unfortunate situation affecting guard members and reservists across the country that were mobilized for service to their country. Many have found that they can no longer receive payments on their reenlistment bonuses because of their mobilization status.

The primary purpose of the reenlistment bonus has been to maintain an adequate level of experienced and qualified enlisted personnel in the peacetime forces of the military services. In fact, legislative authority for a reenlistment bonus of one form or another has existed continuously since shortly after the Revolutionary War under a number of different names.

However, our experience with Operation Enduring Freedom and Operation Iraqi Freedom has highlighted the fact that payments to mobilized guard members and reservists are suspended while they serve on active duty. For many, this creates a financial hardship and for others, a significant speed bump in their financial plans. This legislation would enable them to receive the payments due to them.

Currently, for U.S. operations pertaining to Homeland Security, and deployments in Afghanistan, and Iraq, 275,000 reserve troops

and National Guardsman have been mobilized. The activated troops serve along side active duty men and women.

It surprises me that inequities still exist between reservists and active-duty service members serving side by side to protect the interests of the United States and I am pleased to work with my colleagues in correcting one of them.

Knowing that the Senate has already acted on a similar measure, I am confident that this bill will enjoy swift approval by the House and will soon be at the President's desk for enactment into law.

JOB PROTECTION ACT OF 2003

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. RANGEL. Mr. Speaker, I am very pleased today to be joining my good friend, Philip Crane, in introducing the Job Protection Act of 2003. I am very pleased both with the substance of this bill and the bipartisan cooperation exhibited by everyone in its development. This bill is a model for how we should be addressing national issues in this Congress.

The bill responds to the recent World Trade Organization ruling that held that our export-related tax benefit, the FSC/ETI provision, violates our trade agreements. I believe that it is necessary for this country to comply with its international agreements. But I believe that the response to the ruling must be designed in a way that preserves jobs in the United States.

The FSC/ETI provisions currently benefit companies manufacturing and producing goods in the United States. One company executive described the beneficiaries of FSC/ETI as companies "doing business the old-fashioned way," producing goods in the United States and selling them overseas.

Merely repealing FSC/ETI without returning the revenues to companies producing in the United States could result in further job losses in the United States. This would be unacceptable, particularly now when there has been a steady erosion in U.S. manufacturing jobs.

Our bill will comply with the WTO ruling by repealing the FSC/ETI benefit, but it also will provide a permanent effective rate reduction for U.S. manufacturers that is consistent with our trade agreements. It will create positive incentives for companies to expand their operations in the United States, not overseas. It will preserve, not threaten U.S. jobs.

Mr. Speaker, we have had similar challenges to our export-related benefits in the past. We always have responded in a bipartisan, bicameral basis. Such a response is appropriate because that type of challenge is not a partisan issue. It is a legal dispute between our country and our foreign competitors. In that dispute we all represent the same client, the United States. We should proceed just like a group of lawyers representing the same client, perhaps disagreeing in private, but never sharing those disagreements or competing legal briefs with our opponent.

Attached is a summary of the provisions of the bill.

The proposal would repeal the FSC/ETI benefit effective on date of enactment. The

proposal would include binding contract transition relief and general transition relief. The general transition relief would be based on the company's FSC/ETI benefit for 2001. The company would receive a deduction of 100% of its base period amount for 2004 and 2005, 75% for 2006 and 2007 and 50% for 2008, with no general transition relief thereafter.

As the general transition relief phases out, a new permanent benefit for U.S. manufacturers would be phased in. The new benefit would reduce the effective corporate tax rate on income attributable to U.S. production activities. Purely domestic companies would receive an effective rate reduction of 3.5 points (reducing the 35% rate to 31.5%). Companies with operations offshore would receive a smaller rate reduction based on the value of their U.S. and world-wide production. That adjustment would create positive incentives for companies to keep operations in the United States.

INTRODUCTION OF LEGISLATION TO EXPAND THE EARNED IN- COME TAX CREDIT

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. BECERRA. Mr. Speaker, the earned income tax credit (EITC) provides cash assistance to lower income working parents and individuals through the tax system and is an important part of the Federal "safety net" of programs for Americans living in poverty.

Under current law, there are three categories of EITC recipients: those with no children, those with one child, and those with two or more children. One does not need to owe taxes at tax time in order to benefit—the EITC benefit amount may exceed tax liability and be received in the form of a payment from the U.S. Treasury after the tax year's end. Moreover, certain eligible workers with children may choose to receive a portion of the EITC in the form of advance payments throughout the tax year.

While the EITC has been tremendously successful and has lifted more children out of poverty than has any other government program, I believe that our efforts to use this important tax credit to fight poverty can be further improved. Recent studies have shown that 29 percent of all children in families having three or more children subsist at incomes below the poverty level. This is more than double the poverty rate among children in smaller families. Nearly three of every five poor children in this country live in families with three or more children. Our former colleague Rep. Bill Coyne introduced legislation during the 107th Congress that targeted this particular problem and made other needed improvements to the EITC program. Today I reintroduce that bill.

The bill will create a new EITC benefit level for families with 3 or more children, with a credit percentage of 45 percent, to provide a higher benefit than what they currently receive under the "two or more children" category (which has a 40 percent credit rate). The bill would also double the credit percentage for workers with no qualifying children from 7.65 percent to 15.3 percent. This change recognizes the fact that there is virtually no safety

net for people in this category, who face high federal tax burdens. The 15.3 credit percentage is the amount needed to fully offset the amount of the payroll tax, including the employer's share.

In addition, the bill will increase EITC benefits for all family categories by raising the maximum creditable earnings used to calculate the credit. For all eligible individuals with children, this amount for the year 2002 will be \$10,710, the annual wages of a full-time worker earning the minimum wage. For childless workers, the maximum creditable earnings will rise to \$6,000, approximately 60 percent of those wages. In order to balance program costs, benefits will phase out at the same income level, as is the case under current law.

The creation of the additional EITC category involving three or more children will benefit approximately 3.2 million households and further reduce poverty among these larger families. The economic stimulus function of my bill cannot be overlooked, as it will benefit the U.S. economy by providing additional incentives for more people, especially low-income women, to join the work force.

Mr. Speaker, at a time when our country is facing so many economic challenges, we must not forget that our low-income families continue to remain at the margins of our economy and are the first to suffer the effects of an economic downturn. I urge all my colleagues to join me in this effort to further enhance the highly successful EITC by cosponsoring this legislation.

CONCERN FOR AMERICA'S TELECOMMUNICATION INDUSTRY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. SHIMKUS. Mr. Speaker. I rise today out of concern for America's telecommunications industry.

Service providers and equipment manufacturers are going out of business, workers have been laid off, and capital investment is frozen. Experts agree the industry is experiencing an "economic meltdown." Once an engine of economic prosperity in the 1990s, this important sector is now a driver of the current recession.

Why is this happening?

In order to spur competition in the local phone market, the Telecommunications Act of 1996 required the local Bell companies to rent out their networks to competitors while they developed a customer base and built their own facilities.

That is fine. However, many state regulators set the Bells' leasing rates significantly below the cost of maintaining their lines. For some time now, the incumbent phone companies have been bleeding money while big players, such as Worldcom, take advantage of these artificially low rates that were designed to help new entrants gain access to the market. Without contributing to the local infrastructure, these companies are cherry picking lucrative business and select residential customers, while leaving the Bells to serve everyone else.

Instead of helping the little guys get started and bringing true competition to the local phone market, this regulation is a boondoggle for a few big companies at the expense of the

regional Bells. This is not a sustainable economic model, as we are now witnessing.

Recently, the Federal Communications Commission had the opportunity to turn things around in their Triennial Review. They failed to do so.

Instead of correcting the rate structure and creating the regulatory certainty necessary to stabilize the industry, the FCC managed to produce even more uncertainty by punting to the states the rate decision they were supposed to establish. This means that the rate structure for local telephone service will now have to go through lengthy legal battles in 50 different states and in the District of Columbia before it is resolved. Unless something is done, for years to come, lawyers will profit and the status quo will prevail.

I urge the FCC to reconsider its decision. You cannot fool an industry into recovery by creating a façade of competition.

HONORING THE WINNER OF THE
2003 VOICE OF DEMOCRACY
BROADCAST SCRIPTWRITING
CONTEST, "FREEDOM'S OBLIGATION"

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mrs. WILSON of New Mexico. Mr. Speaker, I rise today to recognize Mr. Darshan N. Patel, a National winner of the 2003 Voice of Democracy Program. The contest theme this year was "Freedom's Obligation."

Mr. Patel is a sophomore at Albuquerque Academy in Albuquerque, New Mexico. I think you will agree that his entry earned the award. Mr. Patel has communicated a powerful message regarding "Freedom's Obligation." I submit his winning entry for the CONGRESSIONAL RECORD to honor Darshan's tribute to the American men and women of the military who have given us the many freedoms we enjoy today.

Mr. Speaker, I also extend my appreciation to the Veterans of Foreign Wars of the United States for their sponsorship of this program. This year more than 80,000 secondary school students participated in this contest competing for the 59 national scholarships. Darshan was sponsored by VFW Post 401 and its Ladies Auxiliary in Albuquerque, New Mexico.

Please join me in congratulating Mr. Darshan Patel as a National winner and thanking him for his patriotism.

ENSURE ACCESS TO CRITICAL
DIALYSIS CARE UNDER MEDICARE

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. KLECZKA. Mr. Speaker, today Congressman CAMP and I are introducing legislation, the Medicare Renal Dialysis Payment Fairness Act of 2003, which would require the U.S. Department of Health and Human Services (HHS) to create and implement by January 2004 an annual updating mechanism for dialysis reimbursement under Medicare.

While the Medicare program pays for about 75 percent of dialysis care, there is currently no mechanism to update the reimbursement to account for inflation, new technology, labor, and other cost increases. In fact, the dialysis reimbursement is the only Medicare prospective payment system that does not have an updating framework. As a result, in their March 2003 Report to Congress, the Medicare Payment Advisory Commission (MedPAC) states that Medicare is on average paying three percent less than the cost of a dialysis treatment. This payment disparity is even greater for small and rural dialysis facilities, which experience about an 11 percent payment shortfall per treatment.

A primary concern about this underfunding is the inability of dialysis facilities to compete with other providers—who do receive annual updates—for nurses and other health care workers. According to a study completed by Abt Associates, a dialysis center in Baltimore, Maryland is only able to pay \$25.75 per hour while the local hospital has the resources to pay \$35.00 per hour. Similarly, in northern California, a dialysis center pays staff \$32.00 per hour while the hospital pays \$40 per hour.

Across the nation, nursing salaries have increased an average of 27 percent (from \$23,140 to \$31,720) from 1992 to 2002. It has become more and more difficult for the renal community to keep up with these rising labor costs and recruit and retain trained staff for dialysis facilities when other providers have the capabilities to pay higher salaries.

Even more importantly, reports show that low reimbursement rates have started to create access to care problems for Medicare end stage renal disease (ESRD) patients. In 2001, on average 77 percent of patients treated at renal facilities were Medicare beneficiaries. However, among the dialysis facilities that closed in 2001, Medicare beneficiaries comprised 88 percent of patients. This evidence indicates the economic challenge that dialysis centers face in treating Medicare beneficiaries.

I am pleased that this legislation is supported by the Renal Leadership Council and the National Kidney Foundation.

Mr. Speaker, providing for an inflationary annual update would allow the Secretary of HHS to make appropriate, data-driven decisions each year on fair dialysis payment rates. We must ensure that dialysis care for Medicare beneficiaries is not jeopardized due to inadequate reimbursement. I urge my colleagues to cosponsor and support this important legislation.

CONGRATULATIONS TO MAURA
LYLE LASATER

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Ms. BERKLEY. Mr. Speaker, I rise today to honor and congratulate Maura Lyle Lasater of Las Vegas, NV, Nevada's 2003 Cherry Blossom Princess and dear friend of mine.

I have known Maura since she was a youngster. I have watched her grow from an energetic toddler, through her competitive ice skating and horseback riding years as a young girl, high school at Bishop Gorman High School in Las Vegas, college at the University

of Puget Sound graduating with a Communications degree, all the way to the intelligent, poised and personable young woman with a great sense of humor she is today. Maura was an active and valuable participant in her mother's two successful Las Vegas mayoral races and also her run at the Nevada governorship.

Maura is now a trusted and valuable member of my staff. Her first day at work was September 11, 2001. Reporting to work at 9 a.m. that morning, new to this city and without a network of friends, within less than 45 minutes America and the world changed and Maura's own personal world became even more unsettled. My staff, rallying together in the face of their own unknown terror, embraced "the new girl" and kept her with them as they sought and found a safe place to wait out the day's events. In the chaotic days following 9/11—including the anthrax scare—Maura established herself as a tireless, reliable and dedicated public servant, despite her short time on the Hill.

Much has transpired since that day and Maura now is an experienced and knowledgeable Hill veteran, much loved and respected by her colleagues. She has her own network of friends and has continued her volunteer efforts on behalf of candidates and causes. Maura is an excellent representative of her home State of Nevada in the Cherry Blossom Festival.

The story of the Cherry Blossoms has been told many times—the Japanese Government, working with then First Lady Helen Taft, donated 2000 cherry blossom trees. When they arrived, they were found to be diseased and unfortunately had to be destroyed to prevent the spread of the disease to our own agricultural products. The Japanese Government was gracious enough to provide another donation—this time 3000 gorgeous cherry blossom trees. These were planted not only in the Tidal Basin, but all throughout Washington, DC. There are now less than 200 of the original trees remaining, and efforts are underway through new research and cuttings to regrow these trees so there will always be descendants of Japan's gracious gift to America. Maura and the other Cherry Blossom Princesses are an integral part of this time-honored tradition fostering continued good will of our two countries and the beauty the trees provide.

Maura spent a whirlwind week of customs and ceremonies as Nevada's representative to the Cherry Blossom Festival. I was filled with pride when I escorted her in the introduction ceremony at the Congressional Reception, attended by the Ambassador of Japan and Mrs. Ryozyo Kato. Las Vegas and all Nevadans can be proud to have Maura Lasater as their representative. I look forward to Maura's continued success in life and wish her all the best as she pursues her dreams and goals.

HONORING THE 100TH BIRTHDAY
OF MARY LOU DAVIDSON

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. GORDON. Mr. Speaker, I rise today to wish a happy 100th birthday to a dear cousin of mine, Mary Lou Gordon Davidson. She is a

remarkable woman who continues to remain an active and vibrant part of her community.

Mrs. Davidson was born April 29, 1903, to the late Dr. Alfred Nelson Gordon and Sallie Holden Gordon on a farm in my hometown community of Rutherford County, TN. She has lived through 18 U.S. presidents and has witnessed a dizzying array of technological achievements, including traveling to town by horse and buggy to reaching the stars by way of powerful rockets. She has watched telecommunications advance from a simple hand-crank telephone hanging on the wall to a hand-held digital telephone using signals delivered by way of satellite.

After receiving her bachelor's degree from the old Tennessee College for Women in my hometown of Murfreesboro, Mrs. Davidson raised a child, Sara, and taught school for more than four decades before retiring in 1968. Through her active life, Mrs. Davidson enjoyed a multitude of hobbies, including gardening, cooking and sewing. In fact, she currently leads a knitting class at her home in the McKendree Retirement Village. And she has won nearly a dozen gold medals while participating in the Senior Olympics.

Mrs. Davidson is the epitome of living life to the fullest. Her keen wit and positive attitude have given her a wonderful disposition, one that we should wish to have. I congratulate Mrs. Davidson for her countless contributions to her community and her country.

TRIBUTE TO PHILLIP BURTON

HON. ENI F.H. FALCOMAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. FALCOMAEGA. Mr. Speaker, I want to commemorate the life of the late Congressman Phil Burton, who in my humble opinion was one of the greatest and most brilliant legislators in modern times.

Those of us who had the privilege of working with Phil Burton can certainly attest to his unique and outstanding leadership capabilities and his tremendous influence still being felt today. No doubt we all have our Phil Burton stories to tell, most of which center around the life and times of a man who is one of the great legislative giants of our times.

Twenty years ago, over 125 Members of Congress, including House Speaker "Tip" O'Neill, traveled to San Francisco to attend a special memorial service in honor of Phil Burton. It was one of the largest delegations of Members, perhaps even the largest, to attend a memorial service of one of its own colleagues.

I remember former California Assembly Speaker and now Mayor of San Francisco, Mayor Willie Brown, a close personal friend and associate of Phil Burton, made an interesting observation of Phil's life and career. Mayor Brown said, "Now I know some of you Members of Congress are here to pay your respects and truly offer your sympathies to Sala (Phil's wife) and the family. But I also sense that some of you are here to be absolutely certain that Phil Burton is dead and to be sure that you will never have to confront him again."

At the memorial service, House Speaker Tip O'Neill also made this comment concerning

Phil Burton. He said, "Few in the House of the past or in the present can match his contribution." "Phil had his losses, but he always shoved adversity aside. He fought for the hungry and the sick and against bigotry with tremendous energy and commitment."

Some people describe Phil Burton as an ultra-liberal and very difficult to work with because of his so-called ideology. But I considered Phil a very unique kind of liberal, one who was able to foster relationships with other Members, despite differences in ideologies. It was not uncommon to find Phil in a corner of this chamber talking to a conservative Republican or conservative Democrat. I remember well one of Phil's famous proverbial expressions, "Cut the B.S. and let's be operational."

Mr. Speaker, as my colleagues are well aware, one of the most ideologically-based committees in this institution is the Committee on Resources. A committee composed mainly of Members from Western states, whose districts are significantly affected by the involvement of the Federal Government regarding the control and administration of millions of acres of land which are located in these states.

Recognizing the atmosphere that existed in the Committee, I once asked former Congressman Sam Steiger, a senior Republican from Arizona, how he was able to get along with a liberal like Phil. Congressman Steiger replied, "Two things Eni. First, Phil is among the few liberals who at least comes and talks to us on this side of the aisle, and second, in all the years that I've known and worked with him, Phil Burton has never broken a promise." Mr. Speaker, Phil Burton was a man of his word.

Long before I knew that I was going to be a member of this great institution, I served as a member of Phil's staff. From him I learned a lesson that I have carried with me ever since. "Eni," he told me, "the only thing that matters and is worth anything working in this place—is your word. Don't ever forget that."

Mr. Speaker, I haven't forgotten this lesson, and the many others I learned from Phil. He was a man of principle, conviction and determination. A man who left behind a legacy of integrity. A man who was my mentor and friend.

TRIBUTE TO PULITZER PRIZE WINNING BOSTON GLOBE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate the Boston Globe on their Pulitzer Prize for public service, journalism's highest honor, for their coverage of the clergy abuse scandal in Boston. They are to be commended for their outstanding and comprehensive reporting.

In January of last year the Globe ran a Spotlight series, which showed a widespread pattern of sexual abuse by priests, covered up by the Archdiocese of Boston. Throughout the year, a team of reporters, including Spotlight reporters Walter V. Robinson, Matthew Carroll, Sacha Pfeiffer, and Michael Rezendes; investigative reporters Kevin Cullen, Thomas Farragher, and Stephen Kurkjian; and religion reporter Michael Paulson, managed by editors

Ben Bradlee Jr. and Mark S. Morrow, produced nearly 800 stories related to the scandal.

The Globe executed courageous and timely reporting and coverage of the scandal. They reached a level of reporting and coverage unparalleled in recent times in its depth and force of reporting. As a result of their coverage, the scandal received international attention, and culminated with the resignation of Cardinal Bernard F. Law in December.

At a time when we need public servants, and we call on our citizens to offer their services to our communities and to our country, the Globe proved that newspapers too can rise to the challenge and provide an incredible public service. There is no doubt that the thousands of families, who found a voice through the pages of the newspaper's coverage of this scandal, are far better off for the Globe's work. We all owe them our thanks and a debt of gratitude for their service.

FREEDOM'S OBLIGATION BY KACEY L. REYNOLDS

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. WHITFIELD. Mr. Speaker, I rise today to congratulate a young lady in my District, Ms. Kacey L. Reynolds of Calvert City, Kentucky. Ms. Reynolds is the Kentucky winner of the 2003 Veterans of Foreign Wars Voice of Democracy broadcast script writing contest. Ms. Reynolds's script, entitled "Freedom's Obligation," has great meaning as our armed forces are in the process of liberating the Iraqi people and giving them the freedoms we enjoy everyday. At sixteen years old, Ms. Reynolds has a true understanding of what freedom means and what individuals must do to preserve it. I have attached a copy of Ms. Reynolds's script to be placed in the RECORD. I urge all my colleagues to read her inspiring thoughts on the true value of freedom.

[From the 2002-2003 VFW Voice of Democracy Scholarship Contest]

FREEDOM'S OBLIGATION

(By Kacey Reynolds—Kentucky Winner)

Our forefathers viewed freedom as a quest—a goal they lived, and gave, their lives fearlessly pursuing. Today, most of us view freedom as a privilege we deserve, a complimentary right owed to us, simply because we are American. But our liberty must never be taken for granted and we must never delude ourselves into believing freedom is free. Independence has always come at a price, and we have a responsibility to ensure that it continues so the heroic sacrifices made to secure it were not in vain. Freedom is a blessing and a responsibility and our obligation to it is threefold.

Our first obligation to freedom is that of education. Thomas Jefferson once said, "If a nation expects to be ignorant AND free, in a state of civilization, then it expects what never was and never will be." Ignorance is the first enemy of liberty. It is through education that we possess the freedom, not only to provide for ourselves, but to choose the manner in which we do so. It is through learning that we open our minds to new concepts and courageous ideals to better govern ourselves. It is through a knowledge of our history that we take pride in who we are and our rich heritage as Americans. Education

provides opportunity—the opportunity to be self-sufficient, the opportunity to understand, the opportunity to be free.

Our second obligation to freedom is that of obedience. America's government is "of the people, by the people and for the people", but our founding fathers knew that no people can be truly free if any individual person is allowed to violate the rights of others. Obedience to the law is essential for equality and security. If we expect our government to provide freedom for us, then we have a responsibility to respect each other. Crime is the second enemy of liberty. President Theodore Roosevelt said, "No man is above the law and no man is below it. Nor do we ask any man's permission when we require him to obey it. Obedience is demanded as a right, not asked as a favor." Obedience by each individual provides freedom for all.

Our third obligation to freedom is that of service, of giving back to our community, our government, and our country. We, as citizens of that freedom, hold a responsibility to dedicate our time, our resources, our passion, and, sometimes, even our lives for the greater good. It is in serving one another that we become united. If we fail to give of ourselves, then we fail the memory of those brave souls who went before us to sacrifice everything. Selfishness is the third enemy of liberty, but volunteering our service affords us the opportunity to give back what we receive. Only in this service can our country provide us with true freedom.

Without education, how can we be free to govern ourselves? Without obedience to our laws, how can we ensure safety and security for all people? Without service, how can we expect others to fight and die for our freedom? We cannot. We must dauntlessly pursue education, bravely stand up for what is right through obedience and unselfishly give of ourselves through service so freedom can continue to flourish. This is our obligation. It is in being the "home of the brave" that makes us "the land of the free".

THE FREEDOM FLAT TAX ACT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. BURGESS. Mr. Speaker, I rise today to introduce the Freedom Flat Tax Act.

Albert Einstein once said, "The hardest thing in the world to understand is the income tax." If you look at the current Tax Code, it is easy to see his genius.

The cost of the current income tax system in both time and dollars is just too high. Each year, Americans spend 6.1 billion hours preparing their tax forms and businesses spend 800 million hours complying with the Tax Code. In 2001 alone, Americans lost at least \$183 billion in opportunity costs—calculated at \$30/hour—that people spent working on their taxes instead of working on money-producing activities for themselves.

Two-thirds of Americans think the income tax system is too complex. We need a simpler system for all Americans to understand. Taxpayer phone calls to the IRS help line doubled during the 1990s from 56 million to 111 million, even though the number of taxpayers only grew by 12 percent. The Federal tax rules are over 45,500 pages in length, which is double the number of pages since the 1970s, including the full Tax Code, IRS rules and regulations, and tax court rulings. As of

May 2000, the Tax Code contained 1,395,028 words—nearly 319 times the number of words in the U.S. Constitution. The average taxpayer pays \$1,839 per household in compliance costs. In other words, that taxpayer must work 6 days per year just to pay for the cost of preparing his or her taxes for that year. These complexities are completely unnecessary.

I believe Americans need to keep more of their money they work for each day. Valuable resources are being lost to taxes; resources that could be used for productive, job-creating economic behavior or for spending time with our families. As you can see, the costs imposed by our tax system are just too high.

It is for this reason that I am introducing the Freedom Flat Tax Act. This legislation will allow Americans to opt out of the current convoluted and complex tax system and into a pro-growth tax system that will restore fairness, simplicity, and efficiency to our Tax Code. Congress has the obligation to remove those obstacles to American economic growth and health.

The Freedom Flat Tax will phase-in the flat tax over a 3-year period, with a 19-percent rate for the first 2 years and a 17-percent rate in subsequent years. It will have no deductions or loopholes, but will allow some personal exemptions, including a \$5,510 exemption for each dependent.

We've heard of the flat tax before. Here's how my proposal differs from other versions of the flat tax bill: First of all, it is optional. This bill will allow individuals and businesses to choose if and when they will opt into the system. Second, it is permanent. The decision to opt into the flat tax system will be permanent to prevent possible tax evasion resulting from taxpayers jumping back and forth from the current income-based system to the flat tax system.

The Freedom Flat Tax will create a system that promotes fairness and economic prosperity by treating everyone the same, regardless of income or occupation, and removing the special preferences and disincentives for economic growth that characterize our current tax system.

The goal of the Freedom Flat Tax is to create a tax system that minimizes the number of market-distorting investment decisions that are made as a result of the current tax system; people will base their financial decisions on common-sense economics, not the tax code. When savings are no longer taxed twice, people will save and invest more, leading to higher productivity and greater take-home pay. The flat tax will spur economic growth by eliminating the current tax code's bias against savings and investment. Because the flat tax treats all economic activity equally, it will promote greater economic efficiency and increased prosperity.

It is estimated that the flat tax system will save taxpayers more than \$100 billion per year. This increase in take home pay will give people more money to spend in the economy, which will help boost economic activity. In these difficult times, Congress will soon be debating the need for an economic stimulus. Mr. Speaker, I ask everyone to stop and imagine what a stimulus that \$100 billion would provide to our economy if we put it in the hands of average Americans! I yield the floor.

PERSONAL EXPLANATION

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. REYES. Mr. Speaker, I was unable to cast votes today due to memorial services being held in my district of El Paso in memory of the nine soldiers of the 507th Maintenance Company who were killed in Operation Iraqi Freedom. If present, I would have voted no on the Rahall Amendment (rollcall 143) which did not provide for the productive use of petroleum resources in Alaska that could benefit local indigenous populations and our energy security. On the motion to recommit (rollcall 144), I would have voted aye. On final passage of H.R. 6 (rollcall 145), I would have voted no. I am concerned that the energy bill we voted on today lacks sufficient consumer protections and provides too many taxpayer handouts at a time when our federal budget is under the strain of record deficits and the costs of war.

CONGRATULATIONS TO MAINE SOUTH HIGH SCHOOL CONSTITUTION TEAM

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Ms. SCHAKOWSKY. Mr. Speaker, Twenty-four exceptional students from the 9th Congressional District are ready to compete against the smartest and the brightest from around the country in the national finals of the We the People . . . The Citizen and the Constitution. The 24 students, all seniors from Maine South High School in Park Ridge, IL, have recently won the Illinois State competition and will represent our great State in the national finals.

What does it take to make it into the finals of this prestigious contest? What does it take to make it this far? The answer is clear: Dedication, hard work, and countless hours reading, researching, and studying the great document that is the foundation of our democracy: the Constitution of the United States of America—the symbol of personal freedom and protection.

Each year, the "We the People" foundation hosts district, State and national level Congressional-style hearings on the history and principles of Constitutional democracy in the United States. Participants are tested on their knowledge of the Constitution and its foundations and applications to our country.

The "We the People" contest is an invaluable learning experience for Maine South High School students and other students from around the country. The program helps promote democracy and encourages civic participation in the issues of critical importance to our freedoms by young men and women and I am hopeful they will carry those lessons with them into the future.

I would like to commend the students of Maine South High School's Constitution Team and their academic advisor Dan States for their hard work and great scholastic achievement and I wish them the best of luck in the national finals.

TRIBUTE TO LIZA JACKSON
PREPARATORY SCHOOL

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. JEFF MILLER of Florida. Mr. Speaker, I rise today to congratulate Liza Jackson Preparatory School in Fort Walton Beach, Florida on their recent designation as a Model Charter School. As one of only six schools in the state of Florida to receive this designation, Liza Jackson Preparatory has proven itself to be in a class of its own when it comes to the education of our young individuals in Northwest Florida. It is an honor and a privilege to express my sincere congratulations to the entire Liza Jackson Preparatory community on their well-deserved recognition.

Founded by a group of education professionals who wanted more from public education than what was available through the traditional district schools, dedicated staff and extraordinarily involved parents have built Liza Jackson Preparatory into the remarkable institution that it is today. It is a place where the children come first and are taught to obtain the highest levels of achievement that they can.

Liza Jackson Preparatory prides itself on bringing together its dedicated parents in an effort to help guide and design the school's mission. Liza Jackson Preparatory used information gathered by organized parent groups to write its charter, which was subsequently submitted to the Okaloosa County's school board in 2000 and unanimously approved. Initially, the school opened its doors to 560 students in August of 2001 and today I am proud to say that enrollment is filled to capacity with an additional 700 children on the waiting list.

Mr. Speaker, over its first 2 years, Liza Jackson Preparatory School has shown that it is succeeding in its mission; to provide a comprehensive approach to education in order for students to successfully compete in the global community. On this occasion, I offer my sincere and heartfelt congratulations to Liza Jackson Preparatory School on their designation as a Model Charter School, and wish them the greatest of success in all that is to come.

YOUTH PRIDE DAY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Ms. NORTON. Mr. Speaker, this Saturday, April 12 marks the culmination of Youth Pride Week in Washington, DC with our Seventh Annual Youth Pride Day.

Youth Pride Day occurs every April in Washington, DC. It is the annual celebration for gay, lesbian, bisexual, and transgender young people, which has brought over 10,000 youth together since its start in 1997. The celebration has grown from just 900 participants in 1997 to over 2,800 young people last year. Youth Pride Day has evolved into Youth Pride Week, which comprises over a dozen events ranging from a conference, dances, and poetry readings, to Youth Pride Day on Saturday.

The Youth Pride Alliance sponsors Youth Pride Day. The Alliance was founded in 1996, and its mission is to celebrate the dignity and courage of all young people as they discover their identities as gay, lesbian, bisexual, transgender, or straight. The Alliance challenges society to stop hate, violence, fear, isolation, and denial as it reminds us every young person deserves to live, to love, and to be loved.

We, who live in our Nation's Capital and are taxed without representation, feel a special affinity to any other group that has been denied the full rights and privileges, which most United States citizens enjoy. I remind the House that Washingtonians are taxed without representation.

I ask this House to join with me in welcoming all those attending Youth Pride Day.

PERSONAL EXPLANATION

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 11, 2003

Mr. BOEHNER. Mr. Speaker, I regret that I was absent for roll No. 140 and 141. I respectfully request the RECORD to reflect that, had I been here, I would have voted "yea" on each.

HONORING JOHN JACOB RHODES
WITH THE CONGRESSIONAL DISTINGUISHED SERVICE MEDAL

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. HASTERT. Mr. Speaker, it is a great honor to announce that John Jacob Rhodes, former Republican Leader of the House of Representatives, is one of the first recipients of the Congressional Distinguished Service Medal. Together with Leader GEPHARDT, I established this award to recognize former Members of the House who served the American people with extraordinary distinction and selfless dedication. Leader GEPHARDT chose to honor Louis Stokes as his first award recipient, and I can think of no better person than John Rhodes to share this first tribute.

John Rhodes was born in Council Grove, Kansas, attending public schools and eventually Kansas State University. After moving east and graduating from Harvard Law School in 1941, he practiced law in Mesa, Arizona. He started his service to our Nation early as a member of the U.S. Army Air Corps and a staff judge advocate of the Arizona National Guard. These experiences served him well during his thirty year career in the United States Congress.

First elected as a Republican to the 83rd Congress, John Rhodes went on to serve in fourteen succeeding Congresses. After twenty years in Congress, he had earned the respect of his peers and was elected Minority Leader of the House for the 93rd through 96th Congresses. These years saw John Rhodes lead his party from the dark days of Watergate to the resurgent presidency of Ronald Reagan.

And through it all, John Rhodes was considered a man of exemplary values, a true lead-

er, a great listener, and steadfast peacemaker. Those who know him best would say he has a quiet dignity, an implicit trustworthiness, and a tireless devotion to the people of America. Pulitzer prize-winning columnist George Will said it best:

One glance tells you. God had a Congressman in mind when he made John Rhodes. And he is just what the Founding Fathers had in mind when they designed the House of Representatives, the body intended to be the closest to the common man.

I can think of few equals to John Rhodes whose life and legislative careers merit the Congressional Distinguished Service Medal. We cannot thank him enough for his service to this Chamber and to our great country. I am truly honored to be able to present him with this award.

TRIBUTE TO JOSEPH G. ROBERTS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. PORTER. Mr. Speaker, I rise today to honor and pay tribute to Joseph G. Roberts, beloved husband of Lia Roberts. Joe will be laid to rest on Saturday, April 12, 2003, in Las Vegas, Nevada. Joe was born on September 19, 1915 in Springfield, Missouri and died on April 7, 2003 in Las Vegas, Nevada.

Growing up during the depression, Joe was best known for being a man of great integrity and honor. In 1941, Joe enlisted in the United States Air Force and served as a captain and pilot during World War II. He was later discharged with honors.

In 1949, Joe moved to Las Vegas and founded Roberts Roofing and went on to become a very successful businessman in the Las Vegas community. His dedication and generous contributions to the many charities he helped support will not be forgotten.

Joe, we thank you for your true spirit of life and your gracious manner. You will be missed by your many friends and loved ones.

We extend our heartfelt sympathy to Lia and family during this time of sorrow.

INTRODUCTION OF THE "STICK A
CORK IN THE CORK TARIFF ACT
OF 2003"

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. SIMMONS. Mr. Speaker, I rise before you today to introduce my "Stick A Cork In The Cork Tariff Act of 2003," a bill that will assist small business and sportsmen by reducing the unfairly high import duty on cork.

Makers of fishing rods, and particularly fly-fishing rods, are under pressure to significantly increase the price of their equipment because of prohibitively high duties on cork. Cork is the primary component of a fishing pole's grip. It is not available domestically and must be imported. While the tariff on already-finished cork is 6 percent and lower, unfinished cork is subject to a 14 percent duty. Such unfinished cork is imported and subsequently handcrafted by

American workers onto the custom-made fly fishing rods that so many sportsmen enjoy. Mr. Speaker, it just doesn't make sense that Customs would charge a 6 percent tariff on a pre-finished product while levying a much-higher 14 percent duty on a good that is finished with American hands.

In my own district, REC Components of Enfield (CT) employs more than twenty highly skilled individuals to create such fly fishing rods. Mr. Speaker, REC Components and the working men and women at the company are dependent upon imported cork. The current duty being levied upon such cork jeopardizes this company and these jobs. Other manufacturers in this industry face the same problem. Whether in Wisconsin, Washington, Montana, or Georgia, small businesses are being made to bear this unfair burden for no good reason.

This is why my legislation has such bipartisan, national support, including the American Sportfishing Association, the American Fly Fishing Trade Association, and the Congressional Sportsmen's Caucus.

Mr. Speaker, It has always been my understanding that Customs duties were established to protect American industry. If cork is not available in the United States and it is the only product that can be used to manufacture the grips on fly fishing rods, I fail to see why we are charging such a duty.

At a time when many Americans are still experiencing economic insecurity, it is critical that we take steps in the Congress to create more jobs and strengthen the ones we have. While Congress is working to craft a jobs and growth package, we also must consider other measures that, although less comprehensive, similarly take steps to boost our economy.

Mr. Speaker, I urge all of my colleagues to join me in support of small businesses, American workers, outdoor retailers, sportsmen everywhere. Support the "Stick A Cork In The Cork Tariff Act of 2003."

TRIBUTE TO TOMMY NELSON

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. PORTER. Mr. Speaker, I rise today to honor and pay tribute to one of Nevada's finest. One of the legends of the west passed on to his reward last week. Ninety-year-old Tommy Nelson came to Nevada in 1931 to help build the mighty Hoover Dam and wound up being employed forty years on the site. Tommy was an outstanding individual who was admired by all who knew him. He was also an excellent musician and played his trumpet at many patriotic ceremonies and funerals of our service men and women.

Nevada has lost a great American whose spirit will live on in the hearts of Nevadans.

TRIBUTE TO PEGGY A. CROWTHER

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. OSE. Mr. Speaker, Peggy A. Crowther has served, with distinction, as the Executive

Director of the Rotary Club of Sacramento since August 1991. Established in 1913, this club is one of the oldest Rotary Clubs in the world, and the 12th largest, made up of nearly 500 members representing the top business, civic, and professional leaders in the region.

In May 2003, Peggy will be retiring to enjoy the personal passions of her life . . . husband Bob, her children, and grandchild, travel, and golf . . . to name only a few of her interests. What she leaves behind is a legacy of leadership that will be missed by all who came to rely on her professionalism, graciousness, and warm smile.

Devotion to the non-profit world has always been her passion, and is reflected throughout her life. Born in Green Bay, Wisconsin, she began her career as associate director of the YWCA, and YMCA, and then continued in that capacity in Salt Lake City, Modesto and Fresno, California. For a time she worked as director of development for Central Catholic High School in Modesto, before becoming district chief of staff for a State Assemblyman. Her next move was to Sacramento where she became the director of development of United Cerebral Palsy.

It was in 1988, that Peggy joined the Rotary Club of Modesto, but her involvement with Rotary began earlier when she assisted her husband with the leadership of a Group Study Exchange Team to Melbourne, Australia. As women were welcomed into Rotary, she was one of the first to join, and with the move to Sacramento, became a member here in April 1991.

During this past 12 years, with Peggy's dedication, patience, and guidance, the Rotary Club of Sacramento has continued to grow in membership, prestige, and has been a contributor of well over two million dollars to the local and world community. Leadership within the membership changes yearly, but Peggy has continued to be the one person that we have all come to appreciate as the significant contributor of our success. None of us will forget how we have come to rely on her organizational skills, her adeptness at multi-tasking, problem solving, and talent for diplomacy as she interfaces with hundreds of volunteers . . . all of which she greets by name at our weekly meetings.

We thank you, Peggy, and wish you and your family all the blessings life has to offer.

JOHN J. MCGUIRK DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. SIMMONS. Mr. Speaker, I rise today in support of the naming of the U.S. Department of Veterans Affairs Community Based Outreach Clinic, located on the grounds of the United States Coast Guard Academy in New London, CT, as the "John J. McGuirk Department of Veterans Affairs Outpatient Clinic."

As an enlisted salvage diver in the United States Navy during World War II, John McGuirk worked his way across the South Pacific from Pearl Harbor to Manila, Philippines aboard the USS Layson Island. For his service, John was awarded the World War II Vic-

tory Medal, American Theatre Medal, Asiatic Pacific Theatre Medal and Philippine Liberation Medal.

When John J. McGuirk's contractual obligation to the United States Navy ended with an honorable discharge, his personal obligation to his country and fellow veterans' remained engraved upon his heart and became a lifelong commitment.

His efforts helped to contribute to the VA Connecticut Healthcare system planning and operating a series of CBOC's across the state, providing primary care on a daily basis. Additionally, John played an instrumental role in the opening of the Veterans' Outreach Clinic located at the Coast Guard Academy in New London, CT.

John actively served in Post #9 American Legion for the remainder of his life: twice as the Legion's Commander, additionally as the Finance officer and the Service officer. He was also a member of the Disabled Veterans of America and U.S. Submarine Veterans Inc.

Mr. Speaker, John J. McGuirk was constant in his mission to serve his nation and fellow veterans. On behalf of the Members of the Connecticut House delegation, Disabled Veterans of America, Paralyzed Veterans of America, American Legion, Veterans of Foreign Wars and AMVETS, I would like to extend the opportunity for Members of the Subcommittee to support this measure and honor the memory of John J. McGuirk.

RECOGNIZING BOULDER CITY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. PORTER. Mr. Speaker, I rise today to recognize Boulder City on a number of awards it has received over the last year. I have had the tremendous honor of representing Boulder City as a Councilman, Mayor, and now as Congressman. The following awards show the quality of life Boulder City is famous for. These awards include: the Howland Award, given by the National League of Cities to the best small community in the country; the "Excellence in Aquatics Award" from the National Recreation and Parks Association. This honor was given for the exceptional quality of all the aquatic programs offered through the Parks and Recreation Department; the "Excellence in Education Hall of Fame Award" from the Clark County School District; the Boulder City Municipal Golf Course was recognized statewide as number 10 in top values throughout the State and best course under \$100 in southern Nevada by the "Las Vegas Golfer Magazine;" National Geographic Adventure Magazine named Boulder City's Bootleg Canyon Mountain Bike Trail facility as one of the top 50 Favorite Adventure Places, November, 2002.

I urge my colleagues in this House and people across the country to visit Boulder City, Nevada, and see this wonderful, award-winning community first hand.

FAMILIES LIVING IN THE SECOND DISTRICT OF ARIZONA WHO HAVE LOST CHILDREN IN THE IRAQI CONFLICT

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. FRANKS of Arizona. Mr. Speaker, today I rise to express a deep and abiding gratitude to the families living in the second district of Arizona who have lost children in the Iraqi Conflict. They include: Carol Howland of Kingman, who lost her son James Kiehl; Sandy Watson of Peoria whose son Michael Williams was killed in action, the Piastewa family—and the entire Hopi Nation—who mourn the loss of their daughter Lori Ann. I have spoken to each, and have been inspired by their unwavering faith and enduring strength.

Mr. Speaker, the tragic stories of this war are not unique to Arizona. So many Members of this Congress can recall fallen heroes from the communities they represent, and those noble families who personify the sacrifice of war. America's sons and daughters have fought bravely in this battle and some have died defending their homeland and bringing freedom to a people they have never met. Today, Mr. Speaker, the American flag flies at half-staff in all of our hearts as this Nation tearfully lays these valiant sons and daughters of freedom in the loving arms of God.

Words fail me to express the unspeakable debt of gratitude owed to the families of America who have sacrificed their own loved ones for the cause of human freedom. So may I respectfully appropriate the words of Abraham Lincoln who sought to offer comfort in a letter to a precious mother who had lost five sons on the battlefield. It is my prayer that his words can be received into the hearts of all of those who mourn the loss of their beloved soldier: Mr. Lincoln wrote: "I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours, to have laid so costly a sacrifice upon the altar of Freedom."

May all of us this day take poignant inventory of American freedom, and may we never forget those who paid for it.

CONGRATULATIONS TO TONY LONERO, SPORTS HALL OF FAME INDUCTEE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. PAYNE. Mr. Speaker, I would like to ask my colleagues here in the United States House of Representatives to join me in honoring a very special person, Mr. Tony Lonero, as he is inducted into the Pennsylvania Hills Sports Hall of Fame on April 25, 2003.

Mr. Lonero's story is one of courage and inspiration which makes all of us proud. An avid

athlete, he excelled in baseball during his college years and later played in Italy's baseball major league in Nettuno. He participated in the 1984 Los Angeles Olympics as part of the Italian Baseball Team.

After retiring in the late 1980s, he remained involved in coaching and pursued another passion, cycling. About a year and a half ago, while preparing for a race, he collapsed and was later diagnosed with multiple sclerosis. He refused to let the diagnosis stop him from following his dreams. He continued running and cycling, and he is now qualifying for the longest and most difficult race in the history of cycling, the Paris-Brest-Paris.

Although living in Italy, Tony Lonero has always remained a patriotic American. He has maintained his U.S. citizenship and always carries out his civic responsibilities by voting via absentee ballot.

Mr. Speaker, let us join in offering our warmest congratulations and best wishes for continued success to this outstanding athlete and American, Mr. Tony Lonero, as he receives the special honor of being inducted into the Pennsylvania Hills Sports Hall of Fame.

RECOGNIZING THE MEN AND WOMEN OF THE NEVADA NATIONAL GUARD

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. PORTER. Mr. Speaker, I rise today to honor the men and women of the Nevada National Guard and their Commanding General, Major General Giles E. Vanderhoof.

Since September 11 the Nevada National Guard has been on the front lines of the war on terror, providing troops for Operations Noble Eagle, Enduring Freedom and Iraqi Freedom. With more than 700 soldiers and airmen activated, Nevada has one of the highest percentages of mobilized troops in the country. The 152nd Airlift Wing, 152nd Security Police Squadron, 72nd Military Police Company, 152nd Intelligence Squadron, 777th Engineer Detachment, and other units have all responded with valor and dedication to their country's call.

The Nevada National Guard has a long history of service to this nation, serving in the Pueblo crisis, the Persian Gulf War, and Bosnia. I salute each and every member of the National Guard and pledge my full support for them and their families. General Vanderhoof and his staff are to be commended for their success in training and leading such a force.

IN HONOR OF SECURITIES AND EXCHANGE COMMISSIONER ROEL C. CAMPOS

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. RODRIGUEZ. Mr. Speaker, I rise today to honor Securities and Exchange Commissioner Roel C. Campos for the dignity with which he has assumed his responsibilities at the SEC. The City of Harlingen, Texas, his

hometown, has proclaimed April 10th as Roel C. Campos Day to celebrate the success of their native son, someone who has worked hard, stayed true to his values, and found success as an Air Force officer, a lawyer, a prosecutor, a businessman, and now the first Hispanic commissioner of the Securities and Exchange Commission.

Sworn in on August 20, 2002, Commissioner Campos has proven himself an independent-minded commissioner who advocates for protecting investors and eliminating corporate abuses. Both Democrats and Republicans have been impressed with his commitment to restoring fairness and integrity to the financial markets. Mr. Campos also focuses on supporting emerging companies and minority entrepreneurs.

He has used his position to make the securities industry and corporations aware of the changing demographics of America, and the great potential the Hispanic, African American and Asian American communities have to offer in the financial markets. These important segments of American society have historically been overlooked by corporate America.

Commissioner Campos, born in Harlingen, Texas to Mexican American parents, was the first in his family to attend college. He earned his law degree from Harvard Law School in 1979, an M.B.A. from UCLA in 1972, and a B.S. from the U.S. Air Force Academy in 1971. Mr. Campos began his career serving as an officer in the U.S. Air Force. After his stint in the U.S. Air Force, he worked for major law firms in Los Angeles as a corporate transactions/securities lawyer and litigator for fifteen years. Beginning in 1985, he served as a federal prosecutor for the U.S. Attorney's Office in Los Angeles. After several years as a federal prosecutor, he returned to private practice and co-founded El Dorado Communications, Inc. He is married to Mini Villarreal and has two sons.

I commend Commissioner Campos for his efforts on behalf of minority communities, businesses and investors. His actions demonstrate his commitment to expanding opportunities for all Americans, regardless of background. His dedication to proper enforcement actions against those who commit corporate fraud will help restore the American people's confidence in our financial institutions.

Perhaps most important, though, is that his impressive resume and achievements have not changed the strong character of this man from South Texas. I appreciate his commitment to people, his understanding of the challenges that so many Americans face, and his desire to create an SEC that responds to their needs. Roel C. Campos is a true asset to the Securities and Exchange Commission and the American people.

EXPRESSING SUPPORT FOR RE-NEWED EFFORT TO FIND PEACEFUL, JUST, AND LASTING SETTLEMENT TO THE CYPRUS PROBLEM

SPEECH OF

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. SCHIFF. Mr. Speaker, I rise today to join my colleagues in expressing my support

for renewed efforts to find a peaceful, just, and lasting settlement to the Cyprus problem. Such a resolution is consonant with American values of promoting stability, freedom, and democracy around the globe.

I strongly support a unified Cyprus. I am disappointed that the recent historic opportunity to resolve the Cyprus issue has failed, despite the hard work of United Nations Secretary Kofi Annan over the last several years, to bring the parties together and to facilitate an agreement.

I am disturbed that today, some 35,000 Turkish soldiers, armed with the latest weapons, are still stationed in the occupied area of Cyprus, making it, according to the United Nations Secretary-General, one of the most militarized regions in the world. At an estimated cost of \$300 million annually, Turkey continues to defy the international community and the U.N. resolutions with its policies towards Cyprus. Eighty-five thousand Turks have been brought over from Turkey to colonize the occupied area with the aim of changing the demography of the island and controlling the political situation. The Greek Cypriot community that remains enclaved within the occupied villages continues to live under conditions of oppression, harassment, and deprivation.

Mr. Speaker, the United States has a national interest in fostering peace and stability in the eastern Mediterranean region. We as a Nation cannot continue to pretend our NATO partner is not in clear violation of international law for its continued illegal occupation of its neighbor.

We in the United States pride ourselves for our respect for fundamental freedoms. Human rights norms are the cornerstone of U.S. foreign policy. It is time, Mr. Speaker, for Turkey to end its longstanding occupation of Cyprus.

Despite recent setbacks, I am still optimistic that the Cyprus situation can be peacefully and amicably resolved.

TRIBUTE TO DAVID PETER
THOMAS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 12, 2003

Mr. PORTER. Mr. Speaker, I rise today to offer my condolences for a dear family friend, David Peter Thomas. David passed away un-

expectedly on January 2, 2003, at the age of 28. I had the honor of knowing David and his family for many years. He was a devoted husband, son, brother, and grandson. Despite his young years, David had found a love of the law. He had attended UNLV School of Law for a year and then went on to the University of Utah, where he was in his last year of school. This past year David clerked at a local law firm, where he was to begin his career as a lawyer. David was also an avid skier and artist, which he inherited from his mother. He loved to spend his free time skiing, painting, or playing music. David was a beautiful person, a well-loved person who could brighten a stranger's day. His untimely death shall be regretted by all the people who knew David. To his family—his wife Natalie, his parents Peter and Nancy, his siblings Megan, Lindsey, and Adam, and his grandparents Monroe and Shirley, Parry and Peggy, I just want to say may he rest in peace. May God bless him.

Daily Digest

HIGHLIGHTS

The House and Senate agreed to the conference report on H. Con. Res. 95, Congressional Budget Resolution for FY 2004 on April 11.

The House agreed to the conference report on H.R. 1559, Emergency Wartime Supplemental Appropriations, and, pursuant to a Senate unanimous consent agreement, when the Senate receives the conference report from the House, and with the concurrence of the two Senate Leaders, the conference report shall be agreed to the Senate.

The Senate and House agreed to S. Con. Res. 38, providing for a conditional adjournment or recess of the Senate until noon on Monday, April 28 and a conditional adjournment of the House of Representatives until 2 p.m. on Tuesday, April 29.

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, April 28, 2003 at 12 noon.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 1828–1833; 1 private bill, H.R. 1834; and 5 resolutions, H.J. Res. 53–54, and H. Con. Res. 153–155, were introduced

Pages H3407–08

Additional Cosponsors:

Page H3408

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 1559, making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003 (H. Rept. 108–76).

Pages H3357–85, H3407

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Stephen J. Rossetti, Ph.D., D. Min., President, Saint Luke Institute of Silver Spring, Maryland.

Page H3357

Recess: The House recessed at 10:06 a.m. and reconvened at 12:01 p.m.

Page H3385

Emergency Wartime Supplemental Appropriations Conference Report: The House agreed to the conference report on H.R. 1559, making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, by voice vote.

Pages H3385–H3404

The conference report was considered pursuant to the unanimous consent order to consider the conference report at any time, that all points of order and against its consideration be waived, that it be considered as read, and that clause 10 of Rule XX, dealing with the automatic yeas and nays on adoption of a conference report making general appropriations, shall not apply to the question of adoption of the conference report.

Page H3385

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry or, if not available to perform this duty, Representative Gilchrest to act as Speaker pro tempore

to sign enrolled bills and joint resolutions through April 29.

Page H3404

Calendar Wednesday: Agree to dispense with the Calendar Wednesday business of Wednesday, April 30.

Page H3405

Senate Messages: Message received from the Senate today appears on page H3357.

Referrals: S. 703 and S. 763 were referred to the Committee on Transportation and Infrastructure; S.J. Res. 8 was referred to the Committee on the Judiciary; and S. Con. Res. 36 and S. Con. Res. 37 were held at the desk.

Page H3405

Quorum Calls—Votes: No quorum calls or recorded developed during the proceedings of the House today.

Adjournment: The House met at 10 a.m. and at 12:54 p.m. the House stands adjourned pursuant to S. Con. Res. 38, until 2 p.m. on Tuesday, April 29.

Committee Meetings

No committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of April 14 through April 19, 2003

Senate Chamber

Senate stands in adjournment until Monday, April, 28, 2003.

Senate Committees

(Committee meetings are open unless otherwise indicated)

No meetings/hearings schedule.

House Chamber

House stands in adjournment until Tuesday, April 29, 2003.

House Committees

Committee on International Relations, April 16, hearing on Castro's Brutal Crackdown on Dissidents, 2 p.m., 2172 Rayburn.

Next Meeting of the SENATE

12 noon, Monday, April 28

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, April 29

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 1 p.m.), Senate will begin consideration of the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

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