The gentleman from Arizona (Chairman KOLBE), to his great credit, wants to end this practice and return to the standard of competitive bidding. But there is opposition to this effort. The chairman of the Committee on Government Reform and a former chairman of the National Republican Congressional Committee requested that this section be exposed to a point of order.

Mr. Speaker, that is very unfortunate. We must make sure that the rebuilding effort in Iraq is above-board without the appearance of shady dealings and smoke-filled rooms. So I would urge my colleagues to make sure that we retain this important provision.

Finally, Mr. Speaker, I again want to commend the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), ranking member, for all the good that they have done in this bill. I only wish they had had more resources to work with.

To me, the major shortfall of this bill is the inadequate funding for HIV/AIDS programs. It is important that the United States keep its promise. And Members will have two opportunities later this afternoon to do just that, by supporting the McGovern-Skelton amendment and the Kilpatrick amendment. Both of these amendments will in the end increase the amount of money for HIV/AIDS programs.

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

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

The legislation that we bring to the floor today is extremely important to the national interests of the United States. The $17-plus billion in this legislation helps millions of people throughout the world. This is an extremely important piece of legislation.

We bring it to the floor with an open rule. In other words, any relevant amendment, any germane amendment by any Member of this House will be able to be introduced and debated. It is an open rule.

So again I thank the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), ranking member, and members of the subcommittee for their hard work on this important issue; and at this point, once again, urge all of our colleagues to support the underlying legislation and this open rule.

Mrs. MALONEY. Mr. Speaker, I rise in strong opposition to this rule. This rule has been designated as ''Open'' but the truth is that a number of important amendments were defeated in Committee on a party line vote.

I am disappointed that the Maloney/Crowley amendment that would direct the $25 million appropriated in this bill for the United Nations Population Fund (UNFPA) to prevent, treat, and repair obstetric fistula was ruled out of order.

Two weeks ago, President Bush visited Senegal, South Africa, Botswana, Uganda and Nigeria. This was an important visit which demonstrated that this Administration is willing to work with and commit resources to the continent of Africa. Two of the countries he visited, Uganda and Nigeria, were included in a recent report released by the United Nations Population Fund (UNFPA) and EngenderHealth, Obstetric Fistula Needs Assessment: Findings from Nine African Countries. The report determines the capacity of 35 hospitals in Benin, Chad, Malawi, Mali, Mozambique, Niger, Uganda, and Zambia to treat patients with obstetric fistula and assess their need for additional supplies, staff, and surgical supplies.

Obstetric fistula is a horrible condition. More than two million woman world-wide are living in shame and suffering with this devastating condition, which results from obstructed labor during childbirth. In the United States and the rest of the developed world, fistula was once as common as it is now in Africa—the Waldorf Astoria in New York was built on the site of a fistula repair hospital. But Caesarean section changed history in the wealthier countries, and it is now our automatic response to obstructed labor. In poor areas of Africa and elsewhere, where health care is scarce and where undernourished and stunted young girls may be required to marry before their bodies have matured, a pregnant woman (usually a young girl) may be in agonizing labor for days. The baby usually dies, and if the woman survives, her birth canal may be damaged, creating an opening between her vagina and her bladder or her rectum, sometimes both. The result is an uncontrollable leakage of urine or feces, or both. The women is constantly wet and highly unpleasant; she suffers recurrent infections and shame, and is usually abandoned and ostracized by her community. No one knows the true extent of this problem, for the women tend to hide, not knowing that help is available—from programs supported by UNFPA.

Fortunately, UNFPA provides the very maternal health care that helps save the lives of women and their babies and avoids medical complications like fistula. I have always said that USAID does important work, but one thing they don't do is prevent and combat the incidence of fistula. In my opinion, it is a terrible lapse on the part of our government and gives added incentive and reason to fund UNFPA.

This amendment is a positive compromise. If it has been ruled in order, I am confident that this is the kind of program that no one would object to. It would have been a dramatic initiative demonstrating a commitment to Africa' poor and in particular to saving the lives of African women. Providing funding to UNFPA to fight fistula would have shown immediate results in the form of thousands of grateful women whose lives could resume. And it would have resolved the contentious issue of UNFPA funding that has repeatedly stalled the passage of urgent State Department initiatives and international aid programs worldwide.

Once again, I would like to say that I am very disappointed that the full House will not be allowed to consider this important, thoughtful compromise that will help save the lives of millions of women around the world.

I urge a ''no'' vote on the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2799, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 326 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 326

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2799) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: the first proviso under the heading ''National Telecommunications and Information Administration, Salaries and Expenses''; in section 201, all after ''prescribed by the Act''; the final proviso under the heading ''Federal Communications Commission, Salaries and Expenses''; the final proviso under the heading ''Federal Trade Commission, Salaries and Expenses''; section 603; and section 607(a) and (b). Where points of order are waived against part of a paragraph or section, points of order against a provision in another part of such paragraph or section may be made only against such provision and not against the entire paragraph or section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. BASS). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

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

Mr. Speaker, H. Res. 326 is an open rule providing for the consideration of H.R. 2799, the FY 2004 appropriations bill for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies. H. Res. 326 provides 1 hour of general debate in the House on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The resolution waives all points of order against consideration of the bill and waives points of order against provisions in bill for failing to comply with clause 2 of rule XXI, except as specified in the rule.

The rule also accords priority in recognition to Members who have preprinted amendments in the CONGRESSIONAL RECORD. This will simply encourage Members to take advantage of the option in order to facilitate consideration of amendments on the House floor and to inform Members of the details of pending amendments.

Finally, the bill provides for one motion to recommit with or without instructions.

Mr. Speaker, H. Res. 326 is a typical open rule to be considered for general appropriations bills. This rule does not restrict the normal open amending process in any way, and any amendments that comply with the standing Rules of the House may be offered for consideration. While a vast number of amendments are not expected, the rule permits those Members who have amendments every opportunity to offer them.

I want to begin by noting the good work of the Committee on Appropriations' subcommittee in bringing this legislation to the floor. The gentleman from Virginia (Chairman WOLF) and his subcommittee are to be commended for setting the funding priorities of these departments and agencies despite a number of challenging funding limitations.

That said, while I do not agree with every provision in the bill, this rule will provide House Members with every opportunity to offer a number of amendments to improve this important appropriations bill.

□ 1100

Mr. Speaker, there will be sufficient time during general debate to discuss the specific provisions in this bill, but I did want to point out a couple of provisions within this appropriations bill that recognize the post-9/11 commitment of this House to ensure that law enforcement across the Nation has the resources necessary to combat crime in America while meeting the new challenge of international terrorism.

This includes $4.64 billion in funding for the FBI, $424 million above the FY 2003 level, to support efforts to improve counterterrorism and counterintelligence efforts and to continue fighting violent crime, drugs, corporate fraud and cyber-crime.

In addition, the bill includes $2.16 billion for the DEA, which is $237 million above the FY 2003 funding, to establish a Drug Intelligence Fusion Center to allow agencies to share real time investigative data and support the creation of new positions.

In terms of providing for law enforcement at the State level, this bill provides $3.5 billion to assist States and localities in fighting crime. This includes $500 million for the Byrne formula program, $400 million for the Local Law Enforcement Block Grant program, $462 million for juvenile delinquency prevention and accountability programs, $388 million for violence against women, prevention and prosecution, $174 million to eliminate DEA analysis backlogs, and $400 million to reimburse States for criminal alien detention costs.

Mr. Speaker, this rule ensures an open amendment process for consideration of the funding legislation for the Departments of Commerce, State, Justice, and the Judiciary. I urge my colleagues to support the rule so we may begin debate on this important legislation.

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

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

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

Mr. FROST. Mr. Speaker, I believe that the Committee on Appropriations has done the best it could with this spending bill, but the actions of the Republican leadership have created major holes, failures that will leave Americans vulnerable to terrorist attacks at home and to political abuses here in Washington.

First of all, this bill is yet another example of how Republicans are mortgaging America's security in order to pay for tax breaks for the wealthiest few. Simply put, Republicans have spent trillions of dollars on tax breaks, and now they do not have enough money for law enforcement. They gave expensive tax breaks to the small, elite group of Bush Pioneers and Rangers who fund Republican campaigns, and now this bill shortchanges local law enforcement and the successful COPS Program.

Mr. Speaker, local police officers are on the front lines of homeland defense, so the gentleman from Wisconsin (Mr. OBEY) has an amendment to give police the support they need. To pay for it, all you have to do is ask millionaires to take slightly smaller tax breaks than they are already getting next year. It is a reasonable trade; about 200,000 millionaires would give up just $5,000 of the over $88,000 in tax breaks they are getting next year, and all Americans would benefit from critical law enforcement investments.

Secondly, Mr. Speaker, the bill leaves America's preeminent law enforcement agencies subject to partisan political abuse. Fortunately, Republicans will not have to ask millionaires to forgo further tax breaks in order to solve this problem, but they will have to stand up to the growing threat America faces from misuse of power by this one-party government.

Last Friday, a Republican Member of this House used his power as a committee chairman to send the police after Democrats, Members of Congress who had done nothing more than ask for more time to read a brand-new piece of legislation.

For many of us, that recalled an incident just 2 months ago. Then, Texas Republicans in Austin and in Washington tried to use Federal security officials as their own personal political police force. The Homeland Security agency, charged with tracking down terrorists, was enlisted to help Texas Republicans trying to track down Democratic lawmakers who had done nothing more than employ a parliamentary tactic in a legislative dispute, a tactic used by Republicans in the U.S. Senate, as well as Abraham Lincoln, in order to defend their constituents against an outrageous political power grab.

The FAA, whose core mission is to keep airplanes and their passengers safe in the air, was misused to track down a Democratic legislator's private airplane. And once Republicans found the Democratic legislators, they urged the FBI and the U.S. Marshals to arrest them despite the clear fact that they had violated neither State nor Federal law.

Justice Department officials say they did nothing wrong, but newspapers reported that an FBI agent in Corpus Christi, Texas, tried to find the Democratic legislators and spoke of ''ongoing surveillance.''

Unfortunately, Mr. Speaker, this was not the first evidence of Republican misuse of the Justice Department. In May, a distinguished member of the Texas House of Representatives, Representative Richard Raymond of Laredo, withdrew his voting rights complaint from the Justice Department after receiving reliable information that a powerful Republican in Washington had interfered with it. Instead, Representative Raymond had to go to a Federal Court to defend the voting rights of his Hispanic constituents.

Mr. Speaker, we face a serious problem when the Department of Justice has been so politically abused that Americans no longer trust its ability to defend their voting rights; and there is only one way to restore the integrity of the Justice Department, through a comprehensive investigation that lays out all the facts before the American people and then acts to ensure the Department can never be abused again.

That is what the Department of Transportation did this month. They quickly conducted a thorough investigation and released to the Congress their full 800-page report. And, just as importantly, they strengthened their rules, instituting a new regulation, that at least one newspaper has named after one of the Texas Republicans, to

ensure that politicians could never again misuse America's air safety resources.

In contrast, the Homeland Security officials released only a partial, heavily edited report, less than 100 pages in length, and they are still stonewalling with the help of Republicans on the Select Committee on Homeland Security.

Unfortunately, the Justice Department and some House Republicans have followed that sorry example. It has been 10 weeks since Texas Republicans tried to misuse the FBI, the U.S. Marshals and the Department of Homeland Security for partisan purposes. For several weeks, Justice Department officials tried to keep secret their internal investigation, and they still have not released any information to Congress.

Meanwhile, the Republicans on the Committee on the Judiciary, many of whom often led the charge to investigate a Democratic administration, have turned a blind eye to the Justice Department's stonewalling.

Mr. Speaker, this entire episode has brought discredit to the House of Representatives and to many of America's premier Federal security agencies, including the Department of Homeland Security, the FAA, the FBI and the entire Department of Justice.

In Ohio, the Columbus Dispatch has written of an ''egregious'' misuse of Federal resources. The San Antonio Express-News has called it ''offensive for a Member of Congress to manipulate a Federal agency to track down political foes in a strictly political situation.'' And as the Houston Chronicle wrote today of Chairman THOMAS' attempt to use the police against Democratic Members last week, ''The latest incident again betrays a particularly disturbing tendency of the party in power, the Republicans, to regard police agencies as enforcers, not only of the law, but of the majority's political will.''

That is why I have offered an amendment to this bill that would institute a new rule at the Department of Justice to protect it against political abuse. Unfortunately, Republicans on the Committee on Rules blocked it last night.

So, once again, the Republican Members of this House face an important substantive choice on the critical parliamentary vote known as ''the previous question.'' They can stand with their leadership and vote ''yes'' and protect Texas Republicans who misused Federal law enforcement earlier this year. That is basically what happened last Friday, when Republicans refused to vote for a resolution, saying it was wrong to call the police against your political opponents. But I am hoping that today Republican Members will follow a different role model and begin to restore some integrity to the House of Representatives.

More than 30 years ago, a Republican, Senator Barry Goldwater, went to Richard Nixon and told him the hard truth, that he had abused his power in the Washington scandal and that it was time for him to resign the Presidency. Today, on the previous question vote, Republican Members can follow that courageous example. They can stand up against abuse of power and they can say that the Justice Department belongs to the people of America, not to any political party.

All it takes is a ''no'' vote on the previous question. I urge my Republican friends to do the right thing.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS). The Chair would like to remind Members not to wear communicative badges while under recognition in debate.

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

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

Mr. Speaker, I just want to be clear, what the amendment is all about that I sought to offer, but which the Republicans ruled out of order in the Committee on Rules last night.

We had this situation in Texas involving a dispute, a partisan political dispute, over the attempt by Republicans in our legislature to redraw congressional district lines a second time in the decade. They had been drawn, of course, 2 years ago by a Federal Court after the legislature refused to act.

What happened was that a powerful Member on the other side of the aisle, one who is often seen on this floor, contacted the Justice Department and inquired, would it be all right, would it be appropriate, for the Justice Department to dispatch U.S. Marshals and to dispatch the FBI to track down Members of the Texas legislature who had broken a quorum?

Now, when a powerful Member of this institution makes an inquiry like that to the Justice Department, it is a suggestion, a very strong suggestion, that the Justice Department should get after it and should use the assets and the resources of the Justice Department.

In fact, we do know that an FBI agent in Texas made a phone call up to Ardmore, Oklahoma, perhaps he was encouraged in this inquiry by a powerful Republican on the other side that the Justice Department should be involved, to find out about the status of the legislators, to find out whether they were there and what was going on. We do know also that an inquiry was made to the U.S. Attorney's office in San Antonio, Texas, about the propriety of the U.S. Attorney's Office being involved.

Now, these are matters that have been in the public domain. This is not something anyone is making up. A very powerful Republican on the other side tried to involve the Justice Department in a partisan political dispute, and that is what my amendment would go to. After all, the FAA just recently had to change its procedures because that same powerful Republican Member contacted the FAA and caused the FAA to have 13 of its employees over an 8-hour period use Federal resources to try and track down those same Democrats who had gone to Oklahoma.

Now, what did the FAA do? They did the right thing. They instituted a rule saying, Well, it was a little gray area in the past, but we will make sure we never do this again; and no powerful person on the other side of the aisle will be able to pick up the phone and cause us to be involved in a political dispute and use our resources for that purpose.

That is all we are asking be done by the Justice Department, to take the same actions the FAA has already taken, the Department of Transportation has already taken. But, no, my friends on the other side do not want to encourage the Justice Department to do the right thing.

We cannot, Mr. Speaker, become a police state. Just as a powerful committee chairman called the police to track down and to break up a meeting of Democratic Members of this body last Friday, and just as another powerful Member on that side tried to use the FBI and the Marshal's Service and the U.S. Attorney's Office and the FAA and the Department of Homeland Defense to become a police state. That should not be permitted.

We are not some Third World power. We are not some ''banana republic'' where we use the police to settle political disputes. Shame on the other side of the aisle.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT), a Member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me time, and I join him in this effort to see that the previous question is defeated.

Mr. Speaker, last week, America witnessed a vivid example of how tyranny can begin in this country. The same Republican leadership here in the United States Congress that has blocked the Armed Forces Tax Fairness Act, that has blocked relief for working families on the child tax credit, that same Republican leadership was so eager to thwart the opposition that the chairman of one of the committees called in the police to break up the Democratic opposition organizing some alternatives to an important piece of legislation.

This is how tyranny can begin in America, and it is certainly not unique to what happened. This is further evidence of the extremism occurring in this Congress.

It is very tied to what my colleague from Texas has been talking about that occurred in the State of Texas. Indeed, it has nothing and everything to do with what happened in the Texas legislature. Nothing, in the sense that all we were trying to do in the United

States Congress was not to walk out, but to walk into participation, just as we have done with the child tax credit, to say that working families ought to have an opportunity to get their taxes cut also and get this credit for their children.

□ 1115

We wanted to participate, not to walk out. So it has nothing to do with Texas in that sense, where legislators legitimately broke a quorum; but it has everything to do with what happened in Texas with regard to the misuse of law enforcement resources, of becoming a police state.

In Texas, what happened is that immediately after this lawful action by the State legislators, the majority leader of the Republican Party, the gentleman from Texas (Mr. DELAY), here in the House, came out and said, call out the G-men. He opined that this was a proper matter for the Federal Bureau of Investigation, for the U.S. Marshals Service, for the United States Attorneys Office; and ever since he voiced that opinion that these people ought to be involved in a political dispute in Texas in order to advance his power grab, his political interests, we have been trying to find out from John Ashcroft how much of those resources were allocated. And guess what? We have not gotten one bit of information from them, unlike the Federal Aviation Administration, which has disclosed the truth and revised its procedures, recognizing that the FAA has a little bit more to do with air safety than advancing the political interests of the gentleman from Texas (Mr. DELAY) and the Republican Party.

The Homeland Security Department provided us a half truth. They only wanted to look at one incident, not how all of their resources were used. But the Justice Department has gone them several better, by providing no truth, no answers with regard to how these Justice Department resources were misused, and that is why the gentleman from Texas (Mr. FROST) is advancing this effort today, because we need to know that information.

In America, our freedoms will not be taken from us all at once, but they can ebb away; and when we see police-state tactics here in the Congress, for the first time in the memory of this institution; when we see a powerful figure like the gentleman from Texas (Mr. DELAY) summoning in the G-men to use them for political purposes; when we see the Department of Homeland Security diverted from protecting us against terrorism into using their resources for personal political ends, that is something Americans should be very concerned about.

I was pleased to see the Houston Chronicle today editorialize on this very matter [''Not Police Matter: Leave Law Enforcement Out of Legislative Tussles,'' Houston Chronical, July 22, 2003], saying that we should leave law enforcement out of these legislative disputes, whether it is in Austin, Ardmore, or the United States Capitol. By following the lead of my colleague, the gentleman from Texas (Mr. FROST), and defeating the previous question, we will advance this concern; not just fighting amongst each other, but fighting for something important.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I just wanted to bring the body's attention to an amendment that was added in the full committee over the objections of the chairman and the ranking member of the subcommittee. It was an amendment added by our colleague, the gentleman from Kansas (Mr. TIAHRT), that barely passed, but should not have. It was not the subject of hearings. It has no support from law enforcement. It has no support from Attorney General Ashcroft. And it has no support from the major association that represents licensed firearms dealers. It really serves to protect only the most corrupt gun dealers at the expense of all other legitimate gun dealers.

Specifically, this amendment provides protection to phantom dealers. These are people who sign up as dealers to be able to buy guns wholesale, but without the intention of reselling them, so they are really not businesses, as such, and should not be buying guns wholesale. Normally, they distribute them for illegal purposes. It permits recalcitrant dealers to ignore police requests for assistance. Nearly all licensed dealers perform this duty quickly and accurately to law enforcement, but there are about 8 percent of crime guns that cannot be traced because licensed dealers refuse to cooperate with police. This would legally allow them to refuse to cooperate with the police and allows licensed gun dealers not to cooperate in making gun traces. That clearly is counter to people's public safety.

It allows felons to retain Federal firearms licenses. It denies Congress and the public crime gun data that the Bureau of Alcohol, Tobacco, and Firearms needs. It ends the oversight of used firearms sales, and it requires destruction of records that now the Federal Bureau of Investigation needs.

All of these things, I think, undermine the public's need to protect itself from felons, from people with a history of mental illness, from people who are involved in the illegal transfer of firearms. We had somebody that provided the firearm that was used by the snipers that killed many people in the Washington area. They went back to the dealer and found that there were over 100 firearms that they had no record of. Well, they do not keep records because they do not want people to know that they either sold to felons or to people who are minors, or they do not want to pay taxes, or whatever the reason. But clearly, they should be having records. This would enable them to refuse to cooperate with law enforcement.

So I want to make the Members aware of the fact that this amendment is in this bill, and it is a bad amendment.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES).

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

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

Mr. Speaker, this morning I rise in strong support of H.R. 2799, the bill providing appropriations for the Departments of Commerce, Justice, State, and the Judiciary.

Mr. Speaker, I represent a district that lies along the U.S.-Mexican border. For many years, the region along the 2,000 mile stretch with Mexico has been ignored. The bill before us today will make tremendous strides to recognize the importance of increased resources to our southwest border.

This bill before us includes 168 additional positions for the United States Marshal Service for areas of high-priority need. It also recognizes that the areas along the southwest border are in the greatest need for these positions.

My district in El Paso lies within the western district of Texas. This judicial district has been one of the greatest impacted by a criminal caseload over the last decade. The majority of these cases are being heard in the El Paso Division of the Western District. The number of Federal cases filed in El Paso County alone has increased from 443 to over 2,100 cases since 1994. Last year, the El Paso Division received our second Federal judgeship. Currently pending before the Senate is a confirmation of an additional two Federal judges.

Mr. Speaker, needless to say, our caseload is being addressed and more of our cases are being heard. This also increases the work of our judges which, in turn, means more work for our Marshal Service. Currently, our marshals are reporting inoperable workload levels in the southwest border districts.

This bill would provide much-needed relief for our United States Marshal Service along the southwest border districts. I urge all of my colleagues to support the rule and to support passage of this bill.

In addition to that, this bill also includes funding for the State Criminal Alien Assistance Program, which the President, in the last two cycles, has zeroed out. Last year we were able to provide $250 million, and this year, $400 million.

So with that, Mr. Speaker, I strongly urge all of my colleagues to support this rule and this bill.

Mr. LINDER. Mr. Speaker, I would like to remind the gentleman from

Texas that in order to support the rule he is going to have to support the previous question to get to the rule.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Speaker, I thank the gentleman from Texas for yielding me this time. I will be very, very brief.

I am going to support this rule. I am going to support it because the rule speaks to a bill that the gentleman from Virginia (Chairman WOLF) and I worked on very hard to make the best of a very difficult allotment to the committee. The gentleman from Virginia (Chairman WOLF) was very fair, as I will explain during general debate, about meeting certain needs. There were some shortcomings in the bill that hopefully will get better.

But, most importantly, I support the rule because the rule supports some very difficult decisions that the committee made in terms of amendments; and the rule could have, as in past occurrences, played around and fooled around with those decisions by the committee. It did not. It supports the committee work; and, therefore, I stand in support of the rule.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in strong opposition to this rule because it protects language added in the committee that severely restricts the ATF's ability to investigate sham gun dealers.

This ill-advised provision was never the subject of a hearing and has no support from law enforcement. Our gun laws are already riddled with loopholes that make it difficult for the ATF to do their job. And now we are going to make it even more difficult by preventing the bureau from requiring firearm dealers to conduct a physical inventory, from denying licenses to dealers whose sales fall below certain levels, and from demanding that certain dealers provide documentation for all used guns sold in a specific period.

Why would we vote to make it easier for bad-apple dealers to sell guns illegally? Just a few months ago, this body provided them protection against lawsuits, and now we are going to make it even more difficult to ensure that gun dealers are not transferring guns illegally.

We keep hearing from the gun lobby that we need to enforce the laws on the books instead of passing new laws. Well, at this pace, we are not going to be able to enforce any laws on the books. There will not be any laws to enforce.

It is clear to me that the gun lobby will not be happy until our gun laws are rolled back to the era of Jesse James and the Wild West. I wonder if they realize that for every gun that illegally falls into the wrong hands, lives are at risk, especially our law enforcement officers.

I urge the defeat of this rule so that we can strike the irresponsible language from the bill and, for once, look at the impact of rolling back our gun safety laws instead of bowing to the gun lobby.

Let me say that we are still fighting gun violence in this country, and we are also fighting terrorism on the home front. Why would we make it easier for those that might be terrorists in this country to be able to go and buy their firearms? I do not understand what this Congress is doing. We are supposed to be protecting our constituents. We are supposed to be protecting our neighbors. This is going on constantly. I urge the defeat of the rule.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, I want to join my colleague, the gentlewoman from New York (Mrs. MCCARTHY), in her statement today in saying I think this rule protects an ill-advised provision that ironically makes our country less safe at a time when we are worried about terrorism and countering terrorism. The fact of the matter is, terrorism exists all over this country for those who live in the inner cities and are subjected to the random gun violence that plagues many of our neighborhoods.

When people talk about homeland security in America, they are not talking about al Qaeda; they are talking about the gun dealers who knowingly sell guns in untold numbers, knowing full well that those guns can easily be resold in the back of a trunk of a car in downtown Washington, D.C. And what does this provision in this rule allow? This provision in this rule allows us to roll back those few safeguards that we already give law enforcement, to ensure that those guns that are sold are sold in a legal and proper manner.

We often hear from the NRA, well, we are for law-abiding people being able to purchase law-abiding permits and guns. Well, apparently not, under this language, because what essentially they will do is make this language a criminal's delight, because they will not have to cover their tracks, because there will not be any tracks for them to cover under this legislation, which eliminates any inventory provision for gun dealers to be able to ensure that the guns that they sell are guns that are sold legally and lawfully.

The fact of the matter is that this legislation is protected under a rule that is supposed to be about appropriation bills, but, in this case, is about protecting an authorization for a loophole that puts our public at risk, puts our law enforcement at risk, and contradicts everything that we are standing for on this floor when it comes to protecting the American public.

□ 1130

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

Mr. Speaker, I would just like to remind my colleagues, what the rule does is routine in appropriations bills. We protect the product of the committee and have an open amending process.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. Speaker, I would just like to join my good friend and colleague in echoing so many of his very eloquent comments.

I rise today in opposition to the rule for H.R. 2799, the Commerce-Justice-State appropriations bill. While this bill contains many good provisions, I, like my colleagues, are deeply disappointed that this bill prevents the Bureau of Alcohol, Tobacco and Firearms from enforcing laws already on the books. The bill's language is a major step backwards when we should be doing more to ensure that guns are kept out of the hands of criminals.

A 1998 ATF study showed that over 50 percent of firearms used in crimes were traced back to just 1.2 percent of the Nation's 104,000 gun dealers. One delinquent dealer in Tacoma, Washington, was missing 78 firearms listed on the store's inventory, including the rifle used by the D.C. area snipers last year.

To address this problem, I have introduced H.R. 1540, the Crackdown on Deadbeat Gun Dealers Act, to increase ATF inspections of gun dealers, not eliminate them.

Unfortunately, the bill before us today undercuts the current enforcement provisions and prevents the ATF from doing its job. I urge my colleagues to oppose this rule. Let us do the right thing for the people of America.

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

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

As I explained at the beginning of this debate, Mr. Speaker, today Republican Members have the opportunity to begin to restore some integrity to the House of Representatives. All they have to do is vote no on the important parliamentary procedure known as the previous question.

If the previous question is defeated, I will amend the rule to allow the House to vote on my amendment to ensure that the Justice Department can never again be abused for partisan political purposes.

I wish this were not necessary, Mr. Speaker. But earlier this year Texas Republicans tried to treat the Justice Department as the enforcement arm of the Republican Party. And so it is vital to the integrity of the Justice Department that we force it to do what the Transportation Department has already done, institute what at least one newspaper has called the ''DeLay Rule'' to protect it from future political misuse.

To be clear, a ''no'' vote on the previous question will not block the Commerce-Justice-State appropriations bill. It will only allow the House to ensure Americans that Federal law enforcement belongs to the people and not to a political party. But a ''yes'' vote will stop my amendment and it will send the signal that this Republican House refuses to protect the Department of Justice against partisan misuse.

So I urge my Republican colleagues to join Democrats in opposing the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote on the previous question.

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

There was no objection.

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

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

Mr. Speaker, at this time I would like to remind those of my colleagues on the minority side of the aisle, who said they would urge their colleagues to support the rule, that you will not get a chance to do that unless they pass the previous question.

So I urge all of my colleagues to vote ''yes'' on the previous question.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in opposition to H. Res. 326, the rule governing floor debate on H.R. 2799, the Commerce, Justice, State, and the Judiciary Appropriations Bill for FY 2004. Although this is an open rule, several important amendments offered by my Democratic colleagues did not receive a waiver on points of order.

I personally proposed four amendments to H.R. 2799 that improved valuable programs administered by the Departments of Commerce, Justice, and State. The first amendment mandated that no funds be used by the Department of Justice to conceal or destroy physical and electronic records and documents related to any use of Federal agency resources in the Texas redistricting controversy. The second amendment stopped funding to any project that prohibited projects that promote the participation of women in international peace efforts. The third amendment prohibited funding programs that prevented the study of "good time" for persons incarcerated for non-violent crimes. The final amendment prohibited funding any attempt to prevent the Small Business Administration from providing technical assistance to small businesses participating in the rebuilding of Iraq and Afghanistan.

These are but a few of many valuable amendments that were not provided waivers to points of order under this rule. Yet again, party politics has influenced the decision making of the rules committee to the detriment of several programs that add value to the lives of American citizens, American businesses, and people around the world.

Mr. Speaker, I oppose this amendment and I encourage all of my colleagues to do the same.

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

PREVIOUS QUESTION FOR H. RES. 326—RULE ON H.R. 2799, FISCAL YEAR 2004 COMMERCE/JUSTICE/STATE APPROPRIATIONS

At the end of the resolution, add the following:

''SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Frost of Texas or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. ___, AS REPORTED (COMMERCE, JUSTICE, STATE, AND JUDICIARY APPROPRIATIONS ACT, 2004) OFFERED BY MR. FROST OF TEXAS

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

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

(1) Both newspaper accounts and Federal agency investigations have uncovered convincing evidence that on May 12, 2003 House Majority Leader Tom DeLay and other Republican officeholders in the State of Texas repeatedly contacted several Federal agencies, including the Federal Aviation Administration (Department of Transportation), the Air and Marine Interdiction Coordination Center (Department of Homeland Security), and the Department of Justice, seeking to improperly involve Federal personnel and resources in a state political dispute.

(2) In reaction to these events, the General Counsel and the Inspector General of the Department of Transportation immediately conducted a thorough investigation of these improper activities. In a letter it transmitted to Senator Joseph Lieberman on July 11, 2003, the Inspector General concluded that the Federal Aviation Administration's guidelines required ''considerable strengthening'' to prevent future situations in which government officials such as Representative DeLay might attempt to misuse Federal Aviation Administration resources for political purposes. On July 15, 2003, the Federal Aviation Administration issued a new internal guideline, known as the ''DeLay Rule'', requiring Federal Aviation Administration employees to inquire about the purpose of an inquiry before they provide outside parties with flight information.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, following the example of the Department of Transportation, the Department of Justice should implement promptly new guidelines to ensure that its resources and personnel are never again improperly used for partisan purposes.

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 221, nays 199, not voting 14, as follows:

[Roll No. 401]

YEAS—221

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

NAYS—199

Abercrombie
Ackerman
Alexander
Allen
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)

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

NOT VOTING—14

Andrews
Berkley
Conyers
Cubin
Dunn
Ferguson
Gephardt
Hensarling
Hunter
Keller
Meek (FL)
Payne
Peterson (PA)
Saxton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1220

Ms. SLAUGHTER, Mr. FORD, Ms. WOOLSEY, and Messrs. FARR, MCGOVERN, BERMAN, OLVER, PASTOR, TIERNEY and RUSH changed their vote from ''yea'' to ''nay.''

Mr. GARY G. MILLER of California changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LIMITATION ON AMENDMENTS DURING CONSIDERATION OF H.R. 2799, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2799 in the Committee of the Whole pursuant to House Resolution 326, no amendment to the bill may be offered except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; the amendments printed in the CONGRESSIONAL RECORD and numbered 1 through 13; the amendments that have been placed at the desk; and two amendments offered by the gentleman from Michigan (Mr. LEVIN), each regarding the United States Trade Representative and labor standards; each amendment may be offered only by the Member designated, or a designee, or the Member who caused it to be printed or placed at the desk, or a designee, shall be considered as read, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole; and I ask unanimous consent that the amendments placed at the desk be considered as read for the purpose of this unanimous consent request.

The SPEAKER pro tempore. The Clerk will designate the amendments placed at the desk.

The text of the amendments is as follows:

Amendment offered by Mr. ISSA:

In title I of the bill, under the heading relating to ''LEGAL ACTIVITIES—SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES'', after the second dollar amount, insert the following: ''(reduced by $1,500,000)''.

Amendment offered by Mr. PENCE:

In title IV (relating to Department of State and Related Agency), under the heading GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY, after section 403 insert the following new section:

SEC. 404. It is the sense of the Congress that the Representative of the United States to the United Nations should seek an agreement to lower the assessment level of the United States for the regular budget of the United Nations when the United Nations Committee on Contributions considers the scale of assessments for member nations for the period 2004 through 2006.

Amendment offered by Mr. SHIMKUS:

In title IV (relating to Department of State and Related Agency—Administration of Foreign Affairs) under the heading DIPLOMATIC AND CONSULAR PROGRAMS after the second dollar amount insert ''(decreased by $2,000,000)''.

In title IV (relating to Department of State and Related Agency—Administration of Foreign Affairs) under the heading CAPITAL INVESTMENT FUND after the first dollar amount insert ''(decreased by $1,000,000)''.

In title IV (relating to Department of State and Related Agency—Administration of Foreign Affairs) under the heading EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE after the first dollar amount insert ''(decreased by $1,000,000)''.

In title IV (relating to Department of State and Related Agency—International Organizations) under the heading CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS after the first dollar amount insert ''(decreased by $1,000,000)''.

In title IV (relating to Department of State and Related Agency—Broadcasting Board of Governors) under the heading BROADCASTING CAPITAL IMPROVEMENTS after the first dollar amount insert ''(decreased by $500,000)''.

In title IV (relating to Department of State and Related Agency—Broadcasting Board of Governors) under the heading INTERNATIONAL BROADCASTING OPERATIONS after the first dollar amount insert ''(increased by $5,500,000)''.

Amendment offered by Mr. MANZULLO:

In title V, in the item relating to ''SMALL BUSINESS ADMINISTRATION—BUSINESS LOANS PROGRAM ACCOUNT'', strike '': *Provided further*, That during fiscal year 2004 guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $10,000,000,000''.

Amendment offered by Mr. OTTER:

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

SEC. ____. None of the funds made available in this act may be used to seek a delay under Section 3103a(b) of title 18 United States Code.

Amendment offered by Mr. MANZULLO:

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

SEC.____. None of the funds made available in this Act may be used—

(1) to acquire manufactured articles, materials, or supplies unless section 2 of the Buy American Act (41 U.S.C. 10a) is applied to the contract for such acquisition by substituting ''at least 65 percent'' for ''substantially all''; or

(2) to enter into a contract for the construction, alteration, or repair of any public building or public work unless section 3 of the Buy American Act (41 U.S.C. 10b) is applied to such contract by substituting ''at least 65 percent'' for ''substantially all''.

Amendment offered by Mr. ROHRABACHER:

Page 103, after line 26, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the Department of Justice or the Department of State to file a motion in any court opposing a civil action against any Japanese person or corporation for compensation or reparations in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as slave or forced labor.

Amendment offered by Mr. HOSTETTLER:

Insert in an appropriate place the following:

SEC. . None of the funds appropriated in this Act may be used to enforce the judgment in Newdow v. U.S. Congress 292 F.3d 597 (9th Cir. 2002).

Amendment offered by Mr. HOSTETTLER:

Insert in an appropriate place the following:

SEC. . None of the funds appropriated in this Act may be used to enforce the judgment of the United States Court of Appeals for the Eleventh Circuit in Glassroth v.