

From the Committee on Science, for consideration of section 596 of the House bill, and sections 1034, 1092, and title XXXV of the Senate amendment, and modifications committed to conference: Messrs. BOEHLERT, SMITH of Michigan, and GORDON.

From the Committee on Small Business, for consideration of sections 807 and 3601 of the House bill, and sections 805, 822, 823, 912, and 1083 of the Senate amendment, and modifications committed to conference: Mr. MANZULLO, Mrs. KELLY, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of sections 555, 558, 596, 601, 905, 1051, 1063, 1072, and 3502 of the House bill, and section 321, 323, 325, 717, 1066, 1076, 1091, 2828, 2833–2836, and title XXXV of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, DUNCAN, and CAPUANO.

From the Committee on Veterans' Affairs, for consideration of the sections 2810 and 2831 of the House bill, and sections 642, 2821, and 2823 of the Senate amendment, and modifications committed to conference: Messrs. SMITH of New Jersey, BROWN of South Carolina, and MICHAUD.

From the Committee on Ways and Means, for consideration of section 585 of the House bill, and section 653 of the Senate amendment, and modifications committed to conference: Messrs. SHAW, CAMP, and RANGEL.

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken tomorrow.

#### COMMENDING RESILIENCY OF PEOPLE OF THE STATE OF FLORIDA AND WORK OF INDIVIDUALS WHO ASSISTED WITH RECOVERY EFFORTS AFTER HURRICANES CHARLEY, FRANCES, AND IVAN

Mr. MICA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 784) commending the resiliency of the people of the State of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances, and Ivan, as amended.

The Clerk read as follows:

H. RES. 784

Whereas on August 13, 2004, Hurricane Charley reached landfall and blasted the southwest region of the State of Florida with 145 mile per hour winds and 10-foot storm surges;

Whereas on September 4, 2004, Hurricane Frances reached landfall and battered the east coast and central region of Florida with 105 mile per hour winds and up to 17 inches of rain;

Whereas on September 16, 2004, Hurricane Ivan reached landfall and devastated the panhandle region of Florida with 130 mile per hour winds and estimated 16-foot storm surges;

Whereas on September 26, 2004, Hurricane Jeanne reached landfall and struck the east coast of Florida with 120 mile per hour winds;

Whereas in Florida, 27 people lost their lives due to Hurricane Charley, 30 people lost their lives from the devastation caused by Hurricane Frances, 21 people lost their lives from the destruction of Hurricane Ivan, and 6 people lost their lives as a result of Hurricane Jeanne;

Whereas tens of thousands of homes and businesses were damaged or destroyed by the four hurricanes;

Whereas insured property losses from Hurricane Charley are estimated at almost \$7,000,000,000, losses from Hurricane Frances are estimated at up to \$4,000,000,000, and losses from Hurricane Ivan are estimated at up to \$10,000,000,000;

Whereas more than 20,000 farms were in the path of Hurricane Frances, resulting in more than \$2,000,000,000 in damage to the Florida agriculture community;

Whereas the travel and tourism industry in Florida faces billions of dollars in lost revenue;

Whereas power outages caused by the hurricanes have affected more than 6,000,000 people;

Whereas Florida Governor Jeb Bush took immediate action by declaring a major disaster for the entire State of Florida and deploying necessary resources to deal with this crisis;

Whereas the Florida Division of Emergency Management officials did an outstanding job coordinating efforts among Federal, State, and local entities;

Whereas Michael D. Brown, Under Secretary of Homeland Security for Emergency Preparedness and Response, responded quickly to each of the disasters;

Whereas the Federal Emergency Management Agency has more than 2,700 agency workers helping with recovery efforts;

Whereas State, local, and municipal elected officials in Florida diligently voiced the concerns and needs of their respective communities;

Whereas State and local police officers, firefighters, and first responders went above and beyond the call of duty in responding to the four hurricanes;

Whereas Florida Emergency Operations Center personnel worked tirelessly to direct relief efforts;

Whereas the National Guard was quick to mobilize more than 4,100 troops to help in the relief effort;

Whereas doctors, nurses, and medical personnel worked expeditiously to ensure that hospitals and medical centers continued providing necessary care to their communities;

Whereas the American Red Cross and other volunteer organizations and charities are supplying hurricane victims with food, water, and shelter;

Whereas utility companies have worked around-the-clock shifts to restore electric, phone, cable, and water service to damaged areas;

Whereas the Army Corps of Engineers has worked to reinforce thousands of homes with roof damage;

Whereas the National Oceanic and Atmospheric Administration did an extraordinary

job providing accurate forecasts of these four devastating storms; and

Whereas thousands of volunteers from across the country have donated their time and resources to help with recovery efforts: Now, therefore, be it

*Resolved*, That the House of Representatives commends the resiliency of the people of the State of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances, Ivan, and Jeanne.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

#### GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, the people of the great State of Florida, as we all have seen during the past days, have endured one of the deadliest and most overwhelming hurricane seasons in history. This past weekend, Hurricane Jeanne ravaged Florida's Atlantic coast and became the fourth storm to hammer my State in 6 weeks. For the fourth time, thousands of Floridians were forced into shelters to outlast another powerful hurricane. They lost power, they lost possessions, and they emerged to salvage a few belongings from their damaged homes.

Those Floridians stood in lines waiting for meals, ice; and now they have begun the difficult task to repair their damaged or destroyed homes, to save and put together, find their belongings, all while tolerating Florida's most difficult heat.

But worse than all these inconveniences the storms brought, unfortunately, many Floridians again learned that another storm had taken some of their family, some of their friends, and some of their neighbors. We extend our deepest sympathy to all those who lost their loved ones in these natural tragedies.

The chronology of the Sunshine State's August and September goes like this, and it is an unbelievable scenario: first, Hurricane Charley pounded Florida's southwest coast with nearly 150-mile-an-hour winds on Friday, August 13. It caused approximately some \$7 billion in damage.

Then on September 4, Hurricane Frances punished practically the entire State as it moved in a very slow fashion across the entire peninsula during Labor Day weekend. Property damage from Frances is estimated to cost some \$4 billion.

Still reeling from the first two storms, Hurricane Ivan, nicknamed Ivan the Terrible, blasted Alabama and Florida's panhandle on Thursday, September 16.

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Ivan left behind an astonishing \$10 billion worth of damage and cost for residents to sustain.

Finally, and almost unbelievably, we had one final natural disaster this past weekend. Hurricane Jeanne claimed 6 lives and devastated huge parts of central Florida on Sunday. I am sure many people watched it as it followed the track of a previous hurricane. In Daytona Beach, an area that I represent, the storm washed out sea walls, destroyed beach ramps and scattered tons of debris everywhere. Of course, hard hit were the areas in Martin County and Stuart. Jeanne will cost affected communities another estimated \$10 billion, and it knocked out power to more than 2 million residents.

Amazingly, all four of these storms rank in the top ten most expensive hurricanes in American history. But these statistics of losses, while devastating for many families, businesses, farms, the tourism industry, our Florida workforce and others, are ultimately just numbers. The real tragedy of these storms is that they have killed some 79 people in Florida alone, not to mention the 1,500 estimated deaths in Haiti. Jeanne's fury killed six Floridians just this past weekend. These four storms constitute an absolute major tragedy, and our most sincere thoughts and our prayers remain with the individuals and families of those affected by the hurricanes.

Mr. Speaker, the people of Florida have been through an exhausting month and a half. But amid the tragedy and loss, Floridians have responded with an absolute awe-inspiring support and resistance. Relief efforts have been massive. State officials have reported that relief workers and emergency responders have distributed more than 16 million meals, 9 million gallons of water and 60 million pounds of ice over the past 6 weeks. Everyone, and I do say everyone, from the Federal level, the State level and the local level, FEMA, the Florida Emergency Management Division, the National Guard, the American Red Cross, the Army Corps of Engineers and so many other government agencies, private groups and countless individuals have pitched in when residents needed help. Neighbors helped neighbors, hundreds of thousands of acts of kindness and help. The work continues as we speak. But this resolution tonight praises the help of all these selfless people.

Mr. Speaker, it has been an exhausting end to the summer in Florida. Residents are tired and weary but are certainly not defeated. I commend tonight all Floridians in the wake of these four terrible hurricanes. I also want to take this opportunity to thank my good friend from Florida (Mr. FOLEY), whose

district was hard hit, for offering House Resolution 784 on behalf of all of the Florida delegation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with my colleague from Florida (Mr. MICA) in consideration of H. Res. 784 which commends the resiliency of the people of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances and Ivan.

As residents of Florida return to their homes to rebuild their lives and communities, they demonstrate the very resilient character of the American people. It is impossible to know why we Americans embody this characteristic. Perhaps it has been passed down to us from our ancestors who survived the most difficult of circumstances upon their arrival here. They were tested fiercely, and we as Americans find ourselves tested again and again. But rather than back down from these challenges, it seems that we are at our finest during times of difficulty and in times of crisis. Our spirit is resolute, our generosity is seemingly boundless, and our determination is unyielding.

The devastation caused by Hurricanes Charley, Frances and Ivan, not to mention Jeanne, have left many people in Florida to repair damaged homes or to rebuild their lives. Despite the frustration and sadness they feel, the residents of Florida have proven to us once again that they can prevail over tragedy and hardship by working together. Whether a family member lends shelter and food to another family member in need or a neighbor helps another salvage keepsakes from a destroyed home, or a person offers a bottle of water or the use of a phone to a stranger, the people of Florida are bravely doing what is necessary to help one another get through this tragedy.

We Americans can be proud of the people of Florida, so I am pleased to join my colleague as we offer words of support, words of comfort and words to know that no matter how difficult the circumstances, Florida will continue to rise and rise and rise again.

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

Mr. MICA. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Florida (Mr. FOLEY), the sponsor of House Resolution 784, commending the people of Florida.

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS) and the gentleman from Florida (Mr. MICA). I never thought I would leave Florida today and find the remnants of Jeanne here in our Nation's capital, but so it be.

One of my interns, Adrian Sferle, has basically done what I think is an out-

standing map; it was not prepared by NOAA. It was prepared by a college intern, that tracks the four hurricanes that the gentleman from Florida (Mr. MICA) so eloquently described, the hardships they have created, the damage they have wrought and the injuries they have inflicted to a fragile Florida. The purpose today is not necessarily to recount the damage, the totals, the numbers, because they are all stark and they all bring weight to the human spirit because they have endured and caused great pain, great physical, emotional, exhausting pain. People in some parts of Florida, my friend Jeff Miller knows from Pensacola, Adam Putnam, virtually every member of the delegation has had these four storms hit parts or portions of their district. I had the distinction of having three: Charley, Jeanne, Frances, Jeanne and Frances entering almost at the exact same spot in Martin County, Florida; Charley hitting Punta Gorda; Ivan hitting Pensacola, then through Alabama. And, of course, those storms have wrought great tragedy. But the beautiful thing about a storm of this magnitude, if there can be a positive outcome, it is what the gentleman from Illinois (Mr. DAVIS) described, and that is the spirit of America coming forward to aid and assist their fellow man in time of need. The gentleman from Florida (Mr. MICA) mentioned the organizations, American Red Cross, United Way, Salvation Army, among many who have stood up with leadership, compassion and capability to bring Florida back together again. Spending time in emergency operating centers of several counties, we have seen volunteers, professionals, firefighters, Corps of Engineers, you name it, police, sheriff, county administrators, county commissioners, soldiering on and dealing with the pre-hurricane preparedness and the after-hurricane response. Insurance agencies coming down quickly to solve the problems of those that have been injured. Corps of Engineers and their blue tarp program working expeditiously to secure the roof of those who have lost their roofs. FEMA. The tremendous response by Mike Brown, Under Secretary of Homeland Security, and his entire team. Over 4,000-plus people from FEMA are working in the State of Florida. The Governor of our great State, Jeb Bush, has spent the last 7 weeks tirelessly dealing with the needs of the citizens of Florida. The bipartisan spirit of our delegation has been superb. Our two Senators have worked so hard and have fashioned resolutions to deal with the aftermath of these storms. The President coming to Florida on three occasions and will again be in Florida tomorrow to deal with the after-effects of the disaster, ordering FEMA and other Federal agencies to prepare not only in advance of the storms but after to remedy the needs of Floridians.

But we could not do it without the volunteers, the people who have assembled to hand out ice and water. Today,

I was in West Palm at the fair grounds. There were kids who were remanded to the drug court that were participating. There were several Miami Dolphin football players participating. There were people from all walks of life, doctors and nurses who were there on the scene, taking time out of their own lives when they had their own homes to rehabilitate, when they had their own homes and families to deal with. Nonetheless, they stood shoulder-to-shoulder in the blazing Florida sun to make certain no person was left behind without the basic, necessary essentials. These are the heroes that I come to the floor today to commend.

We would have never expected four storms in Florida. Maybe we should, because Florida is in the tropics, and we are in a way where storms will make their progress and path toward our State. But we will bounce back. We will be better. We will be stronger. And we will be united. Storms know no partisanship. They certainly know no direction. They find their way, and they do their devastation. But humanity rises to the call and to the occasion. I am deeply gratified for everyone in the process who has worked so hard. I know we will bounce back in the travel and tourism industry. I know we will bounce back in some of the other things that we are going to deal with. There are many measures we are sponsoring on regional emergency energy reserves, on review of energy repair efforts after a disaster, on insurance disaster relief reserves using IRA accounts and so many other things. But I do not want to cloud this resolution with a lot of future endeavors but to thank those who took time out of their lives to share with their fellow Floridians the hard work and handiwork that they are bringing to bear to relieve the suffering of our constituents.

I thank first the gentleman from Virginia (Mr. TOM DAVIS) for giving me an opportunity to proceed out of order. I thank the gentleman from Florida (Mr. MICA) and his committee for giving us the chance to have this resolution heard.

Mr. MICA. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, this past weekend, once again, Floridians were tested. This is the year that I decided to buy waterfront property, so I, too, was there. I, too, learned the fear of the very harsh winds that came, the wonder if everything was secured properly, only to wake up yesterday morning to find water in my first floor once again. What happens is neighbors come together. They help each other, and Floridians are resilient. They will again be rebuilding, rebuilding better, safer structures. But because we love our State and we love, certainly, the Sunshine State, and I predict that, come January or February, when the snow is high up here, that even us Floridians

will look back upon this as just a time of test.

Whether it was Charley, Frances, Ivan or, this past weekend, Jeanne, we saw communities come together. We saw people helping each other. We might have lost our power. We might have lost some of our possessions and certainly our pride because we never could relate to what it meant to be homeless, but there are so many people who are now homeless as a result of this storm.

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The simple things such as taking a nice warm shower, these amenities obviously were missing. The Red Cross as well as the Salvation Army moved in some shower units so that while people were waiting for the power to come back on, at least they could take a shower. They provided water, ice, food, and certainly comfort. Many of the churches also opened their doors to provide hot meals to people.

Floridians will survive this storm this past weekend as we survived the ones in the past. Neighbors are helping neighbors. Certainly the sheriffs' offices are to be commended. We have heroes out there, everyday people in the communities who are stepping forward to help individuals whose property may have been damaged by these storms. We need to remember these very brave people, whether they are firefighters, whether they are the road deputies, or whether they are the neighbor next door who comes forth with a chain saw and is willing to help somebody who has had a tree fall on their property. Floridians are a hearty group and certainly we need to commend them.

And I want to thank the gentleman from Florida (Mr. FOLEY) for introducing this resolution.

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

To conclude, Mr. Speaker, I commend the gentleman from Florida (Mr. FOLEY), the author of this resolution, commending the people of Florida on their response, their attitude, their resilience in a time they have faced of unprecedented natural disasters.

I again would close by saying that we owe a great deal of thanks to President Bush, who has responded first with a recommendation of \$2 billion. Most recently with \$7.1 billion in Federal assistance that will supplement insurance and other assistance from the private sector to people who have been seriously affected, who have lost their homes, their possessions, their businesses in this horrible series of natural disasters.

I want to thank Jeb Bush. Rarely has any Governor responded with such commanding presence to assist his people than the Governor of Florida, Jeb Bush. Of course we all want to thank Federal, State, local volunteers, workers, and people who came from other States to assist us in our time of need, and neighbors who helped neighbors.

We have lost a lot of things in Florida, but one thing we did not lose was

our sense of humor. And I must close with we have a local columnist in the Orlando Sentinel. I believe this was ten things that he pointed out that Floridians learned from the hurricanes and disasters, and I will point out two of them. Again, Floridians did not lose their sense of humor, but ten things we learned. Two of them: One, we learned that no matter how great the hurricane-force winds, the political signs did not blow away. Also, and again I think it was Mike Thomas of the Sentinel, one of the things we learned, it is one's God-given right as a Floridian, when they have had a hurricane, to sit on their back porch by candlelight eating Chinese food in their underwear. And again one can only appreciate that if they are a Floridian and have had to go through a very traumatic time without power in a very hot time of the summer. So we have not lost our resilience. We have not lost our sense of humor.

Finally, I will announce that Florida is open for business. Our tourist attractions are open and we welcome people. The best way people can help the people of Florida now is to, in fact, visit Florida, continue with their plans. While we have some areas that have been hard hit, a simple call will confirm that most of Florida, and particularly the tourist areas, are open for business. And people can help us, again, with economic recovery by not abandoning their plans to visit Florida.

So with that, Mr. Speaker, I am pleased to support House Resolutions 784 by the gentleman from Florida (Mr. FOLEY).

Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore (Mr. KLINE). The gentleman from Florida (Mr. MICA) has 30 seconds remaining.

Mr. MICA. Mr. Speaker, I yield the balance of my time to the gentlewoman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Speaker, during the last month and a half, the worst of circumstances has summoned the best of humanity. As I have visited emergency operation centers, Red Cross shelters, and temporary housing sites throughout Florida's 13th Congressional District, I have truly been amazed by the courage, determination, and compassion I have witnessed.

Just last weekend the gentleman from Ohio (Mr. NEY) joined me in visiting some of the worst-hit areas in my district, in DeSoto and Hardee Counties, just hours before Hurricane Jeanne became the third hurricane in 6 weeks to devastate this economically challenged region.

And what was the attitude of those residents as a disaster of already historic proportions threatened to become even worse? Not bitterness or even despair, but unbelievable selflessness as they said that they were glad the hurricane approached, as they had lost everything, it would not be damaging anyone else in its wake.

Storms like Charley, Frances, Ivan, and Jeanne can destroy the property of our State's valiant people. They can even test Florida's enormous reserve of physical and emotional energy, but they will not break our will or steal our heart.

As we consider legislation to assist hurricane victims, may we act in the same spirit and with the same courage and determination.

Mr. BILIRAKIS. Mr. Speaker, I rise in strong support of H. Res. 784, which commends the resiliency of the people of the State of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances, and Ivan. As a Floridian and cosponsor of this resolution, I am proud to stand here today.

Florida is the most hurricane-prone State in the Nation. This season alone we have witnessed destruction from Hurricanes Charley, Frances, Ivan and, most recently, Jeanne. Homes have been damaged and in some cases destroyed. Power outages continue to plague many throughout the State. The agricultural industry has taken a beating by the devastation caused to crops and livestock.

And the hurricane season is far from over.

Mr. Speaker, Floridians are tired and many are hurting as a result of these hurricanes. But they don't give up. They rally together to help those in need, volunteering their time and resources to help their neighbors. Even individuals who are faced with repairing their own homes and businesses take time to help those with greater need first. This is a testament to the good will and hopeful spirit that I have come to admire and expect in the people of our great State.

I commend Floridians for persevering during this trying hurricane season, and I applaud all those who have assisted in recovery efforts. Governor Jeb Bush has done a great job leading, encouraging, and comforting the weary citizens of our State, and he is one player among a cast of thousands that is worthy of our praise. Mr. Speaker, I wish to thank the Federal Emergency Management Agency (FEMA) representatives who have spent much time and many resources assisting Floridians. I also commend our local and State law enforcement officials, emergency workers, and public safety personnel for keeping order, directing traffic and rescuing stranded individuals.

There are too many people to thank to name them, but they know who they are. I encourage all Floridians to keep persevering and to keep helping one another. You are an inspiration to us all.

Mr. Speaker, passage of H. Res. 784 would show the people of Florida that the House of Representatives recognizes and values the manner by which they have dealt with this busy hurricane season. I urge all of my colleagues to support this resolution to commend Floridians for their hard work and patience during this difficult time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the resolution, H. Res. 784, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: "Commending the resiliency of the people of the State of Florida and the work of those individuals who have assisted with the recovery efforts after the devastation caused by Hurricanes Charley, Frances, Ivan, and Jeanne."

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 106, PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO MARRIAGE

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-705) on the resolution (H. Res. 801) providing for consideration of the joint resolution (H.J. Res. 106) proposing an amendment to the Constitution of the United States relating to marriage, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 107, MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2005

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-706) on the resolution (H. Res. 802) providing for consideration of the joint resolution (H.J. Res. 107) making continuing appropriations for the fiscal year 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3193, DISTRICT OF COLUMBIA PERSONAL PROTECTION ACT

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-707) on the resolution (H. Res. 803) providing for consideration of the bill (H.R. 3193) to restore second amendment rights in the District of Columbia, which was referred to the House Calendar and ordered to be printed.

#### DISTRICT OF COLUMBIA RETIREMENT PROTECTION IMPROVEMENT ACT OF 2004

Mr. TOM DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4657) to amend the Balanced Budget Act of 1997 to improve the administration of Federal pension benefit payments for District of Columbia teachers, police officers, and fire fighters, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4657

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Retirement Protection Improvement Act of 2004".

#### SEC. 2. ESTABLISHMENT OF DISTRICT OF COLUMBIA FEDERAL PENSION FUND FOR PAYMENT OF FEDERAL BENEFIT PAYMENTS TO DISTRICT OF COLUMBIA TEACHERS, POLICE OFFICERS, AND FIRE FIGHTERS.

(a) IN GENERAL.—Subtitle A of title XI of the Balanced Budget Act of 1997 (sec. 1—801.01 et seq., D.C. Official Code) is amended—

(1) by redesignating chapter 9 as chapter 10;

(2) by redesignating sections 11081 through 11087 as sections 11091 through 11097; and

(3) by inserting after chapter 8 the following new chapter:

#### "CHAPTER 9—DISTRICT OF COLUMBIA FEDERAL PENSION FUND

##### "SEC. 11081. CREATION OF FUND.

"(a) ESTABLISHMENT.—There is established on the books of the Treasury the District of Columbia Teachers, Police Officers, and Firefighters Federal Pension Fund (hereafter referred to as the 'D.C. Federal Pension Fund'), consisting of the following:

"(1) The assets transferred pursuant to section 11083.

"(2) The annual Federal payments deposited pursuant to section 11084.

"(3) Any amounts otherwise appropriated to such Fund.

"(4) Any income earned on the investment of the assets of such Fund pursuant to subsection (b).

"(b) INVESTMENT OF ASSETS.—The Secretary shall invest such portion of the assets of the D.C. Federal Pension Fund as is not in the judgment of the Secretary required to meet current withdrawals. Such investments shall be in public debt securities with maturities suitable to the needs of the D.C. Federal Pension Fund, as determined by the Secretary, and bearing interest at rates determined by the Secretary, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities.

"(c) RECORDKEEPING FOR ACTUARIAL STATUS.—The Secretary shall provide for the keeping of such records as are necessary for determining the actuarial status of the D.C. Federal Pension Fund.

##### "SEC. 11082. USES OF AMOUNTS IN FUND.

"(a) IN GENERAL.—Amounts in the D.C. Federal Pension Fund shall be used—

"(1) to make Federal benefit payments under this subtitle;

"(2) subject to subsection (b), to cover the reasonable and necessary administrative expenses incurred by any person in administering the D.C. Federal Pension Fund and carrying out this chapter;

"(3) for the accumulation of funds in order to finance obligations of the Federal Government for future benefits; and

"(4) for such other purposes as are specified in this subtitle.

"(b) BUDGETING, CERTIFICATION, AND APPROVAL OF ADMINISTRATIVE EXPENSES.—The administrative expenses of the D.C. Federal Pension Fund shall be paid in accordance with an annual budget set forth by the Pension Fund Trustee which shall be subject to certification and approval by the Secretary.

##### "SEC. 11083. TRANSFER OF ASSETS AND OBLIGATIONS OF TRUST FUND AND FEDERAL SUPPLEMENTAL FUND.

"(a) TRANSFER OF OBLIGATIONS.—Effective October 1, 2004, all obligations to make Federal benefit payments shall be transferred from the Trust Fund to the D.C. Federal Pension Fund.

"(b) TRANSFER OF ASSETS.—Effective October 1, 2004, all assets of the Trust Fund and