CONFERENCE REPORT ON H.R. 4775, 2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

Mr. YOUNG of Florida. Mr. Speaker, pursuant to a previous order of the House, I call up the conference report to accompany the bill (H.R. 4775) making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to the order of the House of Monday, July 22, 2002, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 19, 2002 at page H 4935.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report accompanying H.R. 4775, and that I may include tabular and extraneous material.

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

There was no objection.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring to the House the conference report on the 2002 supplemental appropriations bill. This is a war-time supplemental to add further to our efforts to respond to the terrorist attacks on September 11, to provide necessary funding to pursue the al Qaeda, to secure America, and to support further recovery from the vicious attack on September 11 of last year.

On May 24, almost 2 months ago, the House passed this version of this supplemental by a vote of 280 to 138. Two weeks later, the Senate passed its version of the bill. Over the past month and a half, we have worked diligently to address the differences in the House and Senate bills. The agreement being presented here to the House today is a fair bill that provides the funding that President Bush has requested as he leads our Nation against terrorism.

Mr. Speaker, this is a tremendously important bill, and I would again like to state that this is a wartime supplemental appropriations bill. It provides money for our troops, our intelligence community, our safety and security, the victims of New York, and to promote U.S. foreign policy.

The bill totals $28.9 billion in discretionary spending; $15 billion of that is for the Defense Department, including additional funds for the call-up of the Guard and Reserves as they were called to active duty to respond to September 11; $6.7 billion is for homeland security requirements; $2.1 billion is for foreign assistance and embassy security programs; and $5.5 billion is to further support recovery in New York.

The bill also includes $1 billion in funds to avert the estimated shortfalls in the Pell Grant student aid program. It includes $417 million for veterans' medical care, $205 million for Amtrak, $400 million for programs and activities to improve general election administration in our country, and $100 million to begin to address the need to respond to floods and the tremendous fires that our Nation has experienced and is still experiencing.

The committee has identified $3 billion in offsets to help pay for much of the new spending contained in the bill. These offsets are real, they are actual offsets; they are not smoke and mirrors.

It is a good bill, and I hope we can get it to the President's desk as soon as possible so that our soldiers, our diplomats, our law enforcement, and our intelligence officers can have the resources they need to protect our country from future attacks. At this point in the RECORD I will insert a table identifying the details of the conference report.
### CHAPTER 1

**DEPARTMENT OF AGRICULTURE**

<table>
<thead>
<tr>
<th>Item</th>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference versus House</th>
<th>Conference versus Senate</th>
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Note: All amounts are in thousands.
### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### Food and Drug Administration

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#### General Provisions

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#### Total, chapter 1

|                                    | 66,000   | -345,000 | 352,000  | -112,000   | +233,000| -464,000|

### CHAPTER 2

#### DEPARTMENT OF JUSTICE

#### General Administration

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#### United States Marshals Service:

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#### Office of Justice Programs

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### Amounts in Thousands
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<th>Senate</th>
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DEPARTMENT OF COMMERCE AND RELATED AGENCIES

RELATED AGENCIES

Office of the United States Trade Representative

Salaries and expenses (contingent emergency)                         |                      | 1,100 |        | 1,100      |       | +1,100 |

European Communities Music Licensing Dispute                           | 3,300                |       |        |            |       |        |

INTERNATIONAL TRADE ADMINISTRATION

Operations and administration (contingent emergency)                  |                      |        | 1,725  |            |       | -1,725 |

Export Administration

Operations and Administration (emergency)                              |                      | 8,700 |        |            |       |        |
Contingent emergency                                                  |                      | 8,700 |        |            |       | -8,700 |

Bureau of the Census

Periodic Censuses and Programs (rescission)                           |                      |        | -20,900| -11,300    | -11,300 | +9,600 |

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Scientific and technical research and services (emergency)            |                      | 4,000 | 4,000  | 4,000      |       | +4,000 |
Contingent emergency                                                  |                      |       | 84,600 | 33,100     | +33,100 | -51,500 |

National Oceanic and Atmospheric Administration

Operations, research, and facilities                                   |                      |        | 26,400 | 2,000      | +2,000 | -24,400 |
Contingent emergency                                                  |                      |        | 2,800  | 2,800      | +2,800 |        |
Rescission                                                            |                      |        |        | -8,100     | -8,100 |        |

Procurement, acquisition and construction:

Contingent emergency                                                  |                      |        | 7,200  | 7,200      | +7,200 |        |
Rescission                                                            |                      |        | -8,100 |           |        |        |

Fisheries Finance Program Account (limitation on direct loans)       | (24,000)             | (24,000)| (24,000) | (24,000)   |       |        |
Negative subsidy                                                      | -3,000               | -3,000 | -3,000 | -3,000     |       |        |

DEPARTMENTAL MANAGEMENT

Salaries and expenses (emergency)                                      |                      | 400   | 400    |            |       | +400   |
Contingent emergency                                                  |                      | 400   |        |            |       | -400   |
## H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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<th>The Judiciary</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
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<th>Conference Versus Senate (\Delta)</th>
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<td>43,000</td>
<td>--</td>
<td>23,034</td>
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<td>-48,000</td>
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<td>+48,000</td>
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### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002
(Amounts in Thousands)

<table>
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<tr>
<th>Related Agency</th>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
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<th>Conference versus Senate</th>
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<tr>
<td>International Broadcasting Operations (emergency)</td>
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<td>7,400</td>
<td>—</td>
<td>7,400</td>
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<td>+7,400</td>
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<td>—</td>
<td>7,400</td>
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<td>Broadcasting capital improvements</td>
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<td>Maritime guaranteed loan (Title XI) program account rescission</td>
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<td>20,000</td>
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<td>+10,900</td>
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<td>9,300</td>
<td>9,300</td>
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<td><strong>GENERAL PROVISIONS</strong></td>
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<td>Industrial Technology Services (sec. 201)</td>
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<td>New England fishery (sec. 210)</td>
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<td>—</td>
<td>11,000</td>
<td>11,000</td>
<td>+11,000</td>
<td>—</td>
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<tr>
<td>Northeast fishery (sec. 211)</td>
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<td>—</td>
<td>5,000</td>
<td>5,000</td>
<td>+5,000</td>
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<td><strong>Total, chapter 2</strong></td>
<td>427,616</td>
<td>753,474</td>
<td>1,267,175</td>
<td>901,315</td>
<td>+147,841</td>
<td>-365,860</td>
</tr>
</tbody>
</table>

### CHAPTER 3

**DEPARTMENT OF DEFENSE - MILITARY**

**Military Personnel**

| Military Personnel, Air Force (emergency) | 206,000 | 206,000 | 206,000 | 206,000 | — | — |
| **Operation and Maintenance** | | | | | | |
| Operation and Maintenance, Army (emergency) | 107,000 | 107,000 | 107,000 | 107,000 | — | — |
| Contingent emergency | — | 119,000 | — | 102,000 | — | -17,000 |
| Operation and Maintenance, Navy (emergency) | 36,500 | 36,500 | 36,500 | 36,500 | — | — |
| Contingent emergency | — | 17,250 | — | 12,250 | — | -5,000 |
| Operation and Maintenance, Air Force (emergency) | 41,000 | 41,000 | 41,000 | 41,000 | — | — |
| Contingent emergency | — | 19,500 | — | 24,510 | — | +5,010 |
| Operation and Maintenance, Defense-Wide (emergency) | 739,000 | 739,000 | 739,000 | 721,975 | — | -17,025 |
| Contingent emergency | — | 12,975 | — | — | — | — |
| Defense Emergency Response Fund (emergency) | 11,300,000 | 11,300,000 | 11,300,000 | 11,300,000 | — | — |
| Contingent emergency | — | 1,353,972 | — | 601,900 | — | -792,072 |
| **Total, Operation and maintenance** | 12,223,500 | 13,786,197 | 12,223,500 | 12,947,135 | -839,062 | +723,635 |
## H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

<table>
<thead>
<tr>
<th>Procurement</th>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference House</th>
<th>Conference Senate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Procurement, Army (emergency)</td>
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<td>79,200</td>
<td>79,200</td>
<td>79,200</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Aircraft Procurement, Navy (emergency)</td>
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<td>22,800</td>
<td>22,800</td>
<td>22,800</td>
<td>---</td>
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</tr>
<tr>
<td>Procurement of Ammunition, Navy and Marine Corps (emergency)</td>
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<td>262,000</td>
<td>262,000</td>
<td>262,000</td>
<td>---</td>
<td>---</td>
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<tr>
<td>Other Procurement, Navy (emergency)</td>
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<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
<td>---</td>
<td>---</td>
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<tr>
<td>Procurement, Marine Corps (emergency)</td>
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<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Aircraft Procurement, Air Force (emergency)</td>
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<td>93,000</td>
<td>93,000</td>
<td>93,000</td>
<td>---</td>
<td>---</td>
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<td>36,500</td>
<td>---</td>
<td>25,000</td>
<td>-11,500</td>
<td>+25,000</td>
</tr>
<tr>
<td>Procurement of Ammunition, Air Force (emergency)</td>
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<td>115,000</td>
<td>115,000</td>
<td>115,000</td>
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<td>---</td>
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<tr>
<td>Other Procurement, Air Force (emergency)</td>
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<td>735,340</td>
<td>752,300</td>
<td>747,840</td>
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<td>99,500</td>
<td>99,500</td>
<td>99,500</td>
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<td>---</td>
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<tr>
<td>Non-emergency</td>
<td>---</td>
<td>4,925</td>
<td>---</td>
<td>---</td>
<td>-4,925</td>
<td>---</td>
</tr>
<tr>
<td>Contingent emergency</td>
<td>---</td>
<td>---</td>
<td>4,925</td>
<td>4,925</td>
<td>+4,925</td>
<td>+4,925</td>
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<tr>
<td>Total, Procurement</td>
<td>1,429,800</td>
<td>1,454,265</td>
<td>1,429,800</td>
<td>1,455,265</td>
<td>+1,000</td>
<td>+25,465</td>
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</table>

| Research, Development, Test and Evaluation       |                      |         |         |            |                  |                   |
| RDT&E, Army (emergency)                          | 8,200                | 8,200   | 8,200   | 8,200      | ---              | ---               |
| RDT&E, Navy (emergency)                          | 12,000               | 9,000   | 19,000  | 9,000      | ---              | -10,000           |
| RDT&E, Air Force (emergency)                     | 60,800               | 60,800  | 60,800  | 60,800     | ---              | ---               |
| Contingent emergency                             | ---                  | 39,000  | ---     | 137,600    | +98,600          | +137,600          |
| RDT&E, Defense-Wide (emergency)                  | 74,700               | 52,000  | 74,700  | 67,000     | +15,000          | -7,700            |
| Contingent emergency                             | ---                  | 20,000  | ---     | ---        | -20,000          | ---               |
| Total, Research, Development, Test & Evaluation. | 162,700              | 189,000 | 162,700 | 282,600    | +93,500          | +119,500          |

| General Provisions                               |                      |         |         |            |                  |                   |
| General Transfer Authority                       | (1,000,000)          | ---     | ---     | ---        | ---              | ---               |
| MH-47 Helicopters (contingent emergency)         | ---                  | 93,000  | ---     | ---        | -93,000          | ---               |
| Chemical Demil (contingent emergency)            | ---                  | 100,000 | ---     | 75,000     | -25,000          | +75,000           |
| Rescissions (sec. 307)                           | ---                  | -59,000 | ---     | -163,100   | -104,100         | -163,100          |
| Defense emergency response fund (rescission of emergency funds) (sec. 312) | ---                  | ---     | ---     | -224,000   | -224,000         | -224,000          |
| Revised economic assumptions (rescission) (sec. 313) | ---                  | ---     | ---     | -226,000   | -226,000         | -226,000          |
| Total, chapter 3                                 | 14,022,000           | 15,769,462 | 14,022,000 | 14,352,900 | -1,416,562       | +330,900          |
### CHAPTER 4

**DISTRICT OF COLUMBIA**

<table>
<thead>
<tr>
<th>Description</th>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference House</th>
<th>Conference Senate</th>
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</thead>
<tbody>
<tr>
<td>Federal payment to the Children's National Medical Center (contingent emergency)</td>
<td>--</td>
<td>13,770</td>
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<td>+10,000</td>
<td>-3,770</td>
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<td>24,730</td>
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<td>-1,730</td>
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<td>Federal payment to the Washington Metropolitan Area Transit Authority (contingent emergency)</td>
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<td>25,000</td>
<td>8,000</td>
<td>+8,000</td>
<td>-17,000</td>
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<td>Federal Payment to the Washington Metropolitan Area Council of Governments (contingent emergency)</td>
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<td>1,750</td>
<td>1,750</td>
<td>+1,750</td>
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<td>Federal Payment to the Water and Sewer Authority of the District of Columbia (contingent emergency)</td>
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<td>3,000</td>
<td>1,250</td>
<td>+1,250</td>
<td>-1,750</td>
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<td>Federal Payment for Family Court Act (rescission)</td>
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<td>---</td>
<td>-700</td>
<td>-700</td>
<td>-700</td>
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<tr>
<td>Federal Payment for Family Court Act</td>
<td>--</td>
<td>---</td>
<td>700</td>
<td>+700</td>
<td>+700</td>
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**DISTRICT OF COLUMBIA FUNDS**

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<th>Senate</th>
<th>Conference</th>
<th>Conference House</th>
<th>Conference Senate</th>
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<tr>
<td>Public safety and justice (rescission)</td>
<td>--</td>
<td>---</td>
<td>(-100)</td>
<td>(-100)</td>
<td>(-100)</td>
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<tr>
<td>Corrections Information Council</td>
<td>--</td>
<td>---</td>
<td>(100)</td>
<td>(100)</td>
<td>(+100)</td>
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<td>Public education system (rescission)</td>
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<td>(-37,000)</td>
<td>(-37,000)</td>
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<td>Human Support Services:</td>
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<td>Child and Family Services Agency</td>
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<td>(11,000)</td>
<td>(11,000)</td>
<td>(11,000)</td>
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<td>Department of Mental Health</td>
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<td>(26,000)</td>
<td>(26,000)</td>
<td>(26,000)</td>
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<td>(-7,950)</td>
<td>(-7,950)</td>
<td>(-7,950)</td>
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<td>(7,950)</td>
<td>(7,950)</td>
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<td><strong>Total, chapter 4</strong></td>
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<td>+44,000</td>
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## H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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<th>CHAPTER 5</th>
<th>DEPARTMENT OF DEFENSE - CIVIL</th>
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<td>DEPARTMENT OF THE ARMY</td>
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<td>Corps of Engineers - Civil</td>
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<td>Flood control, Mississippi River and tributaries (by transfer/contingent emergency)</td>
<td>---</td>
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<tr>
<td>Operation and Maintenance, General</td>
<td>---</td>
</tr>
<tr>
<td>Contingent emergency</td>
<td>---</td>
</tr>
</tbody>
</table>

| DEPARTMENT OF THE INTERIOR |
| Bureau of Reclamation |
| Water and related resources (sec. 504) | --- | --- | 3,000 | 7,000 | +7,000 | +4,000 |

| DEPARTMENT OF ENERGY |
| Energy Programs |
| Science (contingent emergency) | --- | 29,000 | --- | 24,000 | -5,000 | +24,000 |
| National Nuclear Security Administration |
| Weapons Activities (emergency) | 19,400 | 19,400 | --- | 19,400 | --- | +19,400 |
| Rescission | --- | --- | --- | -14,460 | -14,460 | -14,460 |
| Contingent emergency | --- | 106,000 | 181,650 | 138,650 | +32,650 | +43,600 |
| Defense Nuclear Nonproliferation |
| Contingent emergency | --- | 5,000 | 100,000 | --- | -5,000 | -100,000 |
| Office of the Administrator (contingent emergency) | --- | --- | 1,750 | 1,750 | +1,750 | --- |
| Environmental and Other Defense Activities |
| Defense environmental restoration and waste management (contingent emergency) | --- | 67,000 | 40,000 | 58,000 | -11,000 | +16,000 |
| Defense facilities closure projects (contingent emergency) | --- | 16,600 | --- | 14,000 | -2,600 | +14,000 |
| Other Defense Activities (emergency) | 7,000 | 7,000 | --- | 7,000 | --- | +7,000 |
| Contingent emergency | --- | 7,000 | --- | --- | --- | -7,000 |

| GENERAL PROVISIONS |
| DEPARTMENT OF ENERGY |
| Department-wide non-defense (rescission) (sec. 501) | --- | --- | -30,000 | --- | --- | +30,000 |

| Total, chapter 5 | 26,400 | 378,400 | 335,400 | 478,000 | +99,600 | +142,600 |
### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002
(Amounts in Thousands)

<table>
<thead>
<tr>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference House</th>
<th>Conference Senate</th>
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<td><strong>CHAPTER 6</strong></td>
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<td></td>
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<td><strong>BILATERAL ECONOMIC ASSISTANCE</strong></td>
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</tr>
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<td>Funds Appropriated to the President</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<td>United States Agency for International Development</td>
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<td></td>
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</tr>
<tr>
<td>Child Survival and Health Programs Fund (contingent emergency)</td>
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<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td>---</td>
</tr>
<tr>
<td>Transfer out (contingent emergency)</td>
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<td>---</td>
<td>---</td>
<td>(-6,000)</td>
<td>(-6,000)</td>
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<tr>
<td>International Disaster Assistance (emergency)</td>
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<td>---</td>
<td>40,000</td>
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<td>190,000</td>
<td>150,000</td>
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<td>---</td>
<td>7,000</td>
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<td>---</td>
<td>---</td>
<td>5,000</td>
<td>---</td>
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<tr>
<td>By transfer (contingent emergency)</td>
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<td>---</td>
<td>(6,000)</td>
<td>(+6,000)</td>
<td>(+6,000)</td>
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<tr>
<td><strong>Other Bilateral Economic Assistance</strong></td>
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<td></td>
<td></td>
<td></td>
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<td>Economic Support Fund (emergency)</td>
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<td>465,000</td>
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<td>-50,000</td>
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<td>---</td>
<td>(-200,000)</td>
<td>(-200,000)</td>
<td>(-200,000)</td>
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<tr>
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<td>110,000</td>
<td>---</td>
<td>110,000</td>
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<td>---</td>
<td>110,000</td>
<td>---</td>
<td>---</td>
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<tr>
<td><strong>Department of State</strong></td>
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<td></td>
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<td>International Narcotics Control and Law Enforcement (emergency)</td>
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<td>120,000</td>
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<td>114,000</td>
<td>-6,000</td>
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<td>---</td>
<td>104,000</td>
<td>3,000</td>
<td>+3,000</td>
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<tr>
<td>Migration and refugee assistance</td>
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<td>---</td>
<td>50,000</td>
<td>---</td>
<td>---</td>
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<td>10,000</td>
<td>---</td>
<td>40,000</td>
<td>+30,000</td>
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<tr>
<td>Nonproliferation, Anti-Terrorism, Demining and Related Programs (emergency)</td>
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<td>83,000</td>
<td>---</td>
<td>83,000</td>
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### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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### CHAPTER 7

**DEPARTMENT OF THE INTERIOR**

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## RELATED AGENCIES

### DEPARTMENT OF AGRICULTURE

**Forest Service**

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### OTHER RELATED AGENCIES

**Smithsonian Institution**

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## CHAPTER 8

### DEPARTMENT OF LABOR

**Employment and Training Administration**

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### DEPARTMENT OF HEALTH AND HUMAN SERVICES

**Health Resources and Services Administration**

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**Administration for Children and Families**

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**Office of the Secretary**

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### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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### CHAPTER 9

**LEGISLATIVE BRANCH**

**House of Representatives**

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<td>-7,500</td>
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**Joint Items**

| Capitol Police Board                                         |                      |        |        |            |                  |               |
| Capitol Police                                              |                      |        |        |            |                  |               |
| General expenses                                             |                      | ---    | ---    | 16,100     | +16,100          | +16,100        |
| Contingent emergency                                         |                      | 16,100 | 3,600  | ---        | -16,100          | -3,600         |

**Government Printing Office**

| Congressional printing and binding                          | 5,875                | ---    | ---    | ---        | ---              | ---           |
| Government Printing Office revolving fund                    | 2,000                | ---    | ---    | ---        | ---              | ---           |
| **Total, chapter 9**                                        | 15,375               | 25,200 | 11,100 | 25,200     | ---              | +14,100       |

### CHAPTER 10

**DEPARTMENT OF DEFENSE**

| Military construction, Air Force (contingent emergency)      |                      | ---    | ---    | 7,250      | -1,255           | +7,250         |
| Military construction, Defense-wide (contingent emergency)   |                      | ---    | ---    | 21,500     | ---              | +21,500        |
| **Total, chapter 10**                                       |                      | 30,005 | ---    | 28,750     | -1,255           | +28,750        |
### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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<th>Conference</th>
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## H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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<th>House</th>
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### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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*July 23, 2002*
## H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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<th>Conference</th>
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### CHAPTER 13

#### DEPARTMENT OF VETERANS AFFAIRS

Veterans Health Administration

- Compensation and pensions............................. 1,100,000  1,100,000  1,100,000  +1,100,000  ---
- Medical Care............................................. 142,000  417,000  142,000  142,000  -275,000  ---
- Contingent emergency.................................... ---      ---      275,000  275,000  +275,000  ---
- Medical and Prosthetic Research (rescission)........... -5,000    ---      ---      ---      ---      ---

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Public and Indian Housing

- Housing certificate fund (rescission)................... ---      -300,000  -300,000  -388,500  -88,500  -88,500

Community Planning and Development

- Community Development Fund (emergency).................. 750,000  750,000  ---      783,000  +33,000  +783,000
- Contingent emergency.................................... ---      ---      750,000  ---      ---      -750,000
- Rural Housing and Economic Development (rescission).... -20,000    ---      ---      ---      ---      ---
- HOME investment partnership program (rescission)...... ---      ---      -50,000  -50,000  -50,000  ---

Housing Programs

- Rental Housing Assistance (rescission).................. ---      -300,000  ---      -300,000  ---      -300,000

### INDEPENDENT AGENCIES

Department of Health and Human Services

- National Institutes of Health
  - National Institute of Environmental Health Sciences (emergency)......................... ---      8,000    ---      ---      -8,000  ---
  - Contingent emergency................................... ---      ---      ---      8,000  +8,000  +8,000
- Agency for Toxic Substances and Disease Registry
  - Salaries and expenses (emergency)....................... ---      11,300    ---      ---      -11,300  ---
  - Contingent emergency................................... ---      ---      ---      11,300  +11,300  +11,300
- Environmental Protection Agency
  - Science and technology (contingent emergency)....... ---      ---      100,000  50,000  +50,000  -50,000
  - Hazardous Substance Superfund (emergency)............ 12,500    ---      ---      ---      ---      ---
  - Contingent emergency................................... ---      ---      12,500    ---      ---      -12,500
### H.R. 4775 - SUPPLEMENTAL APPROPRIATIONS ACT, 2002

(Amounts in Thousands)

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#### CHAPTER 14

**GENERAL PROVISIONS**

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Mr. YOUNG of Florida. Mr. Speaker, I would like to extend a statement of appreciation to the gentleman from Wisconsin (Mr. OBEY), who has worked along with us through these last several months in trying to bring this conference report to conclusion. The differences, as anyone might expect. We did finally work out those differences. I expect we could find some controversy here in this bill; I think we could find areas that I do not agree with and areas that the gentleman from Wisconsin (Mr. OBEY) would not agree with. But, nevertheless, this is a good work product as we dealt with the many different institutions and principals who were involved in bringing this bill to conclusion.

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

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I think there are a number of others in this bill Members ought to know about. This bill, for instance, has $13 million in the conference report for safety of imported meat and poultry above the amount recommended by the President. We have $17 million above the amount recommended by the President for bioterrorism responsibilities of the Food and Drug Administration. We have $37 million above the President’s request for the Marshals Service to safeguard U.S. Federal courts. We have $165 million above the President’s request for the FBI to provide, among other things, additional analysts to increase the FBI’s ability to process and disseminate counterterrorism information. We have $78 million more for the Immigration and Naturalization Service, including $25 million for analysis to help find, arrest, and deport high-risk, undocumented immigrants in the United States. We doubled the President’s request for the Securities and Exchange Commission, and we try to provide additional funds for staff and pay parity in information technology, improvements for that agency so that they can be more effective in dealing with some of the accusations of corporate fraud that are now flooding the country and ruining its markets.

We have a number of other items in the bill as well, which I would be happy to comment on if any Members have individual questions about it.

Let me simply say there is nothing in this bill that anyone is going to be very thrilled about, because it is the product of a long compromise process, but it is a reasonable package, and I think the most important thing we can say about it is that we simply need to get on with it and get this down to the President.

This bill also includes a fix of the problem that we faced with respect to a dip in highway funding and support to states where the anomaly in the ISTEA highway distribution formula, and we provide sufficient money; unlike the White House, we provide sufficient monies so that we do not have to, in fact, demobilize the Guard and Reserve forces until they can be replaced in sensitive areas by adequately trained personnel to deal with terrorist threats facing the country.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield 4½ minutes to the distinguished gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee on Transportation.

(Mr. ROGERS of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Kentucky. Mr. Speaker, this bill contains $3.85 billion to continue operations and activities of the Transportation Security Administration for the remainder of fiscal year 2002. I am pleased to report that this is the same level as approved by the House in its version of the supplemental. The Senate wanted almost $1 billion more for this start-up agency compared to the House level, with no formula to limit on staffing, and we held the line against that proposal. Members should know that we have upheld the position of the House in this agreement, and it is adequate.

The Department of Transportation has raised objections to specific security items in this bill. What are they objecting to?

They are objecting to funds for airport modifications to ensure the timely installation of explosive detection systems, an additional $225 million, for a total of $738 million. This will lessen the likelihood of chaos later this year when bomb detection machines are delivered and installed in airports.

They are objecting to grants to improve port security, an issue of great vulnerability, $125 million.

They are objecting to systems for air marshals to communicate with the pilots and officials on the ground, $15 million.

They are objecting to funds to address airport terminal security, a critical issue, since the attack on El Al in Los Angeles a few weeks ago, $17 million.

And they are objecting to funds for immediate replacement of the outdated metal detectors at all commercial airports, $23 million.

With additions like these, we have improved upon the administration’s request. We provided the means for TSA to work smarter. The bill also caps TSA’s full-time permanent staffing to no more than 45,000 people. My subcommittee’s review of the TSA plan points to well over 12,000 positions that should be reevaluated. In fact, in a recent hearing, the head of the agency gave me his commitment to eliminate many of these positions such as “ticket checkers” and “customer service representatives.” TSA is building a huge bureaucracy, and this bill helps bring that process under control.

The Secretary of Transportation testified earlier today that TSA needs every penny of the amount they requested. I respectfully disagree. The agency is so far behind in its own hiring goals, there should be little doubt that fewer resources are needed to get them through fiscal year 2002. OMB even offered up some of this money. Maybe they know the agency has not been efficient in using the money we have already provided for this year, several billions of dollars, offering law enforcement personnel salaries that are higher than necessary, allowing excessive overhead charges on the existing screener contracts, and then monitoring those charges and refusing to move out quickly on new technology, such as metal detectors, which would reduce the staffing need dramatically at the check-out points at airports.

Just this morning, the DOT Inspector General testified that “Controls over the existing security screener contracts were lacking, and that improvements were drastically needed.”

Until they straighten out these problems, they do not need more money.

This bill provides adequate funding for TSA to get through the next 10 weeks. It deletes unnecessary funds and encourages them to look much more carefully at how they are spending their money. We will not give them money for wasteful overhead charges on Federal contracts, and we will not give them money to maintain existing contracts for $70,000 a year to ask people to take off your shoes, check your briefcase three times, and perform intensive checks of white-haired grandmothers in wheelchairs and babes in arms. If the Department of Transportation does not understand this by now, this bill should help them get that message.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I want to congratulate the chairman and the ranking member for bringing us together on this supplemental. I support it.

Today’s bill, Mr. Speaker, includes an additional $150 million for the assistance to the Firefighters Grant Program. This is part of homeland security, defending the homeland. This brings the amount of money we will give to fire departments around the country, up to $510 million for fiscal year 2003. This is personal for me, Mr. Speaker. On May 9 of last year, Alberto Birado, a firefighter for the City of Passaic, died in the line of duty during the primary search of a building on fire. He died because his Self-Contained Breathing Apparatus ran out of air.

Just last week, the Passaic Fire Department was awarded a grant to purchase more SCBAs and spare air cylinders. Features of these additional SCBAs will hopefully prevent all other unnecessary deaths. This is what the Firefighters Grant Program is all about.
The attacks on September 11 taught us many lessons. One of those is the importance of firefighters to the public safety equation and, indeed, to homeland security. We had to scrape and beg to get $100 million last year in the emergency spending bill.

The administration letters dated September 25, 2001, promising the administration's full support for enactment of this agreed language. I am pleased that the conference report includes the language we agreed on last September with only one nonsubstantive addition that I will talk in a few minutes.

Mr. YOUNG of Florida. Mr. Speaker, I note that one provision of this agreed language, which appears as section 1011 of the conference report, is particularly complicated. And I would hope that the gentleman from Texas (Mr. DeLAY) would draw on his background as the former chairman of our Committee on the Judiciary, as well as his current position as chairman of our Committee on International Relations, to explain to our colleagues the purpose of section 1011.

Mr. HYDE. I thank the chairman. I would be pleased to explain the purpose of section 1011. Mr. YOUNG of Florida. Mr. Speaker, does the gentleman know if all other Members of Congress agree with the interpretation that he has provided of the language negotiated with the administration?

Mr. HYDE. Mr. Speaker, obviously I cannot read the minds of all of our colleagues, but I do know that the gentleman from Texas (Mr. DeLAY), Senator HELMS and I were the only three members actively involved in negotiating the language of sections 2004, 2006 and 2011 with the administration. I have accurately described our understanding of how these sections would work together, what our intention was, and what we understood the administration's understanding and intention to be. I suppose that someone else could try to project onto these sections a different intention, but they would be doing precisely that, projecting onto them a new meaning that was never intended by those of us who were involved in drafting and refining them.

Mr. YOUNG of Florida. Mr. Speaker, I want to thank the gentleman from Illinois (Mr. HYDE) for providing clarity to this rather complicated and important title of this conference report.

Mr. HYDE. Mr. Speaker, my statement on the American Servicemembers' Protection Act is as follows:

When Congressman DeLAY, Senator HELMS, and I sat down with representatives of the Bush Administration to discuss the American Servicemembers' Protection Act as H.R. 4654 on June 14, 2000, and reintroduced it in the 107th Congress as H.R. 1794. On May 10, 2001, the House of Representatives adopted the text of our legislation as a floor amendment to another bill, H.R. 1646. The gentleman from Texas (Mr. DeLAY) and I thereupon entered into negotiations with representatives of the Bush administration in an effort to agree on a version of the American Servicemembers' Protection Act that the Bush administration could support. We were joined in these negotiations by Senator HELMS, the lead sponsor of the Senate companion bill.

After many months of detailed discussions, we reached an agreement on language last September, and Senator HELMS, the gentleman from Texas (Mr. DeLAY) and I each received from the
Accordingly, with respect to those forms of interaction, section 2011 provides a mechanism for ensuring that sections 2004 and 2006 do not constrain the President in ways that, as a matter of constitutional law, he may not be constrained by Congress. To put it in somewhat different language, it is the intention of Congress that the “exercise of constitutional authorities” exception in this legislation shall only be available in those instances where the President’s lawyers could in good faith write a legal opinion concluding that application of the prohibitions of sections 2004 or 2006 to a proposed action by the President would be unconstitutional. It is not good enough that the prohibitions of sections 2004 or 2006 conflict with what the President judges to be in the national interest, or that they interfere with the foreign policy that he would like to conduct. The prohibitions must actually be unconstitutional if applied to the proposed action. This is the meaning of the term “action . . . taken or directed by the President . . . in the exercise of the President’s authority as Commander in Chief of the Armed Forces” as used in section 2011. The action by the President, in contravention of the prohibitions set forth in sections 2004 or 2006, must actually be an exercise by him of constitutional authority to take an action that Congress is without authority to prohibit.

We understand that many, if not most, actions by the President involve, to some degree or another, an exercise of some constitutional authority. But that is not the kind of constitutional authority to which section 2011 refers. Section 2011 refers to an exercise of the kind of constitutional authority necessary to overcome a statutory prohibition on the taking of a particular action. That kind of constitutional authority exists only with respect to statutory prohibitions that Congress is without constitutional authority to impose in the first place.

This means, as a practical matter, that most of the prohibitions in section 2004 are beyond the reach of the exception set forth in section 2011. This is because most of them do not restrict the exercise of any authority vested exclusively in the President by the Constitution or statutes. A clear example is section 2004(d), which prohibits the extradition of any person from the United States to the International Criminal Court. The Supreme Court ruled in the case of Valentine v. United States in 1936 that the President has no inherent constitutional authority to extradite persons to foreign jurisdictions. To the contrary, the Supreme Court ruled that it is unconstitutional for the President to extradite persons in the absence of an extradition treaty or a statute authorizing extradition by the Congress. Because there is no treaty or statute authorizing the extradition of persons to the International Criminal Court, the President could not rely on section 2011 to extradite a person to the International Criminal Court in contravention of section 2004(d). This point is underscored by section 2011(c), which makes clear that section 2011 grants no statutory authority to the President to take any action.

Another category of prohibitions that cannot be overcome under section 2011 is those relating to the provision by the U.S. Government of funds, property, or services to the International Criminal Court. Congress has plenary authority under the Constitution with respect to the use of appropriated funds and the disposition of U.S. Government property. Subsections (e) and (f) of section 2004 represent an exercise of this plenary authority. The intention of Congress is to prohibit any direct or indirect provision by the U.S. Government to the International Criminal Court notwithstanding the prohibitions of sections 2004(e) and (f). For example, services provided by the United States Armed Forces pursuant to an exercise of the President’s authority as Commander in Chief. But in the absence of an exercise of a constitutional authority vested exclusively in the President—such as the Commander in Chief authority—the prohibitions of these subsections prohibit the provision of the kinds of support to which they apply, and the exception set forth in section 2011 is not available to permit an action by the President in contravention of the prohibitions.

A third category of prohibitions that cannot be overcome under section 2011 is those relating to the exercise of functions not vested in the Executive branch of the United States Government. The President has no inherent constitutional authority to direct or control the functions of the courts. Nor does he have any inherent constitutional authority to direct or control the operations of the judicial branch of the federal government, much less the judicial functions of state and local governments. Accordingly, the President may not rely on section 2011 to direct state and local governments. Accordingly, the President may not rely on section 2011 to direct state and local governments to take actions prohibited under subsections (b), (d), and (e) of section 2004, or to authorize such governments to take such actions notwithstanding the prohibitions of these subsections. Similarly, the President may not rely on section 2011 to direct federal, state, or local courts to take actions prohibited under subsections (b), (d), (e), and (f) of section 2004, or to authorize such courts to take actions notwithstanding the prohibitions of these subsections. The explanation is very simple. Because the exercise of functions by state and local governments and by federal, state, and local courts is by design beyond the inherent constitutional authority of the President, there is no constitutional authority that the President can exercise under section 2011 to overcome prohibitions that this legislation applies to such governments and courts.

This does not mean that section 2011 is of no practical use to the President. In our negotiations with the Administration we discussed a number of circumstances where the President would be able to rely on section 2011 to direct actions plainly prohibited in the first instance by the language of sections 2004 or 2006. I have already mentioned one such circumstance, and that is actions by the United States Armed Forces directed by the President in the exercise of his constitutional authority as Commander in Chief. An example we discussed in our negotiations was a decision by the President to facilitate the transfer of a foreign defendant to the International Criminal Court if a foreign national wanted by that Court. Section 2004(e) prohibits the United States Government from facilitating the transfer of persons to the International Criminal Court, including by the United States Armed Forces. But we recognize that at a certain level this prohibition may come into conflict with the President’s authority to command our Armed Forces, and in such a case, section 2011 would ensure that the President is not unconstitutionally constrained.

Another circumstance where the President may be able to rely on section 2011 concerns the provision of information controlled by the President to foreign governments and to international organizations, including the International Criminal Court. To the degree the President has inherent constitutional authority to provide such information to foreign governments and international organizations, conflicts could arise between this authority and the prohibitions of section 2004(e) and section 2006. In the case of such a conflict, the President could rely on section 2011 to provide information in the exercise of his constitutional authority without violating the letter of the statute.

I am not aware of other circumstances where the President could rely on section 2011 to take or direct actions otherwise prohibited under section 2004 and 2006, and we pressed the Administration very hard on this point in our negotiations. These were only examples they gave us of situations where the prohibitions of sections 2004 and 2006 could arise between this authority and the constitutional prerogatives. In order to address this concern, we developed the mechanism contained in section 2011. Section 2011 is narrowly tailored to be available only in cases where there is such a conflict exists. In other cases, the prohibitions are merely inconvenient, or in conflict with the President’s preferred foreign policy, section 2011 is not available to permit the President to take or direct actions prohibited by section 2004 or 2006.

Another feature of section 2011 is that, by its terms, it can be invoked by the President only on a “case-by-case basis”. In using this term, we were mindful of the way that the existing United Nations war crimes tribunals for Yugoslavia and Rwanda have gone about their work. These tribunals have developed separate cases against suspected war criminals. Usually these cases involve a single defendant, though sometimes a case will have multiple defendants who were involved in the same specific incident. We intend the term “case” in section 2011, to have the same meaning that it has in current usage at the Yugoslavia and Rwanda tribunals. Yugoslavia and Rwanda are not “cases” before those tribunals. Rather, the prosecutions of individual named persons are the “cases” pending before the tribunals. This can be verified by simply looking at the web sites of these two tribunals.

Before closing, I wish to comment on the effect of the addition by the Senate to this legislation of the language appearing as section 2015. That section was not part of language we negotiated with the Administration. But it does not in any way vitiate the restrictions on cooperation with the International Criminal Court set forth in sections 2004 and 2006. Section 2015 simply reiterates that this legislation does not apply to international efforts being undertaken by the International Criminal Court to bring to justice foreign national accused of genocide, war crimes, or crimes against humanity. Regarding application of this section to the
Understandings discussed here are not my own.
The colloquy that has just

Passed the Senate, and the final vote

Opponents of the language that became sec-

Gentleman from Wisconsin (Mr. OBEY) for the leadership that they

Mr. Speaker, no one

York delegation and pledged to support

 recovery with at least $20 billion in

Federal funds. He has kept that prom-

ise and no part of our government has

wavered, nor the House nor the Senate

nor the conference.

This bill contains an additional $5.5

billion with the total funding available for New York's recovery to

more than $21 billion.

As a member of the committee of

conference, and as a New Yorker, I risesimply to thank President Bush, the
gentleman from Florida (Mr. YOUNG) and

the gentleman from Wisconsin (Mr. OBEY) and my colleagues in this

Congress for all the support provided to my

city so far. The September 11 attacks

were truly attacks on America and America has responded with grace and
genius.

Mr. Speaker, we are a grateful city

and we thank Congress for this sup-

port. I urge my colleagues to support

this conference report.

Mr. YOUNG of Florida. Mr. Speaker, I

yield 4 minutes to the distinguished

gentleman from Arizona (Mr. KOLBE),

chairman of the Committee on Approp-

riations Subcommittee on Foreign Operations.

Mr. KOLBE. Mr. Speaker, I thank the
gentleman for yielding me time, and I want to pay special tribute to the gen-
tleman from Florida (Mr. YOUNG) as well as the gentleman from Wisconsin (Mr. OBEY) for the leadership that they have provided in crafting this bill and bringing it at long last to the floor for

much-needed supplemental appropria-
tions to continue the war against ter-

rorism, the enduring freedom fight.

I want to address my remarks to that

part that addresses foreign operations that are in this conference report.

First, the numbers, the figures them-

selves. The funding in this chapter in-

cludes a spending level of $1,818,000,000.

But there are rescissions in there of

$369 million, meaning there is a net spending level of foreign operations of

$1,459,000,000. That is $46.5 million

below where we were when we passed this bill in the House, $3.5 million above where it was in the Senate. So

much for the overall numbers.

A few of the specific things that are

in there. We have $200 million in here

for the fight against HIV/AIDS, tuberculosis, and malaria around the world, particularly in Africa and Eurasia.

This has been in both the House and Senate bills. Number two is

not in the initial request to the Presi-
dent, as I think everybody knows, the

President has endorsed this and spoken

specifically about the programs that he will use this money for. And I believe,
as he does, that it is vitally important that we continue to make progress in

combating the worldwide scourge against AIDS.

In addition, there is another figure in

there that was not in the President's

original request and that is $300 mil-

lion for anti-terrorism assistance for

the state of Israel and $50 million for

humanitarian assistance for the Pales-
tinian people. Not to the PLA, the Au-
thority, the Palestine Authority, but

rather $50 million for humanitarian as-
sistance to Palestinians themselves.

We believe this also is very important,
given the fight that has been going on

over there. We need to express our sup-

port for the fight against ter-

rorism. We need to say to the Pales-
tinian people, we are there to support

you when you are trying to rebuild your country, when you are trying to

provide for the well-being of your peo-

ple. We will not stop this government

that you have in place now.

I think the President has made clear

that we have need to see a new govern-

ment, a new direction of that govern-

ment before we can have serious nego-
tiations with them. But I think this is

the right approach to it.

The negotiations with the Senate on

the assistance for Colombia were very

tough, but in the end the House lan-
guage prevailed. It allows the adminis-

tration to expand this funding to the
government of Colombia for the war

against terrorism and narco-traf-

ickers. It includes some of the provi-
sions that the Senate wanted to make

sure that we are not going to be in-

volved in combat operations.

Regarding Afghanistan, we have added funding to both the House and the Senate bills to provide humani-
tarian and reconstruction assistance for

Afghanistan. There is up to $34 mil-

lion that could be available under this

conference report to help rebuild in Af-

ghanistan.

Let me end on two final points here.

Regarding the United Nation's Popu-

lation Funds, or UNPF, as it is called, the conference work does not address

this issue. I am disappointed with the administration's decision that has
come down since this conference report

was adopted, and I expect that in our

2003 appropriations bill we are going to

address this issue and try to ensure that

funding for this very important

organization is included.

Most of the funding in the chapter is
dedicated to assisting our allies in the

war on terrorism. At this last minute the Office of Management and Budget

proposed removal of hundreds of millions of dollars requested by the Presi-
dent for assistance to our allies. I am

pleased, I am disappointed that OMB

made such a proposal, and I do not

think they reflected what either the President or the Secretary of the State

or the Secretary of Defense had in this

regard. But I am pleased overall with

the bill that we have now. I think it is a

good bill and, Mr. Speaker, I urge its

adoption.

Mr. OBEY. Mr. Speaker, I yield 2

minutes to the distinguished
gentleman from Iowa (Mr. BOSWELL) who

has been very much focused on several

aspects of this bill.

(Mr. BOSWELL asked and was given

permission to revise and extend his re-

marks.)

Mr. BOSWELL. Mr. Speaker, I thank

the gentleman for yielding me time and I thank the gentleman from Flor-

ida (Mr. YOUNG) for his hard work.
Today I can support this bill with enthusiasm. I was very sorry the last time we discussed it I could not, and I want to thank the conference committee for their hard work. It kind of signals a win to me for a concern that I have had for my State of Iowa in the area of Medicare reimbursement rates.

In May the Committee on Rules made an exception and put into this supplemental bill what I thought was an unfair fix for rates for a selected few and leave out many. I appreciate this. It has actually drawn attention to this ploy and helped to shed additional light on the discriminatory formulas and the adverse consequences for seniors, hospitals and health care professionals across Iowa and other similarly situated areas.

Although our health care professionals are doing a great job with less, the fact remains, as we see here, and I will show you a chart one more time in a moment, that there are places in the country where Medicare patients are getting eyeglasses and they are getting prescriptions. In fact, it is a double of what we were getting in Iowa, the amount. It is a whole lot more than what the gentleman from Wisconsin (Mr. O'NEY) was getting as well. They are below the average as well, and I know the gentleman knows that. This is something we have been working on. Let us do something about this. I think that perhaps we are making some progress, and I hope so.

On the Medicare reimbursement relief of last month, a few days ago there was good news for me, and an additional $120 million for Iowa over 3 years, and that is a big help, but we have a ways to go. So I want you to again look at this chart, and it will show you very clearly that there is a great disparity across the country, and the citizens pay the same taxes for the same service. They pay the same.

Look here. There are some States, mine, but others are receiving less than half of what the top is. Is that fair for Americans? I do not think so. I do not think there is one of you here that would feel this way. So I do support this bill today and I appreciate it for the whole country. I hope that our seniors are considered of equal importance, and I think they are. I thank the gentleman again for this time, and I do support the bill, and I support the fact that we have been talking about there now. Let us talk about it some more.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee on Commerce, Justice, State and Judiciary of the Committee on Appropriations.

Mr. WOLF. Mr. Speaker, I want to thank the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. O'NEY) for their strong support of this conference report, and I rise in strong support.

The bill includes $175 million to improve the ability of the FBI to synthesize and interpret data and intelligence collections from investigations. The funding will support technology upgrades and allow the FBI to hire additional cybercrime counterterrorism and counterintelligence analysts. The bill also provides $81.3 million for the INS, including upgrades for the border patrol agents and immigration inspections who are also on the frontline, and $25 million for an Abscondent Initiative, to find and remove more aliens who have been deported, and who have not followed those orders.

I want to thank the gentleman from Arizona (Mr. KOLBE) for his good efforts with this action and with regard to this issue.

As we all saw in the tragic events of September 11, we depend on our State and local police, fire, EMS, and HAZMAT people to respond to acts of terrorism. Their heroism and preparedness has saved many lives and will likely save many more. The bill provides $2.1 million for State and local first responder equipment, exercise and training, and including $50 million to provide communities across the country with interoperable emergency communications equipment.

The SEC, the Securities and Exchange Commission, requires an infusion of resources to strengthen oversight and enforcement and preserve the integrity of the financial markets. This bill provides $40.2 million for the SEC, $20.2 million above the request, including funds for the immediate addition of 125 staff positions in enforcement and corporate oversight and key information technology upgrades. This will begin to provide the SEC with the resources they need to combat corporate fraud and to protect the savings and retirement investments of millions of American families.

The conference report also includes $318.1 million for embassy security and public diplomacy. The Foreign Service and its diplomatic staff is hard at work right now under very difficult and dangerous conditions in south Asia and elsewhere. This bill will provide for an expedited construction of fully secured replacement embassy facilities in Afghanistan and Tajikistan.

Recently, a lot of attention has been focused on improving our public diplomacy’s efforts, including the recently enacted House-House legislation H.R. 3969, which passed the House yesterday. We are not doing an adequate job of telling America’s story, and it is a great story to the world. To improve this effort, the bill includes $40.1 million for information and exchange programs for the State Department, Radio Free Afghanistan and the Middle East Broadcasting Initiative.

In addition, the bill includes $55 million for the enhanced security of the Federal judiciary in response to terror threat, and includes trials, including $10 million for the Supreme Court building and $37.9 million for the U.S. Marshals Service.

The bill also includes authorization and funding for the closed circuit transmission of the Moussaoui trial to victims of the September 11 attacks.

Finally, the bill includes $37 million for the National Institute of Standards and Technology to develop an information technology security framework for the Federal Government.

Lastly, these additional funds for fiscal year 2002 are vital for carrying out our continued homeland security, international and corporate oversight responsibilities, and I urge my colleagues to support it.

Mr. O'NEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the ranking member for yielding me the time, and I want to congratulate our chairman, the gentleman from Florida (Mr. YOUNG) who everybody knows I feel very highly, about one of the fairest chairman I have ever served under, and the gentleman from Wisconsin (Mr. O'NEY), one of the most able Members I have served with.

Mr. Speaker, I rise in support of the conference report and want to highlight funding in two critical areas. First, this supplemental appropriations bill gives us $400 million reasons to complete our work on election reform as soon as possible. The gentleman from Florida (Mr. YOUNG), the gentleman from Illinois (Speaker HASTERT), and the gentleman from Wisconsin (Mr. O'NEY) were critically important in making sure this money stayed in this bill.

Appropriators from both sides of the aisle on both sides of the Capitol have done their job. They recognize that we must upgrade our election systems. They recognize that the disenfranchise-ment of an estimated 6 million voters in November 2000 was a violation of democratic values, and they recognize that real reform costs money.

Now we must finish the job and pass the election reform conference report that authorizes the expenditure of the funds. Election reform conferences are making progress in resolving the differences between the House and the Senate bills, and I hope this supplemental appropriation bill and the $400 million it provides for election reform aids urgency to our negotiations. We must not delay.

Secondly, I want to note the $150 million that is provided for the Fire Grant Program through FEMA, bringing the fiscal year 2002 total to $510 million. I note that some $3 billion-plus had been requested by local fire and emergency respondents throughout the Nation, but this is a significant step forward. Every day we ask our firefighters to risk their lives to protect our homes, our businesses and our children. With this additional funding, Mr. Speaker, we can recognize and appreciate their sacrifice and want to ensure they can do their jobs as safely and effectively as possible.
Mr. YOUNG of Florida. Mr. Speaker, I would like to inquire as to the time remaining on both sides.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Florida has 12 minutes remaining. The gentleman from Wisconsin has 19 minutes remaining.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a distinguished member of the Committee on Appropriations.

Mr. CUNNINGHAM. Mr. Speaker, I thank the chairman of the Committee on Appropriations for yielding me the time.

This bill is critical to winning the war on terrorism. New York City re-payment and recovery efforts, homeland security, replenishment munitions in which the gentleman from California’s (Mr. HUNTER) been trying to do for years, and support ongoing intelligence.

While I support this emergency spending, a bill to fight the war on terrorism and aid continued recovery efforts, I must point out a section of this legislation that does not belong in this bill. It is legislation on an appropriation, and that is section 3002 regarding mail service to Alaska.

Section 3002, the Rural Service Improvement Act of 2002, was never subject to any congressional hearings or other fact-finding events. We have got two opposing sides claiming problems on either side, and yet the chairman, a Republican, from the other body, refuses to even have a hearing on this issue.

These provisions specifically target carriers that successfully and profitably transported mail for the Postal Service within the State of Alaska for many years. The Act’s stated goal is to reduce costs which then actually it will increase costs from the Postal Service. Congressional approval of this legislation, without any hearings, that eliminates a single competitor from business and protects incumbent carriers from competition is wrong. Matter of fact, in my opinion, it is an abuse of power from a single Senator from the other body that is abusing his office by legislating someone out of business.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the Members to temper their remarks to avoid improper references to Members of the other body.

Mr. CUNNINGHAM. Mr. Speaker, I do not know how to temper an event when someone legislates someone out of office and denies them going to court. To me that is unconstitutional, and the legislative business that we perform every day should not take up legislation like this on such an important bill.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. WEAVER).

Mr. WEINER. Mr. Speaker, I thank the gentleman for yielding me the time, and I thank the gentleman from Florida (Mr. YOUNG) for all the excellent work they have done on this bill. It is an excellent bill. It contains aid for New York City, contains aid for our allies, but perhaps troubling, it also contains funds for a major contract overseas. Quietly and without any floor debate, $50 million is included in this bill for aid to the West Bank in Gaza. This is top of more than $100 million that has gone to the Palestinians since 1999. Section 257 of the supplemental contained $771 million for Israel and dozens of American citizens have died in over 500 homicide attacks in Israel.

I support foreign aid. Foreign aid exports are values. It buys cooperation overseas. It makes tense areas of our world more peaceful, but on every level, Palestinian aid has failed in those fundamental values. Rather than promoting our values, the people of Hamas and the other body.

I believe that we should vote yes on this bill. I believe we should vote yes on future foreign aid bills, but I also think it is time we had a debate on the floor of this House with an up or down vote on whether or not we should continue to provide aid for the West Bank and Gaza.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. YOUNG of Alaska. Mr. Speaker, I rise today in support of the bill H.R. 4775, the Defense and Homeland Security Supplemental Appropriations Act Conference Report. I would like to thank the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, for including the restoration of highway funds that was agreed to by the Authorization Committee and 410 Members of this House. It was the right thing to do, and it will benefit all the States for transportation needs.

Although unfortunately, the Committee on Appropriations also rescinded $320 million in highway contract authority that was created in TIA-21 and has already been appropriated to every State, such a rescission is unprecedented, and it is absolutely intolerable to the Committee on Transportation and Infrastructure. This legislation like this on such an important bill.

I again, though, thank the appropriators and realize they have to deal with the other side of the aisle, but I would also suggest respectfully in the future, be very careful about fooling around with the Committee on Transportation and Infrastructure's jurisdiction.

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The table below shows the state-by-state impact of $310 million rescission of highway contract authority in FY 2002 supplemental appropriations. The rescission of the contract authority should not be used now or in the future to balance the spending of the Congress. I will submit for the Record a State-by-State table showing the cuts to each state.

<table>
<thead>
<tr>
<th>State</th>
<th>Contract Authority</th>
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<tbody>
<tr>
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The total is $320,000,000.

I again, though, thank the appropriators and realize they have to deal with the other side of the aisle, but I would also suggest respectfully in the future, be very careful about fooling around with the Committee on Transportation and Infrastructure's jurisdiction.
Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. McGovern).

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

Mr. Speaker, I rise in support of this bill, and I want to thank the chairman and the ranking member and the conference for working so hard to develop a bill that I think a majority on both sides of the aisle can support.

I would like, however, to speak about the provisions on Colombia that remain in the bill. I believe the Colombia provisions in the conference report are a slight improvement from those in the House-passed bill. At least now Congress is asking for written commitments from the newly elected Uribe administration on how he will pursue the war in Colombia.

Still, I have given reservations regarding the wisdom and the consequences of expanding U.S. involvement in Colombia’s grinding violence, and deepening civil war, a civil war that has plagued Colombia for nearly four decades.

Mr. Speaker, I have little trust in conditions. They are easily waived or distorted as gettysburgs in a way of policy, and I believe that the House will return to debate this matter again in September.

The House of Representatives should think long and hard before it gives a green light to a policy that commits more of America’s precious resources to a hideously complex civil war in Colombia.

Mr. Young of Florida. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from North Carolina (Mr. Ballenger).

Mr. Ballenger. Mr. Speaker, I thank the gentleman for yielding me the time, and I congratulate the chairman for a job well done.

I would like to thank the leadership, also, for sticking with their commitment to require printing and dyeing and finishing of textiles to remain in the United States. I am speaking today in support of the Supplemental Appropriations Act Conference Report, because it is a victory for the textile industry and at no cost to the Government.

In the 1970s and 1980s, 13 small towns in Western North Carolina attracted printing, dyeing, and finishing jobs to their communities. These towns sold bonds to pay for the necessary water and sewer infrastructure, while textile companies built plants whose taxes would pay for those bonds. Since this manufacturing method had a low labor content and high value added content, these firms expected to remain competitive.

All was well until the textile industry started leaving because of lower labor costs around the world. The printing and dyeing and finishing jobs also started leaving, resulting in what we call stranded bonds investment without a manufacturing base to pay for the bonds. Local water-sewer rates have exploded to cover the costs.

With the new commitment requiring that printing, dyeing and finishing remain in the United States, these small towns will have available attractive facilities also beginning development and taxable investment to pay for the bond expense while enhancing employment opportunities.

I urge my colleagues to join me in voting for the conference report of H.R. 4775. The small towns of North Carolina thank my colleagues.

1445

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. Waters).

Ms. Waters. Mr. Speaker, I rise in support of this very important piece of legislation. A supplemental appropriation is absolutely necessary to take care of the very important needs of this country and this world. It is absolutely important that we fight this war on terrorism and that we have the resources to do so, and to establish homeland security.

Beyond that, Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. O’Neill) and the gentleman from Iowa (Mr. Leach) and others for the $200 million that they have appropriated for AIDS in Africa. This is extremely important. I know that it is very difficult to satisfy everybody with a bill like this, but I think we have done some good things with this bill: money for Israel, money for Afghanistan, money for the Palestinians, and money for Africa.

If there is one request that I could have had in addition to all of this, it would have been to appropriate more money for the famine in southern Africa. We have about 13 million people who are at risk of starvation. Unfortunately, there has been a drought. Unfortunately, the grain silos are empty; and there are people in villages who are going to die. Even with the food resources that we are trying to get there, it will not reach there and the rains may not come until October. These people, whole families, babies, children who are now eating dirt and bugs, are going to die.

So if there was anything else I would have done with this supplemental appropriation, it would have been to try and avert that famine that is taking place in six nations of southern Africa. Having said that, I appreciate the work of this committee, and I appreciate the manner in which they tried to take care of all of these very difficult problems. I am hopeful that that which we were not able to do relative to southern Africa, perhaps we can do it in the agricultural appropriations bill.

Perhaps there is room there that we can find a way to get more money to those who are going to die of starvation unless we attend to it.

Mr. Young of Florida. Mr. Speaker, I reserve the rest of my time.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from California (Ms. Lee).

Ms. Lee. Mr. Speaker, I thank the ranking member for yielding me this time and also thank him for his hard work and the chairman’s hard work in bringing this bipartisan bill to the floor.

However, I want to really express today my disappointment and frustration, quite frankly, with the level of AIDS funding that is in this bill. We have heard time and time again how AIDS is killing millions of people in poor countries throughout the world. We know that AIDS is a complex disease that requires a comprehensive strategy.

I want to thank the gentleman from Minnesota (Mr. O’Neill), our minority leader, the gentleman from Missouri (Mr. Gephardt), the gentleman from Iowa (Mr. Leach), the gentlewoman from California (Ms. Pelosi), the gentlewoman from New York (Mrs. Lowey), the Congressional Black Caucus, and all of those who have worked very hard to raise the level of funding for global AIDS funds in this bill.

Last month, however, our efforts to do even more to increase global AIDS funding was derailed by the President. This was a total outrage, given the administration’s stated commitment to lead in fighting this scourge.

I attended the 14th International Conference on AIDS in Barcelona and heard from AIDS experts, activists, and people living with AIDS who demanded treatment now. There are 28 million people in Africa living with HIV and AIDS, but only 30,000, 30,000, who receive treatment, in comparison to nearly 100 percent of the people in the United States who need treatment and receive it.

At the conference, alarming statistics and forecasts indicated that HIV infections are not decreasing, nor are they leveling off. They are growing. This crisis will only continue to worsen. Today, there are over 40 million people living with AIDS. By 2010, we will see more than 100 million new unless we can get AIDS funding that works.

China, Russia, and India are ticking time bombs. We must put at least $1 billion into the trust fund, Mr. Speaker.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. Nadler).

Mr. Nadler. Mr. Speaker, I rise to support this conference report. This conference report funds the war on terrorism, but it also helps to make as whole as possible my district in New York where the World Trade Center stood before the attack last year. This conference report fulfills the congressional part of the President’s pledge to allocate $20 billion to help New York recover from the attack.

We still have some problems with FEMA doling out the money; but I want to commend the chairman of
committee, the gentleman from Florida (Mr. YOUNG), and the ranking member, the gentleman from Minnesota (Mr. OBEY), and especially the New York members of the Committee on Appropriations who worked so hard to ensure that New York would not be forgotten. Today we now have this $21.1 billion appropriated.

I want to also express my support for the $200 million in aid to Israel included in this legislation. Israel is our only true ally in the Middle East, and our friendship will continue in the fight against terrorism. It is only right that we support Israel in its fight against terrorism.

I also want to say that the $200 million appropriated for fighting AIDS in Africa is a good first step, but we must increase it because it does not meet the scale of the catastrophe in Africa, and the United States should step up to the plate. And this is a very good first step.

So I want to congratulate the members of the Committee on Appropriations and the leadership of the Committee on Appropriations, and I support this bill.

Mr. YOUNG of Florida. Mr. Speaker, I yield my 2 minutes.

Mr. Speaker, I want to thank the gentleman from New York for the comment that he just made. The conferees have worked really hard with the delegation from New York, including the Senate and House Members; and we have all worked together very well.

This conference report continues to recognize the tremendous human losses suffered by those businesses located in the World Trade Center during the September 11 attacks, and we have included this emergency appropriation for the purpose of assisting these businesses. As stated in the joint explanatory statement of the Committee of the Conference, the conferees added $33 million to the amount provided over the initial request, and we did so expecting that that additional money would be made available specifically for helping to assist those firms located in New York City who, at the time of the terrorist attacks, suffered a disproportionate loss of their workforce and who intend to reestablish their operations in New York City.

I have discussed this issue on numerous occasions with Mr. Gargano, who serves as Governor Pataki’s Chairman and CEO of New York’s Empire State Development Corporation. It is our understanding that in cooperation with New York City and the Lower Manhattan Development Corporation, the State of New York will ensure that these dollars will be available for the intended purposes.

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

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes to filibuster, in hopes that the gentlewoman who wishes to speak on this gets here.

Let me say that, given the fact that I am trying to stall until another Member gets here, there are several items that I think the membership ought to know about that we have provided in this bill above the administration request.

We have provided $225 million for modifications upon request. Those modifications are needed in order to create an actual place to install the explosive detection systems which are supposed to be placed in those airports. It would be pretty difficult to meet the deadline without that additional funding, which the conferees added.

We also now have the situation in which air marshals at this point cannot communicate with the ground except through the pilot. We think that is fairly unfortunate and risky, and so we provided $15 million to fix that problem.

We have also provided additional funding for port security grants, and I think that is probably among the most important money in the bill. I have discussed this issue on numerous occasions with whom I talked during the course of the next weeks that we will address this problem. I want to thank the gentleman for his assurance on that and working with me to accomplish that objective, and I thank the gentleman from Minnesota (Mr. OBEY) as well. We have developed the supplemental, and they have also chastised the Congress for being somewhat tardy in getting this bill to the White House.

Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, Article I of the Constitution indicates that it is Congress which is given the power to determine the expenditure of taxpayer’s money. Nowhere in the Constitution, in Article I or any other article, do we have a mention of the Office of Management and Budget. And yet I think as has been the case, or has often been made obvious, the present director of the Office of Management and Budget seems to believe that the only role of Congress in the appropriations process is to salute whatever whim seems to occupy OMB that day. It is not the first time in our Nation’s history OMB has had that attitude; but it is the most recent and, therefore, the most annoying.

Let me simply say OMB and the White House itself has on numerous occasions chastised this Congress for the delays we have not required supplementary, and they have also chastised the Congress for being somewhat tardy in getting this bill to the White House.
Let me point out that the White House did not send this bill to Congress until late March. They could have sent it up in January. They did not. They could have sent it up when they sent their budget in February, but they did not. They delayed until late March, and then the Appropriations Committee, after the conferees reached agreement on the content of this bill, OMB saw fit to blow up that agreement and ask for a different cut of the cards.

Because of that history, it has taken the Congress more time than it otherwise would have taken. Nonetheless, we now have a product which does not suit everyone exactly, but it is a reasonable product; and I believe it deserves the support of the House. I do not support every item in it; no Member does. But it is a reasonable effort to reach a conclusion on this matter, and I personally intend to support it because of that fact.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. Speaker, I express my great admiration for the job that the gentleman from Wisconsin (Mr. OBEGEY) and the chairman of the Committee on Appropriations have done together, but the conference report has some extraneous provisions which the Committee on Transportation and Infrastructure has objected to on a bipartisan basis, including one provision that has nothing to do with fighting the war on terrorism: a rescission of $320 million of highway contract authority.

That means if this stands, and apparently it will, that every State’s highway program will lose interstate maintenance, national highway system funding, surface transportation program, bridge, congestion mitigation, and also improvement. California loses $31 million; Pennsylvania, $15 million; Illinois, $11 million; and Minnesota, $5.2 million.

For the first time in the history of the highway programs, these States will have to return budget authority which has been apportioned to them. These cuts are over the express objections of both the House and the Senate authorizing committees. Some will argue this has no effect because the obligation flexibility is not reduced and that appropriations language is in fiscal year 2002, but I disagree. These rescissions will limit the States’ flexibility to use their different categories of funds. When we passed T&EA-21, we expected that contract authority would be greater than the annual obligation limit. This excess contract authority has played a critical role in funding the States’ need to set their own priorities for highway investments, and they have done exceedingly well with it.

States will have to go through the process now of returning these funds from each of the highway categories to the Federal Highway Administration, and put more pressure on each State’s highway next year if reauthorization of T&EA-21 is delayed.

Mr. Speaker, for those reasons I must oppose the conference report.

Mr. OBEY. Mr. Speaker, I yield back my time.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I thank the members of the conference committee and the staff who worked very diligently for a number of weeks to get us to the point where we are today to have this supplemental on the floor.

Our counterparts in the other body worked with us very diligently. I suggest that they raised a number of very challenging issues. This is one of the more difficult conferences that I have been involved with in a good many years; but with the leadership of Senator BYRD and Senator STEVENS, we came to a good conclusion on a good supplemental conference report.

Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. LEWIS), the chairman of the Subcommittee on Appropriations, since this is primarily a national defense emergency supplemental bill.

(TELEVISION RADIO) Mr. LEWIS of California. Mr. Speaker, I rise to express my deep appreciation to the gentleman from Florida (Chairman YOUNG) has indicated that the gentleman from Wisconsin (Mr. OBEGEY) for the very fine work they have done on this supplemental bill. This is, after all, the supplemental to provide additional funds for the war on terrorism.

It was not quite a year ago that we met downstairs in this building to mark up the fiscal year 2002 appropriations bill for national security. As we were meeting that very morning, all of us had the experience of seeing those planes crashing in this building in New York, shortly thereafter learning about a plane flying into the Pentagon and the President brought us all together to discuss for the first time the war on terrorism.

One of the most significant moments of my time in public affairs was to share with Members in this House when the President came to the House, bringing us all together, both bodies of the Congress, the Supreme Court, all of the president’s cabinet, in order to talk about this new challenge that America was faced with. I will never quite forget that scene when the leader of the other body, who was in the well of the House, came across the well of the House and we saw the President of the United States and that leader in friendship and leadership and otherwise hug each other expressing the public’s view that we ought to be together as we go about fighting this war.

Indeed, a gentleman from Wisconsin (Mr. OBEGEY) has indicated that this bill might have moved more quickly. There are any number of interests that have come forward since the fiscal year 2002 bills were marked up, and indeed the best effort has been made to reflect those additional interests in this fiscal year 2002 supplemental. But most of it, approximately half of it, is money to fight the war on terrorism; and as we are coming together to further explore our concern on both sides of the aisle to make certain that we do whatever is necessary to see that we win this war.

America is not backing off from the challenge that is before us. Indeed, the people of the United States continue to insist that we work together intently to make sure that America remains the strongest Nation in the world carrying forward that battle to be successful in the war on terrorism.

Mr. BLUMENAUER. Mr. Speaker, I will support this legislation.

Its provision to provide funding for Amtrak is especially critical to avoiding a shutdown of our national passenger railroad system later this year. Congress has a special obligation to the American people to fund Amtrak as part of the Government Performance and Accountability Act of 1997. The fiscal problems facing Amtrak are not the responsibility of the railroad alone, but also reflect the unrealistic and unattainable goals that we impose on Amtrak under that legislation and our failure to provide Amtrak with the railroad funding. The $205 million provided in this bill is a stop gap measure to keep the railroad functioning as we look at opportunities next year during the Amtrak reauthorization to address larger fiscal and structural issues.

Our military has responded with great professionalism to the unforeseen tragedies of September 11, but we need to utilize tools beyond those of the military in reducing global risks. I am disappointed that we had to add military spending to this bill. The FY02 military budget we adopted last fall was $351 billion, a figure already exceeding the military spending of the next 25 nations combined.

Finally, the conference report appropriates $134 million for reconstruction activities in Afghanistan. I am pleased that this total includes funding to repair houses damaged during military operations. The conference report appropriates some $3000 million for assistance to Afghanistan from various accounts.

Afghanistan is believed to have one of the world’s largest unexploded ordnance problems in the world, with 5-7 million still littered about the country. In addition to Afghan citizens, U.S. service personnel have also been killed by these explosive remnants of war. $4 million is included in this conference report for humanitarian demining and cleanup of other unexploded ordnance.

Representative LEACH and I led a request to the Foreign Operations Appropriations Subcommittee for assistance to unintended victims of the Afghan war in its FY03 bill. A bipartisan group of 38 Members joined us. This is an important gesture for us to make to the Afghan people to show them that our military campaign is not against them; it is against Al-Qaeda. I hope we can build on the assistance.
for housing repair that is in this conference report in the appropriation for FY03 funding when the House Foreign Operations Subcommittee marks up its bill following the August recess.

Mr. LANTOS. Mr. Speaker, today the House is voting H.R. 3645, the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States. This legislation provides key support to our military to conduct the on-going struggle against the barbaric forces of international terrorism, additional support for some key friends and allies in the war against terrorism, and supports other critical programs. I fully support the conference report and urge all my colleagues to support this critical legislation.

Mr. Speaker, I rise today to address a very important provision that is contained in this legislation, section 603 of the Supplemental Appropriations Act, relating to the dangerous security situation on Afghanistan, which is jeopardizing U.S. efforts to stabilize and de-democratize that war-torn nation. On May 11, 2002, the Administration to H.R. 3969, the Afghanistan Freedom Support Act of 2002, which is substantially similar to section 603 and was adopted by vote of 407–4. My amendment and section 603 require the Administration to submit a strategy for meeting the immediate security needs, and a further report within 90 days on the long term strategy for meeting long term security needs in Afghanistan.

With the support of the international community, a new, interim authority is in place and the country is, uncertainly, on a path to peace and stability. But that very peace and stability is being threatened, and the new government of Afghanistan, led by Hamid Karzai, is being undermined by lawlessness and insecurity. Afghanistan is in grave danger of relapsing to the conditions of violence and warlordism that created the Taliban and attracted al-Qaeda to operate in Afghanistan. This is not the vision we had for Afghanistan as we sought to help liberate it from the grasp of the terrorists and the Taliban. President Bush has pledged to help restore security and rebuild Afghanistan, and Secretary Rumsfeld has himself noted on many occasions that security is fundamental to all other issues and objectives in Afghanistan. Mr. Speaker, if this was not clear on May 21, when I first raised this issue, it is now. A key member of the Karzai Government, Vice President Haji Abdul Qadir, was assassinated on June 6, 2002. The assassination of this key Pashtun leader highlighted the instability in Afghanistan that threatens the U.S. mission there. And just this week, Secretary of Defense Rumsfeld announced that U.S. soldiers, including U.S. special forces, will protect President Karzai, perhaps for several months, in order to protect the nascent political process that is taking place. I could not agree with him more when he said that it is important that the political processes in that country “not be negated by violence.”

Mr. Speaker, the Bush Administration decision to protect President Karzai speaks volumes about the threats facing Afghanistan today. Just as President Karzai is threatened by continuing insecurity, so is the entire Afghan population. The bill before us today, and the Afghanistan Freedom and Reconstruction Act passed earlier this year, provides a fundamental contribution to this critical leg- eness to protect President Karzai from a land of repression and chaos into a safe and secure environment where freedom, human rights and democracy can grow, and terrorism and opium production will wither. However, none of this can be accomplished without securing our long-term security needs. I do appreciate the Administration’s help to create a new professional, multi-ethnic Afghan Army that can address Afghani- stan’s long-term security needs. But something must be done now, whether it is the expansion of a multinational force or through some other mechanism, to stabilize our important allies. Neither we nor our Afghan friend have the luxury to wait until a future Afghan security force is fully trained and deployed.

Section 603 requires the Administration to address this issue in a constructive way. It requires the Administration to submit a strategy to increase security in the country during the transaction to a fully functioning national army and police force. I fear that a failure to do address the security situation may lead to a failed Afghanistan, reduced instead of increased international aid and delays in the accomplishment of U.S. military objectives and a far longer engagement for our military in the region.

Mr. LEVIN. Mr. Speaker, I rise today to address a very important provision that is contained in this legislation, section 603 of the Supplemental Appropriations Act, relating to the dangerous security situation on Afghanistan, which is jeopardizing U.S. efforts to stabilize and de-democratize that war-torn nation. On May 11, 2002, the Administration to H.R. 3969, the Afghanistan Freedom Support Act of 2002, which is substantially similar to section 603 and was adopted by vote of 407–4. My amendment and section 603 require the Administration to submit a strategy for meeting the immediate security needs, and a further report within 90 days on the long term strategy for meeting long term security needs in Afghanistan.

With the support of the international community, a new, interim authority is in place and the country is, uncertainly, on a path to peace and stability. But that very peace and stability is being threatened, and the new government of Afghanistan, led by Hamid Karzai, is being undermined by lawlessness and insecurity. Afghanistan is in grave danger of relapsing to the conditions of violence and warlordism that created the Taliban and attracted al-Qaeda to operate in Afghanistan. This is not the vision we had for Afghanistan as we sought to help liberate it from the grasp of the terrorists and the Taliban. President Bush has pledged to help restore security and rebuild Afghanistan, and Secretary Rumsfeld has himself noted on many occasions that security is fundamental to all other issues and objectives in Afghanistan. Mr. Speaker, if this was not clear on May 21, when I first raised this issue, it is now. A key member of the Karzai Government, Vice President Haji Abdul Qadir, was assassinated on June 6, 2002. The assassination of this key Pashtun leader highlighted the instability in Afghanistan that threatens the U.S. mission there. And just this week, Secretary of Defense Rumsfeld announced that U.S. soldiers, including U.S. special forces, will protect President Karzai, perhaps for several months, in order to protect the nascent political process that is taking place. I could not agree with him more when he said that it is important that the political processes in that country “not be negated by violence.”

Mr. Speaker, the Bush Administration decision to protect President Karzai speaks volumes about the threats facing Afghanistan today. Just as President Karzai is threatened by continuing insecurity, so is the entire Afghan population. The bill before us today, and the Afghanistan Freedom and Reconstruction Act passed earlier this year, provides a fundamental contribution to this critical leg- eness to protect President Karzai from a land of repression and chaos into a safe and secure environment where freedom, human rights and democracy can grow, and terrorism and opium production will wither. However, none of this can be accomplished without securing our long-term security needs. I do appreciate the Administration’s help to create a new professional, multi-ethnic Afghan Army that can address Afghani- stan’s long-term security needs. But something must be done now, whether it is the expansion of a multinational force or through some other mechanism, to stabilize our important allies. Neither we nor our Afghan friend have the luxury to wait until a future Afghan security force is fully trained and deployed.

Section 603 requires the Administration to address this issue in a constructive way. It requires the Administration to submit a strategy to increase security in the country during the transaction to a fully functioning national army and police force. I fear that a failure to do address the security situation may lead to a failed Afghanistan, reduced instead of increased international aid and delays in the accomplishment of U.S. military objectives and a far longer engagement for our military in the region.

Mr. LEVIN. Mr. Speaker, I rise today to address a very important provision that is contained in this legislation, section 603 of the Supplemental Appropriations Act, relating to the dangerous security situation on Afghanistan, which is jeopardizing U.S. efforts to stabilize and de-democratize that war-torn nation. On May 11, 2002, the Administration to H.R. 3969, the Afghanistan Freedom Support Act of 2002, which is substantially similar to section 603 and was adopted by vote of 407–4. My amendment and section 603 require the Administration to submit a strategy for meeting the immediate security needs, and a further report within 90 days on the long term strategy for meeting long term security needs in Afghanistan.

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In addition, this is a terrible precedent. For decades, the Public Works and Transportation Committee, as our Committee was known back then, worked diligently in support of efforts to take the Aviation and Highway Trust Funds off-budget. And it was just because of budget gimmicks today, what is to stop them from doing so again in the future. Perhaps we should be thankful that the rescission in this bill is “only” $320 million, when, I understand, it could have been a lot more. But we must stop manipulating the Trust Fund and the highway program for illusory budget reasons.

But perhaps most important is the impact on state transportation plans and programs. States receive contact authority each year in accordance with TEA 21 in the various highway programs. They are able to target obligation authority (which is typically less than contract authority) received each year among the various programs to meet specific transportation priorities and needs. This flexibility is needed by the states to properly manage and to most efficiently and effectively spend highway funds. If suddenly a state must give back contract authority (and I understand DOT will require an across the board return of contract authority from among the various funding categories), states lose this vital flexibility. And some states may have large amounts of contract authority in only a few categories, so that impact would be felt more deeply in other programs.

I understand this rescission has been justified on the basis of budget authority “savings” that were necessary to meet target spending levels. It is distressing that the Transportation Committee offered up over $1 billion in savings from the loan guarantee program under the Air Transportation Safety and System Stability program categories. They are able to target obligation authority down to the value of all pending loan applications. However, conferees did not avail themselves of this option and instead chose to focus on the highway program.

The proper course of action to take would be to limit contract authority as we continue the appropriations process for fiscal year 2003. I trust the appropriators and leadership will work with us to ensure this correction is made.

Mr. Speaker, we simply cannot begin to play with the highway contract authority given to the states. We have never required them to “give back” contract authority already distributed. This is a very dangerous precedent and I trust we will go no further down this road in the future.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of this very important legislation. I want to express my sincere thanks and happiness that the funding for New York’s recovery has been included in this bill.

I would like to also note that this legislation includes $90 million for a longterm study that will be conducted by Mt. Sinai hospital to track the health impact of 9/11 on the dedicated and courageous first and recovery workers at the World Trade Center.

However, while I am pleased that this study was included and that we are taking care of the utilities, I must say that I am very troubled that this bill does not contain any funding to aid the New York City Board of Education with its costs because of the September 11th terrorist attack.

I, along with many members of the New York Congressional Delegation, and especially my friend and colleague Representative JOHN SWEENEY, who tried to include the aid in Committee, have been working on this important issue since the Board came to us with their concerns. Because of the attack, the Board has incurred costs such as making up for lost instructional time, clean up and repair of impacted buildings, transportation for relocated students, and the loss of perishable food and lunch revenues. Our goal simply has been to obtain for the New York City schoolchildren support, and much of that was made available to the Northridge schools following the 1994 earthquake. FEMA indicated that it wanted to help, but lacked the necessary authority.

After months of correspondence with FEMA, we believed that to provide the Board with this funding, language needed to be included in the Supplemental Appropriations bill directing FEMA to reimburse the Board. However, even after the inclusion of such language by our colleagues in the other body, FEMA and OMB have indicated it is not sufficient, and the FEMA still lacks the authority to reimburse the Board. I am very disappointed with FEMA’s inability to come to the aid of New York City’s schoolchildren, who have done nothing wrong and deserve to have the best possible educational experience.

Mr. Speaker, the events of September 11th are unprecedented in our nation’s history. As a result, President Bush pledged that his administration would do whatever it takes to rebuild New York City. While we appreciate his support and much of the good work that has already occurred, the red tape that seems to be tying up the aid for the New York City schools must be cut as soon as possible. I am hopeful that we will be able to come to some resolution with FEMA so that the Board can continue its preparations for the upcoming school year.

Mr. STARK. Mr. Speaker, I rise today in opposition to the Supplemental Appropriations bill for Fiscal Year 2002.

The Republican House has created a bill that throws important priorities in with a laundry list of poor choices. I can’t in good conscience vote for a bill that in one breath provides billions in new funding for defense while cutting a reasonable investment in America’s infrastructure and public housing.

I can’t support a bill that authorizes spending—to the tune of $29.8 billion—that the President already said he would veto. It is critical that we make funding for transportation safety available as quickly as possible. But we can’t be effective if we don’t provide the funding the Transportation Safety Administration says it needs. The Secretary of Transportation says passage of this bill will delay the installation of screening and detection systems needed to keep weapons and explosives off our airplanes.

This bill opens the door for U.S. military involvement in Colombia, moving us one step closer to being mired in a civil war there. I cannot support this, just as I have always opposed the United States giving funding to other nations to purchase weapons that might be used to wage war or harm innocent civilians.

This bill also withholds funding for critical UN family planning efforts that are vital in combating poverty and hunger worldwide.

I do support a great deal of what is funded in this bill. We must crack down on corporate fraud. We should make college more affordable for all Americans by providing Pell Grant funding. We need to do more to help the victims of domestic violence and assist poor mothers and their children. We should assist local communities and first responders in their emergency preparedness efforts. We ought to ensure the security of our transportation systems and at our ports.

America should also be a responsible force abroad as well by helping Afghanistan rebuild, giving needed humanitarian aid to refugees, and providing support to vital global health care initiatives like the fight against HIV/AIDS.

I support all of these important endeavors.

But, unfortunately, this bill is far too flawed to gain my vote. I urge my Republican colleagues to think about what our priorities should be and consider the consequences this bill imposes on our nation’s and the world’s future.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 8 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5120, and that I may include tabular and extraneous material.

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

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mr. LEWIS of California). Pursuant to House Resolution 488 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5120.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5120), making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of
the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes.

The Chair designates the gentleman from California (Mr. Dreier) as the chairman of the Committee of the Whole, and requests the gentleman from Washington (Mr. Hastings) to assume the Chair temporarily.

The Clerk read the title of the bill, the hero tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. Istook) and the gentleman from Maryland (Mr. Hoyer) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. Istook).

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

Mr. Chairman, I am pleased to present to the House H.R. 5120. This is the fiscal year 2003 appropriations measure for Treasury, Postal Service and General Government. I believe we have a good bill, Mr. Chairman, one that puts the proper focus on homeland security and Federal law enforcement, on securing the borders and protecting our homeland.

I am pleased to say this bill has the support of the gentleman from Maryland (Mr. Hoyer), the ranking member. I know that the gentleman from Maryland (Mr. Hoyer), as many of us, continues to have concerns about different provisions in this bill. That is common, and we are resolved to resolve the concerns of all Members as we wind our way through the legislative process.

Briefly, I would like to explain something about the overall numbers in this bill. We have received certainly a fair, a very good allocation from the chairman, the gentleman from Florida (Mr. Young), on our subcommittee’s portion of this year’s appropriation. Our committee’s allocation is a total $25 billion, for discretionary resources for fiscal year 2003. In the charts that accompany the report, some indicate that the level appears to be below the President’s request by some $207 million. Although that certainly appears attractive to fiscal conservatives such as myself, I would like to point out what appears to be a reduction is the consequence of scorekeeping adjustments related to the fact that the President’s proposal had some accrual accounting that was not included in the actual bill.

Therefore, there is something like a $745 million difference caused by those score-keeping adjustments. If we exclude that accrual accounting and we just compare apples to apples, programs for fiscal year 2003 to fiscal year 2002, we will find that when compared to last year’s fiscal year 2002 enacted level, it is above the President’s request, above fiscal year 2002 by $149 million. That is the President’s request by $538 million.

This is not the result of extra spending that we wanted to accomplish except for that which is necessary for homeland security. Instead, it is because we have a special provision in this bill for $200 million in support of reforming election administration through the country to enable the purchasing of up-to-date, modern election equipment we have seen the difficulties in future Presidential elections that we saw happen in 2000.

Secondly, in the base operations for the U.S. Customs Service, which is charged with overseeing some $8 billion worth of goods that come into the U.S. each day and making sure those are not a conduit for bringing in a weapon of mass destruction or for bringing in someone else that might be a threat to our homeland, to fund those operations and continue the level of increases in border security that this subcommittee has been proposing in the past, we have $250 million that the President wanted to have offset by fee increases. We are not increasing the fees that are generated by the Customs Service, but we are handling this increase by direct appropriation.

Again, that is the other key reason why there are differences between our numbers and those in the President’s proposed budget.

As reported by the committee, this bill provides a total of $4.2 billion for the executive branch. This includes not only funding for the Office of Homeland Security, which is currently part of the Executive Office of the President, and the Customs Service, but it also includes funding for the U.S. Customs Service, for the Federal Law Enforcement Training Center, which is having to provide the training for the increasing number of Federal law enforcement officials that we have needed and been putting in place ever since 9/11 and, indeed, which this subcommittee was increasing even before 9/11.

This bill also includes a total of $466.4 million for the HIDTA program. HIDTA is high intensity drug trafficking areas. This is providing special funding for Federal, State and local coordination to combat the scourge of illegal drugs. The HIDTA money is an increase of $20 million above the current year’s funding.

Although nominally the bill reduces funding for the national youth anti-drug media campaign by $10 million, it actually increases the amount that is going to be applied to the national campaign, the advertising campaign, to discourage the use of illegal drugs by our young people. What we have done is to take the difference out of the bureaucracy that had been growing within the Office of National Drug Control Policy and mandate that they increase the amount that is actually being expended on actual advertising.

The bill also includes $646 million for the construction program of the General Services Administration which, of course, is the landlord for the Federal Government. That includes site acquisition, design and/or construction of some 11 courthouses, trying to take care of the overburden that currently is being placed upon our judicial system.

There has major funding regarding information technology. A lot of that is related to trade and to homeland security. The bill includes $439 million for the Customs automation program, including a total of not less than $317 million for modernizing the automated commercial environment, or ACE program. Mr. Chairman, it is this modernization program within Customs that I believe will ultimately form the information backbone for the forthcoming Department of Homeland Security, because this database ties in not only Federal law enforcement but some 58 Federal agencies, giving them the interfacing and the access to sharing information that we have seen is so sorely lacking today among Federal agencies. Not only is this an allocation, this subcommittee has been accelerating, but it is something that has laid the groundwork for the forthcoming Department of Homeland Security.

In regard to information technology, we also include $75 million for the business systems modernization of the Internal Revenue Service, so taxpayers will no longer have the waiting game and the wondering game that they sometimes have right now when trying to get their questions straightened out with the IRS.

And we fund $5 million for the President’s e-government proposal as well.

In regard to legislative items, we have a number of historical provisions that are a part of this bill. One of them is maintaining the current law that prohibits using funds to pay for abortions through the Federal employees health benefits plan which is the insurance program for Federal workers. This prohibition is something that the Office of the President, federal law enforcement, almost half of which is funded through this bill, the Secret Service, the Bureau of Alcohol, Tobacco and Firearms, and the Customs Service with its significant role regarding border security and homeland security.

However, probably most of the debate time will be consumed in debate, such as travel to Cuba, which I know is a subject of interest to a great many Members. It is not the thrust of this bill, but it is probably a debate that we will get into, nevertheless.

Because we have so many amendments that Members wish to offer to
this bill, mostly to the general government provisions, I hope we do not con-
sume the entire hour that is allocated for official debate on the bill itself so
that we might move into the oppor-
tunity for Members to be presenting their amendments. But, of course, we
will try to take the necessary time to cover those issues.

Mr. Chairman, I include the following tabular material for the RECORD:
## Comparative Statement of New Budget Obligational Authority for 2002 and Budget Requests and Amounts Recommended in the Bill for 2003

(Amounts in Thousands)

<table>
<thead>
<tr>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<td>Payment of government losses in shipment</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td></td>
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</tbody>
</table>
### Comparative Statement of New Budget (Obligational) Authority for 2002 and Budget Requests and Amounts Recommended in the Bill for 2003

(Amounts in Thousands)

<table>
<thead>
<tr>
<th>Department/Program</th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal Revenue Service:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Processing, Assistance, and Management</td>
<td>3,797,890</td>
<td>3,968,337</td>
<td>3,956,777</td>
<td>+157,887</td>
<td>-2,560</td>
</tr>
<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>12,950</td>
<td>---</td>
<td>---</td>
<td>-12,950</td>
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</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>3,910,840</td>
<td>3,968,337</td>
<td>3,956,777</td>
<td>+144,257</td>
<td>-2,560</td>
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<tr>
<td>Tax Law Enforcement</td>
<td>3,636,347</td>
<td>3,726,972</td>
<td>3,726,072</td>
<td>+190,725</td>
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<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>4,544</td>
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<tr>
<td><strong>Subtotal</strong></td>
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<td>3,726,072</td>
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<td>Earned Income Tax Credit Compliance Initiative</td>
<td>146,000</td>
<td>146,000</td>
<td>146,000</td>
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<td>Information Systems</td>
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<td>1,632,444</td>
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<td>9/11 Supplemental (P.L. 107-117)</td>
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<td>1,632,444</td>
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<td>Business systems modernization</td>
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<td>450,000</td>
<td>436,000</td>
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<td>4,892,217</td>
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<td><strong>United States Secret Service:</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Expenses</td>
<td>920,515</td>
<td>1,010,435</td>
<td>1,017,892</td>
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<td>+7,457</td>
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<td>9/11 Supplemental (P.L. 107-117)</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td>1,025,274</td>
<td>1,010,435</td>
<td>1,017,892</td>
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<td>+7,457</td>
</tr>
<tr>
<td>Acquisition, Construction, Improvements, &amp; Related Expenses</td>
<td>3,457</td>
<td>3,519</td>
<td>3,519</td>
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<td><strong>Total</strong></td>
<td>1,028,731</td>
<td>1,013,954</td>
<td>1,021,411</td>
<td>-7,430</td>
<td>+7,457</td>
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</table>

| **Total, Title I, Department of the Treasury:**         |                 |                 |      |                 |                 |
| Appropriations                                          | 15,546,176      | 15,865,443      | 15,689,789 | +522,651       | +303,343         |
| Emergency funding                                       | 15,047,916      | 15,865,443      | 15,689,789 | +1,156,671     | +303,343         |
| Rescissions                                             | 804,250         | ---             | ---   | -604,250        | ---             |

**July 23, 2002**
### COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

<table>
<thead>
<tr>
<th>Title II - Postal Service</th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payment to the Postal Service Fund</td>
<td>29,000</td>
<td>29,000</td>
<td>26,000</td>
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<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>533,000</td>
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<td>---</td>
<td>-603,000</td>
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</tr>
<tr>
<td>Subtotal</td>
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<td>29,000</td>
<td>26,000</td>
<td>-603,000</td>
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</tr>
<tr>
<td>Advance appropriation, FY 2002/2003</td>
<td>87,069</td>
<td>47,619</td>
<td>47,619</td>
<td>-19,474</td>
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</tr>
<tr>
<td>Advance appropriation, FY 2004</td>
<td>---</td>
<td>31,014</td>
<td>31,014</td>
<td>+31,014</td>
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<tr>
<td>Total, Title II, Postal Service</td>
<td>596,069</td>
<td>75,619</td>
<td>76,619</td>
<td>-512,474</td>
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</tr>
<tr>
<td>Fiscal year 2002/2003</td>
<td>---</td>
<td>31,014</td>
<td>31,014</td>
<td>+31,014</td>
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</tr>
</tbody>
</table>

### Title III - Executive Office of the President and Funds Appropriated to the President

**Compensation of the President and the White House Office:**
- Compensation of the President: 450
- Salaries and Expenses: 54,051
- Office of Homeland Security: 50,715
- Executive Residence at the White House: 3,963
- Operating Expenses: 12,228
- White House Repair and Restoration: 8,526
- Special Assistance to the President and the Official Residence of the Vice President:
  - Salaries and Expenses: 3,905
  - Operating expenses: 4,211
  - Council of Economic Advisers: 4,142
  - Office of Policy Development: 7,494
  - National Security Council: 8,525

**Bill vs. Enacted**
- +309
- -1,722
## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003

(Amounts in Thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Administration</td>
<td>46,695</td>
<td>70,128</td>
<td>92,381</td>
<td>+45,725</td>
</tr>
<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>50,040</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Subtotal</td>
<td>96,735</td>
<td>70,128</td>
<td>92,381</td>
<td>-4,314</td>
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<td>Office of Management and Budget</td>
<td>70,752</td>
<td>70,752</td>
<td>61,492</td>
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<tr>
<td>Electronic Government (E-Gov) Fund</td>
<td>---</td>
<td>---</td>
<td>5,300</td>
<td>+5,300</td>
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<tr>
<td>Election Administration Reform</td>
<td>---</td>
<td>---</td>
<td>200,000</td>
<td>+200,000</td>
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<tr>
<td>Office of National Drug Control Policy:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and expenses</td>
<td>25,253</td>
<td>25,458</td>
<td>24,458</td>
<td>-995</td>
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<tr>
<td>Counterdrug Technology Assessment Center</td>
<td>42,350</td>
<td>40,000</td>
<td>56,800</td>
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<tr>
<td>Total</td>
<td>67,553</td>
<td>65,458</td>
<td>80,258</td>
<td>+12,659</td>
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<tr>
<td>Federal Drug Control Programs:</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>High Intensity Drug Trafficking Areas Program</td>
<td>226,350</td>
<td>206,350</td>
<td>246,350</td>
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<tr>
<td>Special Forfeiture Fund</td>
<td>230,420</td>
<td>251,300</td>
<td>240,800</td>
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<tr>
<td>Unanticipated Heads</td>
<td>1,033</td>
<td>1,000</td>
<td>1,000</td>
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<tr>
<td>Total, title III, Executive Office of the President and Funds Appropriated to the President..</td>
<td>797,571</td>
<td>788,002</td>
<td>1,064,536</td>
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</table>

### TITLE IV - INDEPENDENT AGENCIES

<table>
<thead>
<tr>
<th></th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committees for Purchase From People Who Are Blind or Severely Disabled</td>
<td>4,629</td>
<td>4,629</td>
<td>4,329</td>
<td>---</td>
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<tr>
<td>Federal Election Commission</td>
<td>43,689</td>
<td>45,244</td>
<td>49,426</td>
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<tr>
<td>Federal Labor Relations Authority</td>
<td>26,524</td>
<td>28,684</td>
<td>28,377</td>
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</tr>
<tr>
<td>General Services Administration:</td>
<td>FY 2002 Enacted</td>
<td>FY 2003 Request</td>
<td>Bill</td>
<td>Bill vs. Enacted</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Federal Buildings Fund:</td>
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</tr>
<tr>
<td>Appropriations</td>
<td>284,400</td>
<td>276,400</td>
<td>325,711</td>
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<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>126,512</td>
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</tr>
<tr>
<td>Subtotal</td>
<td>410,912</td>
<td>276,400</td>
<td>325,711</td>
<td>-85,201</td>
</tr>
<tr>
<td>Limitations on availability of revenue:</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction and acquisition of facilities</td>
<td>(962,692)</td>
<td>(556,574)</td>
<td>(946,385)</td>
<td>(-16,295)</td>
</tr>
<tr>
<td>Repairs and alterations</td>
<td>926,675</td>
<td>(966,229)</td>
<td>(978,525)</td>
<td>(+151,853)</td>
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<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>(42,700)</td>
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<td>(-42,700)</td>
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<tr>
<td>Subtotal</td>
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<td>(986,028)</td>
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<tr>
<td>Installment acquisition payments</td>
<td>(180,427)</td>
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<td>(176,962)</td>
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<td>Rental of space</td>
<td>(2,852,020)</td>
<td>(2,153,211)</td>
<td>(3,153,211)</td>
<td>(+200,150)</td>
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<td>Building Operations</td>
<td>(1,748,543)</td>
<td>(1,965,162)</td>
<td>(1,925,160)</td>
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<td>9/11 Supplemental (P.L. 107-117)</td>
<td>(33,812)</td>
<td>---</td>
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<td>(-33,812)</td>
</tr>
<tr>
<td>Subtotal</td>
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<tr>
<td>Subtotal, limitations</td>
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<td>6,839,234</td>
<td>6,882,245</td>
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<tr>
<td>Repayment of Debt</td>
<td>(72,000)</td>
<td>(79,685)</td>
<td>(79,685)</td>
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<td>Rental income to fund</td>
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<td>(Limitations)</td>
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<td>Policy and Operations</td>
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<tr>
<td>Policy and Citizen Services</td>
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<td>65,996</td>
<td>65,996</td>
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<td>Operating Expenses</td>
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<tr>
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<td>Electronic Government Fund</td>
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<td>-5,000</td>
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<tr>
<td>Allowances and Office Staff for Former Presidents</td>
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<td>3,339</td>
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<td>Total, General Services Administration</td>
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<td>516,614</td>
<td>510,566</td>
<td>-88,027</td>
</tr>
</tbody>
</table>
### Comparative Statement of New Budget Obligational Authority for 2002 and Budget Requests and Amounts Recommended in the Bill for 2003
(Amounts in Thousands)

<table>
<thead>
<tr>
<th>Section</th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2002 Enacted</th>
<th>Bill vs. FY 2003 Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Merit Systems Protection Board:</strong></td>
<td></td>
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<td></td>
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<tr>
<td>Salaries and Expenses</td>
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<td>31,790</td>
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<td>Limitation on administrative expenses</td>
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<td><strong>Morris K. Udall Foundation:</strong></td>
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<td><strong>National Archives and Records Administration:</strong></td>
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<td>Operating expenses</td>
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<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
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<td>-7,000</td>
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<tr>
<td>Repairs and Restoration</td>
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<td>-28,685</td>
<td>--</td>
</tr>
<tr>
<td>9/11 Supplemental (P.L. 107-117)</td>
<td>1,000</td>
<td>--</td>
<td>--</td>
<td>-1,000</td>
<td>--</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>40,143</td>
<td>10,458</td>
<td>10,458</td>
<td>-29,685</td>
<td>--</td>
</tr>
<tr>
<td>National Historical Publications and Records:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commission: Grants program</td>
<td>6,433</td>
<td>5,033</td>
<td>7,000</td>
<td>+554</td>
<td>+2,000</td>
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<tr>
<td><strong>Total</strong></td>
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<td>266,003</td>
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<td>-5,000</td>
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<td>Office of Government Ethics:</td>
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<tr>
<td><strong>Office of Personnel Management:</strong></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Salaries and Expenses</td>
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<td>+182</td>
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<tr>
<td>Limitation on administrative expenses</td>
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<td>120,731</td>
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<tr>
<td>Office of Inspector General</td>
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<td>1,498</td>
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<td>--</td>
</tr>
<tr>
<td>Limitation on administrative expenses</td>
<td>10,015</td>
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<tr>
<td>Government Payment for Annuitants, Employees Health Benefits</td>
<td>6,129,000</td>
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<td>+724,000</td>
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<tr>
<td>Government Payment for Annuitants, Employee Life Insurance</td>
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<td>34,000</td>
<td>34,000</td>
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<td>--</td>
</tr>
<tr>
<td>Payment to Civil Service Retirement and Disability Fund</td>
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<td>9,410,000</td>
<td>9,410,000</td>
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<td><strong>Total, Office of Personnel Management</strong></td>
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<td>United States Tax Court</td>
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<td>37,335</td>
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<td>White House Commission on the National Moment of Rememberance</td>
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<td>250</td>
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<tr>
<td>Net FY2002 proceeds from WTC stamp</td>
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<td>Total, title IV, Independent Agencies</td>
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<td>Grand total (net)</td>
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<td>Current year, FY 2003</td>
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<td>Appropriations</td>
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<tr>
<td>Emergency funding</td>
<td>-1,283,412</td>
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<td>Rescissions</td>
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<td>Advance appropriations, FY 2003 / FY 2004 (Limitations)</td>
<td>67,093</td>
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<td>78,633</td>
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<td>6,575,294</td>
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## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

<table>
<thead>
<tr>
<th>Scorekeeping adjustments:</th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<td>151,000</td>
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<td>Federal Reserve Bank reimbursement fund</td>
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<td>Sallie Mae</td>
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<td>1,000</td>
<td>1,000</td>
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<td>Postal service, FY 2004</td>
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<td>-31,014</td>
<td>-31,014</td>
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<td>GSA, FY 2003-2004</td>
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<td>OMB retirement accruals</td>
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<td>745,000</td>
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<td>Emergency supplemental</td>
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<td>Total, scorekeeping adjustments</td>
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<td>-40,014</td>
<td>-753,000</td>
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### COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2002 Enacted</th>
<th>FY 2003 Request</th>
<th>Bill Enacted</th>
<th>Bill vs. Request</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total (Including adjustments)</td>
<td>34,027,862</td>
<td>35,294,266</td>
<td>35,086,445</td>
<td>+1,055,884</td>
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<td>Amount in this bill</td>
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<tr>
<td>Prior year outlays</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, mandatory and discretionary</td>
<td>34,027,862</td>
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<td>35,086,445</td>
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<td>Mandatory</td>
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<td>-207,820</td>
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#### RECAP BY FUNCTION

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<tr>
<th></th>
<th>FY 2003 Request</th>
<th>Bill Enacted</th>
<th>Bill vs. Request</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total, Mandatory</td>
<td>15,675,450</td>
<td>16,585,450</td>
<td>16,585,450</td>
<td>+911,000</td>
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<tr>
<td>Total, Discretionary</td>
<td>18,352,412</td>
<td>18,707,816</td>
<td>18,499,995</td>
<td>+147,584</td>
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<tr>
<td>Grand total, Mandatory and Discretionary</td>
<td>34,027,862</td>
<td>35,294,266</td>
<td>35,086,445</td>
<td>+1,055,884</td>
</tr>
</tbody>
</table>
Mr. Chairman, I reserve the balance of my time.

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

I want to thank the gentleman from Oklahoma (Mr. ISTOOK), the chair of our subcommittee, for the leadership he has shown on this bill. I want to thank our staff, particularly our staff director, Ms. Michelle Mrdeza, Jeff Ashford, Kurt Dodd, Walter Hearne, Tammy Hughes and Randy Cogga, who is a part-time working with us. I also want to thank my own staff, Mike Malone and Scott Nance, who have done an outstanding job. I also want to thank Chairman YOUNG for his assistance, and Ranking Member OBEY for providing an allocation that is workable. And I want to thank Chairman ISTOOK, as I said earlier, for working with us.

Although we disagree on some of the funding levels and provisions included in this bill, our views have generally been in agreement. The bill provides for $18.5 billion in discretionary budget authority, $148 million higher than fiscal year 2002, a relatively modest number. This bill provides $3.128 billion for the Customs Service, above the President’s request. This will allow the Customs Service to meet their homeland security needs as well as address other issues such as modernization of their antiquated import data system known as ACE.

The bill provides $185 million to the Federal Law Enforcement Training Center, $30 million above the President’s request, in order to handle the additional workload related to the training of Transportation Security Agency personnel.

The bill adds $32 million back to Treasury law enforcement agencies that was cut in the President’s budget for unspecified nonpay inflation costs. I intend to work with the chairman to add back funding to all Treasury agencies that were forced to take this cut.

The bill provides close to the full funding level for discussions that benefit Federal employees, including language that provides Federal employees with its comparability adjustment comparable to that of the military. This adjustment is 1.5 percent higher than the President’s request.

Although most of this bill is supportable, there are some issues in the bill that I do not agree with. For the first accounts program, which attempts to provide access to those who are “unbanked” in this country, the bill provides restrictive provisions that may ruin the program. I am hopeful that we will do better in conference.

Although the bill provides $4 million for the program, $2 million above the fiscal year 2002 level, these provisions may severely limit the ability of the Treasury Department to have a successful program. These provisions seem to have been developed without full information, in my opinion, about their impact.

I am also concerned about the committee’s elimination of the savings bonds program as $22 million marketing budget. To have a program to sell savings bonds without the ability to market them, in my opinion, does not seem to make sense.

I also continue to be concerned with the lack of information received from the Office of Homeland Security. This bill includes $24.8 million for that office, despite our frustrations with the limited amount of information provided. I hope to see a similar provision to that for 1 minute, Mr. Chairman. I asked the representative of the White House who testified on this budget whether or not he could tell me how much money was to be spent. He said he could not. I asked him had he put this money together and had he planned this budget. He said he had not. I asked him had he discussed this matter with Governor Ridge as to how these funds were to be spent. He said he had not. Governor Ridge refused to testify before our committee. I want to say in fairness to Governor Ridge, I believe that was under the instructions of the White House and, furthermore, Governor Ridge did make himself available to the committee for discussions. But it was an item that we should have had hearings on, we should have had testimony on, and we did not. I continue to believe that the director of that office, Homeland Security, should testify within the regular committee hearing process so that we can exercise our constitutional right of oversight.

On balance, however, Mr. Chairman, this bill is an improvement from the President’s request, and despite some disagreements with its contents, I ask my colleagues to support it in its current form.

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

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, first I would like to congratulate my friend and colleague from Oklahoma for an excellent job with this bill and I enjoyed working with him.

Mr. Chairman, I also would like to engage the gentleman in a brief colloquy with respect to the funding for the drug-free communities program. One of the items authorized and appropriated under that program is the National Community Antidrug Coalition Institute. This is a new program which was intended to be a grant to a private entity to help train local community antidrug coalitions. It is my understanding that the Federal grant manager has expressed its intent to exercise “substantial Federal involvement” in the institute’s administration. This was not our intent authorizing this program. Is it the chairman’s intention that the appropriated funding here is to be used exclusively for a grant to a private sector entity and not for Federal administration or activities in connection with that institute or other grant administrative activities?

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I thank the gentleman for yielding.

The committee intention is, as stated, to support the private sector and not to fund the conduct or administration of this program by government employees other than issuing the grant itself.

Mr. SOUDER. I thank the gentleman for the colloquy.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Chairman, I would first of all like to also congratulate Chairman ISTOOK on a fine bill that he and my friend, the gentleman from Oklahoma (Mr. HOYER), have brought forth today. I would like to speak with him about an issue that is of particular importance to me, Mr. Chairman.


As the gentleman knows, the Monroney amendment provides that whenever there is a shortage of comparable occupations in private industry in a given wage area, the wage survey must use comparable pay data from the nearest wage area that is determined
to be similar in nature of its population, employment, manpower and industry. Previously this amendment was not available to Federal DOD employees.

I would also like to stress the importance of this because of the problems we are having in recruiting and retaining a skilled workforce in our public military depots.

I would particularly like to discuss the pay limit that is unfairly limited on blue collar Federal DOD employees during this transition to one wage scale. These blue collar employees are a key component to our national security and to our warfighting capability. Recruitment and retention of these highly skilled workers is imperative. However, during this transition to a fair and equitable pay adjustment, a pay cap in the Treasury-Postal bill hinders that progress.

I ask the chairman that we discuss ways to overcome and work out the hurdles that stand in the way of eliminating this pay disparity.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. CHAMBLISS. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. I thank the gentleman from Oklahoma for bringing these concerns to our attention, and certainly I am open to working with him. I am compelled to add, however, that the wage-grade issue is exceedingly complex, and I would want to be very careful about any proposals that may be advanced.

I should also add that the authorizing committees have jurisdiction over this issue and, therefore, it is necessary that they should be involved in any proposed reform that might involve this bill.

Mr. CHAMBLISS. Mr. Chairman, reclaiming my time, I thank the gentleman from Oklahoma for his cooperation and understanding of this matter, and I appreciate the beginning of a dialogue on this issue.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SERRANO), for the purpose of entering into a colloquy.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. SERRANO), for the purpose of entering into a colloquy.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from New York (Mr. SERRANO) is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I would like to engage the chairman and ranking Democrat of the subcommittee in a colloquy.

Since before I was elected to Congress, I have heard repeated requests from my constituents for assistance in dealing with Bronx post offices. Continuing problems include lost mail, misdirected mail, late night deliveries. You name it, we have it.

I have witnessed service problems firsthand. Whenever I send out a newsletter to my constituents, boxes and boxes containing undelivered newsletters get sent back to my office for different reasons. Sometimes the Post Office says there is no such address, but, most frustratingly, some get returned for reasons such as "insufficient mail," "invalid frank." I have had a representative from the Postmaster General come to my Washington office to try to work out the problems. We showed her the boxes and boxes that have been returned to my office. Unfortunately, while much was promised at these many meetings, little was delivered.

My good friend and colleague who shares part of the problems with me, the gentleman from New York (Mr. CROWLEY), requested that the Postmaster General that the current Post Office headquarters conduct a study and make recommendations to ameliorate the problems I have raised.

I would like to go further and work with the chairman and ranking Democrat to expand the study to the entire Bronx to send a strong message to the Postmaster General that the current situation in the Bronx is intolerable.

Mr. Chairman, I would ask, would the chairman and ranking member work with me in putting an end to this long-term problem?

Mr. HOYER. Mr. Chairman will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I certainly have every intention of working with the gentleman. It is a significant and real problem that he brings up, and we want to work with him on that.

Mr. CROWLEY. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from New York.

Mr. CROWLEY. Mr. Chairman, I thank my colleague and good friend from the Bronx for yielding during this colloquy to reiterate the statements made by him regarding the mail delivery problems we are experiencing in the Bronx.

Like the gentleman from New York (Mr. SERRANO), I have heard from too many constituents about mail delays, misdelivered mail, lost mail, late deliveries, 9 o'clock at night, and even no mail delivery at all. One of the most affected areas in the Bronx is the Morris Park Post Office.

I would like to express my deep gratitude to the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER), for including report language in your amendment, the gentleman from New York (Mr. SERRANO) mandating that the Post Office headquarters conduct a study and implement recommendations to improve the mail delivery in Morris Park.

Stating that, this community’s problems are just the tip of the iceberg. I have heard of mail complaints in Throggs Neck, Soundview and Co-Op City, just to name a few places, meaning more must be done.

I would like to thank my good chairman, the gentleman from New York (Mr. SERRANO) for yielding me this time, as well as the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER) for their efforts to improve mail delivery for my constituents.

I also want to recognize the great work of City Councilwoman Madeline Provenzano, as well as members of the Assembly, Kaufman, Klein and Rivera for bringing this issue to my attention.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, to answer the questions posed by the gentleman from New York (Mr. SERRANO), yes, I think we can definitely work together to address his concerns about postal service in the Bronx. The gentleman is correct that we have included report language at the request of the gentleman from New York (Mr. CROWLEY) concerning the Post Office in Morris Park. We have recommended that the Postal Service investigate this situation and report recommendations for corrective action, reporting that to the committee.

When we go to conference with the Senate, we can and will work with the gentleman from New York (Mr. SERRANO) to come up with additional report language to take care of the issue regarding the Postal Service in the Bronx, presuming, of course, that the distinguished ranking member of the committee has no objections.

Mr. HOYER. Mr. Chairman will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I echo the gentleman’s comments. Certainly I will indicate I have no objections, and look forward to working with the chairman, with the gentleman from New York (Mr. SERRANO) and with the gentleman from New York (Mr. CROWLEY) on these important issues that they have raised.

Mr. SERRANO. I thank you both, and I congratulate you on bringing a good bill to the floor.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SWEENEY), a member of our subcommittee who has done excellent work on this measure.

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

Mr. Chairman, I just simply wanted to take some time to come down at the introduction of this bill at the beginning of what will be a very long debate and address a number of issues important to the Nation and important to the Nation’s security to congratulate my good chairman, the gentleman
from Oklahoma (Mr. ISTOOK), for the tremendous work done and my friend the ranking member, the gentleman from Maryland (Mr. HOYER), for really balancing some critical priorities in this process.

This is one of those bills that every year is critical to our homeland security, and I am very proud to be part of a committee that, not only in a period of time of great economic concern were we able to balance those economic needs and changing wants, but at the very time, since September 11, it is a period of time in which our national security, our homeland security, are at greater risk and greater sensitivity to all of us.

This subcommittee had a perilous task in balancing those priorities, and did so in such a responsible manner, in protecting our borders from threats, new and old, many of those threats changing in unimaginable ways in the past year. The bill provides critical funding for our borders in a time of heightened security.

The Subcommittee on Treasury, Postal Service and General Government was able to respond to the changes we have faced. We have included over $24 million for Customs Services’ salaries and expenses, including over $21 million for its Northern Border Staffing. I am pleased with the response of the subcommittee in addressing the needs of the fishing economy in my district in particular, because close to my district in upstate New York the Port of Champlain Border Crossing has been in need for a great many of years, and this bill includes $5 million for desperately needed updates and facility repairs.

Not only does the bill provide the necessary funding to protect our borders from newly exposed threats, it also maintains support for local law enforcement in fighting the war on drugs. An additional $20 million is appropriated for high-intensity drug trafficking areas. Stopping drugs at our borders and helping local law enforcement agencies is a critical function of this committee. We were able to do that, maintain those basic commitments to programs that preceded September 11, and indeed, adjust some of those priorities to address the new challenges.

I want to, finally, thank and congratulate the committee staff who do a great job and I appreciate her help and assistance.

Mrs. MEEK of Florida. Mr. Chairman, I want to thank my colleague and leader, the gentleman from Maryland (Mr. HOYER), for yielding me time. I want to thank the gentleman from Oklahoma (Mr. ISTOOK), and the staff, both majority and minority staff members.

Also I want to thank the gentleman from Wisconsin (Mr. OBETT) and the gentleman from New York (Mr. YOUNG) for giving us the kind of 302(b) allocation that allowed our committee this time to fund the Customs Service program without having to resort to an additional fee increase on airline passengers. We did not really need that.

While we only got enough money for a down payment on correcting the problems that arose during the 2000 presidential election, we needed more, and indeed, I commend the gentleman from Maryland (Mr. HOYER) did an outstanding job of leading Senate transportation efforts. Of course, $24 million is in the bill for election reform. That is a very good start.

Mr. Chairman, this is a good bill that I intend to support. The bill before us today is a big improvement over the Presidential request. First, the bill has a number of problem areas that still need to be addressed before the process concludes, such as three “poison pill” restrictions on the First Accounts Program and the unfortunate decision to limit the future marketing of the savings bonds program.

This bill became worse when we adopted a rule permitting a point of order to be raised against the DeLauro language that restricts the award of new Federal contracts to companies that have moved out of the United States and incorporated in tax-haven countries in order to avoid U.S. taxes. Let me mention just a few of the items in the bill and report that I particularly like, and then turn to problem areas. I commend my committee for restoring over $32 million of non-pay inflationary increases for Treasury law enforcement. That was needed, and I want to congratulate the committee for doing so.

The $316.9 million investment that is proposed for the ACE, the Customs modernization project, is urgently needed. This money will help the trade community and law enforcement tremendously and is needed in Miami. Despite the President’s failure to request it, I commend the committee and the gentleman from Oklahoma (Mr. ISTOOK) for providing an additional $30 million to the Federal Law Enforcement Training Center for training Transportation Security Agency personnel in response to the attacks of September 11.

Finally, I am pleased that the bill continues several favorable and important provisions for Federal employees, such as contraceptive coverage under the Federal Health Benefits Program, child care assistance for lower income employees and pay parity through a 4.1 percent pay increase adjustment for all Federal employees.

The bill does have some problem areas. As I previously discussed, South Florida needs more Customs employees at Miami International Airport and the Miami Seaport. We are very vulnerable in those two areas.

I remain very concerned about the level of Customs staffing in South Florida and whether the overall level of staffing at Customs is sufficient to meet the many new challenges and threats that we are asking Customs to meet.

We do need a very strong Customs Service serving as our first line of homeland defense. It is more important now than ever. Customs projections through its resource allocation model have demonstrated a need for thousands more staff, mostly inspectors and special agents. I cannot underestimate this need too strongly, Mr. Chairman. None of the Customs locations show a decline in workload or staff coverages, so reallocation of staff does not appear to be a realistic option. We should not have reallocated staff in that regard. We need to ensure that Customs receives the resources it needs to do its job effectively.

Mr. Chairman, as I have noticed on many occasions, there is also a perception among many of my constituents that the IRS and the Congress care more about chasing tens and hundreds of dollars from EITC claimants than collecting thousands and, in some cases, millions of dollars from high income taxpayers.

In conclusion, Mr. Chairman, the First Accounts Program is a very important program, not only to me but to many of the unbanked people in this country. I do hope as this bill moves forward and goes into conference that the committee and the conference committee will think of trying to return banking privileges to these unbanked people.

Mr. HOYER. Mr. Chairman will the gentleman yield?

Mrs. MEEK of Florida. I yield the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, we will certainly support the gentleman’s efforts in that regard. I think she is absolutely right.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. SHAW) for the purpose of engaging in a colloquy.

Mr. SHAW. Mr. Chairman, I rise to engage the distinguished chairman of the subcommittee and the distinguished ranking member in a colloquy to discuss a matter of great concern to the gentleman from Florida (Mr. Waxman) and to many of our constituents.

As the chairman knows, the first and most severe anthrax attack occurred in Boca Raton, Florida. One man died and many others were injured. The building itself, 67,000 square feet in the middle...
of the city, is now under quarantine. The level of contamination is equal to that of the Dasche suite in the Hart Senate Office Building.

While we still do not know who is responsible for the contamination in Boca Raton, everyone knows the owners of the building are among the victims of a terrorist attack resulting in a public health hazard. The problems now facing the community because of this attack are so serious and unusual in nature that it is, in my opinion, necessary for the Federal Government to become engaged and provide a solution.

Local leaders, including the mayor of Boca Raton, Steve Abrams, and the city council, in addition to the owners of the building, have shown a willingness to work with the government in order to fix this problem. The solution that the gentleman from Florida (Mr. WEXLER) and I have proposed, along with other Members of the Florida delegation, most notably the gentleman from Florida (Mr. MICA), (Mr. DEUTSCH), and (Mr. HASTINGS), has the bipartisan support of the entire Palm Beach County, Boca Raton community.

I understand that the chairman has expressed some concern with our proposal and I respect those concerns. Moreover, I greatly appreciate the time and effort that the gentleman and his staff have devoted to this issue. I am hopeful, I would say to the chairman, that we can continue our dialogue, as this matter is of great concern to the emergency to the citizens of South Florida.

Again, I want to thank the chairman and I want to thank also the ranking Democrat member for their efforts on behalf of our constituents.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I want to thank the gentleman from Florida (Mr. WEXLER) for his remarks. I do fully appreciate the magnitude of the problem facing the citizens of his district, and I realize both its magnitude and its complexity. I hope that he and others understand that, therefore, we are trying to move circumspectly to see if we might be able to resolve it.

The gentleman is correct in stating that I do have some concerns over the approach that he has proposed, although I recognize the need for a solution that works. I look forward to working together and continuing our dialogue in hopes that the problem can be resolved in an acceptable manner.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman from Oklahoma (Mr. ISTOOK), the gentleman from Maryland (Mr. WEXLER), and the gentleman from Florida (Mr. WEXLER) and the others that have been mentioned. I, like the chairman, will continue to work with the gentleman on this issue so that we can find a timely and meaningful solution that satisfies the concerns of the gentleman and the concerns of the local officials in Boca Raton.

I do believe this is a public health problem that we must address in an acceptable manner. Yet I do believe the Federal Government has a responsibility, and I want to see us help solve this problem this year.

Mr. WEXLER. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Florida.

Mr. WEXLER. Mr. Chairman, I rise to thank the chairman of the subcommittee, the gentleman from Oklahoma (Mr. ISTOOK), and especially the gentleman from Maryland (Mr. HOYER), my friend and ranking member, for their work on this issue, as well as the gentleman from Florida (Mr. SHAW), for hisleadership as we continue this debate.

Let me reiterate how important it is for the Federal Government to take an active role in finding a solution to the cleanup of the anthrax contamination at the AMI building and what it means to the people of South Florida and the rest of the Nation. I want to make clear that this is not our first attempt at requesting Federal assistance for this cleanup. Shortly after the October 1, 2001 anthrax attack on the AMI building in Boca Raton, Florida’s governor, Jeb Bush, wrote to the Federal Emergency Management Agency asking for disaster assistance to help the State deal with the aftermath the cleanup effort. The members of the Florida congressional delegation followed with a letter to FEMA, but the request was turned down.

We must not forget that this incident in Florida was the first biological attack in the United States. Although the anthrax attack on the AMI building occurred before the anthrax attacks here in the U.S. Capitol, the AMI building was yet to be decontaminated. Nearly a month later, the potentially treacherous health hazard continues to threaten the people of South Florida.

We are now in the middle of hurricane season, and one can only imagine the potential for harm that exists each and every day that the AMI building remains contaminated.

Let us not forget that this attack killed Mr. Bob Stevens and severely sickened another person. Every American is going to ask why a terrorist attack should have confidence that the Federal Government will come to their aid. Right now, the people of South Florida do not have that assurance.

Again, I would like to thank the gentleman from Oklahoma (Mr. ISTOOK), the gentleman from Maryland (Mr. HOYER), and the gentleman from Florida (Mr. SHAW), and I hope that we will be able to reach a positive resolution to this public health problem.

Mr. HOYER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I want to congratulate both gentlemen from Florida (Mr. WEXLER) and (Mr. SHAW), who have worked tirelessly on this issue. I know the chairman and I have spent literally hours with each gentleman because of their deep concern over the public health challenge that this causes the people of South Florida. I just want you to know the chairman and I will spend a lot of time on this and try to bring this matter to a successful resolution, and I thank the gentlemen for their work.

Mr. SHAW. Mr. Chairman, if the gentleman would be kind enough, I would like to thank the gentleman and the chairman for giving so much of their time, and I think the people of Boca Raton are very grateful, and we look forward to continuing to work with both of the gentlemen.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. WYNN), my friend and colleague.

Mr. WYNN. Mr. Chairman, I rise in support of H.R. 5120, the Treasury-Postal appropriations bill. The bill includes $45 million in funding to build a much-needed, state-of-the-art laboratory for the Food and Drug Administration's Center for Devices and Radiological Health. This project is a critical component of the overall consolidation of the Food and Drug Administration.

I would like to, of course, thank the chairman, the gentleman from Pennsylvania (Mr. ISTOOK), for his work and single out for thanks and appreciation to my Maryland colleague (Mr. HOYER), who has been very active on behalf of the consolidation of the Food and Drug Administration.

Currently, nearly 6,000 FDA Washington-area employees are housed in commercially leased space at approximately 39 different streetfront buildings, many of which are vulnerable to attack. This FDA consolidation would transfer all 6,000 FDA employees to state-of-the-art laboratory and administrative facilities at the White Oak campus in Silver Spring, Maryland, facilitating easier communications between the FDA employees and the various centers.

At a time when we are reorganizing the government for purposes of homeland security, the most important thing we can do is actually secure something. We have that opportunity to do that in this bill by providing a secure, fenced campus setting at White Oak, Maryland, formerly the Naval Surface Warfare Center.

By moving the FDA to a government-owned facility at White Oak, the consolidation is expected to yield savings of approximately $300 million in government lease costs over 10 years. The $45 million included in this bill will be used to construct laboratories for the Center for Devices and Radiological Health, which improves X-ray scanners, x-ray machinery, and irradiation devices used to kill bacteria in food and in mail. Currently, several
such labs are housed in old, dilapidated, leased buildings scheduled for demolition in 2004.

Importantly, this funding in the fiscal year 2003 budget means the construction of these labs will likely be finished by several months prior to the expiration of the leases in three separate facilities. This means savings of millions of dollars for the taxpayer in lease space and multiple moves.

Mr. Chairman, I believe this is an excellent bill. I believe that there is $177 million for the construction of a new Census facility in Suitland. I urge my colleagues to support the Treasury-Postal appropriations bill.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. Ose).

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

Mr. Chairman, I rise today in support of this important legislation. I want to thank the chairman of this committee for allowing me to speak today, and I also thank him for his leadership in dedicating additional funding for the U.S. Customs Service.

I stand before my colleagues to highlight the importance of Customs funding for the Sacramento International Airport. In 2001 the airport was granted Port of Entry status, paving the way for international flights. On July 1 of this year, Mexicana Airlines commenced scheduled international service from Sacramento to Mexico. I take great pride in our ongoing efforts at the local, State, and Federal level to expand this first class airport, including putting up $3.2 million of local money to construct the processing facility. New international service has just begun and it, in fact, is just the beginning.

In order to gain this international service, the Sacramento International Airport signed an agreement to cover the cost of the Customs Service for this operation until the Customs Service could provide full-time personnel. The cost to the airport is approximately $375,000 per year.

Interestingly, according to an economic analysis conducted on behalf of the airport, Federal, State, and local governments will receive approximately $1.5 million in new tax revenues because of this new international service provided by Mexicana Airlines. These flights will generate approximately 360 direct and indirect jobs, with over 100 of these jobs in the visitor and tourism industry. In the Sacramento area, personal income is estimated to increase by over $9 million per year.

In the Treasury-Postal Appropriations Subcommittee report, which is House Report 107-575 accompanying H.R. 5120, the committee directed "the U.S. Customs Service to work closely with international airport authorities to ensure that Customs will meet the optimal staffing requirements at international airports in the United States.''

The committee report goes on to recommend that the Customs Service "evaluate the feasibility of providing additional resources and staffing to include increased inspection services at Sacramento International Airport.'' I appreciate the work the committee has done in support of the Sacramento International Airport, and I look forward to working with the committee to secure funding for permanent Customs staff.

Mr. Chairman, this is a successful local, State, and Federal partnership that has laid the groundwork for opening a whole new area of economic activity in Sacramento. I urge my colleagues to support this important legislation.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. DELAHUNT).

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

There will be a series of amendments offered during the course of the debate on this bill by a bipartisan group of Members, Republicans and Democrats, liberals and conservatives, who, after 43 years, recognize that there can be no doubt that our current Cuba policy has failed. It has failed the Cuban people because it certainly has not brought them freedom and political space, but it has also failed the American people, not just because it has denied us commercial opportunities but, more importantly, has unreasonably restricted one of our fundamental constitutional rights, the right to travel.

Even Vice President CHENNY admitted during the campaign, and I am quoting him now, "restrictions, frankly, have not worked very well in Cuba.''

Well, furthermore, this policy opens us to charges of hypocrisy. Americans can travel to North Korea and Iran; by my reckoning, that is two-thirds of the axis of evil, but not to Cuba. That makes no sense, I would suggest.

We also need to pass the United Nations resolution that calls for virtually unrestricted trade with Iraq, the crown jewel of the troika of the axis of evil, yet we continue an embargo on Cuba. Well, that makes no sense, either.

If we do not approve of one-party states where elections are a sham, where political and religious dissent is repressed, and the president names the editors in chief of the three largest daily newspapers, why do we not restrict travel and impose an economic embargo on Egypt, rather than sending them a $2 billion check every year? Why do we not impose Cuba-like sanctions on Saudi Arabia, one of the most oppressive regimes on earth, where women cannot thrive and our own soldiers are prohibited from leaving their bases? Is it because a Mexican woman born in Texas cannot leave to come home to America because her husband will not consent.

How can we justify that inconsistency? The amendments that we will be offering will eliminate that hypocrisy and help create a democratic opening in Cuba. I urge my colleagues to support these amendments and particularly also when the amendment offered by the gentleman from Oklahoma (Mr. GOSSE) comes forward, to vote "no.''

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

Mr. ISTOOK. Mr. Chairman, may I inquire how much time remains.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Oklahoma (Mr. ISTOOK) has 6 1/2 minutes remaining, and the gentleman from Maryland (Mr. HOYER) has 11 minutes remaining.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Chairman, I thank the gentleman for yielding me this time, and again congratulate him and the gentleman from Maryland (Mr. HOYER) on a very fine bill coming forward today.

Mr. Chairman, the Federal Law Enforcement Training Center, or FLETC, in Glymco, Georgia, provides critical training for a range of Federal law enforcement personnel as well as State, local, foreign, and private sector security personnel.

My Select Committee on Terrorism and Homeland Security of the House Permanent Select Committee on Intelligence just completed a study of the intelligence deficiencies that left our Nation vulnerable to attack. We know that our intelligence agencies must do a better job of collecting and analyzing producing intelligence information, but that is only part of the solution. We need to ensure that we have a robust law enforcement and security force as well, and that is exactly what FLETC is doing.

FLETC, commonly known as FLETC, in Glymco, Georgia, provides critical training for a range of Federal law enforcement personnel.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. DELAHUNT).

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

I strongly support allowing our pilots to be armed as an additional layer of aviation security. Since FLETC will train our air marshals, FLETC is an appropriate place to train our pilots with the same standards. I applaud the efforts of the gentleman from Georgia (Mr. HOYER) who has done an outstanding job of working with FLETC to address their needs. I am pleased that under the gentleman from Oklahoma’s (Mr. ISTOOK) leadership this bill increases funding for this important facility. I thank the chairman for his support and for his commitment to ensuring that significant resources have been provided to fully train Federal law enforcement and security personnel at the Federal Law Enforcement Training Center.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from the District of Columbia (Ms. NORTON).
Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise to thank him for his work and to thank the gentleman from Oklahoma (Mr. ISTOOK) as well and to support this appropriation.

I want to talk about an important matter and that is about an amendment that I intended to offer. It may or may not have been in order, but I want to discuss it on the floor now. It is the closing of E Street. It remains closed even though the Secret Service signed off on a report recommending that it be open, a report of the National Capitol Planning Commission. There is no safety or security issue. There is an 800-foot setback from the back of the White House. It is closed for one and only one reason, and that is when the Secret Service closes something, it wants to always keep it closed. The Secret Service wanted to keep National Airport closed. Only because the entire region fought back is National Airport open. The Secret Service wanted to close Pennsylvania Avenue ever since the Eisenhower administration. It succeeded after Oklahoma City. We are not asking that Pennsylvania be reopened, but we cannot afford to see E Street closed. I will say why in a few minutes.

First of all, E Street is one of the few streets in the District that was prepared for September 11 because after Oklahoma City, E Street had been widened. It is to make sure that the White House which has an 800-foot setback was, in fact, safe. In fact, it opened for a year after Oklahoma City and after 9-11 closed. Another study done, that study shows that it can be opened. The Chair of the Subcommittee on the District of Columbia and I have sent letters. It is because we can get no response that I come to the floor to say if we do not get response within the next few months, I will take action on this that will result in the opening of E Street.

There is new urgency which above all sends me to the floor today because the entire region is implicated. There has been a recent Court of Appeals ruling that this entire region is in "severe violation" of the Clean Air Act. What that means for the region, and the ranking member is deeply implicated here because he represents part of this region, is that this region very soon, unless we get things that are contributing to traffic congestion like the closure of E Street which has to take all of the traffic in Maryland, Virginia, and cross-town traffic in D.C., if we are not able to get ahold of matters like this, then this region will be able to build nothing with transportation funds, no metro, no roads; and here we are just caught up in this dilemma.

E Street handles a lion’s share of the traffic from the region, and of course it is a way that we get across town. It makes a very large contribution to traffic congestion and air pollution that must be cleared up if we are to continue to build in this town. It is time E Street was allowed to make the contribution the founders intended it to make to facilitate traffic across town. We closed E Street in front of Pennsylvania in front of the White House. We must not close off E Street in back of the White House.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from northern New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise today in support of the bill and in opposition to any amendments that prohibit funds from being used to administer or enforce the ban on travel to Cuba or to enforce the U.S. embargo against Cuba.

Mr. Chairman, I have said in the past that travel to Cuba does mean doing business with Castro. So long as Castro maintains his stranglehold on every aspect of Cuban life, lifting any aspect of the embargo or allowing Americans to travel to Cuba would mean subsidizing Castro.

Contrary to popular belief, increased tourist travel to the island would not increase movement contact with the Cuban people and instead contributes to unacceptable practices of slave labor and racial discrimination.

Canadians and Europeans have been traveling to Cuba for years, and yet there has been no measurable impact on or change in Castro’s control over the people.

Furthermore, 98 percent of Cuban citizens are forbidden even entry into the tourist areas, which is Fidel Castro’s way of denying foreigners the ability to gain a glimpse into the reality of Cuban life. Those Cubans who do work at the resorts are forbidden to engage in certain types of conversations with foreigners, including any mention of Cuba’s political situation, the U.S. embargo, and other such issues.

Citizens who work at the resorts are employed by a state employment agency run by the Castro regime. The foreign resorts pay the workers’ wages to the state agency in dollars, but the workers receive only pesos. Therefore between 95 and 97 percent of a workers’ wages are kept by Castro.

Mr. Chairman, most Cuban tourist operations are run by the Cuban military and internal security services. These so-called companies funnel money into the regime, earning them the hard currency necessary to perpetuate their repressive policies. Expanding tourism was the key to Castro’s survival after the collapse of the Soviet Union. Tourism has helped to feed the personal fortunes of the Castro family and provide the necessary government revenues that Cuba’s deteriorating sugar industry and failing state enterprises simply cannot.

Mr. Chairman, by lifting these sanctions with nothing in exchange from the Cuban Government, we would be betraying the very people that these policies were designed to help. Mr. Chairman, I urge my colleagues to join with me and oppose any amendments that lift travel restrictions or lift the embargo and to remain committed to their support and the U.S. Government’s support for the Cuban people.

INTRODUCTION

Mr. NUSSLE. Mr. Chairman, I rise to speak on H.R. 5120, a bill providing appropriations for the Department of Labor, and related agencies and to express my continuing concern with the path the House is currently taking on appropriations.

OVERALL LEVELS

As reported, H.R. 5120 provides $18.5 billion in budget authority and $18.2 billion in outlays for fiscal year 2003. It also exceeds the President’s request by $537 million. To put this increase in perspective, appropriations for the agencies covered by this bill have climbed by an average of 10.5 percent a year over the last three years.

The bill provides another $31 million for fiscal year 2004 for free and reduced mail for the blind as well as mail for veterans. This is included in the list of permissible advance appropriations pursuant to the House-passed budget resolution for fiscal year 2003 (H. Con. Res. 353).

COMPLIANCE WITH BUDGET RESOLUTION

It is only fair to point out that this bill, like the other interior bills considered last week, is within the reporting Subcommittee’s 302(b) allocation. Hence, no budget-related point of order lies against consideration of the bill.

To the Appropriations Committee’s credit, it would not meet its 302(b) allocation without designating phantom emergencies or effectively exempt from any budgetary constraints. Nor did it attempt to create the illusion of fiscal restraint by offsetting spending increases with rescissions in funds that would never have been spent.

THE BIGGER PICTURE

My concern is less with this bill than in the direction in which we are heading. Unless we exercise more restraint in the less controversial measures like this bill, we will be forced to find savings in the remaining appropriations bills or breach the limits that both the House and the President agreed to earlier this year. The real test will be whether we consider appropriations for VA–HUD and Labor-HHS, which the Leadership has agreed to bring to the floor before any other appropriations measures are considered. For every dollar we increase spending in this bill above the President’s request, we must find an equal amount of savings from such agencies as Veterans’ Affairs, Health and Human Services and Housing and Urban Development.

I sincerely hope that both the Appropriations Committee and the Congress as a whole is up to this task.

OTHER ISSUES

On a lighter note, for the second year in a row the bill includes a limitation that prohibits appropriations from being used to pay the salaries of any OMB staff who dare to compare the President’s budget request with that of the 13 appropriations bills.

It still seems curious to me that while the individual appropriations bills must be submitted to the President to become law, the President shouldn’t be allowed to suggest how much should be spent on each bill.
CONCLUSION

In conclusion, I reluctantly support this bill because it is within the limits that were established for it by the House-passed budget resolution. At the same time, it continues the pattern of allowing appropriations for select agencies to grow significantly beyond the levels requested by the President.

This will force us to exercise greater restraint than would otherwise have been required for select agencies as Veterans Affairs, Housing and Urban Development and Health and Human Services.

If prove unable to meet that challenge, I will be forced to examine other remedies to bring overall appropriations in line with the budget resolution.

Mr. MORAN of Kansas. Mr. Chairman, I rise in opposition to a Congressional pay raise. I do not support this procedural motion, and I do not support the way this issue is being handled. Failure to have up or down vote on this issue only serves to increase cynicism towards the political process and confirms the opinion of many voters that their representatives are out of touch. This process needs to be reformed. Members of Congress should be on record regarding their positions on their districts and whether they believe an increase in their salary is justified. Given the opportunity, I would vote “no.”

Fiscal discipline must start with elected officials. At a time when farmers and ranchers and rural businesses are struggling and rural hospitals and other health care providers are curtailing services, there is no place for a Congressional cost of living increase, especially one born in a cloud of secrecy.

Mr. DAVIS of Illinois. Mr. Chairman, I had planned to offer an amendment today that would have linked any increase in postage rates by the United States Postal Service (USPS) to Postal Reform. However, I have decided against that. But I would like to share with my colleagues and the American people the crisis in our mail system and its likely impact on our economy.

The USPS is hemorrhaging—universal service is in real jeopardy. The Postal Service continues to operate under laws passed in 1970. They cannot raise rates to cover spikes in gas prices. The 1970 laws did not take into consideration e-mail, e-commerce or the impact that other advances in technology would have on first-class mail. The USPS is an organization that comprises over 600,000 full and part-time workers and plays a significant role in our economy.

The anthrax attacks on the Postal Service have tragically taken the lives of two postal workers and threatened thousands more. The pipe-bomb attacks on rural mailboxes have stirred fear on many of our rural routes and put at risk rural letter carriers and residents. The attacks coupled with a lack of Postal Reform have the Postal Service spiraling dangerously close to bankruptcy. The Postal Service reports that in fiscal year 2002, mail volume is down by six billion pieces—an unprecedented decline.

Last year, the Postal Service lost $1.6 billion dollars, and this fiscal year they are predicting losses of $1.5 billion. No business in America can continue to function with these type of losses.

The Postal Service is unlike any other business—unique in its mission and goal. It is the anchor for the $900 billion dollar mailing industry—which employs approximately 9 million people. The mailing industry represents 8 percent of the gross domestic product. When the Postal Service gets a cold—the mailing industry gets pneumonia. We are almost at pneumonia crisis in the mailing industry. The uncertainty of the fiscal year will constant rate increased by the Postal Service to cover its budget shortfall could lead to layoffs and cuts at big mailing operations like RR Donnelley & Sons, AOL Time Warner, Lands End and others.

The business industry needs and deserves stability in terms of projected increases in rates.

A number of companies could be in real jeopardy if the Postal Service is not provided the tools they need in order to be competitive. A viable and competitive Postal Service provides the stability that printers, mailers, employers and consumers can count on. The impact of a weak Postal Service on our quality of life and economy is enormous. It is my hope that we will continue to press the issue for Postal Reform.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in support of the Rangel, Moran, and Flake amendments to the Treasury-Postal Appropriations bill. It is clear to me that the trade and travel embargo on Cuba must be lifted. I commend the Tribune and the chair on this subject to the attention of my colleagues, and I urge all members to vote to repeal the current policy, which is outdated and unwise. Allowing trade and travel between the U.S. and Cuba will help the Cuban people and will help American business. I urge all members to join me in supporting the efforts of the Gentleman from New York, the Gentleman from Kansas, and the Gentleman from Arizona. As the Tribune puts it, this is a “chance to think fresh on Cuba.”

A CHANCE TO THINK FRESH ON CUBA

With each passing day, the once-invincible Washington lobby in favor of maintaining the U.S. economic embargo against Cuba looks as absurd and irrelevant as the Flat Earth Society of old. And not as a matter or principle but craven politics, President Bush vows to stick with his support of the embargo to the point of vetoing any congressional attempt to weaken it. He must give this new thought. The next few weeks will be as propitious a time as any to shift course, be it from the perspective of politics, economics or the national interest.

Four amendments to the Treasury and Postal Service bill in the House seek to undo various parts of the embargo. Rep. Charles Rangel (D-NY) wants to dismantle the embargo altogether. Rep. Jerry Moran (R-Kansa) proposes to lift restrictions on private financing of trade deals with Cuba. Finally, Rep. Flake (R-Ariz) introduced two amendments, one to effectively lift restrictions on private travel to Cuba and another to lift limits on remittances Cuban-Americans to their relatives still in the island.

The last three amendments have an excellent chance of passage. A similar amendment by Flake last year received 240 votes, but was sidetracked in the Senate by the events of Sept. 11. An even wider margin is expected when it comes for a vote within the next few days. On the Senate Appropriations Committee unanimously passed an amendment identical to Flake’s; full Senate approval is expected by a wide margin. Excep...
For necessary expenses of the Departmental Offices, including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,500,000 for official representation expenses; not to exceed $3,833,000, to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official representation expenses; not to exceed $358,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $187,241,000: Provided, That of these amounts $2,900,000 is available for grants to State and local governments to help fight money laundering: Provided further, That of these amounts, $5,893,000 shall be for the Treasury-wide Financial Statement Audit Program. Provided further, That any amounts that may be necessary may be transferred to accounts of the Department’s offices and bureaus to conduct audits: Provided further, That this transfer authority shall be in addition to any other provided in this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $68,828,000, to remain available until expended: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department’s offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General, $35,424,000.

INSPECTOR GENERAL FOR TAX ADMINISTRATION

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including operation and maintenance of the Inspector General’s offices and equipment, $319,000: Provided, That in determining the purpose of any purchase (not to exceed 150,000 for replacement only for police-type use and hire of passenger motor vehicles) and of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $51,444,000, of which not to exceed $3,400,000 shall remain available until September 30, 2005, and of which up to 20 percent of the $21,260,000 also shall be available for travel, room and board costs for participating agency officials on a non-reimbursable basis, to staff the accreditation function: Provided further, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, in- cluding funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center’s gift account: Provided further, That the Center is authorized to accept detailed from other Federal agencies, on a non-reimbursable basis, to staff the accreditation function: Provided further, That notwithstanding any other provision of law, students attending training at any Center site shall reside in on- or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training of United States and Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of State and local law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld by the Secretary: Training of Federal law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-32); providing security to the President and Vice President and Director of the Office of Management and Budget, and Federal judicial officers, defendants, and witnesses in Federal court proceedings, and Federal law enforcement personnel: Training and certification of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of State and local law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld.

FINANCIAL CRIMES ENFORCEMENT NETWORK

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerning financial intelligence activities, enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $51,444,000, of which not to exceed $3,400,000 shall remain available until September 30, 2005, and of which $8,338,000 shall remain available until September 30, 2004: Provided, That funds appropriated in this account may be used to procure personal services contracts.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 32 for police-type use, without regard to the Federal purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and community law enforcement training; not to exceed $11,500 for official representation and representation expenses; not to exceed $2,000,000 for official representation expenses; not to exceed $2,000,000 for official representation expenses; not to exceed $358,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $187,241,000: Provided, That of these amounts, $5,893,000 shall be for the Treasury-wide Financial Statement Audit Program. Provided further, That any amounts that may be necessary may be transferred to accounts of the Department’s offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

AIR TRANSPORTATION STABILIZATION PROGRAM

For necessary expenses to administer the Air Transportation Stabilization Board established by section 102 of the Air Transportation Safety and System Stabilization Act (Public Law 107-42), $6,041,000, to remain available until expended.

TREASURY BUILDING AND ANNEX REPAIR AND IMPROVEMENTS

For the repair, alteration, and improvement of the Treasury Building and Annex, $32,952,000, to remain available until expended.

ENHANCED ACCESS TO FINANCIAL SERVICES (INCLUDING TRANSFER OF FUNDS)

To develop and implement programs to expand access to financial services for low- and moderate-income individuals, $4,000,000, such funds to become available upon authorization of the Secretary, $152,951,000, of which $560,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which up to $21,260,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2005, and of which up to 20 percent of the $21,260,000 also shall be available for travel, room and board costs for participating agency officials on a non-reimbursable basis, to staff the accreditation function: Provided further, That notwithstanding any other provision of law, students attending training at any Center site shall reside in on- or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training of United States and Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld: Training of non-Federal law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis, training of non-Federal law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be withheld.
ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, for carrying out maintenance, facility improvements, and related expenses, $31,800,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary to conduct investigations and convict offenders involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement agencies to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, $115,594,000.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $220,661,000, of which not to exceed $9,220,000 shall remain available until September 30, 2005, for information systems modernization initiatives, and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 222 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where a major investigative assignment requires an employee to work 6 hours or more per day or to remain overnight at his or her post of duty; not to exceed $20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosive ordnance disposal; for expenses to carry out 18 U.S.C. 924(d)(2); of which up to $2,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms; of which $5,000,000 shall be available and expended, shall be available for disbursements through grants, cooperative agreements or contracts to local governments for Gang Re- sistance and Training; and of which $3,200,000 for new headquarters shall remain available until September 30, 2004: Provided, That no funds made available by this Act or any other Act may be used to transfer contracts to local governments for Gang Resistance and Training; and subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $1,000,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research; not less than $100,000 shall be available to provide for public and child pornography tipline; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; and not to exceed $5,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; and not to exceed $5,000,000 shall be available until expended for repairs to Customs facilities: Provided, That uniforms may be purchased without regard to the general purchase price limit for the current fiscal year: Provided further, That notwithstanding any other provision of law, the fiscal year aggregate over-time limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

AMENDMENT NO. 11 OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Chair- man, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. Rogers of Michigan:

In the item relating to "INTERNAL REVENUE SERVICE—PROCESSING, ASSISTANCE, AND MANAGEMENT", after the first dollar amount, insert "(reduced by $700,000)".

Mr. ROGERS of Michigan. Mr. Chair- man, I want to thank my colleagues, and I will ask for their help because Michigan today needs their help.

In the Civil War we mustered 90,000 troops to defend the Union. We had the second most diverse crop of agriculture in the United States. We offer all the flavors of this great country to our fellow States around.

Michigan is responsible for creating the permanent middle class in America when Henry Ford decided to pay the workers on the line $5 a day. We became, in World War II, we converted all of our automobile making capacity to be the arsenal of democracy for the world.

And we did that for the United States of America. We have 20 percent of the world’s fresh water right there in Michigan, all of it worth defending. And I am here to tell you today that Michigan right now is under attack.

And I need every colleague in this House from Maine to California to Florida and everybody in between to step up to the plate and say, We will stand beside you, those who have stood by America before.

In the year 2000, Canadians sent 4.2 million cubic yards of waste to Michigan, nearly double from the year before. Canada is the second largest land mass country in the world, and yet they think they are unable to handle their own trash. This gets worse.

Toronto is scheduled to close its last landfill at the end of the year. Recently, city workers in Toronto went on strike. I want to point this out to you. This is the scene in Toronto just a few weeks ago: trash blocking roadways. This is a park area they had to fill in with trash from Toronto. As you can see, the residents were just throwing bags over the fence, piling up everywhere all across their city.

And I need every colleague in this House from Maine to California to Florida and everybody in between to step up to the plate and say, We will stand beside you, those who have stood by America before.

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Here is the bad news about that. All of that trash that my colleagues see right here, absolutely unregulated as to what is in its contents, is coming to the great State of Michigan. Let me just quote for my colleagues from someone from Toronto, when they settled the strike and said it is all over, they quoted a sign they believed that it’s on its way. It was polluted, smelly and germy.

One hundred sixty trucks a day of polluted, smelly and germy Toronto trash coming to pollute the great State of Michigan, and at the end of this year, when their landfill closes, that is going to go to nearly 250 trucks every day of this trash in our landfills. Michigan has had a long-term vision of this. Just with Canadian trash alone, it cuts our landfill capacity from 20 years to 7 years, and getting smaller every day.

In the one landfill that we found that accepted Canadian trash, PCBs, soil
Mr. BARCIA. Mr. Chairman, I rise in support of the amendment offered by my friend and colleague from Michigan, Mr. Rogers, who has been a leader on this issue of waste importation since coming to Congress.

In 2000, Canadians sent 4.2 million cubic yards of MSW to Michigan, nearly double the amount from the previous year, and that staggering figure is only going to increase as Toronto is scheduled to close its last landfill at the end of this year.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. CHAIRMAN pro tempore. The amendment was agreed to.

Mr. BARCIA. In 2000, Canadians sent 4.2 million cubic yards of MSW to Michigan, nearly double the amount from the previous year, and that staggering figure is only going to increase as Toronto is scheduled to close its last landfill at the end of this year.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. CHAIRMAN pro tempore. The amendment was agreed to.

Mr. BARCIA. For the benefit of the gentleman from Michigan, Mr. Rogers, who has been a leader on this issue of waste importation since coming to Congress.

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Mr. BARCIA. In 2000, Canadians sent 4.2 million cubic yards of MSW to Michigan, nearly double the amount from the previous year, and that staggering figure is only going to increase as Toronto is scheduled to close its last landfill at the end of this year.
for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–360.

**INTERNAL REVENUE SERVICE**

**PROCESSING, ASSISTANCE, AND MANAGEMENT**

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management services, the services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,957,777,000, of which up to $3,500,000 shall be for payment of expenses in the Criminal Investigation Process Program, and $9,000,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed $25,000 shall be for official reception and representation expenses.

**TAX LAW ENFORCEMENT**

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting matching programs; resolving taxpayer problems through prompt identification, referral and settlement; compiling statistics of income and conducting computer techniques and purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,729,072,000 of which not to exceed $1,000,000 shall remain available until September 30, 2005, for research.

**EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE**

For funding essential earned income tax credit compliance and error reduction initiatives, $146,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

**INFORMATION SYSTEMS**

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the modernization blueprint; (3) passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,314,000,000, which shall remain available until September 30, 2004.

**BUSINESS SYSTEMS MODERNIZATION**

For necessary expenses of the Internal Revenue Service, $436,000,000, to remain available until September 30, 2005, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, travel costs and other expenses in connection with obligations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11 part 3; (2) complies with the Internal Revenue Service’s enterprise architecture, including information system life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of Management and Budget, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

**ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE**

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a program to ensure that Internal Revenue Service employees are trained in taxpayers’ rights, in dealing courteouslly with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this Act or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

**UNITED STATES SECRET SERVICE**

**SALARIES AND EXPENSES**

For necessary expenses of the United States Secret Service, including purchase of not to exceed 610 vehicles for police-type use for replacement only, and hire of passenger motor vehicles; purchase of American-made side-car compatible motorcycles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and subsistence allowances to employees where a protective agent assigns himself to visits to actual or potential areas of various days; for travel of Secret Service agents on protective missions for the current fiscal year; for protective missions without regard to the limitations in this Act or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to, or contracts with, Government and non-Government organizations for protective functions; and for payment of per diem and subsistence allowances, as authorized by section 105 of the Federal Alcohol Administration Act, for protective missions without regard to the limitations in section 105 of the Federal Alcohol Administration Act.

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with Public Law 101–246, shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.
The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma? There was no objection.

The text of the bill from page 26, line 13, to page 44, line 12, is, as follows:

Sect. 114. Not to exceed 2 percent of any appropriation made available to the Departmental Office—Salaries and Expenses, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations, and for any such appropriation by more than 2 percent.

Sect. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration’s appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

Sect. 116. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury, in the purchase of the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate pursuant to 5 U.S.C. 3104, to the Assistant Secretary for Management.

Sect. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

Sect. 118. The Secretary of the Treasury may establish rules and regulations for “Salaries and Expenses”, Financial Management Service, to the Debt Service Account as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such Salaries and Expenses account from debt collections received in the Debt Service Account.

Sect. 119. Section 122(c)(1) of Public Law 105-119 (5 U.S.C. 3104 note), is further amended by striking “4 years” and inserting “5 years”.

Sect. 120. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to pay for any services that would be performed without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

Sect. 121. None of the funds appropriated or made available by this Act may be used for the production of Customs Declarations that do not correspond to the passenger that had been in the proximity of livestock.

Sect. 122. The Federal Law Enforcement Training Center is directed to establish an accredited body that will include representatives from the Federal law enforcement community, as well as non-Federal accreditation experts involved in law enforcement training, to ensure that this body will establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

This title may be cited as the “Treasury Department Appropriations Act, 2003”.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue from free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $60,014,000, of which $31,014,000 shall not be available for obligation until October 1, 2003: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That none of the funds available for rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service pursuant to section 12335 of title 39, United States Code and subsections (a), (b), and (c) of section 2401 of title 39, United States Code, may be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, an administrative agency, a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement.

For the production of Customs Declarations that may be made available by this Act may be used for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code.

Sect. 218. None of the funds appropriated by section 2401 of title 39, United States Code, may be obligated until the Secretary of the Treasury, in consultation with the United States Postal Service and the United States Customs Service, has determined whether the Post Office and the United States Customs Service can implement the provisions of section 2401 of title 39, United States Code, in an efficient and effective manner.

Sect. 219. None of the funds appropriated by section 2401 of title 39, United States Code may be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, an administrative agency, a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement.

THE POSTAL SERVICE FUND

Pursuant to section 2401 of title 39, United States Code, the Postmaster General shall establish and maintain a Postal Service Fund, which shall be used for the purpose of making payments to the United States Postal Service.

For such purpose, $2,000,000,000 for fiscal year 2003: Provided, That none of the funds made available by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, an administrative agency, a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement.

The Department of the Treasury shall use the funds made available by this Act to support the restoration of the Postal Service’s facilities, and to support the salaries and wages of postal employees.

For necessary expenses of the postal service, $60,014,000, of which $31,014,000 shall not be available for obligation until October 1, 2003: Provided, That none of the funds included in the Postal Service Fund shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, an administrative agency, a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement.

Sect. 218. None of the funds appropriated by section 2401 of title 39, United States Code, may be obligated until the Secretary of the Treasury, in consultation with the United States Postal Service and the United States Customs Service, has determined whether the Post Office and the United States Customs Service can implement the provisions of section 2401 of title 39, United States Code, in an efficient and effective manner.

Sect. 219. None of the funds appropriated by section 2401 of title 39, United States Code may be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, an administrative agency, a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement.

For necessary expenses of the Postal Service, $60,014,000, of which $31,014,000 shall not be available for obligation until October 1, 2003: Provided, That none of the funds included in the Postal Service Fund shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, an administrative agency, a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer, or any individual participating in a State or local program of child support enforcement.

OFFICE OF POLICY DEVELOPMENT—SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 197, $3,251,000.

NATIONAL SECURITY COUNCIL—SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $7,801,000.

OFFICE OF ADMINISTRATION—SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 197, and hire of passenger motor vehicles, $92,681,000, of which $17,495,000 shall remain available until expended; and related expenses, $200,000,000, to remain available until expended.

ELECTION ADMINISTRATION REFORM—SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the implementation of election administration reform, and related expenses, $200,000,000, to remain available until expended: Provided, That such amount shall not be available for obligation until the enactment of legislation that establishes programs for improving the administration of elections: Provided further, That, upon the enactment of such legislation, the Director of the Office of Management and Budget shall transfer the specific amounts authorized for Federal entities to carry out the purposes of the Fund: Provided further, That the transfer authority shall be in addition to any authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project or program transferred has been submitted to the Committees on Appropriations.

OFFICE OF MANAGEMENT AND BUDGET—SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, covering research and development activities, of which none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for research activities for which the Office of Management and Budget, before the Committees on Appropriations or the Committee on Veterans’ Affairs or their subcommittees, determines to budget. That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans’ Affairs: Provided further, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who, after February 15, 2003, prepares or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees.

ELECTRONIC GOVERNMENT FUND (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, including the development and implementation of innovative uses of the Internet and other electronic methods $5,000,000 to remain available until expended: Provided, That these funds may be transferred, at the discretion of the Director of the Office of Management and Budget, to any other Federal entity: Provided further, That none of these funds shall not be obligated until the Director submits performance measures of effectiveness for the High Intensity Drug Trafficking Areas program to the Committee on Appropriations: Provided further, That none of the funds appropriated shall be used to submit a fiscal year 2004 budget request that is not consistent with the performance measures of effectiveness data, including supporting justifications for each High Intensity Drug Trafficking Area and an optimal spending allocation based on the same measures.

COUNTERTECHNOLOGY ASSESSMENT CENTER (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1996 (21 U.S.C. 1701 et seq.), $58,764,000, to remain available until expended, consisting of $29,661,000 for counter narcotics research and development projects, and $29,736,000 for the continued operation of the technology transfer program: Provided, That the $28,736,000 for counter narcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy’s High Intensity Drug Trafficking Areas Program, $215,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days after the enactment of this Act: Provided, That the pre-cinct shall not exceed $6,000 per voting precinct in the State at the time of the election: Provided further, That total payments made under the program under the sixth proviso shall not exceed $23,000,000.

OFFICE OF NATIONAL DRUG CONTROL POLICY—SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.): not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $24,458,000; of which $2,350,000 shall remain available until expended, consisting of $1,350,000 for policy research and evaluation, and $1,000,000 for the National Alliance for Model State Drug Laws: Provided, That the Office is authorized to accept, hold, utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Federal entities specified by such legislation, the Federal Department of State and the House Committee on Appropriations: Provided further, That none of the funds appropriated shall be expended for Federal office in the State prior to the date of enactment of an Act authorizing such appropriation.

For necessary expenses for Federal drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days after the enactment of this Act: Provided, That the pre-cinct shall not exceed $6,000 per voting precinct in the State at the time of the election: Provided further, That total payments made under the program under the sixth proviso shall not exceed $23,000,000.

CONGRESSIONAL RECORD—HOUSE

July 23, 2002

H5254

$90,000 for official entertainment expenses of electric power and fixtures, of the official motor vehicles, $3,160,000. 
services and associated activities, and at least $500,000 of the $2,100,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program: Provided further, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2002, shall be funded at no less than fiscal year 2002 levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clear evidence of a need for changes in the priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness.

SPECIAL FORFEITURE FUND (INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $240,800,000, to remain available until expended, of which the following amounts are available as follows: $170,000,000 for a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998, $150,000,000 for media buys; $80,000,000 for a program of assistance and matching grants to local coalitions and other activities, as authorized in chapter 2 of the National Narco tic Leadership Act of 1998; $6,000,000 for the Counterdrug Intelligence Executive Secretariat; $2,000,000 for evaluations and research related to National Drug Control Program performance measures; $1,000,000 for the National Drug Court Institute; $1,000,000 for the United States Anti-Doping Agency for anti-doping activities; and $800,000 for the United States membership dues to the World Anti-Doping Agency. Provided that such funds may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad in the interest, security, or defense of the United States, to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad in the interest, security, or defense of the United States, $26,677,000: Provided, That such funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE (INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in, and to be used for the purposes of, the Fund established pursuant to section 208 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 305(b)), $255,711,000, and for expenses and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunica tions relocation expenses) in connection with the assignment, allocation and transfer of space; and leasing of buildings; rental of conference rooms; purchase and purchase contract; in the aggregate amount not to exceed 10 percent unless additional amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That the funds provided pursuant to this section shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects; in the aggregate amount of $6,961,930,000, of which: (1) $646,385,000 shall remain available until expended for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunica tions relocation expenses) in connection with the assignment, allocation and transfer of space; and leasing of buildings, rental of conference rooms, purchase and purchase contract; in the aggregate amount not to exceed 10 percent unless additional amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That the funds provided pursuant to this section shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects; in the aggregate amount of $6,961,930,000, of which: (1) $646,385,000 shall remain available until expended for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunica tions relocation expenses) in connection with the assignment, allocation and transfer of space; and leasing of buildings, rental of conference rooms, purchase and purchase contract; in the aggregate amount not to exceed 10 percent unless additional amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That the funds provided pursuant to this section shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects; in the aggregate amount of $6,961,930,000, of which: (1) $646,385,000 shall remain available until expended for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunica tions relocation expenses) in connection with the assignment, allocation and transfer of space; and leasing of buildings, rental of conference rooms, purchase and purchase contract; in the aggregate amount not to exceed 10 percent unless additional amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That the funds provided pursuant to this section shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which the lead Federal participant requests that funds not be available for direct construction projects; in the aggregate amount of $6,961,930,000, of which: (1) $646,385,000 shall remain available until exped...
Building, $11,149,000
Building 2, $3,148,000
Building 1, $16,130,000
Plaza, $3,271,000
Glass Fragmentation Program, $20,000,000
Energy Program, $8,000,000
Elevator Program, $21,533,000
Design Program, $45,027,000
Chlorofluorocarbons Program, $8,000,000

Nationwide:
Seattle, Henry M. Jackson Federal Building, $3,339,000
Washington:
Seattle, Henry M. Jackson Federal Building, $6,683,000
Texas:
Dallas, Earle Cabell Federal Building—Courthouse and Santa Fe Federal Building, $15,394,000
Portland, Fritz Garland Lanham Federal Building, $15,249,000

For expenses authorized by law, not otherwise provided for, for Government-wide policies and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, technology management, and related technology activities; providing Internet access to Federal information and services; and services as authorized by 5 U.S.C. 3109, not to exceed $5,000,000.

OFFICE OF INSPECTOR GENERAL
For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, not to exceed $2,500,000.

MERIT SYSTEMS PROTECTION BOARD
Salaries and Expenses (INCLUDING TRANSFERS OF FUNDS)
For necessary expenses to carry out functions of the Merit Systems Protection Board, as authorized by the Merit Systems Protection Act of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia, District of Columbia hire of passenger motor vehicles, and direct procurement of survey printing, $31,788,000, to be transferred from the General Services Administration to be available to the Civil Service Retirement and Disability Fund in the District of Columbia.
Mr. HOYER. Mr. Chairman, I move to strike the last word, and I rise in very strong support of this amendment of the gentlewoman from California.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 19 offered by Ms. MILLENDER-MCDONALD:

Page 61, line 12, insert before the period the following:

Provided further, That, of the funds provided in this paragraph, $600,000 shall be for the preservation of the records of the Freedmen’s Bureau, as required by section 2910 of title 44, United States Code, and as authorized by section 3 of the Freedmen’s Bureau Records Preservation Act of 2000 (Pub. L. 106-144).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I would like to thank the chairman and the ranking member for their support and leadership on this issue.

As we began to deliberate and consider fiscal year 2003 Treasury Postal appropriations, I am pleased to offer an amendment to include continued funding for the National Archives and Records Administration. This legislation that became public law authorized $3 million over a 5-year period for the National Archives and Records Administration to microfilm the records, create a surname and locality index and to put this index on-line for access by the public.

These efforts are intended to preserve an important part of our history for future generations. There are many historians, genealogists and family researchers interested in exploring the vast context and content of these records. As ship manifests are the vital link between European Americans and their African American counterparts, the Freedmen’s Bureau Records are the link for African Americans to their slave history.

For historians and genealogists, these records provide the critical link between the Civil War and the 1870 census, the first to list African Americans by name. Former slaves, recognized earlier in government census records only by sex, age and color, were named in the Bureau records as individuals in marriage, divorce, and other lists. Copies of the resulting marriage and divorce lists of colored people, labor contracts, indentured contracts for minors, medical and school records and as victims of violence.

So far in fiscal year 2002, the National Archives has completed filming the records of the Freedmen’s Bureau field offices in Florida, approximately 15,000 images, and Alabama, approximately 35 images. Copies of the resulting film are being shipped to all 15 of the microfilm reading rooms managed by the National Archives throughout the country, with two locations in California.

Filming of approximately 23,000 images of Arkansas field office records is currently underway. Also, the National Archives has microfilmed approximately 5,000 images of marriage records included among Freedmen’s Bureau records at the headquarters level.

The agency has provided copies of the Florida microfilm and the marriage records film to Howard University for use in testing indexing techniques.

Fiscal year 2003 funding will help to continue the National Archives work to complete the next phase of microfilming and begin the process of placing the index on-line in partnership with historically black colleges and universities.

This investment in preserving the records of our past is also an important investment in our future as these records provide a unique insight into American history.

Mr. Chairman, I urge the House to pass this measure to preserve and protect this unique chronicle of our country’s past.

Mr. HOYER. Mr. Chairman, I move to strike the last word, and I rise in very strong support of this amendment sponsored by the gentlewoman from California, who chairs the Congressional Black Caucus and has been an outstanding leader on behalf of the recognition of the contributions of African Americans to the history of this country.

This amendment will provide $600,000 to be spent on records administration for the Freedmen’s Bureau. The House has well outlined the contributions of the Freedmen’s Bureau and the historical importance of maintaining the records of the Freedmen’s Bureau. This was arguably one of the most significant times in the history of African Americans as an amendment of those records, the ensuring that those records are not only preserved but are available for researchers, for academics, and for the general public, is very, very important. So I commend her on her leadership on this.

The records of the Freedmen’s Bureau are quite extensive, Mr. Chairman, according to the NARA. The inventory of the records of the bureau headquarters includes about 240 record ‘‘series’’ and much more voluminous records, more than 4,400 ‘‘series’’ of the field offices of the State assistant commissioners and their subordinate officers. Many of the latter series contain unique data about the freedmen. And I might add that freedmen, of course, also means freed women.

In fiscal year 2002, the committee provided $600,000 for preservation and access activities associated with the records of the Freedmen’s Bureau. This was an increase, I might add, of $450,000 over the President’s request. The amendment of the gentlewoman from California (Ms. MILLENDER-MCDONALD) will ensure that that same $600,000 will be spent this year to ensure that this effort is continued and enhanced. These funds will be used to help microfilm the records, assist researchers in using related documents, provide better access to record inventories, and create partnerships for developing indexes.

Chairman, I think this amendment is a very, very important amendment and will, as I say, help NARA in pursuing this project. I might add, on behalf of the leadership of NARA, they are very enthusiastic about pursuing this, and this will help them do that, and it will certainly justify the fact that they spend the resources necessary to effect the ends that the gentlewoman from California seeks and that we all seek in making sure that was an increase, I might add, of $450,000 over the President’s request. The amendment of the gentlewoman from California (Ms. MILLENDER-MCDONALD) will ensure that that same $600,000 will be spent this year to ensure that this effort is continued and enhanced. These funds will be used to help microfilm the records, assist researchers in using related documents, provide better access to record inventories, and create partnerships for developing indexes.

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Unfortunately, as Martin Luther King so dramatically and powerfully intoned, we were not living up to that promise, and the Emancipation Proclamation started us on that road. We are still not at the end of that road, and perhaps we will never get to the end of that road; but we can learn from this period of our history, and we can expand upon the promise that it made.
Mr. ISTOOK. Mr. Chairman, I move to strike the requisite number of words, and I rise in response to the motion of the gentlewoman from California (Ms. MILLER-McDONALD).

I want to say that certainly I propose accepting the amendment. We had a line item in the bill last year regarding the Freedmen’s Bureau, and I realize the preservation of the records and the history is very important to preserve the heritage of this country and particularly of the group of people that were involved in the former institutions of slavery and being freed from it.

So I believe that this is something that would have been funded by the National Archives and Records Administration with or without the amendment. We have had enough conversations with them, but I appreciate the gentlewoman’s desiring to be certain on this, and I support her desire for that certainty; and I certainly support and accept the amendment.

The question is on the amendment offered by the gentlewoman from California (Ms. MILLER-McDONALD).

The amendment was agreed to. Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 67, line 21, be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The text of the bill from page 61, line 13, through page 67, line 21, is as follows:

REPAIRS AND RESTORATION
For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $10,458,000, to remain available until expended, of which $2,500,000 is for the Military Personnel Records Service, secondary design libraries, and $3,250,000 is for repairs to the Lyndon Baines Johnson Presidential Library Plaza.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION—GRANTS PROGRAM
For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $7,000,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS—SALARIES AND EXPENSES
For necessary expenses of the Office of Government Ethics, including contract payments for the services of the Legal Examining Unit of the Office of Personnel Management without regard to section 3109 of title 5, United States Code, $1,500,000, of which $325,000 is for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $27,640,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8334(a)(1)(B), 8909(g), and 9094(f)(1A) and (2A) of title 5, United States Code, that part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Public Law 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President’s Commission on White House Fellowships, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2003, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of any type of expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL—SALARIES AND EXPENSES (INCLUDING TRANSFER OF TRUST FUNDS)
For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,498,000; and in addition, not to exceed $10,766,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management and insurance programs, programs to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Director of the Office of Inspector General, to be credited to the Civil Service Retirement and Disability Fund.

GOVERNMENT PAYMENT FOR ANNUITANTS—EMPLOYEES HEALTH BENEFITS
For payment of Government contributions with respect to retired employees, as authorized by chapter 99 of title 5, United States Code, and the Federal Employees Health Benefits Act (74 Stat. 849), such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS—EMPLOYEE LIFE INSURANCE
For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

OFFICE OF SPECIAL COUNSEL—SALARIES AND EXPENSES
For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $37,356,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE—SALARIES AND EXPENSES
For necessary expenses of the White House Commission on the National Moment of Remembrance, as authorized by Public Law 106–579, $250,000.

This title may be cited as the “Independent Agencies Appropriations Act, 2003”.

TITLES V—GENERAL PROVISIONS
This Act
SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided in the Act.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a debit or credit to a trust fund for retirement or medical benefits, or to a Federal trust fund or trust funds for annuities.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 504. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynn, Georgia, and the narcotics training center at El Paso, Texas, out of the Department of the Treasury.

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word.
Mr. Chairman. I would like to engage in a colloquy with the gentleman from Oklahoma, the chairman of the subcommittee, about a provision in the underlying bill.  

First of all, I wish to express my concern in the underlying bill that prevents the transfer of the Federal Law Enforcement Training Center from the Treasury Department to another Department of the executive branch. I know, for example, that the Department of Justice and the Secret Service, which I have been associated with in some of my other governmental duties, would at least like to have the option of transferring that Federal Law Enforcement Training Center out of the Treasury Department.  

Mr. Chairman, could the gentleman give me some reassurance that that proposed transfer, if in fact it occurs and is a part of the recommendation of the select committee, will not be blocked by the underlying language in the bill?  

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?  

Mr. SMITH of Texas. I yield to the gentleman from Oklahoma.  

Mr. ISTOOK. Mr. Chairman, the provision the gentleman refers to in section 504 of the bill, is one that was crafted, I believe, prior to the recommendation for the Department of Homeland Security being formed.  

It is certainly my intent, and I will endeavor to make sure our bill is consistent with this, that whatever is ultimately adopted by this body and by the other body, whatever is ultimately adopted by Congress regarding where the Federal Law Enforcement Training Center should be situated, whether it be in the Department of Justice, the Department of the Treasury, the Department of Homeland Security or elsewhere, whatever ultimately is the enactment as far as the Department of Homeland Security, is something that I will make sure that you have language consistent with that in the ultimate House-Senate version of the Treasury, Postal appropriation.  

Mr. SMITH of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman from Oklahoma for his reassurance.  

Mr. KINGSTON. Mr. Chairman, I move to strike the last word, and I wanted to say to the chairman and the gentleman from Texas that in terms of moving the Federal Law Enforcement Training Center out of the Department of the Treasury and into the Department of Justice, as somebody who represents a significant portion of the Federal Law Enforcement Training Center, that is, I learned about that as actually this morning. And while there have been rumors about the Department of Justice’s interest in FLETC, I have not seen any case made to make that transfer possible.  

So I would certainly oppose moving the Federal Law Enforcement Training Center out of the Department of the Treasury and strongly be opposed to it moving into the Department of Justice, based on the lack of information to make such a move and I wanted to express that to the chairman.  

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?  

Mr. KINGSTON. I yield to the gentleman from Oklahoma.  

Mr. ISTOOK. Mr. Chairman, let me say that I believe that the interest of the gentleman from Georgia and mine in this situation are very akin to each other. What I have in the colloquy I just had with the gentleman from Texas (Mr. SMITH) was, frankly, avoid trying to unnecessarily get into a debate today, since we have so many other things that are going to be consuming debate time on the floor.  

Although I believe that the Federal Law Enforcement Training Center should not, under current proposals, be transferred to the Department of Justice, nevertheless, I do not think it is going to be possible to try to engage in a debate on that today. Of the 21,000 students and 223 student-weeks of training that are currently conducted at FLETC, the Federal Law Enforcement Training Center, only about 5 percent of that training involves agencies that, under the proposal that will be on the House this week, would be under the Department of Justice. I do not think it would make sense to have that be under the Department of Justice when only 5 percent of the work of FLETC is under the Department of Justice.  

Now, I do not know if, under what we do later, things might remain in the Department of Justice or if they might go to the Department of Homeland Security; and those probably would give us some idea of what is the best solution. But I do not think that we need to have that debate today. We are going to have the debate on that, and similar things, later this week.  

And I think what we want to do is to make sure that ultimately we take a consistent position; that what comes out of our appropriations bill will ultimately be consistent with whatever the entire Congress and the President adopt regarding the Office of Homeland Security.  

So, therefore, we had the colloquy rather than engaging in a debate on the amendment over this issue today.  

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?  

Mr. KINGSTON. I yield to the gentleman from Texas.  

Mr. SMITH of Texas. Mr. Chairman, thank you from Georgia for yielding, and I also want to suggest to him that his concerns may be unjustified or unfounded, simply because, even if the training center were moved to another Department, that does not mean it is going to leave the State of Georgia.  

So I do not think the gentleman needs to necessarily be concerned about losing that training center, even if it were to be transferred to another agency.  

Mr. KINGSTON. Mr. Chairman, reclaiming my time, I thank my friend, the gentleman from Texas, for pointing that out. We do, of course, want to keep the physical plant, the jobs, and all the related benefits in Brunswick, Georgia, as part of it; but also I want to say it is not just that. It is that in terms of the longest and greatest concern about moving it from the Department of Justice to the Department of Justice, and we have not seen any justification for doing that right now. So it is not purely provincial that I am bringing this.  

Mr. SMITH of Texas. Mr. Chairman, if the gentleman will continue to yield, we can continue the debate later, as the gentleman from Oklahoma suggested. But when we have the Department of Justice there, we have the Select Committee on Homeland Security wanting to transfer it, let us have that debate another time; but let us not dismiss the equities of that argument.  

Mr. KINGSTON. Mr. Chairman, I move to accept this bill, but I would like at least like the opportunity to offer it. If they would grant me unanimous consent to do so, I would appreciate that.  

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word.  

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word, to accept this bill, but I would like at least like the opportunity to offer it. If they would grant me unanimous consent to do so, I would appreciate that.  

Mr. SMITH of Texas. Mr. Chairman, I yield to the gentleman from Oklahoma.  

Mr. SMITH of Texas. Mr. Chairman, I yield to the gentleman from Oklahoma.  

Mr. ISTOOK. Mr. Chairman, reserving the right to object, as I understand it, this has to do with funding of the Office of Former Presidents, which, frankly, could open a time-consuming debate on this. Is the gentleman aware that it may be possible for him to offer his amendment at a later stage in the bill?  

Mr. HEFLEY. Mr. Chairman, I move to strike the last word.  

Mr. SMITH of Texas. Mr. Chairman, I yield to the gentleman from Colorado.  

Mr. HEFLEY. Mr. Chairman, I am aware we could do a reach-back amendment and do it later. However, I would rather do it now, when it is closer to the actual subject matter, than trying to amend it into the total of the overall bill. This would relate directly to what we are trying to get at rather than the total figures at the end of the bill. And I do not plan to take much time with it, if the gentleman does not.  

Mr. SMITH of Texas. Mr. Chairman, although I wish to accommodate the gentleman, lest we set a precedent that would keep us from considering other amendments that come before us and having to constantly reach back in the bill, I object, although I would certainly cooperate with the gentleman in the mechanics where he can do it later in the bill.
The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk reads as follows:

S. 505. No part of any appropriation contained in this Act shall be available to pay the cost or expenses of settling, defending, or opposing, in any court or other forum, any claim, suit, or proceeding, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge, terminated the period of more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still eligible for such restoration.

S. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees in writing that in expending such funds it will comply with paragraphs 2 through 4 of the Buy American Act (41 U.S.C. 10a–10c).

S. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance under this Act, the Secretary of the Treasury may not purchase any equipment or products that may be available from any source other than the United States, unless the Secretary of the Treasury has concluded that such equipment or products are of substantially equal quality and cost to equipment or products that may be purchased from the United States. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending such assistance the entity will comply with section 2 through 4 of the Buy American Act (41 U.S.C. 10a–10c).

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a). The notice shall be submitted to the Committees on Appropriations of both Houses of Congress. Notice requirements established by this Act and notice requirements established by any other law shall be considered as one notice.

SEC. 508. If it has been finally determined that the government to which any person or entity has previously been awarded assistance did not have the ability to comply with all cost accounting standards then the government to which such assistance was awarded may be required to return the assistance.

The Clerk will read.

AMENDMENT NO. 17 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. KUCINICH:
Page 71, beginning on line 1, strike section 513 relating to applicability of cost accounting standards to Federal Employees Health Benefits Program.

Mr. KUCINICH. Mr. Chairman, this Congress has spoken at long last on the floor of this chamber that corporate accountability. If there is one thing that we have learned, it is that we must have standards and the companies must abide by them. Why then in this bill are health insurance companies, who are the Federal Employees Health Benefits Program exempted from cost accounting standards? Has Congress not learned from Enron, not learned from WorldCom?

My amendment would strike section 513 in this bill, which is the section that grants a waiver from complying with governmentwide cost accounting standards. This is a special exemption from Federal accounting standards. By granting this waiver, it exposes the government to increased risks from fraud and abuse. Federal employees, unions, the administration, and even some of the insurance carriers themselves have opposed this special exemption.

Given the public’s lack of confidence in corporate accounting standards, it makes no sense for Congress to give an exemption for accounting standards to contractors participating in its own health care program, especially when these same accounting standards apply to every other Federal contractor. Cost accounting standards are designed to prevent fraud, overcharging and abuse. They serve as an important safeguard to save taxpayer money. They allow the government to track the cost of goods and services provided under special contracts when there is no market price available.

These accounting standards apply when Federal contractors charge the government based on negotiated cost-based pricing arrangements, and ensure that costs are properly calculated. If an exemption is truly needed and warranted, there is a process that Congress established in case such a situation arose. The Cost Accounting Standards Board, CASB, is made up of accounting experts for this very purpose.

Last year the statement of administration policy on this bill stated, ‘‘The administration opposes section 513 which would continue the 1-year moratorium on the application of cost accounting standards under the FEHBP. A statutory moratorium is not required as existing law provides for an administrative process which allows for the CASB to specifically deal with such issues. By allowing this waiver, it places insurance carriers of the FEHBP above the law. These carriers report charges annually to the FEHBP of billions of dollars, and when they do so, they report them in the manner of their own choosing and design. When they report their costs go up 10 or 15 or 20 percent, or even more. Congress has no way of effectively verifying those claims, or whether they may be losing millions of dollars from fraud and abuse. In the current climate when health care costs continue to increase, it makes the exemption for FEHBP health plans even more egregious. The second largest participant in the plan, the employers of the FEHBP health plans and the First Health, which has been in FEHBP for over 20 years and includes 1 million participants, recently wrote to the gentle- man from Wisconsin (Mr. Obey), ‘‘I urge the Committee on Appropriations to include language in the fiscal year 2003 Treasury-Postal appropriations bill to make the imposition of cost accounting standards to the FEHBP in the fiscal year 2003 Treasury-Postal appropriations bill.‘‘

Clearly even the companies who benefit from the exemption understand the importance of abiding by government cost accounting standards. Now is not the time to be exempting companies from accounting standards. Enron and WorldCom have done enough. Other industries do not need Congress to give them a hand. Support the Kucinich amendment to strike section 513.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. Kucinich). I recognize that cost accounting standards and accounting propriety is something that we all support and seek and we want to make sure that it is done. The administration, of course, has no par- ticular provision has been carried in this bill since 1998 at the request of the authorizing committee, namely the Committee on Government Reform. Why? Because, as the Office of Personal Management has told us, the accounting standards that through the CAS are sought to be applied to insur- ance carriers through the Federal Employees Health Benefits Plan, as OPM told us, are in ‘‘incompatible conflict’’ with the accounting standards that are used within the insurance industry.

I think that the Chairman, as well as many Members, are aware that there are accounting differences depending
on the type of business, whether it is a publicly held corporation, whether it is a partnership or small business, whether it is a public utility, or in this case whether we are talking about an insurance company.

The issue here is this: If we adopt this amendment, we may force out of the market insurance carriers that provide coverage to hundreds of thousands of Federal workers by arbitrarily and immediately cutting them off. I do not want to see hundreds of thousands of people lose their insurance benefits or be told now they have to shop around and find a different carrier under the FEHBP just because we made a quick and not fully informed decision on the floor of the House that we wanted to take some regulation that was meant to apply to other types of companies and apply them to insurance carriers under the FEHBP. That is my concern with the gentleman’s amendment.

His desire to make sure that we have accurate accounting is well taken, but let us make sure that we do that in a reasoned way. Let us make sure that we go back to the authorizers, the Committee on Government Reform that originally asked for this provision to be included in the bill several years ago, ask them to look at it, look at it in proper depth and with correct understanding of the accounting differences for different types of businesses.

I have been informed that more than half of all Federal employees could have their insurance coverage put at risk if we adopt the amendment of the gentleman from Ohio (Mr. KUCINICH). Members may agree or disagree that is the case, but I for one do not want to take the chance without having a much more informed understanding of this situation.

It is a very technical amendment. It is a technical circumstance. The gentleman has excellent motives, but I think it is an excellent motive to protect the insurance coverage of half or more of the Federal workers that we have in the United States.

So I oppose this amendment, but I look forward to working with the gentleman from Ohio (Mr. KUCINICH) to make sure that whether it be through FEHBP or through any other person or entity that does business with the Federal Government or with the taxpayers, we have proper, reliable accounting standards applied.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to speak in opposition to the gentleman’s amendment. The gentleman from Ohio (Mr. KUCINICH) is a Member whom I enjoy working with on a host of issues, and I fully understand the gentleman’s passion for establishing good cost accounting standards.

The cost accounting standard that we are trying to apply to the FEHBP program is a cost accounting standard that was essentially developed for defense contractors, and the issue that was brought up to us in the subcommittee, and the gentleman from Oklahoma (Mr. ISTOOK) mentioned that the authorizing committee opposes this amendment and supports the exemption, I am the chairman of that committee and this exemption was initially put in place by the gentleman from Florida (Mr. MICA) and continued by the gentleman from Florida (Mr. SCARBOROUGH), and it has been continued by myself.

The central issue here is we are trying to apply accounting standards that were developed for defense contractors, and we are trying to apply them to the health care insurance industry.

Now the real issue here is Blue Cross/Blue Shield, and that is really what we are talking about. Blue Cross/Blue Shield insures 80 million Americans, and 4 million of those Americans are Federal employees. A lot of those Federal employees live in many of the affiliated States within the Blue Cross/Blue Shield system. Nationwide it is 5 percent, 4 percent of the entire Blue Cross/Blue Shield workforce, but in some States it is even less than that, and they are not going to want to participate.

The way I understand this works under the law within FEHBP, it is an all-or-none situation. It cannot be like Blue Cross/Blue Shield will stay in the system here in Washington, D.C. where they might have several hundred thousand employees. All of the affiliates in Oklahoma and Iowa withdraw. They have to participate nationally.

Now some of the other insurance carriers, I think maybe virtually all of them, have complied with the standards. But as I understand it, for all of them, they only do business with FEHBP. Blue Cross/Blue Shield is in a very unique position. What I have been told is essentially that they will withdraw from any or all CAS requirements for their bluff and see if they really will not engage in any fraudulent behavior. They have more than enough insight. So the net effect may be that millions of Federal employees and retirees may actually ultimately withdraw.

I would encourage a “no” vote on the gentleman’s amendment. I know his heart is in the right place, but having studied this through the subcommittee, I believe this exception should be kept in the current law. I strongly urge a “no” vote on the gentleman’s amendment.

Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the previous speaker has raised many legitimate points, but out of courtesy I yield to the gentleman from Ohio (Mr. KUCINICH). I thank the gentleman for yielding. With all due respect to my good friend, the gentleman from Florida (Mr. WELDON), I do not think we need to worry about Blue Cross/Blue Shield withdrawing because of theCAS requirements. The cost accounting standards, because, in effect, Members should know that Blue Cross/Blue Shield is already complying with government accounting standards in Medicare and also the Tricare program which serves our veterans.

Furthermore, for my friends who indicate that a statutory moratorium would be required, the statement of administration policy has indicated that a statutory moratorium is not required. There is an administrative process to exempt or waive classes or categories of contracts from any or all CAS requirements. So you do not need to go to the authorizing committee. My friends who indicate that government cost accounting standards are not appropriate for FEHBP health plans should know that cost accounting standards are certainly appropriate for such plans if not more so than any other health plans.

The cost of health care is increasing, which makes it even more important for health care plans to account for the cost increases. Hewitt Health Care Resources reported last June that HMO premiums may increase 22 percent in 2003 and Congress should not be allowing health care plans a waiver from accounting for these types of dramatic increases.

Finally, where my friends indicate that government cost accounting standards are incompatible with the already existing accounting system used by the health care industry, they should know that any other government contractor faces the same situation.
whether it has government as well as private employees and adversely affect the Federal employees
and adversely affect Blue Cross.

Some insurers, like Blue Cross/Blue Shield, argue that these cost accounting standards are burdensome and will cost them too much money to adopt. That is really a very strange contention that Blue Cross/Blue Shield already complies with cost accounting standards for their contracts with the military’s Tricare health program. And even if they did not already comply, the expenses related to implementing the accounting standards is an allowable cost which could be billed to the FEHBP. So I am afraid that this argument just does not hold water.

There is widespread opposition to this waiver. The administration opposes the waiver because they are rightly concerned that overcharges will result in unjustifiably high premiums for enrolled members. But the great majority of the insurers, such as First Health, oppose the waiver because they do not want to be associated with waivers from accounting standards in the current climate.

The taxpayers’ money is at stake here. Granting a waiver from these standards exposes the government to waste and fraud. According to the Congressional Budget Office, the failure to apply these standards has already cost the taxpayers millions. There is an old adage, “A good example is the best sermon.” There has been a lot of sermonizing lately in Washington on the topic of corporate and governmental accountability. Today we have a chance to set a good example by adopting the Kucinich amendment.

I urge a “yes” vote on this important amendment.

Mrs. MINK of Hawaii. Mr. Chairman, I rise in support of Congressman Kucinich’s amendment to strike section of the Treasury-Postal Service Appropriations Bill, FY 2003 Appropriations bill that exempts companies in the Federal Employees Health Benefits Program (FEHBP) from following Cost Accounting Standards (CAS).
These accounting standards are written by an independent board within the Office of Management and Budget. The standards were created due to concerns about the pricing and accounting practices of defense contractors. Before the creation of the CAS, there was no consistency within and between contractors’ cost accounting systems. Auditors, conduct reviews, and the public had no assurance that the government was purchasing the best value for their tax dollars.

These standards are not an onerous set of accounts rules and regulations. The committee that developed the standards generally gives companies numerous cost accounting options for each regulation.

The CAS are needed to make sure greedy corporations do not defraud the government. They help ensure the accuracy of the charges submitted to the federal government. Yet, due to the hard work of a small group of health care providers, the CAS have never been applied to the FEHBP. Congress has waived these accounting standards in every Treasury-Potential Appropriations bill since FY 1999.

The policy does not make any sense. The FEHBP covers nearly nine million active and retired federal employees, and it is the nation’s largest employer-sponsored health insurance plan. Every year the government pays more than $20 billion to the health care providers in the plan. What corporation in America would pay this much money without having any way to rationally examine their expenses?

With daily stories of new scandals in the corporate world, now is the time to exempt companies from basic accounting standards. Congress is asking industry to write standards for the health insurance companies in the FEHBP.

I urge my colleagues to improve the accountability of FEHBP health insurance providers by supporting the Kucinich amendment.

The CHAIRMAN pro tempore. The Clerk read as follows:

The amendment was agreed to.

The Clerk read as follows:

Mr. SMITH of Texas. Mr. Speaker, I make a point of order against the language beginning with “Provided” on page 74, line 15, through the word “law” on line 25. These provisions, which affect federal criminal rules of evidence and criminal laws, constitute legislation on an appropriations bill in violation of clause 2(b) of rule XXI of the House’s Rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? Mr. ISTOOK. Mr. Chairman, we concede the point of order.

The Clerk read as follows:

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 103, line 10, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read as follows:

S. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be available to any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) shall be entitled to the status of a citizen of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention or a petition for naturalization; (3) is a person who owes allegiance to the United States; (4) is an alien lawfully admitted for permanent residence; or (5) is any alien lawfully admitted for temporary or seasonal employment in the United States.

S. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall be available only for the execution of programs for which funds are made available in this Act or any other applicable Act.

S. 609. Funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

S. 610. Funds appropriated in this Act or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

S. 621. No department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act for fiscal year 2003 shall obligate or expend such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplace are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

S. 693. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $8,100. Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section are to be exceeded by not more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.

S. 641. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the temporary employment in the field service of any of the officers and employees available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-5924.
the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this heading of the budget which are not otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted for administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be continued.

SEC. 608. No authority for any appropriation for the current fiscal year contained in this Act or otherwise made available to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 609. No part of any appropriation contained in this Act or any other Act shall be available for interagency financing of boards (except Executive Federal Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) unless they have a prior and specific statutory authority to receive financial support from more than one agency or instrumentality.

SEC. 610. Funds made available by this Act or any other Act to the Postal Service Fund (39 U.S.C. 3661) shall be available for employment of clerical and other employees in buildings and other properties of the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special police officers of the United States and the powers of special police officers of the Postmaster General as may be exercised in accordance with the applicable law of the United States.

SEC. 611. Funds made available by this Act or any other Act to the Postal Service Fund (39 U.S.C. 3661) shall be available for employment of clerical and other employees in buildings and other properties of the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special police officers of the United States and the powers of special police officers of the Postmaster General as may be exercised in accordance with the applicable law of the United States.

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be available to the Administrator, or any other executive branch agency, for any purpose which has been disapproved by this Act or any other Act, or any part of any appropriation made available by this Act or any other Act, or any provision of law which has been disapproved by this Act or any other Act, or any appropriation made available by this Act or any other Act.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any funds appropriated for fiscal year 2003, by this Act or any other Act, may be used to pay any prevailing rate employee described in section 5302(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the General Government Appropriations Act, 2002, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2003, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of the adjustment, the rates payable under paragraph (2) of section 5316 of title 5, United States Code, and the overall average percentage of such payments made effective in fiscal year 2002 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in section 5302(a)(2)(A) of title 5, United States Code, and no employee covered by section 5316 of title 5, United States Code, who is paid by the Administrator for the fiscal year for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee, or to whom paragraph (1) of section 5316 of title 5, United States Code, and the rules and regulations promulgated thereunder, is in effect, shall be paid at a rate in excess of the rate that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2002, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates that are in effect on September 30, 2002, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall be considered to provide that the payment of the premium rates as defined in section 5302 of title 5, United States Code, for the time during which the employee is required to work a call-in or other assignment as defined in the regulations of the Office of Personnel Management, or who is paid at a rate of pay provided for in section 5316 of title 5, United States Code, for the time during which the employee is required to work a call-in or other assignment as defined in the regulations of the Office of Personnel Management, shall be treated as the rate of salary or basic pay for purposes of this section.

(f) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(g) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, or any person who is paid from a schedule not in existence on September 30, 2002, may be paid during the periods for which the rates in effect on September 30, 2002, were applicable, no prevailing rate employee described in section 5302(a)(2)(A) of title 5, United States Code, and the rules and regulations promulgated thereunder, shall be paid at a rate in excess of the prevailing rate that would be payable under section 5316 of title 5, United States Code, for the time during which the employee is required to work a call-in or other assignment as defined in the regulations of the Office of Personnel Management, or who is paid at a rate of pay provided for in section 5316 of title 5, United States Code, for the time during which the employee is required to work a call-in or other assignment as defined in the regulations of the Office of Personnel Management, shall be treated as the rate of salary or basic pay.

SEC. 615. Notwithstanding any other provision of law, and except as otherwise provided in this Act, funds made available for the current fiscal year of the corporations and agencies benefiting multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984), for the purposes of administering any Act may be obligated or expended on or after October 1, 2002, by any executive branch agency, or executive department, of the United States without regard to any provision of law which prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct or indirect communication or contact with any Member, committee, or subcommittee of the Congress.
in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way whether in the performance of official duties or in the discharge of duties, whether under appointment to, relocation, reassignment, transfer, or discrimination in regard to any employment right, entitlement, or benefit, or any term or condition of employment, of the Federal Government, attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

S. sec. 621. (a) None of the funds made available in this Act or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress for employees;

(3) does not require prior employee notification of the content and methods to be used in the training and written consent of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in section 502(b)(3) of the Federal Employee Non-Discrimination Act of 1978; or

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

S. sec. 622. No funds appropriated in this Act or any other Act may be used to implement, enforce the agreements in Standard Forms 312 and 4141 of the Government or any other nondisclosure policy, form, or agreement if such agreements do not contain the following provisions: “These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 502(b)(3) of the Federal Employee Non-Discrimination Act of 1978; and any other applicable Federal law.”

S. sec. 623. No part of any appropriation contained in this Act or any other Act shall be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 624. None of the funds appropriated by this Act or any other Act may be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 625. No part of any appropriation contained in this Act or any other Act shall be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 626. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government except when authorized by a court of competent jurisdiction.

S. sec. 627. (a) In this section the term “agency” means an Executive agency as defined under section 105 of title 5, United States Code.

(b) Includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(c) Shall not include the General Accounting Office.

S. sec. 628. (b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointment, established by subsection (b) of title 5, United States Code, as amended by the Military Whistleblower Protection Act, shall be available for the distribution of Federal funds that are to be used to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 629. Notwithstanding section 1336 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this Act shall not be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 630. (a) In this Act or any other Act may be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 631. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this Act shall not be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosures in writing. Such authorizations shall be in accordance with a disclosure policy form or agreement that is authorized by Executive Order No. 12958, as amended by Executive Order No. 13089, dated September 2, 1998, or any other appropriate policy.

S. sec. 632. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government except when authorized by a court of competent jurisdiction.

S. sec. 633. The distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, grants, and contracts and grants received by the State receiving Federal funds.

S. sec. 634. (a) No Federal agency may request, solicitation, grant application, form, notification, or application for Federal funds for activities that involve the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, grants, and contracts and grants received by the State receiving Federal funds.

S. sec. 635. (a) No Federal agency may request, solicitation, grant application, form, notification, or application for Federal funds for activities that involve the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, grants, and contracts and grants received by the State receiving Federal funds.

S. sec. 636. (a) No Federal agency may request, solicitation, grant application, form, notification, or application for Federal funds for activities that involve the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, grants, and contracts and grants received by the State receiving Federal funds.

S. sec. 637. (a) No Federal agency may request, solicitation, grant application, form, notification, or application for Federal funds for activities that involve the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, grants, and contracts and grants received by the State receiving Federal funds.

S. sec. 638. (a) No Federal agency may request, solicitation, grant application, form, notification, or application for Federal funds for activities that involve the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, grants, and contracts and grants received by the State receiving Federal funds.

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(2) any voluntary submission of personally identifiable information;
(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law;
(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessary to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

(c) LIMITATIONS.—For the purposes of this section:
(1) The term “regulatory” means agency actions to implement, interpret or enforce authorizing legislation.
(2) The term “supervisory” means examinations of the agency’s supervised institutions, including assessing safety and soundness, operational risk, condition, management practices and policies and compliance with applicable standards as provided in law.

Sec. 635. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where such contract also includes a provision for contraceptive coverage.
(b) Nothing in this section shall apply to a contract with—
(1) any of the following religious plans:
(A) Personal Care’s HMO; and
(B) OSF Health Plans, Inc.; and
(2) any existing or future plan, if the carrier for such plan is subject to the basis of religious beliefs.
(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual’s religious beliefs or moral convictions.
(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

Sec. 636. The Congress of the United States agrees with the Supreme Court’s decision in Whole Woman’s Health v. Hellerstedt (572 U.S. 584, 2014) and recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

Sec. 637. Not later than 6 months after the date of enactment of this Act, the Inspector General of each applicable department or agency shall submit to the Committee on Appropriations a report detailing what policies and procedures are in place for each department or agency to give first priority to the location of new offices and other facilities in rural areas, as directed by the Rural Development Act of 1972.

Sec. 638. Section 7131 of title 5, United States Code, is amended by adding at the end the following:
"(e) Any agency shall submit to each House of the Congress, the Office of Personnel Management, and the Office of Management and Budget the time the budget is submitted by the President to the Congress in each calendar year, a report on the use of official time within such agency during the fiscal year last ending before the date of the report’s submission.

(2) Each such report shall include, with respect to the fiscal year to which it pertains—
(A) the number of hours of official time that employees spent on labor organization activities;
(B) the number of employees who used official time for labor organization activities;
(C) the number of employees who spent 100 percent of their time on labor organization activities; and
(D) the dollar value of the official time spent on labor organization activities;

"(E) the dollar value of the office space, equipment, telephone use, and supplies provided to employees using official time for labor organization activities; and
"(F) the benefits and disadvantages of using official time for labor organization activities.”.

Sec. 639. (a) ANNUAL IDENTIFICATION OF SUSCEPTIBLE PROGRAMS AND ACTIVITIES SUSCEPTIBLE TO IMPROPER PAYMENTS.—The head of each agency shall, in accordance with guidance prescribed by the Director of the Office of Management and Budget, annually review all programs and activities that it administers and identify all such programs and activities that are susceptible to significant improper payments.
(b) ESTIMATION OF IMPROPER PAYMENTS.—With respect to each program and activity identified under subsection (a), the head of the agency concerned shall—
(1) estimate the annual amount of improper payments; and
(2) include that estimate in its annual budget submission.
(c) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—With respect to any program or activity of an agency with estimated improper payments under subsection (b) that exceed 1 percent of the total program or activity budget estimated to be improper payments under subsection (b), the head of the agency shall prepare a report on what actions the agency has taken to reduce the improper payments, including—
(1) a statement of whether the agency has the information systems and other infrastructure in place to identify and reduce improper payments to minimal cost-effective levels;
(2) if the agency does not have such systems and infrastructure, a description of the resources the agency has requested in its budget submission to obtain the necessary information systems and infrastructure; and
(3) a description of the steps the agency has taken to ensure that agency managers (including the agency head) are held accountable for reducing improper payments.
(d) DEFINITIONS.—For the purposes of this section:
(1) AGENCY.—The term “agency” means an executive agency, as that term is defined in section 102 of title 5, United States Code.
(2) IMPROPER PAYMENT.—The term “improper payment” means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements; and
(B) includes any payment to an ineligible recipient, any payment for an ineligible service, any duplicate payment for services not received, and any payment that does not account for credit for applicable discounts.
(3) PAYMENT.—The term “payment” means any payment (including a commitment for future payment, such as a loan guarantee) that is—
(A) made by a Federal agency, a Federal contractor, or a governmental or other organization administering a Federal program or activity; and
(B) derived from Federal funds or other Federal resources or that will be reimbursed from Federal funds or other Federal resources.

Sec. 639. (c) DEFINITIONS.—For the purposes of this section:
(1) APPLICABILITY.—This section—
(1) applies with respect to the administration of programs, and improper payments under programs, in fiscal years after fiscal year 2002; and
(2) requires the inclusion of estimates under subsection (b)(2) only in annual budget submissions for fiscal years after fiscal year 2003.
(f) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—The Director of the Office of Management and Budget shall prescribe guidance to implement the requirements of this section.
Sec. 640. (a) Notwithstanding paragraph (17) of subsection (a) of the Policemen and Firemen’s Retirement and Disability Act (sec. 5-701(17), D.C. Official Code) or any other provision of any other Act, for purposes of determining the amount of any annuity required to be paid under such Act with respect to an officer or member of the United States Secret Service who retired during fiscal year 1995, the officer’s or member’s average pay shall be the officer’s or member’s basic salary at the time of retirement.
(b) Subsection (a) shall apply with respect to any annuity paid—
(1) during fiscal year 1995 or any succeeding fiscal year, in the case of a survivor’s annuity paid with respect to an officer or member of the United States Secret Service described in such subsection; or
(2) during fiscal year 2003 or any succeeding fiscal year, in the case of any other annuity paid with respect to an officer or member of the United States Secret Service described in such subsection.

Sec. 641. Section 902(b) of the Law Enforcement Pay Equity Act of 2006 (as enacted into law by Public Law 109-295) shall cease to be effective on January 1, 2003.

Sec. 642. No funds appropriated under this Act or any other Act with respect to any fiscal year shall be available to take any action based upon any provision of 5 U.S.C. 552 with respect to records collected or maintained by the Secretary or a designee pursuant to 18 U.S.C. 466(b), 923(g)(3) or 929(g)(7), or obtained by the Secretary or designee from Federal, State, local, or foreign law enforcement agencies in connection with the investigation or prosecution of a firearm, except that the Secretary or designee may continue to disclose such records to the extent and in the manner that records so collected, maintained, or obtained have been disclosed by the Secretary or designee under 5 U.S.C. 552 prior to the date of enactment of this Act or any other Act with respect to any fiscal year.

Sec. 643. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2003 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.1 percent.
(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2003.

Sec. 644. (a) Section 9505(d) of title 5, United States Code, is amended by striking the second sentence and inserting the following: “Such amount may not exceed the maximum amount which would be allowable under paragraph (3) of section 5384(b) if such paragraph were applied by substituting ‘the Independent Office of Investigations’ for the Independent Office of Investigations Service.”
(b) The amendment made by subsection (a) shall apply with respect to fiscal years beginning after September 30, 2002.

Sec. 645. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce—
(1) the proposed rule to determine that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 397 et seq.); or
(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

Sec. 646. CORPORATE EXPATRIATES. (a) LIMITATION.—None of the funds made available in
this Act may be obligated for payment on any new contract to a subsidiary of a publicly traded corporation if the corporation is incorporated in a tax haven country but the United States is the principal market for the public trading of the corporation’s stock.

(b) DEFINITION.—For purposes of subsection (a), the term “tax haven country” means each of Belgium, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles.

(c) WAIVER.—The President may waive subsection (a) with respect to any specific contract if the President certifies to the Appropriations Committees that the waiver is required in the interest of national security.

The CHAIRMAN. Are there any other points of order?

POINT OF ORDER

Mr. DAVIS of Virginia. Mr. Chairman, I make a point of order under clause 2(b), rule XXI, legislatively on an appropriations bill, against section 466, beginning at page 102, line 19, through page 110, line 10.

The CHAIRMAN. Do other Members wish to be heard on the point of order?

Mr. GOS. Mr. Chairman, I have a point of order.

The CHAIRMAN. The Clerk will designate the amendment.

Mr. GOS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GOS:

Amendment printed in House Report 107-585:

Page 103, insert after line 10 the following new section:

S. 647. Any limitation in this Act on the use of funds to administer or enforce regulations restricting travel to Cuba or transactions restricting travel to Cuba or transactions related to travel to Cuba shall apply if the President certifies to the Appropriations Committees that the waiver is required in the interest of national security.

The CHAIRMAN. The amendment is a point of order. Amendment offered by the gentleman from Florida.

Amendment offered by Mr. GOS:

Mr. GOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

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Page 103, insert after line 10 the following new section:

S. 647. Any limitation in this Act on the use of funds to administer or enforce regulations restricting travel to Cuba or transactions related to travel to Cuba shall apply only after the President has certified to the Congress that the Cuban Government—

(1) does not possess and is not developing a biological weapons program that threatens the homeland security of the United States;

(2) is not providing to terrorist states or terrorist organizations technology that could be used to produce, develop, or deliver biological weapons; and

(3) is not providing support or sanctuary to international terrorists.

Mr. GOSS. Mr. Chairman, there exists a nation that for over 40 years has repeatedly declared its hostile intentions towards the United States of America and American citizens. It has consistently allied itself with our enemies, it has sought nuclear weapons on its soil, and abused its own citizens. It has violated human rights in an egregious way. This nation today is on the State Department list for sponsoring terrorism, and in the past, it has provided sanctuary for terrorists, groups such as the ETA, the Basque Nationalists, Colombian guerrillas, committing some of the great atrocities going on in our hemisphere now. IRA leaders, possibly even Iranian agents and others.

This nation’s dictator has failed to share any useful intelligence information with us since 9/11, and calls our military response “aggressive.” It has not been a “war on terrorism,” but “a war for terrorism.” The state, of course, I am referring to is Cuba, a nation only 90 miles from the southern boundaries of the United States of America.

Combining it with the other Florida district, Mr. Chairman, I have heard the arguments from both sides about the Cuban embargo and travel ban. Usually this debate evokes emotional issues on topics like human rights and free trade. I have not come to the floor today to rehash the old fights on those scores, because while these concerns are certainly still valid and will certainly be debated, I think the center of gravity in this discussion has shifted very dramatically since 9/11.

There is no doubt that Cuba has sponsored terrorist activity in the past. That is not arguable or debatable. It is fact. Whether it is a terrorist sponsor today remains a difficult, open question and one which of our executive branch and everyone on, and again, we do not want to have answered the wrong way or the hard way.

I do not see how, in good conscience, we can do business with Cuba’s current regime when its activities are veiled by a closed society. How can we tell the world we will not tolerate terrorism, but, at the same time, open our economic door and all the benefits that that implies to a clearhouse for those who harm innocent civilians? Castro’s coffers should not be enriched by the bounty of American travel dollars if he is aiding and abetting brutal criminals. Our tireless enemies are disciplined, they are persistent, and brutal criminals. Our tireless enemies are plotting to keep us from defending ourselves and fighting back. Castro has accused us of declarations of war and resurgence against Cuba. Mrs. Navalny recently declared, “You are either with us, or you are with the terrorists.” It is essential that groups like al Qaeda never again find a safe haven from which to rebuild, especially a place so near our nation.

Back in September, President Bush drew a clear line for all nations of the world when he declared, “You are either with us, or you are with the terrorists.” It is required that the Congress have the nations that support Cuba, investigated and determine whether or not they have merit. We are not doing that either.

The United States should call upon the United Nations and the OAS to form a reputable inspection team, send them to Cuba, investigate allegations and determine whether or not they have merit. We are not doing that either.

Officials from the Bush Administration should be informing all relevant committees, Members of Congress and the public of the documentation they have to back up their claims. But that is not happening.

Instead, high officials of this Bush Administration have deliberately distanced themselves from the one individual, Under Secretary of State John Bolton, who made such claims in a May 6 speech at the Heritage Foundation.

Following Mr. Bolton’s remarks, Secretary of Defense Donald Rumsfeld was asked about the matter. He replied that he had seen the intelligence to back up such charges. Secretary of State Powell, the U.S. has always stated that Cuba has the capacity to develop weapons technology, there was no information that Cuba had developed offer was exporting bioweapons technology.
In hearings in the other body, not only did the State Department refuse to allow the Under Secretary of State Bolton to testify on this matter, but the person they did send, Assistant Secretary of State for Intelligence and Research Carl Ford, Jr., stated that he had no evidence to back up the suggestion that Cuba was working on the development of biological weapons or passing that technology on to rogue states. He concluded that the State Department ‘never tried to suggest that we had a smoking gun.’

The possession, development or export of such bioweapons by Cuba or any other weapon of mass destruction has not been cited in any CIA, Pentagon or State Department report issued over the past decade, including those wholly researched, written and issued by the Bush Administration.

The State Department’s own May 2002 report on global terrorism issued 3 weeks after Bolton’s charges made no mention, not even a hint, of bioweapons in Cuba. The July 11 letter sent by Secretaries Powell and O’Neill to the Committee on Appropriations chaired by the gentleman from Florida (Mr. Young), does not mention Cuba developing bioweapons. And the July 18th statement of the administration policy issued by the White House, also no mention of bioweapons development in Cuba.

Certainly, Mr. Speaker, Cuba has the capability to develop and manufacture such weapons. But, then again, so does every single country in the world that produces aspirin.

The President has stated clearly that he wants no changes in the restrictions on Cuba; he supports the status quo. He has absolutely no incentive to certify, no incentive to prove or disprove the charges made against Cuba.

The gentleman from Florida has crafted an amendment that he knows the administration has no intention of ever pursuing, let alone certifying. The amendment, if approved, overrides every single restriction Congress has passed to lift the restrictions on travel to Cuba. Even if the Flake amendment once again passes overwhelmingly, it would not be able to go into effect.

I wish the gentleman would have simply opposed the Flake amendment and let the chips fall where they may, because if you are serious about fighting terrorism, you do not go about it by adding more restrictions on the right of American to travel freely to Cuba.

This amendment trivializes the war on terrorism. It accomplishes nothing. It is just the latest effort in a series of efforts to thwart the overwhelming will in both bodies to lift the restrictions that prohibit U.S. citizens from traveling to Cuba.

This is not a debate, Mr. Chairman, about trusting Castro, it is about trusting the American people. I urge my colleagues in the strongest possible terms to oppose the Goss amendment.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.
threats emanating from a state sponsor of terrorism, a declared enemy of the United States in our own backyard. On Tuesday of just this week, President Bush presented his national strategy for homeland security, and in it he outlined the beginning of a long and difficult struggle to protect the Nation from the threat of terrorism. It establishes a foundation upon which to organize our efforts and it provides initial guidance to prioritize the work ahead. Two of the most important objectives include preventing terrorist attacks within the United States and reducing America’s vulnerability to terrorism. The Goss amendment before us, Mr. Chairman, accomplishes just that.

The Castro dictatorship, a totalitarian regime long known to be a safe haven for terrorists and a nerve center for international espionage, is a continuing and growing threat to our national security that we cannot afford to underestimate. We must be acutely aware of the reality that the closest foreign staging ground friendly to terrorist elements is a mere 90 miles from our borders.

The Goss amendment recognizes the inherent danger posed by this dictator—our borders.

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To reiterate, the Goss amendment

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Agency report raised concerns about

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The concerns are not new nor are

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tected her to life in prison. But she es-

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Cuba under his protection today,

There are 73 other fugitives living under Castro’s protection in Cuba, including Victor Manuel Gerena, an

n the United States only so that they can share it with other terrorist nations. Without the provisions by rogue states such as Cuba of training facilities, sanctuary, financial support, safe havens and other passive forms of support, many terrorist groups would find it far more difficult to continue to operate.

To reiterate, the Goss amendment acknowledges this reality and it implements steps to help us counter the threats stemming from a nation so close to our own. Further, it establishes a mechanism to address and protect our great Nation from a new wave of terrorism, one potentially involving the world’s most destructive weapons. Our enemies are working to obtain chemical, biological, radiological, and nuclear technology for the purposes of wreaking unprecedented damage on America. The Castro regime is no different, Mr. Chairman. Dr. Ken Alibeck, the former head of the Soviet Biological Weapons program, has referenced in congressional testimony the existence of a center close to Havana involved in military biological technology. He asserts that the Castro regime has the capacity and the desire to develop such biological weapons. And the former director of research and development at Cuba’s Centro de Engenharia e Biologia. Dr. Jose de la Fuente, has detailed the Castro regime’s sales of technology to Iran which could be used to produce lethal agents like anthrax.

The concerns are not new nor are

with the statements by

H5269

July 23, 2002

CONGRESSIONAL RECORD—HOUSE

State Troopers Werner Foerster and James Harper pulled over Joanne Chesimard and two of her companions in a routine traffic stop. A shoot-out began and Trooper Foerster, who had served on the force for less than 3 years, was shot and killed. Trooper Harper was wounded.

A jury here in the United States of America, a jury found that Trooper Foerster had been shot in the back of his head, execution style, at point-

Black range. The jury convicted Jo-

Mons and she was permitted to escape. She

in Castro’s Cuba where she lives today, free, enjoying the protection of the Castro government.

In addition to Joanne Chesimard, a convicted cop killer living in Cas-

s I support the Goss amendment, and I ask all of my col-

I yield to the gen-

They asked to remove the travel ban now under Castro’s control, we say to any terrorist who would kill a United States trooper, State trooper or any other first responder, we would say to those terrorists, those murderers, it is okay, you can escape American justice, even if you are caught and convicted by a U.S. jury, if you can escape to Cuba. That is wrong, I say to my col-

We should not allow travel to

they limited to the statements by

Under Secretary John Bolton earlier

This is a very real possi-

Cuba

Cuba

A jury here in the United States of

Mr. MCGOVERN. Mr. Chairman, I

do we say to the widow of Werner Finney and Charles Hill, who

Mr. ROTHMAN. Mr. Chairman, I

move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from New Jersey is rec-

fugitives from American justice.

It is only fair, it is only right. What do we say to the widow of Werner Finney and Charles Hill, who

Mr. Chairman, the United States of

American victims of terror and their children and their relatives if we do not seek justice for the fugitives given

the gentleman yield?

Mr. ROTHMAN. Mr. Chairman, first

let me thank the distinguished and honorable Oklahoma

Mr. Chairman, I support the Goss

amendment, and I ask all of my col-

I come here this evening, however, to

wholeheartedly support and endorse, and I ask my colleagues to support, the Goss amendment. The United States should not lift the travel ban to Cuba until several important conditions are met. Foremost on this list of conditions is the requirement that Cuba return convicted American fugitives now living in Cuba who have been given sanctuary in Cuba by the Castro government.

My passion for this particular condi-

union of the following three fronts crit-

current Homeland security efforts. It

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the Castro regime first does not possess and is not developing biological weapons.

Do we not want that assertion that it

nology that could be used to produce,

devolve, or deliver biological weapons,

do we want such proof?

And, lastly, the regime must state

and the President must certify that it

does not provide support or sanctuary to international terrorists.

Mr. Chairman, following the deplor-

able acts of the Castro regime, President Bush divided the world into two camps with a basic guiding principle, “Either you are with us or you are with the ter-

Ironically enough, today the

United States is facing the same ques-

tion. The Goss amendment seeks to address today, and I urge my colleagues to adopt the Goss amendment.

Mr. ROTHMAN. Mr. Chairman, I

move to strike the last word.

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that I agree with him that we need to bring fugitives who have committed crimes in this country to justice, not only in Cuba, but in other countries, including some of our allies who we do not have extradition treaties with. Perhaps the gentleman would not agree that the United States should try to negotiate an extradition treaty with Cuba in order to get those fugitives back to the United States where they can stand trial, rather than deny U.S. citizens freedom.

Mr. ROTHMAN. Mr. Chairman, reclaiming my time, I would do what the gentleman suggests, but I am not going to be before that allow Castro to have the benefits of tourism from the United States until he returns these cop-killers and 74 fugitives back to the United States.

Mr. COX. Mr. Chairman, I move to strike the last word, and I rise in strong support of the Goss amendment.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. COX. Mr. Chairman, very shortly, we will see the anniversary of September 11. At this point, reflecting back on the events of last year, we can take comfort that the entire civilized world has joined us in condemning the acts of terrorism committed here in Washington, in New York, and in Pennsylvania. Nowhere has this support for our war on terrorism been stronger than in our own hemisphere where the leaders of every nation have joined in our fight; all, that is, except one, because the Castro regime does not support the war on terrorism.

President Bush asked the leaders of the civilized world to declare themselves with us or against us, but the Castro regime has made it very clear that they oppose the war on terrorism.

According to Secretary of State Colin Powell and Secretary of the Treasury Paul O'Neill, in an extraordinary joint letter to Congress: "The Cuban government has refused to cooperate in the global coalition's efforts to combat terrorism, refusing to provide information about al Qaeda."

"On June 8, 2002," and I am still quoting from this letter from the Secretary of State and the Secretary of the Treasury, in an extraordinarily joint letter to Congress: "On June 8, 2002, Castro compared the U.S. campaign against terrorism with Hitler's Third Reich. Castro said, 'What is the difference between America's antiterrorism philosophy and those of the Nazis? It does not end there. Cuba is working with the government of Iran and Ayatollah Ali Khamenei to undermine America. In a meeting with Khamenei last year, Castro said that in cooperation with each other, Iran and Cuba could 'destabilize America.' He added that, "The United States regime is very weak and we are witnessing this weakness from close up."

Senior State Department officials have discussed publicly the threat of Cuba's bioterrorism program.

□ 1745

As we rush to protect our citizens from small pox and anthrax, Castro is diverting the resources of his desperately poor economy to offensive biological warfare research and development. And he is selling bio-technology that might otherwise be used to develop biological weapons to terrorist states or terrorist organizations.

In this connection, the current regulations on U.S.-Cuba travel are a crucial tool for law enforcement to prevent the use of bio-weapons against the American people.

Today we will vote on legislation to lift aspects of the embargo on Cuba. The Goss amendment will only take effect if this Chamber votes to do so. It requires a Presidential precertification to Cuba on a new law which would take effect of three things: first, that Cuba does not possess and is not developing biological weapons that threaten the homeland security of the United States; second, that Cuba is not providing to terrorist states or terrorist organizations technology that could be used to produce, develop or deliver biological weapons; and, third, that Cuba is not providing support or sanctuary to international terrorists.

These are extremely reasonable and vitally important questions to have answered. And if President Bush cannot give Cuba a clean bill of health on these three questions, then, lifting any aspect of the embargo must be dependent upon Castro's beginning to change these practices.

The embargo and the promise of lift- ing it provides the necessary leverage for the President to achieve our antiterrorist objectives. If Congress were to give Cuba clean bill of health and tourism dollars they now seek without any reform in exchange, we would simultaneously undermine U.S. policy and subsidize our hemisphere's most notorious state sponsor of terrorism. Castro, for his part, would use any easing of the embargo to redouble his efforts to undermine America and to tighten his grip over the Cuban people, but we must not give him that chance.

As we continue to wage the war on terrorism, we must fully support President Bush by giving him the tools he needs to win. I urge my colleagues to vote 'aye' on the Goss amendment.

Mr. FARR of California, Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CUNNINGHAM. Mr. Chairman, I rise in strong support of the Goss amendment. The sanctions on Cuba remain in force, and if we are asking the question, Why do the Americans hate us so much that they will not allow their own people to come here to our country? I want to prohibit Americans from traveling to Cuba, then we ought to support the Goss amendment. But if you really think after 40 years of failed policy we ought to try something different, then you ought to join me in deflecting the Goss amendment.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CUNNINGHAM. Mr. Chairman, I rise in strong support of the Goss amendment. The sanctions on Cuba remain in force, and if we are asking the question, Why do the Americans hate us so much that they will not allow their own people to come here to our country? I want to prohibit Americans from traveling to Cuba, then we ought to support the Goss amendment. But if you really think after 40 years of failed policy we ought to try something different, then you ought to join me in deflecting the Goss amendment.
that you would not bite me, you would not kill me. And the snake turned to the turtle and said, I do not know what you are complaining about, you knew it was in my nature.

This is in Castro’s nature. Have we forgotten Che Guevara? Have we forgotten Fidel Castro? Have we forgotten about Cuba? Have we forgotten about the MIAs and the prisoners of war that died under his henchmen, his interrogators in Vietnam? I remember that. And until those people are brought to justice, the 74 people that Castro has murdered, we are even conceiving of lifting the embargo on Castro. It is amazing.

There is documented evidence that Castro works with terrorist organizations and groups. Iran, with a recent visit, biological warfare; and we are considering raising these sanctions? Remember the Bay of Pigs? You do not think he would not put missiles there and use them on us?

Think about this. Look at the history of this man and you want to allow the snake to climb on the United States’ back and trust him? I cannot do that. It is wrong.

I look at Elián González. Maybe if you ask Castro this would be okay; but to me and those who have fought for this country, to allow someone that in every case in every place, when I was in the United States Navy when we would go when Cuba was getting money from Russia, we would have Cuban advisors there, Cubans in Vietnam, Cubans in Angola, Cubans in every place that the United States were going to go, ready to kill Americans, and you want to lift the embargo? It is beyond comprehension.

I guess the best thing is the President will veto it. Maybe you are trying to make a political issue, but the President is going to veto this if it goes in. But Cuba is the only nation in the hemisphere with political activity of all kinds is a crime. Take a look at what this man is. And you are trying to raise those sanctions? Do not let him on our backs. I support the Goss amendment.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Washington is recognized for 5 minutes.

Mr. NETHERCUTT. Mr. Chairman, I have an amendment before us that would be somewhat alleviated, but we do not restrict the travel, thedoor to a relationship which I think has merit, not as it relates to Castro certainly, but as it relates to the Cuban people.

When we engaged with the Soviet Union years and years ago, it led to a relationship that has been one of mutual discussion and consideration, not just with the years of Soviet Union ownership of weaponry, of terrorist activity, of spying, of all of those things that we object to in a free society, we never restricted the travel there.

In China, people travel there regularly now. There are 13 categories of travel that exist today for people of the United States to go to Cuba. And most of the proponents of the restrictive amendment, I would argue, have never been to Cuba, have never had a chance to talk with any of the people there on that soil and get a sense of what the future potential is for a relationship.

I want to let my colleagues know that the American Farm Bureau Federation strongly supports the Flakke amendment and opposes the Goss amendment for reasons that our American agriculture sector has a huge potential, I believe, to do business with Cuba, that is, take Castro’s money, take the government of Cuba’s money and put food for the people of Cuba, to assist them.

So I urge us to think beyond just the issue of terrorism that I happen to feel is something of a pretext here to frustrate the Flakke amendment and think carefully about the future relationship. Think carefully about whether we are harming the potential future relationship for helping it, as we look at the 11 million people who are in Cuba, who are to be free. I would argue. And I think only by opening your relationship, having communication, letting them understand that America should not be the scapegoat of Fidel Castro. It is a convenient scapegoat for him, this embargo. He must love it because it allows him to rail against the United States when, in fact, probably his worst nightmare would be if we lifted the opportunity to travel and flooded the people of Cuba with exposure to democracy and freedom. That would be his worst nightmare.

So I would just say to my friends, this is a highly emotional debate for a lot of people. People feel very strongly about this issue, but I would urge we reject the Goss amendment and support the Flakke amendment.

Mr. DELAHUNT. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 5 minutes.

Mr. DELAHUNT. Mr. Chairman, I know some of my friends on the other side are concerned about or they have expressed their fears about bioweapons and bioterrorism, but I think I should point out that General Gary Spear who is the commander of the U.S. Southern Command said just recently in a New York Times article that he knows of no evidence that Cuba is producing biological weapons from biomedical research programs.

Then, of course, we have the individual who should know, the Assistant Secretary of State for Intelligence and Research who testified recently before a Senate committee, Mr. Ford, Secretary Ford. In a response to a question from a Senator, he said, “Do I go home every night and worry about it? No.” He also said that Cuba is far from the number one concern of the people in our government who monitor chemical and biological weapon threats.

So I hope that their fears would be somewhat alleviated, but we have an amendment that would, in effect, continue to subvert the constitutional right of Americans to travel by requiring a brand new presidential certification that applies to no other country but Cuba.

It is appropriate to apply to China, where just recently nine Chinese companies, presumably owned by the People’s Army, sold goods and technology to Iran, where they were used for conventional and chemical weapons programs, but no need for Cuba there. It is appropriate to apply to China. In fact, recent reports indicate that the United States is contemplating an expansion of our military ties with that
Mr. HYDE. Mr. Chairman, I listened to the speeches, impressed on both sides, and they are very instructive. Someone mentioned 11 million Cubans yearning to be free. The only advice I would give them is do not get in a boat and try to get out into the ocean because that is what we were. I have heard comparisons of our attitude toward China and my colleagues are perfectly right. It is very inconsistent. China is so big, it is like when banks go bankrupt. It is too big to fall. Our attitude is one that I have difficulty supporting because of their human rights, but that does not, in any way, diminish the offensiveness of the Castro regime.

A friend of mine, he is deceased now, Vernon Walters, had a great description of Cuba. He said it is the biggest country in the world. Its administration is in Havana, but its government is in Moscow; its army is in Africa; and its population is in Miami. That is not true anymore. It is still good line, and I would like to revisit it.

On this bill, a country that cannot recognize its enemy is in great difficulty, and Cuba, under the Castro regime, is certainly our enemy. What does the administration tell us? It says that the President has to certify that Cuba is not developing biological weapons. Does anyone think it is a healthy state to have an avowed Marxist enemy of the United States developing biological weapons? It is not providing state sponsors of terrorism or terrorist organizations with technology to create biological weapons, and is not providing sanctuary of international terrorists?

Listen, he is the last Communist dictator in our hemisphere, one of the few, and he is an outlaw. He ought to be treated as an outlaw.

Earlier this year, the State Department publicly released unclassified information about our intelligence community, and let me quote it. "The United States believes that Cuba has at least a limited, developmental, offensive biological warfare research and development effort. Cuba has provided dual use biotechnology to rogue states. We are concerned that such technology could support biological warfare programs in those States."

The State Department has repeatedly designated Cuba as a State sponsor of terrorism. Cuba harbors fugitives from the Basque group ETA. Cuba also harbors fugitives from U.S. justice, including people who have murdered American police officers. Cuba harbors members of the FAEN-Macheteros terrorist organization.

They are not a friendly country. They hate America and there is no reason for us to embrace them and to have them point and say, well, we outlasted you, you are out of breath and so you are surrendering.

I think Mr. Castro deserves to be treated as an outcast. We are treating him as such, and if we just persist, sooner or later he will leave. It is Cuba that must change its policy. He could do that if he wanted to. He is an enemy and he should be isolated as one. The gentleman from Florida (Mr. Goss) knows what he is talking about. He is chairman of the Permanent Select Committee on Intelligence, and I put money in his pocket.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

There was no objection.

Mr. HYDE asked and was given permission to revise and extend his remarks.)
Americans have the right to travel the world, to make their own judgments, whether it is in Burma, in China, Iran or North Korea. It is high time that we stop the tyranny of domestic policy that is interfering with the rights of Americans to be able to travel to Cuba, as they see fit, to make their own judgments and, incidentally, hasten the demise of that regime. I strongly urge the rejection of this amendment, and as we have the proposal that came forward later in the evening from the gentleman from Arizona (Mr. FLAKE), that would move us incrementally towards a sense of rationality, I strongly urge support for them as well.

Mr. DELAY. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. DELAY. Mr. Chairman, while Members may disagree about the impact that increased trade and unrestricted tourism could potentially play in reforming Castro’s ruling regime, there is overwhelming opposition to any action that would compromise the war against terror.

We have ample reason to suspect that Castro is developing weapons of mass destruction. America cannot allow a hostile regime just 90 miles from our shores to develop the world’s most dangerous technology. That is the difference between Cuba and China. That is the difference between Cuba and North Korea. Ninety miles. For that reason, we must completely be confident that Castro’s regime is not either producing biological weapons or supporting terrorist organizations before any steps to relax the embargo are contemplated.

Castro’s Cuba has a long track record of hostility towards the United States, and freedom in general. Castro has long given haven to those he considers enemy fugitives, and the Goss amendment raises a firewall between American tourism and Cuban biological weapons development and support for terrorist organizations.

Castro’s regime is a threat to our national security and a source of daily oppression to the Cuban people. Cuba has sponsored, trained, and directed terrorist groups operating in our hemisphere. History proves it. Cuban officials regularly collaborate with other state sponsors of terrorism. Just last year, Castro visited Libya, Syria, and Iran, saying in Tehran, ‘‘Iran and Cuba, in cooperation with each other, can bring America to its knees.’’

Cuban intelligence seeks to penetrate our Defense Department. A Cuban spy in the Defense Intelligence Agency, just discovered after September 11, could have passed valuable information on American tactics and methodologies to hostile regimes throughout the world, including Castro’s government and endangered our soldiers.

A Cuban spy cell, the so-called ‘‘Wasp Network,’’ targeted our southern command and passed on information leading to the downing of a Brothers to the Rescue plane with Cuban migs. Despite U.S. appeals, Cuba has done nothing to cooperate in the war against terrorism. The State Department reports that Cuba has not turned over a single piece of useful information on al Qaeda and the terrorism networks. Castro and Cuban officials frequently attack the war on terror as American aggression. On June 8, just last month, Castro asked, ‘‘What is the difference between the American war on terror’s philosophy and methods, and those of the Nazis?’’

We know that Cuba has been working to develop weapons of mass destruction for years. Under Secretary of State John Bolton recently testified that the United States believes that Cuba has at least a limited developmental biological warfare research and development effort.

The Goss amendment protects our national security by shielding funding for travel ban enforcement unless the President first certifies that the Cuban Government does not threaten our homeland security. Specifically, the President must make three very critical determinations that make good common sense:

First, Cuba does not possess and is not developing a biological weapons program; second, Cuba is not providing terrorist states or terrorist organizations with the technology to build or use bioweapons; and, third, Cuba is not providing support for our or sanctuary to international terrorists. Very simple, straightforward commonsense approaches.

Two generations ago, President Kennedy called Castro’s Cuba ‘‘the unhappy island.’’ Four decades later, life for the Cuban people has only gotten worse under Fidel Castro’s brutality. They are stripped of basic human rights, they have few political rights, and they are deprived of the hope to improve their lives because Cuba still has not joined the 21st century.

We should never stop working to bring freedom to Cuba. But until we can be certain that Cuba poses no threat to our national security, Congress should take no step that inadvertently strengthens the Castro regime and compromises our campaign against terror. Members should support the Goss amendment because it will ensure the condemned Cuban tourism will not eventually be measured in American lives.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALDEN of Oregon) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the motion 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.

Any recorded vote on the postponed question will be taken later.

PIPELINE INFRASTRUCTURE PROTECTION TO ENHANCE SECURITY AND SAFETY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3609) to amend title 49, United States Code, to enhance the security and safety of pipelines, as amended.

The Clerk read as follows:

H.R. 3609
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ‘‘Pipeline Infrastructure Protection to Enhance Security and Safety Act’’.

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of title 49, United States Code; table of contents.

Sec. 2. One-call notification programs.

Sec. 3. One-call notification of pipeline operators.

Sec. 4. Protection of employees providing pipeline safety information.

Sec. 5. Safety orders.

Sec. 6. Penalties.

Sec. 7. Pipeline safety information grants to communities.

Sec. 8. Population encroachment.

Sec. 9. Pipeline integrity research, development, and demonstration.

Sec. 10. Pipeline qualification programs.

Sec. 11. Additional gas pipeline protections.


Sec. 13. National pipeline mapping system.

Sec. 14. Coordination of environmental review.

Sec. 15. Nationwide toll-free number system.

Sec. 16. Recommendations and responses.

Sec. 17. Miscellaneous amendments.

Sec. 18. Technical amendments.

Sec. 19. Authorization of appropriations.

Sec. 20. Inspections by direct assessment.

Sec. 21. Pipeline bridge risk study.

SEC. 2. ONE-CALL NOTIFICATION PROGRAMS.

(a) MINIMUM STANDARDS.—Section 6103 is amended—
(1) in subsection (a)—
(A) in paragraph (1) by inserting "includ-
ing all government operators" before the semicolon at the end; and
(B) in paragraph (2) by inserting "includ-
ing all government and contract excavators" before the semicolon at the end; and
(2) in subsection (c) by striking "provide for and insert" "provide for and docu-
ment".

(b) Compliance With Minimum Standards.—Section 6104(d) is amended by strik-
ing "Within 3 years after the date of the en-
actment of this chapter, the Secretary shall begin" and inserting "The Secretary shall"

(c) Implementation of Best Practices Guidelines.—
(1) In General.—Section 6105 is amended to read as follows:

"§ 6105. Implementation of best practices guidelines

"(a) Adoption of Best Practices.—The Secretary of Transportation shall encourage States, operators of one-call notification programs, excavators (including all government and contract excavators), and underground facility operators to adopt and imple-
ment (in the event of a violation or alleged violation of any order, regulation, or standard under this chapter or any other Federal law relating to pipeline safety;"

"(b) Technical Assistance.—The Secretary shall provide technical assistance to and participate in programs sponsored by a non-profit organization specifically established for the purpose of reducing construction-related damage to underground facilities.

"(c) Grants.—

"(1) In General.—The Secretary may make grants to a non-profit organization described in subsection (b).

"(2) Authorization of Appropriations.—In addition to amounts authorized under sec-
tion 60129, there is authorized to be appropri-
ated $1,000,000 for each of fiscal years 2002 through 2006. Such sums shall remain avail-
able until expended.

"(3) General Revenue Funding.—Any sums appropriated under this subsection shall be derived from general revenues and may not be derived from amounts collected under sec-
tion 60331.

"(d) Conforming Amendment.—The analysis for chapter 61 is amended by striking the item relating to section 6105 and inserting the following:


"(1) For Grants for States.—Section 6104(a) is amended by striking "$1,000,000 for fiscal year 2000" and all that follows before the period at the end of the first sentence and inserting "$1,000,000 for each of fiscal years 2003 through 2006".

"(2) For Administration.—Section 6107(b) is amended by striking "for fiscal years 1999, 2000, and 2001" and inserting "for fiscal years 2003 through 2006".

SEC. 3. ONE-CALL NOTIFICATION OF PIPELINE OPERATORS.

(a) Limitation on Preemption.—Section 6104(c) is amended by adding at the end the following: "Notwithstanding the preceding sentence, the Secretary may enforce a requirement of a one-call notification pro-
gram of the State if the program meets the requirements for a one-call notification pro-
gram under paragraph (1) of subsection (f)."

(b) Minimum Requirements.—Section 6114(a)(2) is amended by inserting ", including a government employee or contractor," after "one-call.

(c) Criminal Penalties.—Section 6123(d) is amended—

(1) in the matter preceding paragraph (1) by striking "knowingly and willfully"; and
(2) in paragraph (1) by inserting "know-
ingly and willfully" before "engages";

(3) by striking paragraph (2)(B) and insert-
ing the following:

"(B) a pipeline facility, and knows or has reason to know of the damage, but does not report the damage, the pipelines in the facility, and the operator of the pipeline facility and to other appro-
 priate authorities; or"

and

(4) by adding after paragraph (2) the fol-
lowing: "Penalties under this subsection may be de-
duced in the case of a violation that is promptly reported by the violator."
person or persons alleged to have committed the violation.

(2) REMEDY.—If, in response to a complaint filed under paragraph (1), the Secretary of Labor determines that a violation of subsection (a) has occurred, the Secretary of Labor shall order the person or persons who committed such violation to—

(i) cease and desist from any activity that is hazardous to life, property, or the environment associated with the violation; and

(ii) provide appropriate relief damages to the complainant.

(3) EFFECTIVE MANDAMUS.—If the complainant has suffered any damage as the result of such violation, the Secretary of Labor shall be entitled to bring a mandamus action in the United States district court for the district in which the violation occurred to enforce such order. In any civil action in the United States district court to which the complainant is a party, the court shall assess against the person or persons against whom the order is issued a sum equal to the aggregate amount of all costs and expenses (including attorney’s and expert witness fees) reasonably incurred, as determined by the Secretary of Labor, by the complainant for, or in connection with, the bringing of the complaint upon which such order was issued.

(4) REMEDY.—If the Secretary of Labor finds that a complaint under paragraph (1) is frivolous or has been brought in bad faith, the Secretary of Labor may award to the prevailing attorney a reasonable fee not exceeding $1,000.

(5) REMEDY.—Any person adversely affected or aggrieved by an order issued under paragraph (3) may obtain review of the order in the United States Court of Appeals for the circuit in which the violation occurred. A party seeking review must file a notice of appeal within 60 days after the date of issuance of the final order of the Secretary of Labor. If the Secretary of Labor is the party seeking review, the court shall construe a final order or decision of the Secretary of Labor in accordance with the rules of practice and procedure prescribed by the Rules of the United States Court of Appeals. The court, in issuing the order the operator of the facility to take any action necessary, including physical security, legal inspection, testing, repair, replacement, or other appropriate action to remedy the unsafe condition.

SEC. 6. PIPELINE SAFETY INFORMATION GRANTS TO COMMUNITIES.

(a) GRANT AUTHORITY.—(1) The Secretary of Transportation may make grants for technical assistance to local communities and groups of individuals (not including for-profit entities) relating to the safety of pipelines in local communities. The Secretary shall establish competitive procedures for awarding grants under this section, and criteria for selection of grant recipients. The Secretary may award a grant of not more than $50,000 for a single grant recipient. The Secretary shall establish appropriate procedures to ensure the fair and impartial use of funds provided under this section.

(b) PROHIBITED USES.—Funds provided under this section may not be used for lobbying or in direct support of litigation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for carrying out this section—(1) $1 million for each of the fiscal years 2003 through 2006. Such amounts shall not be derived from user fees collected under section 6001.

SEC. 7. PIPELINE SAFETY INFORMATION GRANTS TO COMMUNITIES.

(a) GRANT AUTHORITY.—(1) The Secretary of Transportation may make grants for technical assistance to local communities and groups of individuals (not including for-profit entities) relating to the safety of pipelines in local communities. The Secretary shall establish competitive procedures for awarding grants under this section, and criteria for selection of grant recipients. The Secretary may award a grant of not more than $50,000 for a single grant recipient. The Secretary shall establish appropriate procedures to ensure the fair and impartial use of funds provided under this section.

(b) PROHIBITED USES.—Funds provided under this section may not be used for lobbying or in direct support of litigation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for carrying out this section—(1) $1 million for each of the fiscal years 2003 through 2006. Such amounts shall not be derived from user fees collected under section 6001.
“(2) The current practices of Federal agencies and State and local governments in addressing land use issues involving a pipeline easement.

“(3) The most effective way to encourage Federal agencies and State and local governments to monitor and reduce encroachment upon pipeline rights-of-way.

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a report identifying practices, laws, and ordinances that are most successful in addressing issues of encroachment on pipeline rights-of-way so as to foster public safety, pipeline workers, and the environment.

“(2) DISTRIBUTION OF REPORT.—The Secretary shall provide a copy of the report to—

“(A) Congress and appropriate Federal agencies; and

“(B) States for further distribution to appropriate local authorities.

“(3) ADOPTION OF PRACTICES, LAWS, AND ORDINANCES.—The Secretary shall encourage Federal agencies and State and local governments to adopt and implement appropriate practices, laws, and ordinances, as identified in the report, to address the risks and hazards associated with encroachment upon pipeline rights-of-way.

SEC. 9. PIPELINE INTEGRITY RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

“(a) ESTABLISHMENT OF COOPERATIVE PROGRAM.—

“(1) IN GENERAL.—The heads of the participating agencies shall develop and implement a program of research, development, demonstration, and standardization to ensure the integrity of energy pipelines and next-generation pipelines.

“(2) ELEMENTS.—The program shall include research, development, demonstration, and standardization activities related to—

“(A) materials inspection;

“(B) stress and fracture analysis, detection of cracks, corrosion, abrasion, and other abnormalities inside pipelines that lead to pipeline failure, and development of new equipment and technologies that are inserted into pipelines to detect anomalies;

“(C) internal inspection and leak detection technologies, including detection of leaks at very low volume leak detection and surveillance technologies;

“(D) methods of analyzing content of pipeline throughput; and

“(E) pipeline security, including improving the real-time surveillance of pipeline rights-of-way, procedures for evaluating and enhancing pipeline security and infrastructure, reducing natural, technological, and terrorist threats, and protecting first responders and persons near an incident.

“(F) risk assessment methodology, including vulnerability assessment and reduction of third-party damage;

“(G) communication, control, and information systems security;

“(H) fire safety of pipelines;

“(I) means the Department of Energy, the Department of Transportation, and the National Institute of Standards and Technology.

“(J) other elements the heads of the participating agencies consider appropriate.

“(3) ACTIVITIES AND CAPABILITIES REPORT.—Not later than 6 months after the date of the enactment of this Act, the participating agencies shall transmit to the Congress a report on the activities and capabilities of the participating agencies, including the national laboratories. The report shall include the results of a survey by the participating agencies or any activities of other Federal agencies that are relevant to or could supplement existing research, development, demonstration, and standardization activities under the program created under this section.

“(b) PROGRAM PLAN.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the participating agencies shall prepare and transmit to Congress a 5-year program plan to guide the activities of the program established by this Act. Such program plan shall be submitted to the Pipeline Integrity Technical Advisory Committee established under subsection (c) for review, and such report to Congress shall include the comments of the Advisory Committee. The 5-year program plan shall take into account related activities of Federal agencies that are not participating agencies.

“(2) CONSULTATION.—In preparing the program plan, the participating agencies shall consult with appropriate representatives of State and local governments, the private sector, including companies owning energy pipelines and developers of next-generation pipelines, to help establish program priorities.

“(3) ADVISE FROM OTHER ENTITIES.—In preparing the program plan, the participating agencies shall also seek the advice of other Federal agencies, utilities, manufacturers, institutions of higher learning, pipeline research institutions, national laboratories, environmental organizations, pipeline safety advocates, professional and technical societies, and any other appropriate entities.

“(c) PIPELINE INTEGRITY TECHNICAL ADVISORY COMMITTEE.—

“(1) ESTABLISHMENT.—The participating agencies shall establish and manage a Pipeline Integrity Technical Advisory Committee (in this subsection referred to as the "Advisory Committee"). The Advisory Committee shall be established not later than 6 months after the date of the enactment of this Act.

“(2) DUTIES.—The Advisory Committee shall—

“(A) advise the participating agencies on the development and implementation of the program plan prepared under subsection (b); and

“(B) have a continuing role in evaluating the progress and results of research, development, demonstration, and standardization activities carried out under this section.

“(3) MEMBERSHIP.—

“(A) APPOINTMENT.—The Advisory Committee shall be composed of—

“(i) 3 members appointed by the Secretary of Energy;

“(ii) 3 members appointed by the Secretary of Transportation; and

“(iii) 3 members appointed by the Director of the National Institute of Standards and Technology.

“In making appointments, the participating agencies shall seek recommendations from the National Academy of Sciences.

“(B) QUALIFICATIONS.—Members appointed to the Advisory Committee shall have experience or be technically qualified, by training or knowledge, in the operations of the pipeline industry, and have experience in the research and development of pipeline or related technologies.

“(C) COMPENSATION.—The members of the Advisory Committee shall serve without compensation, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

“(d) MEETINGS.—The Advisory Committee shall meet at least 4 times each year.

“(e) TERMINATION.—The Advisory Committee shall terminate 5 years after its establishment.

“(f) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the participating agencies shall transmit to the Congress a report on the status and results to date of the implementation of their portion of the program plan prepared under subsection (b).

“(g) MEMORANDUM OF UNDERSTANDING.—Not later than 120 days after the date of the enactment of this Act, the participating agencies shall enter into a memorandum of understanding detailing their respective responsibilities under this section, consistent with the activities and capabilities identified under subsection (a)(3). Each of the participating agencies shall have the primary responsibility for ensuring that the elements of the program plan within its jurisdiction are implemented in accordance with this section.

“(h) APPROPRIATIONS.—There are authorized to be appropriated—

“(1) to the Secretary of Energy $10,000,000; and

“(2) to the Secretary of Transportation $5,000,000; and

“(3) to the National Institute of Standards and Technology $5,000,000, for each of the fiscal years 2003 through 2007 for carrying out this section.

“(i) DEFINITIONS.—For purposes of this section—

“(1) the term ‘energy pipeline’ means a pipeline system used in the transmission or local distribution of natural gas (including liquefied natural gas), crude oil, or refined petroleum products;

“(2) the term ‘next-generation pipeline’ means a transmission or local distribution pipeline system designed to transmit energy or energy-related products, in liquid or gaseous form, other than natural gas carrier vapor;

“(3) the term ‘participating agencies’ means the Department of Energy, the Department of Transportation, and the National Institute of Standards and Technology; and

“(4) the term ‘pipeline’ means an energy pipeline or a next-generation pipeline.

SEC. 10. PIPELINE QUALIFICATION PROGRAMS.

“(a) VERIFICATION PROGRAM.—

“(1) IN GENERAL.—Chapter 601 is further amended by adding at the end the following:

“60130. Verification of pipeline qualification programs.

“(a) IN GENERAL.—Subject to the requirements of this section, the Secretary of Transportation shall require the operator of a pipeline facility to develop and adopt a qualification program to ensure that the individual operators of those tasks are qualified to conduct such tasks.

“(b) STANDARDS AND CRITERIA.—

“(1) DEVELOPMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall ensure that the Department of Transportation has in place standards and criteria for qualification programs referred to in subsection (a).

“(2) CONTENTS.—The standards and criteria shall include the following:

“(A) The establishment of methods for evaluating the acceptability of the qualification of individuals described in subsection (a); and

“(B) A requirement that pipeline operators develop and implement written plans and procedures to qualify individuals described in subsection (a) to a level found acceptable using the methods established under subparagraph (A) and evaluate the abilities of individuals described in subsection (a) according to such methods.

“(C) A requirement that the plans and procedures adopted by a pipeline operator under

H5276

CONGRESSIONAL RECORD — HOUSE

July 23, 2002
subparagraph (B) be reviewed and verified under subsection (e).

(c) DEVELOPMENT OF QUALIFICATION PROGRAMS BY PIPELINE OPERATORS.—Not later than 18 months after the date of the enactment of this section, the Secretary shall require a pipeline operator to develop and adopt a qualification program that complies with the standards and criteria described in subsection (b).

(d) ELEMENTS OF QUALIFICATION PROGRAMS.—A qualification program adopted by an operator under subsection (a) shall include, at a minimum, the following elements:

(1) A method for examining or testing the qualifications of individuals described in subsection (a). Such method may not be limited to observation of on-the-job performance, except with respect to tasks for which the Secretary has determined that such observation is the best method of examining or testing qualifications. The Secretary shall ensure that the results of any such observations are documented in writing.

(2) A requirement that the operator complete the qualification of all individuals described in subsection (a) not later than 18 months after the date of adoption of the qualification program.

(3) A periodic requalification component that provides for examination or testing of individuals described in paragraphs (1) and (2).

(4) A program to provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities.

(e) REVIEW AND VERIFICATION OF PROGRAMS.—

(1) IN GENERAL.—The Secretary shall review the qualification program of each pipeline operator and verify its compliance with the standards and criteria described in subsection (b) and includes the elements described in paragraphs (1) through (3) of subsection (d). The Secretary shall record the results of that review for use in the next review of an operator’s program.

(2) DEADLINE FOR COMPLETION.—Reviews and verifications under this subsection shall be completed not later than 18 months after the date of the enactment of this section.

(f) INADEQUATE PROGRAMS.—If the Secretary determines that a qualification program is inadequate to ensure the safe operation of a pipeline facility, the Secretary shall act under section 6108(a)(2) to require the operator to revise the qualification program.

(g) EXCEPTIONS.—If the operator of a pipeline facility seeks to modify significantly a program that has been verified under this subsection, the operator shall submit the modifications to the Secretary for review and verification.

(h) WAIVERS AND MODIFICATIONS.—In accordance with section 6111(c), the Secretary may waive or modify any requirement for reexamination or requalification under paragraph (2) if the Secretary determines that such an action is in the public interest.

SEC. 11. ADDITIONAL GAS PIPELINE PROTECTIONS.

(a) RISK ANALYSIS AND INTEGRITY MANAGEMENT PROGRAMS.—Section 6109 is amended by adding at the end the following:—

(1) REQUIREMENTS.—Each operator of a gas pipeline facility shall conduct an analysis of the risks to each facility of the operator in an area identified pursuant to subsection (a)(1), and implement a written integrity management program for such facility to reduce the risks.

(2) REGULATIONS.—Not later than 18 months after the date of the enactment of this subsection, the Secretary shall issue regulations prescribing standards to direct an operator’s conduct of a risk analysis and adoption and implementation of an integrity management program under this subsection. The regulations shall require the conduct of the risk analysis and adoption of the integrity management program within a time period prescribed by the Secretary, not to exceed 1 year after the issuance of such regulations. The Secretary may satisfy the requirements prescribed by this paragraph through the issuance of regulations under this paragraph or under other authority of law.

(3) MINIMUM REQUIREMENTS OF INTEGRITY MANAGEMENT PROGRAMS.—An integrity management program required under paragraph (1) shall include, at a minimum, the following requirements:

(A) A baseline integrity assessment of each of the operator’s facilities in areas identified pursuant to subsection (a)(1), to be completed not later than 10 years after the date of adoption of the integrity management program, by internal inspection device, pressure testing, direct assessment, or an alternative method that the Secretary determines would provide an equal or greater level of safety.

(B) Subject to paragraph (4), periodic reassessment of the facility, at a minimum once every 7 years, using methods described in subparagraph (A).

(C) Clearly defined criteria for evaluating the results of reassessments conducted under paragraph (B) and for taking actions based on such results.

(D) A method for conducting an analysis on a continuing basis that integrates all available information on the facility and the consequences of releases from the facility.

(E) A description of actions to be taken by the operator to promptly address any integrity issue raised by an evaluation conducted under subparagraph (C) or the analysis conducted under subparagraph (D).

(F) A description of measures to prevent and mitigate the consequences of releases from the facility.

(G) A method for monitoring cathodic protection systems throughout the pipeline system of the operator to the extent not addressed by other regulations.

(H) If the Secretary raises a safety concern relating to the facility, a description of the actions to be taken by the operator to address the safety concern, including issues raised with the Secretary by States and local authorities under an agreement entered into under section 6106.

(i) WAIVERS AND MODIFICATIONS.—In accordance with section 6111(c), the Secretary may waive or modify any requirement for reexamination or requalification under paragraph (3) if the Secretary determines that such an action is in the public interest.

(j) STANDARDS.—The standards prescribed by the Secretary under paragraph (2) shall address each of the following factors:

(A) The minimum requirements described in paragraph (3).

(B) The type or frequency of inspections or testing of pipeline facilities, in addition to the minimum requirements of paragraph (3)(B).

(C) The manner in which the inspections or testing are conducted.

(D) The criteria used in analyzing results of the inspections or testing.

(E) The types of information sources that must be integrated in assessing the integrity of a pipeline facility as well as the manner of integration.

(F) The nature and timing of actions selected to address the integrity of a pipeline facility.

(G) Such other factors as the Secretary determines appropriate to ensure that the integrity of a pipeline facility is addressed in a manner that minimizes environmental and safety risks, and shall take...
into account the applicable level of protection established by national consensus standards organizations.

(6) ADDITIONAL OPTIONAL STANDARDS.—The Secretary may also prescribe standards requiring an operator of a pipeline facility to include in an integrity management program under this subsection—

(A) hazards to lives or the establishment or modification of systems that monitor pressure and detect leaks based on the operator’s risk analysis; and

(B) the use of emergency flow restricting devices.

(7) INACTION BY THE SECRETARY.—Notwithstanding any other provision of this section, the Secretary may conduct a review under paragraph (1) and implement an integrity management program, for pipeline facilities as required under section 60109(c).

(8) REVIEWS AND REVISIONS.—Regulations issued under subsection (a) shall be reviewed and revised as appropriate at least once every 5 years.

(9) Definitions.—For purposes of this section, the term ‘densely populated urban area’ means an area with a population density of more than 10,000 people per square mile.

SEC. 13. NATIONAL PIPELINE MAPPING SYSTEM.

(a) IN GENERAL.—Chapter 601 is further amended by adding at the end the following:

*(b) National pipeline mapping system.*

SEC. 14. COORDINATION OF ENVIRONMENTAL REVIEWS.

(a) In General.—Chapter 601 is further amended by adding at the end the following:

*(b) Coordination of environmental reviews.*

SEC. 15. SECURITY OF PIPELINE FACILITIES.

(a) In General.—Chapter 601 is further amended by adding at the end the following:

*(b) Security of pipeline facilities.*

SEC. 16. CONFORMING AMENDMENTS.

(a) In General.—Chapter 601 is further amended by adding at the end the following:

*(b) Conforming amendment.*

SEC. 17. TECHNICAL ASSISTANCE TO IMPROVE LOCAL RESPONSE CAPABILITIES.

(a) In General.—Chapter 601 is further amended by adding at the end the following:

*(b) Technical assistance to improve local response capabilities.*

SEC. 18. COORDINATION OF ENVIRONMENTAL REVIEWS.

(a) In General.—Chapter 601 is further amended by adding at the end the following:

*(b) Coordination of environmental reviews.*
representatives of Federal agencies with responsibilities relating to pipeline repair projects, including each of the following persons (or a designee thereof):

- (A) The Secretary of Transportation.
- (B) The Administrator of the Environmental Protection Agency.
- (C) The Director of the United States Fish and Wildlife Service.
- (D) The Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.
- (E) The Director of the Bureau of Land Management.
- (F) The Director of the Minerals Management Service.
- (G) The Assistant Secretary of the Army for Civil Works.
- (H) The Chairman of the Federal Energy Regulatory Commission.

(3) EVALUATION.—The Interagency Committee shall evaluate Federal permitting requirements to which access, excavation, and restoration activities in connection with pipeline repairs described in paragraph (1) or (2) may be subject. As part of its evaluation, the Interagency Committee shall examine the access, excavation, and restoration practices of the pipeline industry in connection with such pipeline repairs, and may develop a compendium of best practices used by the industry to access, excavate, and restore the site of a pipeline repair.

(4) MEMORANDUM OF UNDERSTANDING.—Based upon the evaluation required under paragraph (3) and not later than 1 year after the date of enactment of this section, the members of the Interagency Committee shall enter into a memorandum of understanding to provide for a coordinated and expedited pipeline repair project permitting process to carry out the purpose set forth in paragraph (1). The Interagency Committee shall include provisions in the memorandum of understanding identifying those repairs or categories of repairs described in paragraph (1) for which the best practices identified under paragraph (3), when properly employed by a pipeline operator, would result in no more than minimal adverse effects on the environment and for which discretionary administrative reviews may therefore be minimized or eliminated. With respect to pipeline repairs described in paragraph (1) to which the preceding sentence would not be applicable, the Interagency Committee shall include provisions to encourage States and local governments to promote the effective and expeditious permitting processes for pipeline repair projects subject to any time periods for repair specified by rule by the Secretary, or pursuant diligently and in good faith all required Federal, State, and local permits to carry out the project, and (C) the provisions for alternative mitigation measures are not incompatible with pipeline safety.

(e) OMBUDSMAN.—The Secretary shall designate and commission an ombudsman to assist in expediting pipeline repairs and resolving disagreements between Federal, State, and local permitting agencies and the pipeline operator during the review of applications for permits for repair activity, consistent with protection of human health, public safety, and the environment.

(f) STATE AND LOCAL PERMITTING PROCESSES.—The Secretary shall encourage States and local governments to consolidate their respective permitting processes for pipeline repair projects subject to any time periods for repair specified by rule by the Secretary. The Secretary may request other Federal agencies to provide technical assistance to States and local governments for the purpose of encouraging such consolidation.

SEC. 16. RECOMMENDATIONS AND RESPONSES.

(a) IN GENERAL.—Chapter 601 is amended by adding at the end the following:

"§ 60134. Coordination of environmental review and permitting. Within 1 year after the date of enactment of this Act, the Secretary of Transportation shall, in consultation with the Federal Communications Commission, the Federal Energy Regulatory Commission, and the Pipeline Safety Standards Board, make regulations, if necessary, to carry out the purposes of this section.

SEC. 17. MISCELLANEOUS AMENDMENTS.

(a) PROTECTION OF PUBLIC HEALTH, WELFARE, AND THE ENVIRONMENT. Section 60102(a)(1) is amended by inserting "in order to protect public health and welfare and the environment from reasonably anticipated threats that could be posed by such transportation and facilities" after "and for pipeline facilities".

(b) CONFLICTS OF INTEREST.—Section 60114(b)(4) is amended by adding at the end the following:

"(b) the qualifications for the refusal to carry out procedures to carry out the project; and

(c) the provisions for alternative mitigation measures are not incompatible with pipeline safety."
The Chair recognizes the gentleman from Alaska (Mr. YOUNG). 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 subject matter of this bill, H.R. 3609.

Mr. YOUNG of Alaska, 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 subject matter of this bill, H.R. 3609.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. 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 subject matter of this bill, H.R. 3609.

Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)
Mr. YOUNG of Alaska. Mr. Speaker, first, I would like to thank the gentleman from Minnesota (Mr. Oberstar) for his cooperation in reaching this compromise on H.R. 3609, the Pipeline Infrastructure Protection and Enforcement Security and Safety Act. I also want to thank my good friend and hunting partner, the gentleman from Louisiana (Mr. Tauzin), and the gentleman from Michigan (Mr. Dingell) for their hard work in drafting a bill that both our committees could support.

H.R. 3609 improves safety and protects workers and residents who live near pipelines. H.R. 3609 will strengthen the training procedures of pipeline workers, and implement a tough inspection and rigorous inspection schedule of pipelines.

The bill will improve the permitting procedures that allow operators to make the repairs that will be required under rules currently being developed at the Department of Transportation.

The bill will improve the enforcement of statutes and regulations that cover pipeline and operators at facilities.

Mr. Speaker, this is a good piece of legislation, and I urge my colleagues to support the legislation.

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

Mr. Oberstar. Mr. Speaker, I yield myself 5% minutes.

Today, we are finally going to be able to vote on pipeline safety legislation worthy of the name. It is regrettable it has taken us 3 years to get here, but the bill before the House is a good bill. It is the result of long, intense, constructive negotiations among the parties to this process, including our Republican leadership on our committee, the gentleman from Alaska (Mr. Young), and his staff, the gentleman from Louisiana (Mr. Tauzin) and his staff, the gentleman from Michigan (Mr. Dingell), and his staff, represented here today by the gentleman from Virginia (Mr. Boucher).

This is a compromise in the best sense of that word. We have all yielded some and accepted some. It is one that will promote pipeline safety and legislation that should be widely supported. We were very far apart at the outset of this process. I had serious reservations about the bill. H.R. 3609, as introduced, because very strongly that the introduced bill failed to respond adequately to a number of important safety concerns, many of which date back to the mid-1980s when I chaired the Subcommittee on Oversight and Investigations and held hearings on pipeline safety in the aftermath of several tragedies throughout the United States, including one very serious fatal pipeline blast in Minnesota that killed people in the northern suburbs of the Twin Cities.

The introduced bill, in my view, did little to ensure that pipeline employees with safety responsibilities would be qualified or that they would get the necessary training. It did not have funding for assistance to groups of concerned citizens who had played an important role in pipeline safety, something I have come to appreciate over the years, and unprecedented authority for the Department of Transportation to determine jurisdiction of agencies with environmental responsibilities for pipelines. Those were widely discussed issues and widely reported in news reports on this legislation.

I think that the bill we have before us now goes a long way to address those problems, and I can support this legislation in partnership with the gentleman from Alaska and the gentleman from Louisiana and the gentleman from Michigan and the gentleman from Virginia.

The bill requires that all natural gas transmission pipelines serving high-consequence areas be inspected within 10 years and reinspected no later than every 7 years thereafter. It requires pipeline operators to provide training to ensure that individuals have the necessary knowledge and skills to do their tasks in a safer manner. It makes clear that it is not enough to rely on observing an employee's on-the-job performance to determine if he or she is qualified. I have been to pipeline operational facilities to observe these circumstances firsthand. I am quite convinced that the language we have now is going to achieve the results.

The bill includes a pilot program to determine whether persons operating computer-based systems for controlling pipelines should be certified. It raises civil penalties for violations from $25,000 to $100,000, and the maximum civil penalty from $500,000 to $1 million.

The bill allows the Secretary of Transportation to ask the Attorney General to bring civil actions in Federal District Court to enforce pipeline safety regulations. It has a program of grants for local organizations to obtain technical assistance to participate effectively in pipeline safety proceedings and limitations on those groups against lobbying, against political activities with these funds.

The bill requires an interagency committee to coordinate environmental reviews, chaired by the chairman of the Council on Environmental Quality and the chairman of the Environmental Protection Agency, permitting agencies to develop a memorandum of understanding to coordinate environmental reviews for pipeline repair projects. It ensures that this coordination process will respect existing environmental laws. It will address the appropriate roles of the permitting agencies and respect those roles. The bill requires the affected agencies to reach union agreement on the memorandum, and specifically states that the provision does not preempt any Federal, State, or local environmental law. That is a critical issue. It has taken a long time to get to that point. The fact that we have reached agreement on that issue is significant in moving this legislation forward. For that, I express my great appreciation to the chairman of our committee, the gentleman from Alaska; and to the chairman of the Committee on Energy and Commerce, the gentleman from Louisiana; and also the gentleman from Michigan, the ranking member on that committee.

Two years ago, Mr. Speaker, we defeated a weak bill, believing that no bill was better than a weak bill. It was the right thing to do then. Today's action proves that we were right. With time, with effort, with imagination, with good will to achieve a good result, we could do better. And today we do better.

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

Mr. YOUNG of Alaska. Mr. Speaker, I do agree with the gentleman's words and I insert into the RECORD at this point an exchange of letters between myself and the gentleman from New York (Mr. Boehlert) regarding H.R. 3609.


Hon. SHERWOOD L. BOEHLERT, Chairman, Committee on Science, Rayburn Building, Washington, DC. DEAR MR. CHAIRMAN: Thank you for your letter of July 23, 2002, regarding H.R. 3609, the Pipeline Infrastructure Protection to Enhance Safety and Security Act, and for your willingness to waive consideration of provisions in the bill that fall within your Committee's jurisdiction under House Rules.

I agree that your waiving consideration of section 9 of H.R. 3609 does not waive your Committee's jurisdiction over the bill. I also acknowledge your right to seek conferences on any provisions that are under your Committee's jurisdiction during any House-Senate conference on H.R. 3609 or similar legislation, and will support your request for conferences on such provisions.

As you request, your letter and this response will be included in the Congressional Record during consideration on the House Floor.

Thank you for your cooperation in moving this important legislation.

Sincerely,

DON YOUNG,
Chairman,


Hon. DON YOUNG, Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Committee on Transportation and Infrastructure has had under consideration H.R. 3609, the Pipeline Infrastructure Protection to Enhance Security and Safety Act. Section 9 of that bill falls under the jurisdiction of the Committee on Science.

By waiving consideration of H.R. 3609 the Committee on Science does not waive any of its jurisdictional rights and prerogatives. I think that you would not request for conferences on H.R. 3609 or similar legislation if a conference should be convened with
the Senate. I also ask that our exchange of letters be included in the Congressional Record.

I look forward to working with you on this and other important pieces of legislation. Sincerely,

SHERWOOD BOEHLERT,

Chairman.

Mr. Speaker, I yield whatever time he may consume to the gentleman from Louisiana (Mr. TAUZIN), chairman of the very powerful Committee on Energy and Commerce, a good friend.

Mr. TAUZIN. Mr. Speaker, I certainly want to thank the gentleman from Alaska (Mr. YOUNG), my friend and the chairman of the tremendously important Committee on Transportation and Infrastructure, whom we all depend upon for our transportation needs and whom I consider my dearest friend, whenever I have those needs in particular. I do want to seriously thank the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Michigan (Mr. DINGELL), representing the minority of our great party and the extraordinary work that has been done on this bill. This is not just a multi-year bill, this is a multi-Congress bill. This has been a work in progress for years through the Congress, and we have reached the point today where we have concurrence not only between our two committees but in a bipartisan fashion we can bring pipeline safety to the floor for a vote, and most importantly we can bring it to the floor for a vote with the support of the Office of Pipeline Safety, with the pipeline industry itself, with the support of the environmental community and the support of organized labor. This is a bill literally that meets all those tests simultaneously and it is a great example of the way this House can work through our committee system together in a bipartisan fashion to do the right thing for our country.

It also addresses, by the way, State participation in the pipeline safety regulatory regime, again recognizing the dual role in the Federal and the State governments in protecting our citizens in terms of pipeline safety, and, perhaps most importantly, this bill becomes a cooperation on pipeline safety as we are now engaged in the Conference on Energy with the Senate where we hope to produce a comprehensive energy package for the House and Senate to vote on sometime before we leave sometime in October.

This bipartisan position that is now supported, I hope, by this whole House will be the frame by which the House makes an offer to the Senate now and hopefully resolves this issue in the context of the much larger energy bill. And I want to thank my friends from both sides of the aisle for making that possible. As we move toward consideration of the most serious issues in dispute between the House and Senate, getting an agreement on pipeline safety will be one of the first orders of business that we will take up this Thursday when the conference meets.

So again I want to thank all the chairman, ranking members, and I lastly want to thank my particular thanks and attention to the chairman of the subcommittee and the gentleman from Virginia (Mr. BOUCHER) for doing such a great job at the subcommittee level of the Committee on Energy and Commerce in producing this bill. We sometimes forget how important the work of our subcommittees is in framing a bill that we can together work out in final detail for the floor, and the gentleman from Texas (Chairman BARTON) and the gentleman from Virginia (Mr. BOUCHER) as in their usual fashion have worked in extraordinarily close fashion to make sure we have that opportunity at the Committee on Energy and Commerce level. And again I want to thank the hard work and the work of the staffs that went behind it. Again this is a good day for both our committees. I commend this legislation to the House floor.

Mr. OBERSTAR. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BOUCHER) representing the Democrats on the Committee on Energy and Commerce.

Mr. BOUCHER asked and was given permission to revise and extend his remarks.

Mr. BOUCHER. Mr. Speaker, I thank the gentleman from Minnesota (Mr. OBERSTAR) for yielding me this time. Mr. Speaker, I am pleased to rise in support of H.R. 3609 and I urge its approval by the House. The pipeline safety measure now before the House results from bipartisan discussions involving two committees and I want to commend the gentleman from Louisiana (Chairman TAUZIN) of our full Committee on Energy and Commerce; the gentleman from Michigan (Mr. DINGELL), ranking committee member; the gentleman from Texas (Mr. BARTON), chairman of the Subcommittee on Energy and Air Quality, with whom I have been pleased to cooperate on this measure; and the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) of the Committee on Transportation and Infrastructure for all of the efforts of these Members in achieving the consensus measure that is before the House today.

The authorization for appropriations for the Federal pipeline safety program expired during the year 2000. The bill which we are considering today will take the necessary steps to reauthorize the program. The measure makes a number of improvements to existing pipeline safety requirements. It will direct the Department of Transportation to promulgate a rule requiring operators to maintain all plans which will include a pipeline safety inspection within 10 years of enactment and a reinspection within the following 7 years. The measure will also require operators to develop and implement written programs to ensure that all individual pipeline operators are qualified to perform their jobs and will establish a pilot program within the Department of Transportation for the certification of pipeline employees.

In addition, the measure establishes a technical assistance grant program to enhance the knowledge of individuals who reside or conduct businesses in the general vicinity of pipelines.

We worked very closely with the gentleman from Alaska (Chairman YOUNG) of the Committee on Transportation and Infrastructure to ensure that the establishment of these grants is performed in such a way as to accommodate the concern of all stakeholders. In addition, the measure will improve the Office of Pipeline Safety’s ability to enforce safety laws by increasing the cap on penalties. The bill will also improve existing one-call notification programs and develop a national pipeline mapping system. These are all very helpful steps that, taken together, will ensure greater pipeline safety for the Nation going forward.

I again want to commend all of the Members who on a bipartisan basis have worked diligently to achieve the consensus that has embodied this measure. And, Mr. Speaker, it is my pleasure to urge approval of this bill by the House. I thank the gentleman from Minnesota.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BARTON), one of the great subcommittee chairmen of the Committee on Energy and Commerce.

Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.

Mr. BARTON of Texas. Mr. Speaker, I also want to rise in strong support of H.R. 3609, the Pipeline Infrastructure Protection to Enhance Security and Safety Act. It is comprehensive, bipartisan, multi-committee, and widely supported. It will reauthorize our pipeline safety laws through 2006 which, in my opinion, is a tremendous accomplishment.

I want to add my commendations to my full committee chairman, the gentleman from Louisiana (Mr. TAUZIN), and the ranking member, the gentleman from Michigan (Mr. DINGELL). I compliment the gentleman from Wisconsin (Mr. PETRI), the gentleman from Pennsylvania (Mr. BORSKI), the ranking member, and the gentleman from Minnesota (Mr. OBERSTAR). I would also thank the subcommittee chairman, the gentleman from Wisconsin (Mr. PETRI), the gentleman from Pennsylvania (Mr. BORSKI), the ranking member, and the gentleman from Minnesota (Mr. OBERSTAR). I worked very hard to make it possible to come out and pat each other on the back this evening.
The bill before us is an agreement that we have worked on in both committees. Both of our committees reported a pipeline safety bill earlier this year. It has a new landmark section on integrity management for natural gas transmission lines. It has a baseline in 7-year periodical inspections every 10 years. We have a tough but very manageable requirement for pipeline infrastructure. This balance requirement, in my opinion, appears to be a much more appropriate level than is currently in the bill which passed the other body.

The pipeline infrastructure for delivering natural gas and liquid petroleum is more important than ever for our great Nation. The demand for natural gas and gasoline will likely continue to rise, and our pipelines will have a more and more important role each day in supplying those commodities. Pipeline transportation is among the cheapest and safest methods of transport. We need to make sure that our pipelines are safe and managed well. We also want States and our local communities to be comfortable that future pipelines which will be needed are good things for their region, and that they are operated as safely as possible.

Today’s agreement includes changes to the one-call notification programs, a new national toll-free number suggested by the gentleman from Louisiana (Mr. Tauzin) and member of our subcommittee. It has an important integrity research and development program which was authored by the gentleman from Texas (Mr. Hall) who is also the ranking member of the Committee on Science. It includes important coordination of environmental reviews by Federal agencies to streamline the process for permitting repairs.

Finally, I commend all of the staff for their hard work on this bill, especially committee Bill Cooper and Andy Black of the majority, and Rick Kessler of the minority for their hard work. The bill is supported by environmental groups, labor groups and industry associations and many local community groups. It has the support of the majority and the minority of every committee involved in the discussions. I hope that we will pass this by unanimous consent in the very near future.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. Pascrell).

Mr. PASCRELL. Mr. Speaker, I would like to begin by complimenting the work of the gentleman from Minnesota (Mr. Oberstar) and the gentleman from Michigan (Mr. Dingell), the gentleman from Alaska (Mr. Young) and the gentleman from Louisiana (Mr. Tauzin). It is amazing what can be done when all sides resign themselves to work together.

After a perfect bill, this is a bipartisan bill. It is an effort the American people can be proud of. Unbeknownst to millions of Americans, their homes, schools and communities are sitting on top of millions of miles of pipelines. With this bill, Congress seeks to ensure that proper regulations are backed up by strong enforcement policies to ensure their safety.

Despite the fact that Pipeline Safety requests for mapping information more than 3 years ago, and the importance of a national repository of pipeline maps for national security purposes, hundreds of operators have not submitted the requested maps. Under the bill, the Office of Pipeline Safety will publish in the Federal Register a list of pipeline systems it needs to regulate effectively.

Furthermore, the compromise legislation includes important employee training provisions and whistleblower protections. Those on the front lines must feel free to inform the proper authorities if there is a safety or security risk not being addressed. Also included is funding for grants to community groups to allow them to obtain technical expertise for participation in pipeline regulatory proceedings.

The House will finally be on record endorsing real pipeline safety legislation, requiring pipeline operators to adopt integrity management programs and periodic reinspections every 10 years. We have shown us that we cannot put our faith in the industry to do the thing.

We cannot afford to lose any more lives, Mr. Speaker. In the face of potentially severe consequences, symbolic legislation can cost a lot. This is our opportunity to fix a broken system. Mr. Speaker, I am confident that we are doing the right thing by passing strong pipeline legislation today.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 5 minutes to the gentlewoman from Washington (Ms. Dunn).

Ms. DUNN. Mr. Speaker, I thank the gentleman for yielding me this time. Mr. Speaker, I think special kudos should go to the gentleman from Alaska, Mr. Young, and the gentleman from Louisiana (Mr. Tauzin) because they put so much leadership and commitment into bringing this bill to the floor. This debate has gone on for a long time. The first bill that we voted on during this debate was 2 years ago, and we could not get the votes then.

We have worked on this bill consistently with the help of a lot of our neighbors in Washington State and a lot of members from the Committee on Transportation and Infrastructure. I commend the gentleman from Louisiana (Mr. Tauzin) and the gentleman from Alaska (Mr. Young) for putting together a good bill.

In Washington State 3 years ago, there was a pipeline explosion in the area of Bellingham. It is the area that the gentleman from Washington (Mr. Larsen) now represents, and at that time Congressman Metcalf represented. The gentleman from Washington (Mr. Larsen) now represents, and at that time Congressman Metcalf represented. The gentleman from Washington (Mr. Larsen) now represents, and at that time Congressman Metcalf represented. Both gentlemen were very involved in this debate. They had a problem to solve for those communities that lived in their communities, and success has finally greeted us here on the floor of the House tonight.

We have worked on this bill ever since. Three years of work to put together a bill that would be appropriate, a bill where we could release some information but be very aware that if terrorists are looking for a way to endanger our communities, we have to be very careful about the public information portion of this.

I want to summarize a few of the elements that are in this legislation that make it much better than anything we have had before in operating our neighbors and our neighborhoods from any explosion or any kind of emission of toxic substances into the environment.

The legislation tonight talks about inspection of gas pipelines every 5 years. It will be mandated. There is flexibility left so that we can do it in the proper way, so it will not be a huge new expense to the companies but will also perform the program that we are interested in, which is to make sure those pipelines are not corroded, are not broken, and will not result in a horrible explosion like the one that the parents of those children in Bellingham had to live with 3 years ago.

We also established a system to certify that critical pipeline employees are qualified to do their jobs. This has never been required before, Mr. Speaker. I think this bill puts out there in print what we expect from the companies who are operating the pipelines. It also increases penalties for pipeline safety violations. Why is this important? It is important, Mr. Speaker, because we want those companies to take very seriously the requirements we have handed to them. Sometimes money tells the story. To penalize them in a monetary way we think is very important. It also provides for increased State oversight of pipelines. We want the States involved. We would like to see the Secretary of Energy have advisory boards. We are going to increase the amount of personal activity done to keep these pipelines safe by allowing the communities and the neighbors to advise the companies that come up with good ideas that we may have missed, that might have fallen through the cracks on this legislation.

I think it is also very important that communities be given access to information about the pipelines that run beneath their streets, beneath their homes, under their neighborhoods. Everybody in the process agrees that this information ought to be out there. We have not yet agreed how this information should be available. I hope this information can be addressed as this bill moves forward as we go through the conference committee with a good strong House bill that will be debated by Members of the Senate and the House so that we will come up with something really strong.

The answer to this particular public access question may be part of homeland security. It may have to be a compromise. What I want, Mr. Speaker, my
The vast majority of the pipelines are those with high population density surrounding them. This common sense approach will immediately bring the greatest safety margin to the largest number of people.

In addition, all pipelines will be inspected more frequently under this legislation. Because more frequent inspections mandated under this bill, pipeline inspection equipment and the personnel needed to man them should increase at a rapid pace.

This will in turn lead to even better inspections and less accidents like we saw in Washington State and New Mexico.

It is rare that I do this as the chairman of two committees over the period of the last 8 years, but I would like to acknowledge at this time the work that has been mentioned by other Members that have spoken, the work of the staff. This has been a long, trying period of time. I want to compliment the staff on the minority side but I also, because I pay their bills, would like to compliment Graham Hill, especially, for his work and his outstanding dedication and perseverance; Levon Boyagian, who has been with me now as the counsel for the Committee on Transportation and Infrastructure; Mike Henry from the Committee on Transportation and Infrastructure; Frank Mulvey; David Heynsmeld; Ward McCarragher; and, of course, Liz Megginson, who is my chief counsel.

I rarely do this because I know they are doing what they love to do, but this has been a very complex issue; it takes a lot of work, a lot of discussion, some of which I do not have the patience for, and I will be the first one to admit that; but we worked together as a group collectively and fought out the battles.

I can truthfully say I believe that this piece of legislation is a great step forward to accomplish what I am seeking to do and have the safest pipelines in the United States. Twenty-two million miles of pipeline exist in the United States. This will be the first time where we know they will be inspected in a period of time, they will be repaired under the system of this bill and we will not have the accidents, hopefully, that have been happening in the past, and we will be able to deliver that product to the homes that they so badly need to live their lives.

Mr. Speaker, I thank the staff for the work they have done on both sides of the aisle.

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

Mr. OBERSTAR. Mr. Speaker, the chairman’s patience is legendary.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HALL).

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these facilities are as safe and secure as they can be—and so soon as they can be.

Section 9 of the bill brings the considerable capabilities of the Department of Energy (DOE) and its National Laboratories and the National Institute of Standards and Technology (NIST) to bear in a much more prominent way to provide solutions to the safety and security needs of the nation’s pipelines. It provides considerable flexibility to the participating agencies, the Department of Transportation, DOE and NIST, to develop a research plan—one that will be reviewed by a Technical Advisory Committee to ensure that the work being done is relevant and appropriate.

The result will be a much stronger focus on the development of technologies necessary to make the pipeline infrastructure of this country more safe and secure.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

I urge all Members to vote for this bill. For the committee, we expect to have a vote on this legislation probably later this afternoon. I urge all Members to vote for the passage of this legislation.

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

Mr. PETRI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. LARSEN), whose district was tragically the site of a pipeline tragedy.

Mr. LARSEN of Washington. Mr. Speaker, I rise in support of H.R. 3609. I have a full statement, but I just want to make a quick note about what happened 3 years ago on June 10, 1999, in Bellingham, Washington, and remember why we are here today, to remember 10-year-old Wade King, 10-year-old Stephen Tsirovas, and 18-year-old Liam Wood, who were killed when nearly 300,000 gallons of gasoline from a nearby pipeline rupture ignited, sending a fireball roaring down Whatcom Creek, and a plume of smoke thousands of feet into the sky. Over 1100 days later, the House of Representatives is on the verge of finally passing pipeline safety legislation to respond to this tragedy.

Since I came to this chamber, I have worked to ensure that the work of tragedy my constituents suffered never happens again by laboring to see that meaningful pipeline safety legislation passes the House of Representatives. Our friends in the Senate have acted three times. It is now time for us to act.

The bill before us is a strong pipeline safety bill. It strengthens pipeline safety by ensuring operators enhance training and evaluation of pipeline employees, requires pipeline inspection programs be adopted and enacted every 10 years, with follow-up inspections every seven years, strengthens the oversight role of state governments and citizens, and mandates substantially increased civil penalties.

With that said, I think it important to point out that the bill is missing critical community-right-to-know provisions that are vital if we truly intend to improve the safety of the pipelines that weave in and out of our communities. If we do not direct pipeline operators to maintain continuous liaison with emergency responders and have available maps of their pipelines to municipalities, we are not doing all we can to ensure that another tragedy like that in Bellingham or Carlsbad, New Mexico never happens again. As this process moves forward into a Conference Committee, I urge my colleagues to vote in favor of this bill.

Mr. Speaker, I rise in support of the bill before us and urge my colleagues to vote in favor of this worthwhile legislation. I would like to take a minute to commend the leadership of the Committee on Transportation and Infrastructure and of the Committee on Energy and Commerce for reaching an agreement, particularly the gentleman from Alaska (Mr. YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Louisiana (Mr. TAUZIN), and the gentleman from Michigan (Mr. DINGELL).

The result will be a much stronger focus on the development of technologies necessary to make the pipeline infrastructure of this country more safe and secure.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 3609. I am pleased to be here to mark an important event. We are on the verge of moving forward with pipeline safety legislation that will enhance the real safety of our Nation’s pipelines. I want to commend the distinguished gentleman from Louisiana (Mr. TAUZIN), our chairman, and also the distinguished gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Transportation and Infrastructure, and my distinguished friend, the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure, for making this possible.

Mr. Speaker, there is a mounting body of evidence that our system of pipeline safety regulation is wholly inadequate. As of now, the Congress has
failed to move on meaningful reforms. We do so in this legislation.

I want to, again, commend my colleagues for the work, efforts and leadership which they have given, and also, again, the gentleman from Louisiana (Mr. BARTON) for having worked with us to develop this legislation.

The legislation we are considering today is comprised of the unanimously approved Committee on Energy and Commerce bill. Its important and valuable additions drawn from the Committee on Transportation and Infrastructure product.

As a result of good faith working together, we have presented the House with a bill which deserves the support of all of my colleagues and which will contribute significantly to the protection of the environment and the protection of the American public.

I want to commend our good friend, the gentleman from Virginia (Mr. BOURCHIER), the ranking member of the subcommittee, for his efforts on the technical assistance grants and hazardous pipeline enforcement provisions. The gentleman from Texas (Mr. HALL) and the gentleman from Pennsylvania (Mr. DOYLE) again deserve significant recognition for their fine efforts on the research provisions which largely reflect the legislation of the gentleman from Texas (Mr. HALL) that was reported overwhelmingly by the Committee on Science.

I also want to thank the gentleman from Massachusetts (Mr. MARKNEY) for his work and cooperation on the provisions relating to the National Transportation Safety Board and the security of liquefied natural gas and other pipeline facilities.

Finally, I express my appreciation to those in the environmental community and in organized labor who have worked with me for so many years on these matters. They, along with industry stakeholders who have chosen to play a constructive role in this process, deserve great credit. They all deserve to be thanked.

Mr. Speaker, I urge the swift and speedy adoption of this legislation.

Mr. Speaker, I rise in strong support of H.R. 3609. I am truly pleased to be here to mark a very important event: for the first time in a decade, we are on the verge of moving forward on pipeline safety legislation that would actually enhance the safety of our nation’s pipelines. I want to commend Chairman TAURIZIN, along with Chairman STEWART and Ranking Member OBERSTAR for making this possible.

There is a mounting body of evidence that our system of pipeline safety regulation is wholly inadequate. Unfortunately, until now, Congress has failed to move on any meaningful reforms. During the last Congress, the House considered legislation that was more about public relations than public safety. Because that legislation did little more than restate existing law and provide cover for maintaining the status quo, Mr. OBERSTAR and I—along with many of our colleagues—successfully opposed enactment of that legislation.

Things, however, were very different this year in our Committee, and Chairman TAURIZIN and BARTON deserve the thanks of this body for working as partners with us to develop legislation that moves the ball forward on protecting the public and the environment from the dangers of oil pipelines. The Energy and Commerce Committee bill was supported by all stakeholders—including the gas pipeline industry, the oil pipeline industry, labor, and the environmental community.

The legislation we are considering today is comprised of the unanimously approved—Energy and Commerce—very important and useful additions drawn from the Transportation and Infrastructure Committee product. It is the result of a good faith, sincere effort to do what is doable for the sake of safety, rather than hold out for everything that every stakeholder ever wanted. I know it is not a perfect product, but I believe that the effort has been successful.

I commend Members who have worked with us to address specific matters in the bill. These include Chairman TAURIZIN and Representative JONES and Representative PALLONE—for their work on the provision to establish a national 3-digit, one-call number. I also want to commend Ranking Member BOURCHIER for his efforts on the technical assistance grants and hazardous pipeline enforcement provisions. Mr. DOYLE and Mr. HALL deserve recognition for their efforts on the research provisions that largely reflect Mr. HALL’s legislation that was reported overwhelmingly by the Committee on Science. I also want to specifically thank Representative MARKNEY for his work and cooperation on the provisions relating to the National Transportation Safety Board and the security of liquefied natural gas and other pipeline facilities.

Finally, I express my appreciation to those in the environmental community and organized labor who have worked with me over the years on these matters. They, along with the industry stakeholders who have chosen to play a constructive role in this process, deserve great credit. They all deserve to be thanked.

Mr. Speaker, I urge the swift and speedy adoption of the amendment in the nature of a substitute and passage of the bill.

Mr. YOUNG of Alaska. Mr. Speaker, I reserve my time.

Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oklahoma (Mr. CARSON), Mr. CARSON of Oklahoma.

Mr. Speaker, I rise today to express my support for this compromise version of H.R. 3609, which improves pipeline safety. I am an original cosponsor of this legislation, which has undergone significant changes since it was first introduced.

This legislation importantly accomplishes a number of goals. It establishes a national pipeline emergency management system, it establishes a national pipeline safety board, and it establishes an improved pipeline safety regulatory system. It only contains provisions that are directly related to pipeline safety. It ensures that the Office of Pipeline Safety has the resources necessary to implement the provisions of this legislation. It requires that the Office of Pipeline Safety, the city submitted testimony expressing its concern about current Federal statutes that restrict municipalities in protecting their citizens from pipeline dangers. It is essential that the Office of Pipeline Safety and other Federal agencies give thorough consideration to the issues faced by those exposed to hazardous pipelines. Hopefully, that will be accomplished by the markup of the bill.

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

Madam Speaker, I wish to express my great appreciation for the cooperation of all the Members on the Democratic side of the Committee on Transportation and Infrastructure. We have had many, many meetings and discussions to iron out differences, to reach agreements, to reach consensus on matters, the compromise that we have offered to the majority in our committee. In particular, the gentleman from New Jersey (Mr. PASCRELL) has been an absolute champion on pipeline safety; the gentleman from Washington (Mr. LABSON), who has been a vigorous advocate stemming from the tragedies that resulted in his own district; the gentleman from Oklahoma (Mr. CARSON), who, likewise, has been a vigorous advocate and a staunch supporter of the pipeline act and many others on our committee who have contributed long hours in the discussion and debate internally.
But especially my appreciation goes to the chairman of our committee, whose patience, as I said a moment ago, is legendary. Sometimes that fuse is maybe a quarter of an inch long, but he is always willing to come back again and to discuss and to revisit issues on which it seems that there is no agreement and to find common ground. We have found common ground, and I am very appreciative.

I especially am grateful to our committee staff, David Heysefeld and Frank Mulvey, who have labored intensively on drafting this legislation and Ward McCarragher, whose many, many hours combined have produced this splendid piece of legislation which we can now support.

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

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, that everybody is thanking everybody means this is a good bill, and I would suggest we especially thank again the gentleman from Michigan (Mr. DINGELL), the ranking member on the Committee on Energy and Commerce, the gentleman from Louisiana (Mr. Taupin), the gentleman from Minnesota (Mr. Oberstar) and the work he has done, the gentleman from Washington (Mr. Larson) and the gentleman from Oklahoma (Mr. Carson).

Everybody has worked together and we have got what I think is a good piece of legislation.

Mr. MARKEY. Madam Speaker, I rise in support of H.R. 3609.

I am pleased that the bill we are considering today contains a provision I authored (Section 12 of the bill) which deals with a special situation that we are facing in Everett, Massachusetts, in my Congressional District.

The Distrigas LNG facility in Everett is owned by Tractebel, a Belgian-based energy affiliate of the French conglomerate, Suez. This facility is unique in that it receives LNG tanker ships, and are located in or near densely populated urban areas, it must comply with enhanced security rules and security force testing procedures. We are focused on this class of facilities, because the adverse consequences of a security breach at a LNG facility in an urban area could be quite severe in terms of loss of life or destruction of property.

I would not that the rulemaking required under Section 12 applies only to a "waterfront liquefied natural gas plants capable of receiving liquefied natural gas tankers" that is "located in or within one mile of a densely populated urban area." The term "waterfront liquefied natural gas plant" is derived from a term that appears in the U.S. Code of Federal Regulations, and refers to an LNG plant with docks, wharves, piers, or other structures in, on, or immediately adjacent to the navigable waters of the United States or Puerto Rico and any shore area immediately adjacent to those waters to which vessels may be secured and at which LNG cargo operations may be conducted. The term "densely populated urban area" is specifically defined in the amendment as "an area with a population..."
density of more than 10,000 people per square mile.”

Section 12 therefore currently would exclude the Lake Charles, Louisiana LNG facility, the Elba Island, Georgia LNG facility, and the soon-to-be reactivated Cove Point, Maryland LNG facility from coverage, as none of those facilities are located in areas with a population area of more than 10,000 people per square mile. For example, the population density of Lake Charles (home of the CMS Trunkline Facility) is 1786 people per square mile. There is one other LNG Terminal currently operating, which is located at Elba Island, Georgia, near Savannah, Georgia (which has a population of 1759.5 people per square mile). It was reactivated in December in the Cove Point facility, in Maryland is not yet reopened, but it is located in a rural area that is even less densely populated.

Section 12 also excludes an LNG facility that is not used to dock or receive LNG tankers. We are focused narrowly on LNG terminals in this amendment since those are facilities that may receive ocean-going tankers from Middle Eastern countries like Algeria, where there may be active terrorist cells operating, or from other foreign nations, where there may not be adequate screening of ship crews or adequate systems in place to assure ship security. The section is intended to supplement the other measures undertaken to ensure the security of such LNG terminals, included those taken by the Coast Guard in addressing the security of LNG tankers and screen their crews as they enter U.S. waters and travel through U.S. harbors to their destinations. In the past, I have seen at the Everett facility that while the Coast Guard does a reasonably good job of addressing security at the water side of the plant, there simply has not been enough attention focused on what could happen on the land side, or the potential for a coordinated attack that might involve insiders. Section 12 gives the Department the tools needed to address this.

I appreciate the cooperation of the Chairman of the Energy and Commerce Committee and his staff, who have offered some helpful suggestions on how to tighten the language of the amendment, as well as the Ranking Member, who have been helpful in assuring that the amendment touched only this facility, and did not inadvertently affect other facilities where the security problems may not be as serious, or the consequences of a successful terrorist attack so potentially devastating.

I urge adoption of the legislation.

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

The SPEAKER pro tempore. (Mrs. Biggert). The question is on the motion offered by the gentleman from Alaska (Mr. Young) that the House suspend the rules and pass the bill, H.R. 3479, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. Mica) that the House suspend the rules and pass the bill, H.R. 3479, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 343, nays 87, not voting 5, as follows:

[Roll No. 327]

YEAS—343

Babcock (PA)  
Baker (TX)  
Baker (AK)  
Baker (IN)  
Baldwin  
Baldwin  
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Mr. PENCE and Mr. RILEY changed their vote from ‘yea’ to ‘nay.’

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ‘‘To expand aviation capacity.’’

A motion to reconsider was laid on the table.

Stated for: Mr. GOSS. Madam Speaker, on roll call No. 328, I was inadvertently detained.

Had I been present, I would have voted ‘yea.’

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each question on which the Chair has postponed further proceedings.

CONFERENCE REPORT ON H.R. 4775, 2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

The SPEAKER pro tempore. The pending business is the question of agreeing to the conference report on the bill, H.R. 4775, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 32, not voting 5, as follows:

![Roll No. 328 YEAS—397](image)

DISAPPROVAL OF NORMAL TRADE RELATIONS TREATMENT TO PRODUCTS OF VIETNAM

The SPEAKER pro tempore. The pending business is the question of passage of the joint resolution, H.J. Res. 101, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 91, nays 338, not voting 5, as follows:

![Roll No. 329 YEAS—91](image)
NOTICE OF INTENTION TO OFFER RESOLUTION ON QUESTION OF PRIVILEGES OF THE HOUSE

Ms. SANCHEZ. Mr. Speaker, pursuant to rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House. The text of my resolution is identical to the resolution reported by the Ethics Committee and reads as follows:

In the matter of JAMES A. TRAFICANT, Jr., resolved that pursuant to article 1, section 5, clause 2 of the United States Constitution, Representative JAMES A. TRAFICANT, Jr., be, and he hereby is, expelled from the House of Representatives.

The SPEAKER pro tempore (Mr. SIMPSON). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed. Pending that designating, the form of the resolution noticed by the gentleman from California will appear in the Record at this point.

The Chair will not, at this point, determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

LIMITATION ON DEBATE ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION IN THE COMMITTEE OF THE WHOLE OF H.R. 5120, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2003

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that a copy of the amendment to H.R. 5120, the House Resolution 488, be printed in the Record at this point.

The amendment printed in the House Report 107-585 shall be debatable for 12 additional minutes.

The amendment printed in the Congressional Record and numbered 1 shall be debatable for 30 minutes.

The amendment printed in the Congressional Record and numbered 5 shall be debatable for 20 minutes.

The amendment printed in the Congressional Record and numbered 9 and 20 each shall be debatable for 10 minutes.

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

Mr. MENENDEZ. Mr. Speaker, reserving the right to object, it is
not my intention to object but to clarify, the gentleman's proposition here, on unanimous consent, is that the 12 minutes on the Goss amendment are to be divided 6 apiece.

Mr. ISTOOK. Mr. Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Oklahoma under my reservation of objection.

Mr. ISTOOK. The gentleman's understanding is correct.

Mr. MENENDEZ. Mr. Speaker, it is my further understanding that of those 6 minutes, the Chair is going to be instructed as to how those 6 minutes are going to be divided.

Mr. ISTOOK. Mr. Speaker, if the gentleman will continue to yield, the UC request specifies divided equally between an opponent and a proponent of it. The UC request does not identify specific Members who would claim that time.

Mr. MENENDEZ. Mr. Speaker, continuing under my reservation of objection, let me ask an inquiry of the Chair. How will the Chair recognize individuals for those time frames on each side?

It is my understanding that of the 6 minutes to each side, I was to receive 3 of those 6, and I just want to make sure that that in fact take place.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield under my reservation of objection to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, it is my presumption that, as the ranking member, I would be recognized, and I would tell the gentleman that I will yield him the 3 minutes.

Mr. MENENDEZ. Reclaiming my time, Mr. Speaker, based upon that, I withdraw my reservation of objection.

The SPEAKER pro tempore. Pursuant to the unanimous consent request propounded subsequently, the Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK), for 3 minutes. The Chair recognizes the gentleman from Maryland (Mr. Hoyer) for the remainder of the time.

Mr. HOYER. Madam Chairman, as I yield under my reservation of objection, I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Speaker, I yield to the gentleman from Maryland (Mr. Hoyer).

Mr. Hoyer. Madam Chairman, I want to make clear that a unanimous consent has been propounded, which I think is a fair one, and what that does, it gives one Democrat a proponent of the Goss amendment and one Republican who is an opponent 3 minutes apiece; and on the other side, one Republican who is a proponent gets 3 minutes and one Republican who is an opponent gets 3 minutes.

Mr. HOYER. Reserving the right to object, Madam Chairman, I want to make clear that a unanimous consent has been propounded, which I think is a fair one, and what that does, it gives one Democrat a proponent of the Goss amendment and one Republican who is an opponent 3 minutes apiece; and on the other side, one Republican who is a proponent gets 3 minutes and one Republican who is an opponent gets 3 minutes.

Mr. HOYER. Madam Chairman, under my reservation of objection, I yield to the gentleman from Florida.

Mr. DIAZ-BALART. Madam Chairman, I am still trying to get an answer as to whether the proponent of the amendment has the right to close. That is the first question I would like answered. As the proponent of the amendment, do I get the right to close?

The CHAIRMAN pro tempore. The Chair will state her current understanding. The 6 minutes in opposition will be controlled by the gentleman from Florida (Mr. Diaz-Balart). The gentleman from Florida (Mr. Diaz-Balart) will have the right to close.

The Chair recognizes the gentleman from Florida (Mr. Diaz-Balart).

Mr. HOYER. Madam Chairman, as I understand, there was a unanimous consent request propounded subsequent to the first unanimous consent, and that unanimous consent was of the
gentleman from Indiana (Mr. ROEMER) suggesting that there be in effect, an amendment to the first unanimous consent and that that amendment would be that the gentleman from Florida (Mr. DIAZ-BALART) has 3 minutes and to me that the gentleman from New Jersey (Mr. MENENDEZ) has 3 minutes, that the gentleman from Indiana (Mr. ROEMER) have 3 minutes in opposition, and that the gentleman from Arizona (Mr. FLAKE) have 3 minutes in opposition.

It seems to me that we all here, I think, agree that that would be the distribution of time.

Mr. DIAZ-BALART. Madam Chairman, the Chair has stated that the opposition to the amendment has 6 minutes and the proponents of the amendment have 6 minutes, and we have the right to close.

The gentleman from Florida (Mr. DIAZ-BALART) controls 6 minutes, and is recognized.

Mr. DIAZ-BALART. Madam Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Madam Chairman, after 10 years in the House, and as the ranking Democrat on the Subcommittee on the Western Hemisphere, it is amazing on an issue that is vital to my district and my constituency how I have to fight for time on the floor, but I appreciate the gentleman yielding me this time.

President Bush came to this Chamber and said of countries who support terrorism, you are either with us or you are against us. It is amazing to me how I have heard some of my colleagues come to the floor and begin to equivocate. I remember the standing ovation the President received when he said that, about whether some terrorists are okay and others are not.

For the purposes of this amendment, let me just put Cuba under Castro in context. On May 10, 2001, Castro visited Iran and he said, “Iran and Cuba in cooperation with each other can bring America to its knees. The United States regime is very weak, and we are witnessing this weakness from up close.”

Then we found out that Ana Montes, who was a senior analyst for our Defense Intelligence Agency of the United States, was a Cuban spy. She gave us all of the wrong information and analysis on Cuba, and gave the Cubans and Castro all of the sensitive information she had as a senior analyst on the United States, and she was specifically instructed to discredit Cuban defectors’ reports of Cuba’s biological weapons development.

Then we saw the Cuban spy ring in the suburbs of Florida. These are all agents of the Castro regime, who has enough money to put all of these people here in Cuba and to have them be able to create these operations; however, does not have enough food to put on families back in Cuba, including that of my family. What did this spy ring, when they came before the judge and pleaded in some cases, say? That they sent detailed information. On what, on the United States Postal System to Cuba. What a boring issue, the United States Postal System. But we add Castro’s visit to Iran right before September and May, add the Defense Intelligence spy giving all of our sensitive information and giving us information about Cuba, look at the pleas that took place in the Southern District of Florida and the statements made there, and we have more than enough to be concerned about this benign regime that some would put on the floor.

Vote for the Goss amendment for a whole host of reasons.

Mr. ROEMER. Mr. Chairman, I yield 20 seconds to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, the Goss amendment means that we continue what has not worked for the last 41 years.

One of the certifications that the President has to make is that Cuba is not providing technology that could be used to produce, develop, or deliver biological weapons, and the President could not even make this certification for the United States.

Mr. ROEMER. Mr. Chairman, I yield myself 2 minutes, 40 seconds.

Mr. Chairman, this whole debate started several months ago when the Under Secretary of State said, “The United States believes that Cuba has at least a limited offensive biological warfare research and development effort.”

Now, one of the first people I would go to if I heard that kind of accusation about a country 90 miles from our shore would be the Secretary of Defense, Mr. Rumsfeld, a very respected individual. At a press conference he said this on May 20 in the St. Petersburg Times about that statement in the State Department. Mr. Rumsfeld didn’t see the intelligence that apparently led Under Secretary Bolton to make those remarks.

If the Secretary of Defense, fighting a war against terrorism, saying you are with us or against us, does not have that, where does it come from? The Secretary of State said when he heard that quote, and here is another quote, “We did not say Cuba actually had such weapons, but it has the capability and capacity to conduct some research.”

Mr. Chairman, let us talk about the facts here. The facts are that Cuba and Mr. Castro, who I have no respect for and want to see out of power, he has been in power for 42 years. What is the best way to get rid of him? The best way is to have American travel go, and students and business leaders and American ideas get to Cuba. Those are the beliefs of the free enterprise system, students from colleges, farmers to help the Cubans open up their newly announced 300 freely priced farmers’ markets, new microenterprises open around Cuba, that is the way to open up that government and change it.

Now it may not topple Castro, but 42 years of failed policy is not going to do it, either. Let us try something new. Let us move our ideas forward. Let us not let Castro stay in power any longer. Church groups, students, American beliefs, American tourists going into taxicabs and hotels, spending our time and our ideas down there, that is the American tradition to change this policy. Vote against the Goss amendment and for the Flake amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. FLAKE), since the gentleman from Florida (Mr. DIAZ-BALART) has the right to close.

Mr. FLAKE. Mr. Chairman, I rise in strong opposition to the Goss amendment. This debate is all about consistency, and it is interesting that we have been debating for the past 60 minutes who gets to vote at what time and for what position. If we think about it, the other side of this debate has had 42 years to make this debate, to make their side of the debate. Forty-two years. Forty-two years we have had the same failed policy. Castro is still every bit the thug he was 42 years ago. He is still very much in power, and the question occurs after 42 years, it is about time that we decide maybe we need a change here. Maybe we ought to be consistent with what we are doing in the rest of the world.

We not only allow, we encourage tourists and others to travel to China, even though China is very much engaged in shipping arms, and who knows, maybe biological weapons. They certainly have the capacity. If Cuba does, they do. So does Albania, for that matter. Iran very much has the capacity. If we believe the other side, they got it from Cuba. Are we saying that we should not travel to Iran? No. We are saying Americans are our best ambassadors all over the world, yet we say not to Cuba. It is time for that policy to change.

The other side will say this is all about terrorism. Last year 240 Members of this body said we need a change. We need a change. At that point the other side stood up and said it is about political prisoners. That was the killer amendment to the Flake amendment last year. Terrorism was not the chic theme. This was about political prisoners. That was brought up and said, well, Castro has to release political prisoners. This year, is political
prisoners in the Goss amendment? No. It is terrorism.

Are they saying we should allow tourism just as long as there is no ter-
rorism, even though Castro has not re-

leased political prisoners? No. This is simply a killer amendment; let us take it for what it is.

If we are concerned about terrorism, I would submit that the best thing to
do is defeat the Goss amendment and approve the Flake amendment. We
have to realize that the Office of For-
eign Assets Control at the Treasury
Department spends between 10 and 20
percent of its resources tracking down
grandmothers from Iowa who happen
to go on a bicycling trip to Cuba.

Last year a man from the State of
Washington went to Cuba for 24 hours
to spread his parents' ashes at the
city church they built in the 1950s. That
man returned to a $7,500 fine from the
Office of Foreign Assets Control. Now
the Office of Foreign Assets Control's
job is to shut down the international ter-
rorist network. How can they do
that if they are spending all of their
time chasing down tourists or others
who are going to Cuba for innocent rea-
sons? It is time to defeat the Goss amend-
ment.

Mr. DÍAZ-BALART. Mr. Chairman, I
yield myself 3 minutes.

Mr. Chairman, what is new is that
some hijackers smashed into the World
Trade Center killing thousands of peo-
ples and killed some heroes also in the
nations? It is time to defeat the Goss
amendment.

Mr. DÍAZ-BALART. Mr. Chairman, I
yield myself 3 minutes.

Mr. Chairman, what is new is that
some hijackers smashed into the World
Trade Center killing thousands of peo-
ples and killed some heroes also in the
Pentagon. What is new is that the ad-
ministration has made public for the
first time something that the intel-
lence community came to the conclu-
sion about in 1999, and that is there is
a biological weapons program in Cas-
tro's Cuba. That is what is new.

It is not a fetish, I think that is word
of the gentleman from Arizona (Mr.
FLAKE), or fad, when we are talking about
protesting American citizens. If
the Flake amendment passes without the
Goss amendment, it is not going to
be a SCUD missile. Let us say that Cas-
tro happens to be wrong and that his
denial of the fact that he has biological
weapons is a lie, like he denied 40 years
ago that he had another kind of weap-
on. I think it was a nuclear weapon, he
was denying that. Happened to be
wrong.

Mr. Chairman, what is new is that
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weapons is a lie, like he denied 40 years
ago that he had another kind of weap-
on. I think it was a nuclear weapon, he
was denying that. Happened to be
wrong.

Let us say that the Castro does have bi-
ological weapons. Let us just say. It is
not a fad now. Let us just say. He is
not going to use Scud missiles. He has
got a lot of travelers going back and
forth. This guy, this gentleman here,
who happens to be in prison, his name
is Padilla, because he was preparing a
dirty bomb that he wanted to throw
here in Washington, and let us say that
he is able to get out of prison and he
wants to go where there are already
terrorists. They can be sent safe
harbor by the only terrorist regime in
this hemisphere. Under the Flake
amendment if Goss does not pass and the
President is out of the picture, this
man, or any other man, cannot be li-
censed. Or convicted or reviewed, suits cannot be opened; he gets to go to the only terrorist state
90 miles from here without our Treas-
ury Department, where we are spend-
ing 40 percent of the money of the Fed-
eral Government for security on this
bill. Not one cent be spent to check
him or any other terrorist that wants
to go to the only terrorist state in this
hemisphere. That is what the Flake
amendment would do if Goss does not
pass.

What does Goss say? That the Presi-
dent has to be in the mix, that the
President has the authority, has to
have the authority in this war on ter-
orism to check this man and to check
his suitcase and to license him.

It is not illegal to go to Cuba. A num-
ber of colleagues went to Cuba. Here
is the gentleman from Massachusetts
(Mr. McGovern). Here is the gentleman
from Arizona (Mr. FLAKE). They love
to go to Cuba. They love the mojitos on
the beach that the Cubans came to go.

But this man, this man, this man—
Mr. OBEY. Mr. Chairman, I demand
that the gentleman's words be taken
down.

Mr. DÍAZ-BALART. You know it is
true. You know it is true.

Mr. OBEY. I want the rules enforced.

The CHAIRMAN. The gentleman
from Florida will be seated.

The Clerk will report the words.

1901

The CHAIRMAN. The Chair recog-
nizes the gentleman from Florida (Mr.
DÍAZ-BALART).

Mr. DÍAZ-BALART. Mr. Chairman, I
understand I was not out of order. I
certainly meant no offense.

Mr. OBEY. Mr. Chairman, it is not
worth it.

The CHAIRMAN. The gentleman
withdraws his demand.

Mr. GILMAN. Mr. Chairman, in recent years
there has been a growing body of second-
guessing about the adequacy of the policies of the
United States toward Cuba.

Mr. Chairman, it is my opinion that this is
not a fad now. Let us just say. He is
not going to use Scud missiles. He has
got a lot of travelers going back and

The Cuban government is sensitive to its
citizens contacting foreigners, in particular
human-rights activists. During President
Carter visit, Castro put up a show for the
benefit of foreign audiences. Allow Mr. Carter
to meet with a number of prominent human-
rights activists. However, as soon as the former Presi-
dent left the Island, the Cuban regime put in
motion a massive effort to neutralize the
ephemeral achievement of the activists.

President Castro is trying to confirm the
Cuban commitment, so that the authoritarian system will become forever entrenched not
only de facto, but also in the law.

Mr. Chairman, it is my opinion that this is
certainly not the time to soften American poli-
cies towards Cuba. Indeed, a policy of accom-
mmodation towards Castro will also encourage
him and other dictators. It will also discourage
fragile democracies that happen to be bur-
dened by economic downturns, or political up-
heavals.

Peoples and governments around the world
are watching our policies towards Cuba as a
bench mark to our commitment to the spread of
democracy. Let's not discourage those
seeking freedom on the Cuban island and in
other places. Let's stay fast and send the
message that a long as there is no hope for
freedoms to the people of Cuba by its present re-

The question is on the amendment
offered by the gentleman from Florida (Mr.
Goss).

The question was taken; and the
Chairman announced that the ayes ap-
ppeared to have it.

Mr. FLAKE. Mr. Chairman, I demand
a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of
rule XVIII, further proceedings on the amendment
offered by the gentleman from Florida (Mr. Goss)
will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an
amendment.

The CHAIRMAN. The Clerk will desig-
nate the amendment.

The text of the amendment is as fol-
ows:

Amendment No. 1 offered by Mr. FLAKE:

At the end of the bill, insert after the last
section (preceding the short title) the fol-
lowing new section:

Sec. . (a) None of the funds made avail-
able in this Act may be sued to administer or
enforce part 515 of title 31, Code of Federal
Regulations (the Cuban Assets Control Regu-
lations) with respect to any travel or travel-
related transaction.

(b) The limitation established in sub-
section (a) shall not apply to the issuance of
general or specific licenses for travel or trav-
el-related transactions, and shall not apply
to transactions in relation to any business
travel covered by section 515.568(g) of such
part 515.

The CHAIRMAN. Pursuant to the
order of the House of today, the gen-
tleman from Arizona (Mr. FLAKE) and a
Member opposed each will control 15
minutes.

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

Mr. FLAKE. Mr. Chairman, I yield
myself such time as I may consume.
Mr. Chairman, may I just state for the record for the folks at home, I am Mormon and I do not drink mojitos, or whatever they are.

Mr. Chairman, I appreciate this opportunity to stand in support of the Flake amendment. What the Flake amendment simply says is that this is all about freedom. Our government should not tell us where we can and cannot travel. It is a fundamental right of every American to travel. Every one of us ought to have the right to go to Cuba to see what a mess Fidel Castro has made of that island. We should have that right firsthand.

That is what this amendment is all about. When you strip away everything else, should you be allowed the right to travel to Cuba, or anywhere else you want, or should your government tell you where you can and cannot travel? Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the greatest antidote to totalitarianism is an informed mind. I would like to read a quick passage from a commencement speech by a renowned journalist, Oscar Espinosa Chepe. "The passage of the House amendment last year to end the travel ban reflects a public opinion that every day understands more clearly that the effort to isolate Cuba has failed. The suffering of the Cuban people and strengthened the positions of the most recalcitrant elements in the Havana regime. Experience demonstrates that isolationism breathes life into totalitarianism. It helps it exercise control over citizens, subjected to its power, and reinforce its monopoly over their minds. On the other hand, contact between peoples free individuals from falsehoods and from the lies without dignity, to which they are obliged to lead."

Mr. Chairman, it has been the American policy from Republican presidents and Democrat presidents that we engage; it has been in the American policy that we engage the Soviet Union, that we engage China, that we just a few minutes ago, voted to engage Vietnam.

We should do the same with Cuba. The simple reason is that it has been a bedrock of American policy that travel is a device that opens closed societies. American travelers are our best ambassadors. They carry the idea of freedom to people from communist countries. There is no reason to make this exception for Cuba.

We want America only to go down and exchange ideas, to show them the taste of freedom, to know what kind of brutal totalitarian regime they are living under. A people cannot rise up and ask for dignity to which they are obliged to lead.

Mr. Chairman, the Flake amendment from Florida (Ms. ROS-LEHTINEN) is recognized for 15 minutes. Ms. ROS-LEHTINEN. Mr. Chairman, I yield the time in opposition.

The CHAIRMAN. The gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 15 minutes.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 3 minutes to our friend, the gentleman from Tennessee (Mr. WAMP), to speak in opposition to the Flake amendment, an amendment which runs contrary to the spirit and letter of our U.S. anti-terrorism policy.

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

Mr. Chairman, I want to say I have the greatest respect for the gentleman from Arizona. He is as solid as a rock and totally believes in his position here. In previous years, I have actually supported him and Mr. Sanford before him on opening up travel. I supported the gentleman from Washington (Mr. NETHERCUTT) at the Committee on Appropriations with regard to food and medicine.

But I have to tell you, the question was asked earlier what has changed, and I rarely have changed my position on any issue over the last 8 years, but today I have changed my position on this issue after careful research because the world has changed. It changed September 11, and we have to listen to our intelligence community and make informed decisions.

Why should we be concerned? Well, the President has said those nations that harbor terrorists are terrorists and should be treated as such. A gentleman just compared China, Vietnam or other countries such as that, to Cuba. That is as close as a rock and totally believes in his position on this issue after careful research because the world has changed. It changed September 11, and we have to listen to our intelligence community and make informed decisions.

What about the proliferation, production of biological weapons? We have information in our intelligence community that Cuba is up to no good.

Somebody said that we should try something new after 42 years. Mr. Chairman, this is not the time to try something new after 42 years.

The CHAIRMAN. Does any Member recognize for 15 minutes?

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

Mr. Chairman, the point bears repeating that we are talking about having a foreign policy that makes sense and has made sense in the past and will make sense in the future. We have disagreed and continue to disagree very vigorously, yet we have said Americans can travel there. We have disagreed with Syria very vigorously, and we have said Americans can travel there. We have disagreed with Iran and their support of terrorist groups, but we have said Americans can travel there. We have had problems with China and Russia and their support through equipment and materials to countries we think should not get those materials because of the weapons systems they might be using. But we say, Americans can travel to China; Americans, you can travel to Russia.

Mr. Ryan. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. SNYDER).

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

Mr. Chairman, I just want to point out, it was said you cannot travel to Syria. You can travel to Syria. You can travel to Iran. You can travel to North Korea. You can travel to China. So that is not the issue. The issue is consistency here.

Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN).

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

Mr. Chairman, the point bears repeating that we are talking about having a foreign policy that makes sense and has made sense in the past and will make sense in the future. We have disagreed with Syria very vigorously, yet we have said Americans can travel there. We have disagreed with Iran and their support of terrorist groups, but we have said Americans can travel there. We have had problems with China and Russia and their support through equipment and materials to countries we think should not get those materials because of the weapons systems they might be using. But we say, Americans can travel to China; Americans, you can travel to Russia.

The one country that we have this policy with is Cuba. So we are now seeing this bogeyman created, that somehow September 11 is related to the last 43 years of a failed policy.

Well, in my view, what this debate should be about tonight is what increases the chances of the people of Cuba growing up in freedom and growing up in democracy and knowing a market economy. I was in Cuba the first week of January with several members of Congress. I took this picture at a church in Cuba. It is the same town where Elian Gonzalez now lives.

To me, this is the future of Cuba. What increases their opportunity to grow up in freedom? Is their opportunity for freedom increased by having Americans never see them, by having Americans never come to their church, to visit with them and talk about America? Is that what we want their chances of freedom, of knowing what freedom is about, of hearing them talk, as we did, with people in Cuba about...
I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

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

I think in so many ways this debate is about our government versus their government, and our government is about democracy. It is about a republic. Their government is about really one guy basically, Fidel Castro.

What is wrong with him? Well, let us just start with the fact that he came into power by hoodwinking people, by stealing hotels, properties, and in many cases, breaking up families and executing many of them. He is pro-communism, he is anti-American, and the other thing is he is bankrupt.

In Cuba right now, their debt is $11 billion. Venezuela, one of their strongest oil suppliers, suspended oil shipments based on the fact that Cuba owes them $63 million. Right now, Cuba owes Russia $20 billion. Now, when you get in a position like this and you are not exactly a Sunday school teacher from next door, you are liable to cut some deals with some unsatisfactory characters.

That is what this is about. This is not about your good constituents or my good constituents going to Cuba. Indeed, last year alone 156,000 Americans went to Cuba. This is about people that you want to keep track on that might be going over there to hide, just like an old outlaw post.

Here is a quote from Castro that gives his sentiments. This, by the way, is from May 10, 2001, just on the eve of 9/11. “Iran and Cuba, in cooperation with each other, can bring America to its knees. The U.S. regime is very weak and we are witnessing this weakness from close-up.”

Why would you say that if you are pro-American? What interest that would be pro-American that would say you would bring America to its knees? That is a statement of war. It is a statement of antagonism.

Let me state the statements. Here is something from John Bolton, the Under Secretary for Arms Control. “Cuba has at least a limited offensive biological warfare research and development effort. Cuba has provided dual-use biotechnology to other rogue States like Iran, probably Iraq, probably Syria, probably a dozen others that we do not know about. We are concerned that such technology could support bioweapons programs in those States.”

So you have got a guy who is a one-man dictatorship, a guy who is bankrupt, a guy who is anti-American, and the Bush administration said they will veto this bill, or at least they are likely to, and I will give the specific language in a second, but that they are likely to veto this appropriations bill if the language comes through that limits their ability to probably freeze the embargo.

A statement from the administration said that the administration understands that an amendment may be offered on the House floor that would weaken current sanctions against the Cuban government. The administration believes it is vital to maintain these sanctions.

The function of the travel sanctions is to prevent unlicensed travel to Cuba that provides economic resources to the Castro regime, while doing nothing to help the Cuban people, and these sanctions should not be removed. It goes on to say, as noted in the July 11 letter from Secretaries Powell and O’Neill, the President’s senior advisor recommended he veto a bill that contains such changes.

This bill, the Treasury-Postal bill is, for 2003, a homeland security bill. The committee provides over $4 billion in support of the homeland security effort. It establishes a separate appropriation for the Office of Homeland Security. This bill is our bill for homeland security. The President and the administration make the point that this weakens the bill. Cuba is a known harbinger of international terrorists, and has strong ties to other terrorist states.

Castro said in a meeting last year with the Iranian leader that Iran and Cuba, in cooperation with each other, can destroy America. Quote: “The United States regime is very weak and we are witnessing this weakness from close up,” end the Castro quote there.

Ending the embargo would assist terrorists in using Cuba as a forward operating base miles off our shore. According to the secretary of state and Secretary of the Treasury O’Neill in a recent letter to the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), they said that the Cuban government has refused to cooperate with the global coalition’s efforts to combat terrorism, refusing to provide information about al Qaeda. On November 13, 2002, the Cuban Foreign Minister delivered a speech at the United Nations in which he accused the United States of war atrocities in Afghanistan. And on June 8, Castro compared President Bush’s terrorism policies to Nazi Germany’s efforts to assert world hegemony, suggesting that the administration permitted the 9/11 attacks in order to “reshape the world as they wish.”

This is not a regime to send money to. This is not a regime to open the sanctions up with. It is clear at this time where our administration thinks we need to be in this regard. This is not a time to reevaluate this policy, and I urge that we defeat the amendment.

Mr. FLAKE. Mr. Chairman, I yield myself 15 seconds.
Mr. Chairman, I would like to point out that Secretary O’Neill, in testimony before the Senate just a few months ago, stated that if it were up to him, he would basically agree to my amendment. He would not enforce the travel ban because it takes away money from terrorism.

Mr. FLAKE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Chairman, I rise in strong support of the Flake amendment. I had the opportunity on two occasions to visit Cuba, and I went there out of curiosity to see what many of my constituents have come to tell me, and that is that there are some opportunities there, cultural exchange, educational opportunities.

When I came back from my first trip, I noticed that on the plane coming back, there were 20 students from Mt. San Antonio College that were playing in athletic games with students in Cuba. How did they get there? What was their curiosity? What did you think about the Cuban government? What did you think about the people there? Many of them said that they were very supportive and felt that they were a part of a group that could actually break down those barriers that we hear about every single day here by some of the rhetoric that we are even hearing here tonight. I meet with students, medical students from California, from Boston, from New York, who are there because they cannot get into medical schools here, who are learning about how to become professionals in the health care field. That is one of the reasons why I went.

Trade promotion also needs to be a part of this discussion.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

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

There is a dark side to Cuba travel as well. Some of my colleagues think the travel is a panacea if we just have unfettered travel, somehow human rights abuses will be ameliorated and we will see some changes. That has not happened with the Canadians, with Europeans and others who routinely go to Cuba. There has been no mitigation of the human rights abuse. It has gotten worse in Cuba over this last several years. It is Pollyannaish, I would say to my colleagues who think otherwise.

There is also another dark side. The Protection Project just recently came out with a report that I think is very interesting, and after he was awarded these pins, the colonel stunned everybody in the room by saying, you know, let me say something.

The best way to topple communism is in the bedroom. I quote, in today’s interesting article, and after he was awarded these pins, the colonel stunned everybody in the room by saying, you know, let me say something.

The best way to topple communism is in the bedroom. I quote, in today’s interesting article, and after he was awarded these pins, the colonel stunned everybody in the room by saying, you know, let me say something.

There is a dark side to this seeming panacea of travel. Let me also point out to my colleagues that Cuba continues to share a terrorist state by the Department of State. They join the infamous and the cruel, six other rogue nations: Iran, Iraq, Libya, North Korea, Sudan and Syria.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

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

The starting point for this debate this evening should be that Americans have a constitutional right to travel, and history shows us that the Framers of the Constitution and the signers to the Declaration of Independence thought it was an inalienable right and one that came from natural law and that governments were given a duty to protect.

I have heard three arguments from the opponents of lifting this travel ban. The first is that because we disagree with the policies of Castro that we should prevent our citizens from traveling to Cuba; yet, if we look across the globe, there are many, many regimes that we disagree with on policy reasons: China, for one, Iran for another; but on a daily basis, our citizens are allowed to travel there. So that is not one that holds up.

Secondly, we have heard that history precludes it, as in the Bay of Pigs. I had heard that referred to earlier. Well, we just debated earlier this evening a bill that would establish trade with Vietnam, our citizens are allowed to go there. And what about Vietnam? We lost 40,000 American boys in a war with that country, and yet we allow our citizens to go there. So it is not history that precludes it.

Lastly, probably the thinnest argument is that argument around terrorism. I just want to remind people that when we rounded up the Taliban, when Secretary of Defense Rumsfeld rounded up the al Qaeda suspects in Afghanistan at the Battle of Kandahar, where did they send them? They sent them to Guantanamo Bay in Cuba. If there is any counterterrorism, we should be pressing our POW in Vietnam, who traveled down to Miami this week to have a press conference where he was awarded with some medals for his bravery, which he truly deserved, but it was also to point a finger, if you will, at the person that he suspected of being the Cuban interrogator and torturer in Vietnam.
Mr. FLAKE. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. NETHERCUTT).

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

As I've listened to this debate tonight, I think it has been a good debate. What strikes me about the argument of the opponents to the Flake amendment is that there seems to be this fear of Fidel Castro, a tiny dictator in a country 90 miles from us who is, by all accounts, I would argue to my colleagues, not a threat to this country. Even in the days of the gravest threat when the Soviet Union was at its greatest power, we still allowed our American citizens to travel there. We allow families of Cubans who are still in Cuba to travel there, 90 miles off our shore, once a year. We allow Cuban families to give money to their relatives in Cuba.

The Pope has gone to Cuba. Many Americans under certain restrictions have gone to Cuba. My suggestion to my colleagues is why are we afraid to allow American tourists there and strengthen democracy, to make the arguments and be examples to the people of that country, 11 million people that we are a good country, that we are not a country that Fidel Castro says we are, but when he visits he gets to somehow fall into that trap. I urge support of the Flake amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield myself the remainder of my time.

Just to answer the points made by my good friend, the gentleman from Washington (Mr. NETHERCUTT), if Castro poses no threat to the United States, I would like the gentleman to place a call to the parents of Carlos Costa, Armando Alejandre, Mario de la Puente, the Costa Morales, and other young men, three of whom were United States citizens, one of whom was a United States resident, one was a decorated Vietnam veteran, who were killed by Fidel Castro's air force when they were in international air space. Apparently he poses a threat to some United States citizens.

The gentleman is right. The Pope did go to Cuba. Jimmy Carter did go to Cuba. And what happened? The greatest crackdown, on dissidents yet after Jimmy Carter's visit and every international human rights organization will tell you, the greatest crackdown in Cuban history since Castro took power after the visit of the Pope, after the visit of Jimmy Carter and after the visit of 500,000 American tourists to the island of Cuba.

And as repeatedly articulated by President Bush, one of the pillars of our efforts to eradicate this cancer of global terrorism, and to secure the security of the American people from the tranquility our country is to deny, impair, and expose the financial infrastructure which provides a lifeline to these agents of terror, agents like Fidel Castro. To deny, impair and expose. That is precisely what our current U.S.-Cuba policy does.

Why are we discussing an amendment that would instead provide funds to the Castro dictatorship, by which every recent administration, Democrat or Republican, has repeatedly labeled as a state sponsor of terrorism. As has been pointed out on the floor, Paul O'Neill, Secretary of the Treasury, Colin Powell, Secretary of the State recently stated that this country has an implacable hostility to the United States.

I would point my colleagues to a news report that just came out hours ago in a meeting between Iraq's Saddam Hussein and Rodrigo Alvarez Cambrass, special envoy of Cuban dictator Fidel Castro. Cambrass emphasized the Castro regime's "support for Iraq against the threats from the United States." And he reiterated their firm commitment of both these terrorist states to expand their bilateral cooperation, two sworn enemies of the United States working together motivated by their hatred of our country.

I ask my colleagues tonight to help the American people, to support our U.S. anti-terrorism efforts, to vote "no" on the Flake amendment, vote "yes" on the Goss amendment.

Mr. Chairman, I yield the remainder of my time to the gentleman from California (Mr. Cunningham).

Mr. CUNNINGHAM. Mr. Chairman, I tell my colleague, a POW was mentioned by the gentlewoman from Missouri. There was a POW that cannot say that. He spit in the face of one of the Cuban interrogators while he was being tortured. The Cuban took out his pistol and blew his brains out.

I go to the POW meetings every single year, and I will tell my colleagues that is not, that is not their policy, to open up Cuba.

Mr. FLAKE. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I appreciate the debate. And let me say, both sides of this debate want the same thing. We want a free, democratic, and prosperous Cuba. The question is how do we get there? Should we go the same route that we have gone for the past 42 years that has ended in utter failure? Fidel Castro is still around. He is still a thug. He is still a big bad guy. We will all stipulate that. The question is how do we best remove him? How did we make that statement? He was Vice President Cheney.

As I mentioned before, Secretary O'Neill in testimony before the Senate just months ago said that if it were up to him he would not enforce the Cuba travel ban because he knows that if we are concerned about terrorism, then the last thing we want to do is expend resources from OFAC, the Office of Foreign Assets Control, tracking down alleged terrorists. We have recently been with our POWs, and I would urge my colleagues to remember what this is all about. The Flake amendment says that we should be free, we should be free as Americans to travel where we want to. The Goss amendment says no. Vote "yes" on the Flake amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in strong support of the proposed legislation to lift the ban prohibiting Americans from traveling to Cuba. I would like to thank my colleagues, the Gentleman from Arizona, for his leadership in regard to this amendment, and for drawing the attention of Congress to this very important issue.

Mr. Chairman, for four decades, American citizens have been unable to travel to Cuba, be it to visit family or to conduct business. As lawmakers for a democratic nation, I do not see how we can limit our own people from contact with a nation that can benefit so extensively from the influence of the strongest ambassadors of freedom in the world—American citizens. After all, what speaks more strongly for the power of democracy, than citizens who enjoy the liberties to earn income and to travel?

Mr. Chairman, free American travel to Cuba, in addition to reforming the Cuban political system, increasing rights enjoyed by Cuban citizens, and improving Cuba's economic condition, sends a powerful message of freedom. We must emphasize the value of personal freedom, as it applies to American citizens, by lifting this ban against American travel to Cuba.

Mr. FARR of California. Mr. Chairman, I rise in strong support of the Flake Amendment to end the funding of the travel ban to Cuba. I heartily agree with the American Society of Travel Agents (ASTA) which stated in a recent letter to Congress that "the right to travel is among
The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and the gentleman from California (Mr. ROHRABACHER) each will control 5 minutes.

Mr. FLAKE. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

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

Current U.S. policy prohibits Americans from sending more than $1,200 a year to family members in Cuba. Understand, again, that this applies only to Cuba. No other country has this cap. And if you dare exceed this limit, be careful, the remittance police are watching and the penalties are severe. You can get 10 years in jail and a $55,000 fine. But, the law is actually rarely enforced. There has never been, in fact, a single prosecution. But that is going to change, because one year ago this week, President Bush personally directed the Department of Treasury to expand the ability to enforce limits on remittances to the fullest extent of the law.

The White House, in other words, has made the enforcement of the Cuban remittance limits a national priority. While I oppose both the embargo and the travel ban, let me suggest that the cap on remittances is truly the cruelest aspect of our policy towards Havana.

It restricts American freedoms. It limits family charity and denies hope for tens of thousands of Cubans, and at the same time it breeds disrespect for our law because we all know that Cuban-Americans are doing the right thing and are circumventing this policy.

This policy does not punish Fidel Castro. Instead, it punishes American citizens and their relatives in Cuba. Let us be clear, none of this money comes from the United States Government. None of this money goes to the Cuban Government and Fidel Castro. It is direct aid from ordinary people who care to ordinary people who need. And it is the official policy of the United States that you should only do just so much. This policy would be silly. It is a real tarnish on the golden rule. But it is tragic. And it is un-American.

Tonight, if we support this amendment, we can end this policy, end this cruel aspect of our policy to Cuba. Mr. HOYER, Mr. Chairman, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, is the gentleman sincerely and truly and essentially that it is their money, these Americans, and they know what to do with it?

Mr. DELAHUNT. That is what I am saying.

The CHAIRMAN. The gentleman from California (Mr. ROHRABACHER) has 5 minutes in opposition to the Flake amendment. The gentleman from Arizona (Mr. FLAKE) has consumed 2½ minutes of the 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I yield myself 3 minutes.

Why does the American government continue to support a forty-year embargo of our country, which has contributed to the collapse of the economy, and has done nothing to increase personal and political freedoms?

Cubans must think: ‘If Americans only knew us—if they knew our culture, our language, our music—they would develop policies which would support exchange and abandon the failed policy of isolation.

Isn’t that what Americans think? If countries around the world opened their borders to American goods, and increased people-to-people exchanges through programs such as the Peace Corps, hostility towards our country and our people would be reduced.

American and Cubans are both right. It is only through greater openness and exchange that peoples of the world connect to each other—through personal bonds, commerce, and for mutual political benefit—and break down barriers in their own countries and across oceans.

Ending the travel ban not only follows the spirit of the Constitution, it will be economically beneficial to the United States. According to the recent Brattle Group study, opening travel with Cuba will bring $415 million annually to the air travel industry; increase U.S. economic input by $1.6 billion; and create over 23,000 jobs in the American economy.

Vote for the Flake amendment. Vote to uphold Americans’ Constitutional right to travel whenever and wherever they want. Vote for lifting the travel ban to Cuba, and tear down this wall that separates our two countries once and for all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Yeas appear to have it.
The CHAIRMAN. The gentleman’s time has expired.

Mr. ROHRABACHER. Mr. Chairman, I would ask for an additional 30 seconds based on the interruptions.

Mr. DELAHUNT. Mr. Chairman, I ask unanimous consent to give the gentleman an additional 30 seconds.

The CHAIRMAN. The gentleman will suspend.

The gentleman from California (Mr. ROHRABACHER) controls 5 minutes. The gentleman from Arizona (Mr. FLAKE) controls 5 minutes for consideration of this debate.

Mr. ROHRABACHER. Point of inquiry.

The CHAIRMAN. The gentleman will suspend.

The gentleman from Arizona (Mr. FLAKE) will have 2 seconds.

Mr. DELAHUNT. Mr. Chairman, I ask unanimous consent to give the gentleman an additional 2 minutes, he is certainly welcome to do that.

Mr. ROHRABACHER. Mr. Chairman, I yield myself an additional 30 seconds.

Fidel Castro sent torturers to torture American POWs half way around the world because he hates the United States of America. Everyone who has ever got into serious conversations with this man over his 40 years of rules has come away understanding this man has a visceral hatred for the United States of America.

At this time when we are threatened by international terrorism, we should not be doing anything to strengthen his regime, whether it is permitting millions of people to go down there and spend money and bail him out or whether it is increasing the amount of money that Americans can send to Cuba.

Mr. FLAKE. Mr. Chairman, I reserve the right to close and would inquire does the opposition have an additional speaker.

Mr. ROHRABACHER. If the gentleman will be closing now, I guess I should take my extra 1½ minutes.

Mr. FLAKE. It is my intent to close.

Mr. Chairman, I yield the gentleman from California (Mr. ROHRABACHER) 30 seconds.

The CHAIRMAN. The gentleman from Arizona (Mr. FLAKE) will have 2 minutes to close debate and the gentleman from California (Mr. ROHRABACHER) will have 2 minutes to close.

Mr. ROHRABACHER. Mr. Chairman, let me use 30 seconds to praise my friend for being so courteous, and I thank the gentleman for that thought.

I think this is a vital discussion. Who would ever have thought that we would be living in this world 2 years ago. We live in a world where 3,000 Americans have been slaughtered before our eyes. We live in a world where we understand that the bin Ladens are little kooks over there halfway around the world, living in a dictatorship like with the Taliban, can do us horrendous harm.

We have nothing against the people of Cuba. The people of Cuba are wonderful people. In fact, if we are doing something against the people of Cuba’s well-being, we have Cuban Americans with us who would be jumping up in order to promote the things.

No, the people of Cuba are our friends, just like the people of Communist China are our friends, but what we have to do is make sure we weaken the stranglehold these gangster regimes have on those people, and it is appropriate to estimate that it's more than we can afford to continue to weaken that stranglehold on these regimes that are headed by monsters, Frankenstein monsters, who have a blood grudge against the United States of America. Nowhere is that more demonstrable than in Fidel Castro.

Bin Laden hates us, but I will tell my colleagues that Fidel Castro’s hatred of the United States is as equal to that of bin Laden, and there are countless quotes to suggest that.

No, we don’t want this man’s regime to be maintained. We do not want to bail him out at the end just as his economy is about to collapse. We want to keep the pressure on. He has had 40 years of tyranny, 40 years of tyranny. If we had to let up on the Soviet Union after 40 years of tyranny and started letting them become part of the economy of the world, Communism would still be in power in the Soviet Union today and the Cold War would still be on.

No, we want to keep a stranglehold on the Castro regime while reaching out to the people of Cuba.

By the way, all of these restrictions can be eliminated just by the stroke of a pen. All Castro has to do is to permit free elections, permit opposition parties, permit the democratization of society. Then we will have all of these be eliminated.

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

I appreciate the debate. I appreciate the good words of my colleague from California. I cannot say that I disagree with any of them. Fidel Castro is a thug. We have said it again and again and again. What this debate is about is the best way to topple him, to make sure that he does not remain there longer than the 42 years that he has been in power. Let us get back to what this amendment really does.

Currently, Cuban American families who live here in the United States are told by their government that they can be charitable but only so charitable. They are told that they can only send up to $100 a month to their family members in Cuba. I do think that our government ought to be in the business of telling families how charitable they can be. This money is going directly to Cuban families.

I asked someone who does not agree with my position that allows tourists and others and tourists to go to Cuba. I asked him why he supported remittances, and the answer was, remittances are different. Remittances are subversive. I agree with that statement, not that they are different. Tourism, I believe, is subversive as well, but if remittances are subversive, then let us do a lot more subversing, I say, if that is a word. Let us be a lot more subversive. Let us allow families to send whatever they would like to their families in Cuba. That is not what this country is about, limiting family charity.

That is all this amendment says. At the current time, families are allowed $1,200 a year. Currently, the State Department estimates that $60 million goes to Cuba. It goes in violation or it goes illegally. We should not make criminals out of families for wanting to help their families in Cuba.

Let us support this amendment.

Mr. ROHRABACHER. Mr. Chairman, I would ask unanimous consent to give the gentleman an extra 30 seconds.

Mr. FLAKE. Mr. Chairman, if I can take it.

The CHAIRMAN. We have a unanimous consent agreement under which we are operating here.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XV, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. MORAN OF KANSAS

Mr. MORAN of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. Moran of Kansas.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 2. None of the funds made available in this Act may be used to implement any sanction imposed by the United States on private commercial sales of agricultural commodities (as defined in section 402 of the Agriculture Trade Developments and Assistance Act of 1984) or medicine or medical supplies (within the meaning of section 1705(c) of the Cuban Democracy Act of 1992) to Cuba (other than a sanction imposed pursuant to agreement with one or more other countries).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Kansas (Mr. Moran) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas (Mr. Moran).

Mr. MORAN of Kansas. Mr. Chairman, I yield myself such time as I may consume.

For the Members of this House who were Members in July of 2000, this amendment will sound awfully familiar. Two years ago this month, I offered a similar amendment, in fact,
July 23, 2002

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

As we debate this amendment, it is important for us to focus on the facts and the reality of the ongoing trade war with Cuba. It is important for us to remember that Cuba is not the only country that has been the target of such tactics. The United States has engaged in similar practices against other countries.

In fact, number one, the Euromoney Country Risk Rating lists Cuba as one of the top five riskiest countries to invest in out of the 185 that they surveyed. Fact: Cuba is rated by Dunn and Bradstreet as one of the riskiest economies in the world. Fact: The Wall Street Journal’s Index of Economic Freedom ranks Cuba as the most risky investment. And as having the least free economy of the 156 countries surveyed. Fact: Cuba is already in default on $8.2 billion of its $11 billion debt. In April of this year, Mr. Chairman, three Chilean fish exporters stopped shipments to Cuba after Cuba failed to make an installment payment of $3.7 million on the $20 million debt.

Also in April of this year, a South African company stopped shipments of its diesel engines to Cuba after the dictatorship failed to make the required payments on a 1997 contract. Even Venezuela has stopped oil shipments to Cuba because Cuba has accrued with them a $53 million debt, missing payment after payment on below-market sales of petroleum. It is imperative, Mr. Chairman, to maintain the precautions and the safeguards currently in place as part of U.S. policy. The protection, Mr. Chairman, afforded by existing U.S. restrictions on trade with the Castro regime is a reality reaffirmed by the U.S. International Trade Commission. The ITC stated in its report that, existing U.S. law, because they prohibit U.S. financial institutions’ dealings with Cuba, ensured that there was no U.S. exposure to Cuba’s foreign debt moratorium. The ITC report added that extending credits and financing to a bankrupt Castro regime would expose taxpayers to footing the bill once Cuba defaulted on its payments. We certainly do not want that.

We as Members of Congress, Mr. Chairman, have the duty to represent and defend the interests of our constituents, cannot and must not support an amendment which would essentially force the American taxpayer to absorb such losses.

And there is already cause for U.S. concern. Under the compromise language in the Trade Sanctions Reform Act, ag sales to Cuba have occurred. Yet despite repeated congressional inquiries, there has been no independent government confirmation that payments have been received from Cuba. Before we support the unrestricted and unsupervised sales called for in the Moran amendment, would my colleagues not agree that it would be prudent to ensure that current regulations are being fully complied with? We should also pause, look to the experiences of others and learn from them in order to protect the American people.

For example, the European Union recently wrote a 15-page letter of complaint to Cuba’s so-called finance minister, Carlos Lage, citing the discriminatory and uncertain trading environment of the Castro regime. Do we want to subject American investors to loss of contracts, confiscation of machinery, equipment and financial investments or even jail time? This is not an exaggeration. These are well-documented tactics employed by the Castro regime to retaliate against investors who voice dissatisfaction with the dictatorship’s policies.

Mr. Chairman, as the saying goes, “an ounce of prevention is worth a pound of cure.” The purpose of this amendment is to prevent the victimization of our farmers and investors at the hands of Castro’s erratic and failed economic policies, we must uphold existing U.S. law.

I ask my colleagues to champion the cause of hard-working Americans throughout this great Nation and prevent their from being used as experimental subjects to test Cuba’s debt-filled waters. I ask for a no on the Moran amendment.

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

Mr. MORAN of Kansas. Mr. Chairman, I yield 45 seconds to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, it seems to me that the embargoes with Cuba have not changed Cuban Government policies, have not changed North Korea, Sudan, Libya, or Syria.

Forty years ago U.S. controlled most of the ag commodities in the world. The embargo might have had some impact at that time. Today we have a global economy. Countries simply buy elsewhere if we have an embargo. It costs us market share.

A 2002 Texas A&M study showed that Cuba trade restrictions cost U.S. agriculture $1.24 billion annually and $5 billion for ag and ag-related business.

Reaching back into my somewhat vague and sordid past, it seems to me that someone ran a baseball for 43 years and it did not work, maybe they would try something different. So I would suggest that we might try that. Not asking to trade weapons, computer chips, petroleum or plutonium. We are simply saying that food and medicine does not jeopardize national security. It helps our country and our ag.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

As we debate this amendment, it is important for us to focus on the facts and the reality of the ongoing trade war with the Castro regime. It is important for us to remember that Cuba is not the only country that has been the target of similar tactics. The United States has engaged in similar practices against other countries.

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Mr. OSBORNE. Mr. Chairman, it seems to me that the embargoes with Cuba have not changed Cuban Government policies, have not changed North Korea, Sudan, Libya, or Syria.

Forty years ago U.S. controlled most of the ag commodities in the world. The embargo might have had some impact at that time. Today we have a global economy. Countries simply buy elsewhere if we have an embargo. It costs us market share.

A 2002 Texas A&M study showed that Cuba trade restrictions cost U.S. agriculture $1.24 billion annually and $5 billion for ag and ag-related business.

Reaching back into my somewhat vague and sordid past, it seems to me that someone ran a baseball for 43 years and it did not work, maybe they would try something different. So I would suggest that we might try that. Not asking to trade weapons, computer chips, petroleum or plutonium. We are simply saying that food and medicine does not jeopardize national security. It helps our country and our ag.
very strong leader in this House in supporting agriculture and not restricting the transfer of food and medicine to countries like Cuba, the sale of food and medicine by American farmers. He is part of the Cuba Working Group, a bipartisan group of 23 Republicans, 23 Democrats who have worked very hard to change this policy and bring a sensible policy to this country.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. NEVERETT. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank my good friend and colleague on the Cuba Working Group. We have heard many times today committees and communism and changing foreign policy. Months ago 23 Democrats and 23 Republicans came together, formulating ideas, bringing them forward through amendments and bills, having meetings and working in a bipartisan way to accomplish some things. Tonight is the culmination of that. I thank the gentleman for yielding.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I want to reiterate to my colleagues that in a letter dated July 11, 2002, Secretary of State, Colin Powell; and Paul O'Neill, Secretary of the Treasury, have made it very clear that, and I quote them, “We are writing to reiterate the administration’s strong opposition to any legislative efforts that weaken the United States’ current Cuba policy by permitting U.S. citizens to finance the Cuban purchase of American agriculture commodities or by changing the restrictions on travel.”

They would recommend a veto if the legislation reaches his desk with those changes.

I urge a “no” vote on the Moran amendment. I certainly respect my good friend and colleague, but I urge a “no” vote, nevertheless.

Mr. MORAN of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana (Mr. NEVERTT) is recognized 3 minutes.

Mr. NEVERTT. Mr. Chairman, I yield myself 3 minutes.

My colleagues, when the terrorists struck New York City, many of us recognized that the problems that we had as Republicans and Democrats, as blacks and whites, as Jew and gentile, was not nearly as important as working together as a city in order to show our defense against the people who struck against us. And so it was no surprise when we came to Congress to see that our President had thought that that would be the best thing for our Nation to do.

So we joined hands with Afghanistan and Pakistan and many other countries that we had serious differences with, but, at the same time, when they declared that they were going to be our partners in the war against terrorism, we took their hands and we thought it would be better to fight the big war than to highlight our differences.

How in God’s name, at a time like this, can we really say that Castro and the Cubans, 90 miles from our shore, represent a threat to our national security when we know that they, too, have been part of that war against terrorism? And how could it possibly be that we are prepared to say that they have different kinds of Communists in Cuba than the Communists that they have in North Korea or the Communists that they have in North Vietnam or the Communists that they have in Communist China?

My colleagues, this has nothing to do with trade policy. It has nothing to do with weapons policy. That is a former high ranking State Department official that will tell us that this embargo is against everything that our great country believes in. So what is it about?

It is about the State of Florida. It is about the sovereign State of Florida. It is about the politics of Florida. The President understands that. The Governor of Florida understands that.

And I do not have a problem with anyone that comes from the State of Florida. They do what they have to do. But do not do it to my country. Do not allow local politics to influence what is in our national interests.

If trade is good enough to break the barriers between people who do not understand the value of capitalism, if trade is what we want for people to be able to buy our wares and that we can buy theirs, if it is good enough for China, for the former Soviet Union, for communism around the world, tell me why not share it with the people of Cuba?

If my colleagues want to bring down the Castro regime, let the people in Cuba smell democracy. Let us go there and speak to the people in Cuba. Let any American that wants to travel in Cuba be able to travel without any fear.

The CHAIRMAN. Does the gentleman from Florida seek to control the time in opposition to the Rangel amendment?

Mr. DIAZ-BALART. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself 6 minutes.

We have a policy goal, and it is a policy that has been set not only by the President but by the Congress and codified into law and clearly espoused by President Bush in repeated statements: A free Cuba, achieved through a democratic transition, with the release of all political prisoners, the legalization of all political parties, the press and labor unions, and the scheduling of free and internationally supervised elections.

Now that free Cuba will not oppress its people and it will not threaten its neighbors. The intelligence community, as I stated before, has said that every since 1999 it has come to the conclusion that there is an offensive biological weapons program being developed by the Cuban regime. That has been made public now by the intelligence community, but the conclusion was reached in 1999. The director of the Soviet biological weapons program, Dr. Alibek, has written in his book that by 1990, the Soviets were absolutely convinced...
that Castro had an offensive biological weapons program. But we are led to believe by the people who are arguing to open up all the trades and open up all the credits and the tourism for the Castro dictatorship that not only our intelligence community is lying, not only our defense community is now not telling the truth, but the director of the Soviet program, who defected and who our experts say has provided more information on Soviet biological and chemical weapons programs than any other defector, that he is lying as well. So all of those people are lying and we should make that leap of faith and proceed to provide billions of dollars in trade and credit to the dictatorship. Now, the denial of the U.S. market to the Cuban regime and the conditioning of democratic reforms for the end of the embargo constitutes the most important leverage that exists for the democratic transition to take place. In a totally personalized dictatorship, like the Cuban one, when the dictator is gone from the scene, when he dies, or however he is gone from the scene, that situation invariably will change. It is like when Franco disappeared from the scene in Spain, or Oliveira, after 5 years of dictatorship in Portugal. Inevitably, those regimes were faced with a different dynamic.

But in each of those cases where there was a democratic transition, there was a period of extraordinary, some form of solidarity with those people demanding, requesting, encouraging, incentivizing a democratic transition. If we give the dictatorship the trade and tourism dollars it seeks now, Mr. Chairman, unilaterally, in exchange for no democratic reform, like the people proposing this amendment are saying, that we should unilaterally, without getting any sort of democratic reform for the Cuban people in exchange, if we do that, Mr. Chairman, it is making that regime permanent. We risk the possibility of that regime outliving the dictator.

Now, in addition, it is important to realize that the U.S. embargo has had collateral successes. The denial of resources for the dictatorship has made it much more difficult for the dictatorship to cooperate with terrorist organizations or to develop biological weapons. The denial of resources, the limitation of resources to the dictatorship has helped, but, in addition to that, and the most important aspect, is the leverage that must be retained for a democratic transition.

Just like Europe insisted on democracy in Spain or Portugal, before Spain and Portugal could become part of what was then the European Economic Community, today we are saying liberate the political prisoners, legalize political parties, labor unions and the press, and hold an election.

Now, the issue not the Cuban people’s right to be free like everyone else in the hemisphere? Why is the issue not the Cuban people desiring to be free, just like in country after country after country colleagues have come to this floor asking for solidarity with those people? But, no, in the case of Cuba, it is different. In the case of Cuba, it is 43 years of dictatorship and of oppression, and the efforts are to get more dollars and more oxygen to that regime, instead of talking about the torture and the political prisoners. That is the reality.

But the reality of the matter is that only in this hemisphere, Mr. Chairman, is there a regime requiring representative democracy. We always talk about examples from other hemispheres. There are multiple differences from the decentralization that has existed in other dictatorships in other hemispheres to the fact that in this hemisphere, and only in this hemisphere, does international law require representative democracy.

I want to point out one other thing, and that is as follows, and I never thought it would come to this floor quoting the editorial board of The Washington Post, but I guess Ronald Reagan used to say never say never. Well, The Washington Post has, in a very dignified manner, has focused in on Cuba and the dissidents over the last year to call for reforms internally. Now, they have been very mild reforms that the dissidents have called for, and despite that the regime has answered with, if you will, a Maoist-style cultural revolution.

The Washington Post has said that if Castro, as he has been, is unwilling to permit more political and economic freedom, then loosening the embargo risks strengthening and enriching Mr. Castro and the apparatchiks who surround him, while accomplishing little else.

And with regard to that dissident petition, in which Castro answered with his Maoist-style cultural revolution, he now wants to play Florida politics tonight. Let us do what is right.

Mr. RANGEL. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New York (Mr. SERRANO), the cosponsor of this amendment, and Mr. SERRANO. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

We have heard a lot of accusations tonight about Cuba and Castro. In more if I may just make a comment, the only things Cuba and Castro have not been blamed for are the Chicago fire, the San Francisco earthquake, the stock market crash of 1929, or the one that is coming soon, if we are not careful.

The point here is my colleagues could spend all the time they want telling us how bad Cuba is, but we took a vote to-night on Vietnam which was so lopsided to make the point that we cannot continue just to single out Cuba.

Now, the gentleman from New York (Mr. RANGEL) is correct, and I do not want to be repetitious of his comments, but this is about the State of Cuba. I don’t feel bad about that. I wish I had that kind of power for one county in one State to control foreign policy on one issue. I wish the Bronx had that kind of power, but we do not.

The fact of life is that this Rangel/Serrano amendment sends the message that it is time to change this policy. We no longer have any moral justification for keeping an embargo on Cuba while we deal with China, Vietnam, Korea, and every other country in the world. Well, my God, our allies in the war on terrorism are people who, in so many ways, have behaved towards this country 10 times worse than anything Cuba or Castro have ever said about us, and we still deal with them.

Now some of the facts will come out in the next few weeks because we do not have the time here tonight. Castro offered to help us in the war on terrorism, and we refused it. AP reported that. The Washington Post reported that. The New York Times reported that. We refused the help.

Cuba has sent to us three individuals in the last year who have lived in this country. They have asked in return, not as a quid pro quo, for us to return a couple of hijackers that we have had here for over 20 years from Cuba, and we have not done it. No one mentions that tonight. No one mentions it is a one-sided issue all of the time.

This is not about Fidel Castro and communism, this is about a stupid outdated policy that says in the Caribbean we are going to single out this island, and in the rest of the world, we will help. And it is across the board. I asked my favorite President a couple of years ago, Bill Clinton, why China and not Cuba. He said China is big. I understand that. Cuba is small. But children in Cuba are no less important than children in Vietnam or China. Let us treat them all equally. We have no justification for this.

We can lift the embargo and who knows, that governor in Florida may still get reelected, so there is no need to play Florida politics tonight. Let us do what is right.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I first thank the gentleman from New York (Mr. RANGEL) for offering this very commonsense amendment, and I urge Members to support this amendment which really would cut funds to continue to aid the United States embargo on Cuba.

It is long overdue that the United States lift its 40-year embargo against this small island nation. We have seen that this embargo has done more harm
than good. It is a grave injustice to the people of the United States and to the people in Cuba.

I have participated in many fact-finding delegations to Cuba and have seen firsthand the devastation and the suffering Cuba has endured due to the U.S. embargo. The embargo has pushed the island nation only 90 miles away from the United States.

The embargo has caused a bridge in our own struggle for human rights. In addition, the embargo has severely limited the ability of Americans to travel to Cuba, and this is just basically down-right wrong.

Economists have verified that if the embargo toward Cuba were lifted, the U.S. economy would gain $1.24 billion in agricultural exports and $3.6 billion in related economic output. In addition, we would create thousands of jobs in our country from the tourism sector.

I am convinced that we must build a bridge in our own struggle for human rights. The embargo is one of the reasons which happened to be a country 90 miles away. Let us lift this embargo.

Mr. GOSS. Mr. Chairman, I have followed the debate with great interest tonight, and have heard my amendment seriously mischaracterized. I would like to point out that the amendment merely is a safeguard for Americans. The amendment says that if we lift the embargo, all will be swell in Cuba. That means U.S. policy is to blame for all of the misery in Cuba that we have discussed tonight. But our policy does not create the lack of education.

Our policy does not create the lack of health-care. Our policy does not create the lack of justice. Our policy does not create the lack of democracy.

I yield the balance of my time to the gentleman from Maryland.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I ask Members tonight to be not part of the Rangel amendment or the amendment that is being proposed. This amendment says if we lift the embargo, all will be swell in Cuba. That means U.S. policy is to blame for all of the misery in Cuba that we have discussed tonight. But our policy does not create the lack of democracy.

Our policy does not say that independent journalists and independent libraries are banned in Cuba. That is Fidel Castro’s policy. Our policy does not maintain a system of remote and monitored gulags for prisoners of conscience. That is Fidel Castro’s policy. Our policy does not forbid independent labor unions. That is Fidel Castro’s policy. Our policy does not not punish nonviolent opposition movement leaders. That is Fidel Castro’s policy. We do not say that community activists and dissidents are going to be harassed, prosecuted and persecuted. That is Fidel Castro’s policy.

The embargo is not what drives a police officer to beat unconscious a political prisoner who is on a hunger strike. That is Fidel Castro’s policy. That is not U.S. policy. Our policy does not mandate the summary execution of independent journalists and conscientious objectors. That is Fidel Castro’s policy.

Do not confuse the issue. Do not be part of Jeanne Kirkpatrick’s “blame America first” crowd. It is Fidel Castro that is at fault, not the U.S. embargo. Mr. DIAZ-BALART. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, by hearing the other side on this issue, we would seem to believe that they were talking with Costa Rica or Panama or some other country where there is a functioning democracy and a human rights policy.

The reality is that Fidel Castro is the only world leader who has ever called for a nuclear first strike against the United States. He is the only world leader who has ever called for a first strike against the United States, but they may say he is a kindly old grandfather now. He is a good guy, so let us reward him. That is what the Rangel amendment is seeking to do.

But wait a minute, 2 days ago in Greece, the head terrorist that was arrested there, Alexandros Yiiotopoulos, for bombing numerous people in Greece and throughout that part of the world, western Europe, was he trained in Cuba, flown to Paraguay, crossed the border with fake passports, and fled back to Cuba after the attack. The bombers hid in Cuba for several months after the attack, and still have impunity.

And the kindly old grandfather goes further. In 2001, the IRA terrorists arrested in Colombia for training the FARC terrorists there in sophisticated urban bomb warfare, where were they based? In Cuba. Reward Castro for torturing the Cuban people and opposing the Cuban people and being the only state sponsor of terrorism in this hemisphere, vote no on the Rangel amendment. Vote yes on Goss, no on the other amendments.

Mr. RANDELL. Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. WATERS) for the purpose of closing.

Ms. WATERS. Mr. Chairman, it is time to lift the embargo and stop the brutal Castro. The Castros have been on this floor tonight to talk about limiting travel. But Members of Congress go to Cuba whenever they want to go. People are going to Cuba from all over America. Jimmy Carter was there, the Pope was there, the other American people go who want to go.

People talked about limiting the remittances, but Members of Congress go...
to Cuba and they take the money to their families, all of the money that they want to give to them. Let us be fair to all of the families in Cuba. Let us stop strangling the trade. Cuba wants to trade. Trade is the cornerstone of capitalism. Members say that is what they want. That is what Fidel Castro wants.

It is time to allow our agricultural products and our medical products to be sold. China is there, Canada is there. Germany is there. American business people need the opportunity to be there. What is all of this fear? We do not really fear Fidel Castro. Lift the embargo.

MR. DAVIS of Illinois. Mr. Speaker, I rise today in support of the amendment offered by my colleague, Mr. RANGEL of New York, which bans all funding to the Treasury Department for enforcement of the embargo against Cuba.

Fifty years ago, the world order was strikingly different than today. We were in the midst of the Cold War, fighting communism from spreading its tentacles around the world. With Cuba so close to our shores, it was good policy then to impose an embargo. However, I am reminded of the song "The Times They Are A-Changin'" and they have.

The embargo has not achieved its goals. The embargo against Cuba has now ruled for four decades ago; the Cubans do not have human or civil rights; American citizens are denied their right to travel; and the economic consequences to American farmers and the travel industry are significant.

Let’s lift the embargo and move toward normal commercial and diplomatic relations with Cuba. Let the Cuban people see what democracy’s all about.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL). The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RANGEL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XIX, further proceedings on the amendment offered by the gentleman from New York (Mr. RANGEL) will be postponed.

The CHAIRMAN. Pursuant to clause 6 of rule XIX, the amendment will now resume on those amendments on which further proceedings were postponed in the following order: The amendment printed in House Report 107–585 by the gentleman from Florida (Mr. G oss); amendment No. 1 by the gentleman from Arizona (Mr. FLAKE); amendment No. 20 by the gentleman from Arizona (Mr. FLAKE); and amendment No. 5 by the gentleman from New York (Mr. RANGEL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. G OSS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment printed in House Report 107–585 offered by the gentleman from Florida (Mr. G oss) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—aye 182, noes 247, not voting 5, as follows:

[Roll No. 330]
So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 2W OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. Flake) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded. A recorded vote was ordered.
The vote was taken by electronic device, and there were—ayes 204, noes 226, not voting 4, as follows:

[Roll No. 333]

AYES—204

Abercrombie—Hirchey
Allen—Hinshaw
Baca—Hoeffel
Balducci—Honda
Baldwin—Hooley
Barrett—Horner
Bercero—Israel
Bentzen—Jackson (IL)
Berry—Jackson-Lee
Biggerger—Johnson (TX)
Bishop—Johnson (CT)
Bono—Johnson
Boozman—Johnson (IL)
Boyle—Jones (RI)
Bouyer—Jones (OH)
Boucher—Kaptur
Brandon—Kilpatrick
Capps—Klocek
Capuano—Kucinich
Carson (IN)—LaFalce
Carson (OK)—LaFontaine
Clay—Langston
Clent—Lantos
Clыш—Larsen (WA)
Cmey—Latham
Cramer—Leach
Custe—Lee
Davids—Levin
Dedomenico—Lewis (GA)
DeDeat—Luehr
DeLauro—Lumley
Dicks—Manuello
Dingle—Markey
Doggett—Mascara
Dole—McCaskill
Doyle—McCarthy (MO)
Edwards—McGovern
Emerson—McCollum
Eshoo—McDermott
Evan—McKinney
Farr—McNulty
Fattah—Meehan
Flake—Meeks (NY)
Ford—Miller (CT)
Frist—Miller, George
Ganske—Mink
Gonzalez—Moran (TX)
Gordon—Moren
Graves—Morell
Harman—Mortlan
Hirch—National
Hill—Neal
Hillard—Nussle

NOES—226

Brown (FL)—Berri (NJ)
Brown (NY)—Bryant
Burke—Burren
Burton—Byers
Butler—Callahan
Buxton—Camp
Cannon—Cantor
Bartlett—Capito
Bartion—Cardin
Bass—Castle
Berenger—Castle
Berle—Chabot
Bechler—Chambliss
Bechler—Chambliss
Bomilla—Combest
Bolton—Cooksey
Brady (TX)—Cox

The amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, had come to no resolution thereon.

PIPELINE INFRASTRUCTURE PROTECTION TO ENHANCE SECURITY AND SAFETY ACT

The pending business is the question of suspending the rules and passing the bill, H.R. 3609, as amended.
The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. Young) that the House suspend the rules and pass the bill, H.R. 3609, as amended, on which the yeas and nays are ordered printed.

The vote was taken by electronic device, and there were—yeas 432, nays 4, not voting 7, as follows:

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 5120 in the Committee of the Whole, pursuant to House Resolution 488, no further amendment to the bill may be offered except as follows:

Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate:

Amendment numbers 2, 8, 12, and 18, as printed in the CONGRESSIONAL RECORD, which shall be debatable for 5 minutes each;

An amendment offered by the gentleman from Georgia (Mr. BARR) regarding Federal Acquisition Regulation, which shall each be debatable for 20 minutes each;

Amendment numbered 16, as printed in the CONGRESSIONAL RECORD, an amendment offered by the gentleman from California (Mr. George Miller) regarding High Sea Imports, and the amendment offered by the gentleman from Colorado (Mr. Hefley) that I have placed at the desk, which shall be debatable for 10 minutes each;

Amendment numbered 21 in the CONGRESSIONAL RECORD, which shall be debatable for 30 minutes each;

And an amendment offered by the gentleman from Vermont (Mr. Sanders) regarding pension plans, which shall be debatable for 30 minutes each.

Each such amendment may be offered only by the Member designated in this unanimous consent request, or a designee, or the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Mr. KUCINICH. Mr. Speaker, reserving the right to object, if the gentleman would yield for a question. Mr. ISTOOK. Certainly. Mr. KUCINICH, would the gentleman recount the title of amendment No. 8.

Mr. ISTOOK. If the gentleman will yield, amendment No. 8 is in a group with amendments numbered 2, 8, 12, and 18, as printed in the CONGRESSIONAL RECORD, which shall be debatable for 5 minutes each.

Mr. HOYER. Mr. Speaker, will the gentleman yield?
Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4547) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2003.

The Clerk read as follows:

Page 103, after line 10, insert the following:

Section 1. Short title; table of contents.

(a) Short title.—This Act may be cited as the “Cost of War Against Terrorism Authorization Act of 2002.”

(b) Table of contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Amounts authorized for the War on Terrorism.
Sec. 3. Additional authorizations.

Title I—Authorization of Appropriations

Subtitle A—Authorization to Transfer Accounts

Sec. 101. War on Terrorism Operations Fund.
Sec. 102. War on Terrorism Equipment Replacement and Enhancement Fund.
Sec. 103. General provisions applicable to transfers.

Subtitle B—Authorization to Specified Accounts

Sec. 111. Army procurement.
Sec. 112. Navy and Marine Corps procurement.
Sec. 113. Air Force procurement.
Sec. 114. Defense-wide activities procurement.
Sec. 115. Research, development, test, and evaluation.
Sec. 116. Classified activities.
Sec. 117. Global Information Grid system.
Sec. 118. Operations and maintenance.
Sec. 119. Military personnel.

Title II—Wartime Pay and Allowance Increases

Sec. 201. Increase in rate for family separation allowance.
Sec. 202. Increase in rates for various hazardous duty incentive pays.
Sec. 203. Increase in rate for diving duty special pay.
Sec. 204. Increase in rate for imminent danger pay.
Sec. 205. Increase in rate for career enlisted flyer incentive pay.
Sec. 206. Increase in amount of death gratuity.

Title III—Additional Provisions

Sec. 301. Establishment of at least one Weapons of Mass Destruction Civil Support Team in each State.
Sec. 302. Authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 303. Sense of Congress on assistance to first responders.

Section 2. Amounts Authorized for the War on Terrorism.

The amounts authorized to be appropriated in this Act, totalling $10,000,000,000, are authorized for the conduct of operations in continuation of the war on terrorism in accordance with the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) and, to the extent appropriations are made pursuant to such authorizations, shall only be expended in a manner consistent with the purposes stated in section 2(a) thereof.

Section 3. Additional Authorizations.

The amounts authorized to be appropriated by this Act are in addition to amounts authorized to be appropriated for military functions of the Department of Defense for fiscal year 2003 in the National Defense Authorization Act for Fiscal Year 2003 or any other Act.

Title I—Authorization of Appropriations

Subtitle A—Authorization to Transfer Accounts

Sec. 101. War on Terrorism Operations Fund.

(a) Authorization of Appropriations.—There is hereby authorized to be appropriated to the Department of Defense for fiscal year 2003 the amount of $3,544,582,000, to be available only for operations in accordance with the purposes stated in section 2 for Operation Noble Eagle and Operation Enduring Freedom. Funds authorized in the preceding sentence may only be used as provided in subsection (b).

(b) Transfer Authority.—Subject to section 103, the Secretary of Defense may, in the Secretary’s discretion, transfer amounts authorized in subsection (a) to any fiscal year 2003 military personnel or operation and maintenance account of the Department of Defense for the purposes stated in that subsection.

Sec. 102. War on Terrorism Equipment Replacement and Enhancement Fund.

(a) Authorization of Appropriations.—There is hereby authorized to be appropriated to the Department of Defense for fiscal year 2003 the amount of $1,000,000,000, to be available only in accordance with the purposes stated in section 2 and to be used only as provided in subsection (b).

(b) Transfer Authority.—Subject to section 103, the Secretary of Defense may, in the Secretary’s discretion, transfer amounts authorized in subsection (a) to any fiscal year 2003 military personnel or operation and maintenance account of the Department of Defense for the purpose of—

(1) emergency replacement of equipment and munitions lost or expended in operations conducted as part of Operation Noble Eagle or Operation Enduring Freedom; or

(2) enhancement of critical military capabilities necessary to carry out operations pursuant to Public Law 107–40.

Sec. 103. General Provisions Applicable to Transfers.

(a) In General.—Amounts transferred pursuant to section 101(b) or 102(b) shall be merged with, and available for the same purposes and the same time period as, the account to which transferred.

(b) Congressional Notice and Wait Requirement.—A transfer may not be made under section 101(b) or 102(b) until the Secretary of Defense has submitted a notice in writing to the Committees on Appropriations of the Senate and the Committees on Appropriations of the House of Representatives of the proposed transfer and a period of 15 days has elapsed after the date such notice is received. Any such notice shall include specification of the amount of the proposed transfer, the account into which the transfer is to be made, and the purpose of the transfer.

(c) Transfer Authority Cumulative.—The transfer authority provided by this subtitle is in addition to any other transfer authority available to the Secretary of Defense under this Act or any other Act.

Subtitle B—Authorization to Specified Accounts

Sec. 111. Army Procurement.

Sec. 112. Navy and Marine Corps Procurement.

Sec. 113. Air Force Procurement.

Sec. 114. Defense-Wide Activities Procurement.

Sec. 115. Research, Development, Test, and Evaluation.

Sec. 116. Classified Activities.

Sec. 117. Global Information Grid System.

Sec. 118. Operations and Maintenance.

Sec. 119. Military Personnel.

Title III—Additional Provisions

Sec. 301. Establishment of at least one Weapons of Mass Destruction Civil Support Team in Each State.

Sec. 302. Authority for Joint Task Forces to Provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities.

Sec. 303. Sense of Congress on Assistance to First Responders.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. The Speaker pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the motion 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.

Any record vote on the postponed question will be taken tomorrow.

COST OF WAR AGAINST TERRORISM AUTHORIZATION ACT OF 2002

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4547) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2003.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
for ammunition for the Navy and the Marine Corps in the amount of $120,600,000.

SEC. 113. AIR FORCE FORCE PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2003 for procurement accounts in the amount of $620,414,000.

SEC. 114. DEFENSE-WIDE ACTIVITIES PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2003 for the procurement accounts in the amount of $590,100,000.

SEC. 115. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal year 2003 for the research, development, test, and evaluation account in the amount of $390,100,000.

SEC. 116. CLASSIFIED ACTIVITIES.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2003 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $14,270,000.
(2) For the Navy, $5,352,000.
(3) For the Marine Corps, $11,296,000.
(4) For the Air Force, $157,265,000.

SEC. 119. MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for personnel accounts for fiscal year 2003 a total of $350,100,000.

Subtitle C—Military Construction Authorizations

SEC. 131. AUTHORIZED MILITARY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) PROJECTS AUTHORIZED.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b), the Secretary of the military department concerned may acquire real property and carry out military construction projects for the installations and locations, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Projects Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of the Army</td>
</tr>
<tr>
<td>Department of the Navy</td>
</tr>
<tr>
<td>Department of the Air Force</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2003 for the military construction projects authorized by subsection (a) in the total amount of $35,080,000.

TITLE II—WARTIME PAY AND ALLOWANCE INCREASES

SEC. 201. INCREASE IN RATE FOR FAMILY SEPARATION ALLOWANCE.

Section 427(a)(1) of title 37, United States Code, is amended by striking “$100” and inserting “$125”.

SEC. 202. INCREASE IN RATES FOR VARIOUS HAZARDOUS DUTY INCENTIVE PAYS.

(a) FLIGHT PAY FOR CREW MEMBERS.—Subsection (b) of section 301 of title 37, United States Code, is amended by striking the table and inserting the following new table:

<table>
<thead>
<tr>
<th>Pay grade:</th>
<th>Monthly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-10</td>
<td>$200</td>
</tr>
<tr>
<td>O-9</td>
<td>$200</td>
</tr>
<tr>
<td>O-8</td>
<td>$200</td>
</tr>
<tr>
<td>O-7</td>
<td>$200</td>
</tr>
<tr>
<td>O-6</td>
<td>$300</td>
</tr>
<tr>
<td>O-5</td>
<td>$300</td>
</tr>
<tr>
<td>O-4</td>
<td>$275</td>
</tr>
<tr>
<td>O-3</td>
<td>$275</td>
</tr>
<tr>
<td>O-2</td>
<td>$200</td>
</tr>
<tr>
<td>O-1</td>
<td>$200</td>
</tr>
<tr>
<td>W-4</td>
<td>$200</td>
</tr>
<tr>
<td>W-3</td>
<td>$200</td>
</tr>
<tr>
<td>W-2</td>
<td>$225</td>
</tr>
<tr>
<td>W-1</td>
<td>$225</td>
</tr>
<tr>
<td>E-9</td>
<td>$290</td>
</tr>
<tr>
<td>E-8</td>
<td>$290</td>
</tr>
<tr>
<td>E-7</td>
<td>$290</td>
</tr>
<tr>
<td>E-6</td>
<td>$290</td>
</tr>
<tr>
<td>E-5</td>
<td>$290</td>
</tr>
<tr>
<td>E-4</td>
<td>$240</td>
</tr>
<tr>
<td>E-3</td>
<td>$240</td>
</tr>
<tr>
<td>E-2</td>
<td>$240</td>
</tr>
<tr>
<td>E-1</td>
<td>$235</td>
</tr>
<tr>
<td>E-0</td>
<td>$200</td>
</tr>
</tbody>
</table>

(b) INCREASE PAY FOR PARACHUTE JUMPING WITHOUT STATIC LINE.—Subsection (c)(1) of such section is amended by striking “$225” and inserting “$275”.

(c) OTHER HAZARDOUS DUTIES.—Subsection (c)(1) of such section is amended by striking “$150” and inserting “$250”.

(d) REMOVAL OF AIR WEAPONS CONTROLLER CREW MEMBERS FROM LIST OF HAZARDOUS DUTIES.—Such section is further amended—

(1) in subsection (a),
(2) in paragraph (12),
(3) in paragraph (11), by striking “;” or “,” and inserting “;” or “,” or inserting a period; and
(4) in paragraph (19), by inserting “;” or “,” after the semicolon; and

(2) October 1, 2002.

TITLE III—ADDITIONAL PROVISIONS

SEC. 301. ESTABLISHMENT OF AT LEAST ONE WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM IN EACH STATE.

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

(1) Weapons of Mass Destruction Civil Support Teams are strategic assets, stationed at the operational level, as an immediate response capability to assist local responders in the event of an emergency within the United States involving use or potential use of weapons of mass destruction.

(b) REQUIREMENT.

(1) The date of the enactment of this Act.

(c) Authorization of appropriations—For fiscal year 2003, and each fiscal year thereafter, there is authorized to be appropriated to the Department of Defense for the operation and maintenance of Civil Support Teams in each State, in each fiscal year, the amount designated for such teams in the appropriation acts for such fiscal year:

Division A—Army

Division B—Navy

Division C—Air Force

SEC. 302. INCREASE IN RATE FOR DIVING DUTY SPECIAL PAY.

Section 310(b) of title 37, United States Code, is amended—

(1) by striking “$240” and inserting “$290”;

(2) by striking “$340” and inserting “$390”;

SEC. 303. INCREASE IN RATE FOR IMMINENT DANGER PAY.

Section 310(a) of title 37, United States Code, is amended by striking “$150” and inserting “$250”.

SEC. 304. INCREASE IN RATE FOR CAREER ENLISTED FLYER INCENTIVE PAY.

The table in section 320(d) of title 37, United States Code, is amended to read as follows:

<table>
<thead>
<tr>
<th>Years of aviation</th>
<th>Monthly rate service</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 or less</td>
<td>$200</td>
</tr>
<tr>
<td>Over 4</td>
<td>$275</td>
</tr>
<tr>
<td>Over 8</td>
<td>$400</td>
</tr>
<tr>
<td>Over 14</td>
<td>$450</td>
</tr>
</tbody>
</table>

SEC. 305. INCREASE IN RATE FOR DEATH GRATUITY.

Section 1478(a) of title 10, United States Code, is amended by striking “$2,000” and inserting “$12,000”.

SEC. 306. EFFECTIVE DATE.

(1) In general.—Except as provided in subsection (b), the amendments made by this title shall take effect on or after the date of the enactment of this Act.

(2) Payment of death gratuity.—The amendment made by section 306 shall apply with respect to a person covered by section 1475 or 1476 of title 10, United States Code, whose date of death occurs on or after the later of the following:

(1) The date of the enactment of this Act.

(2) October 1, 2002.
Defense shall ensure that there is established at least one Weapons of Mass Destruction Support Team in each State.

(c) Definitions.—For purposes of this section:

(1) The term "Weapons of Mass Destruction Civil Support Team" means a team of members of the reserve components of the armed forces that is established under section 1231(b) of title 10, United States Code, in support of emergency preparedness programs to prepare for or to respond to any emergency involving the use of a weapon of mass destruction.

(2) The term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

(d) Deadline for Implementation.—The Secretary of Defense shall ensure that subsection (b) is fully implemented not later than September 30, 2003.

SEC. 302. AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

(a) Authority.—A joint task force of the Department of Defense that provides support to law enforcement agencies conducting counter-terrorism activities in accordance with all applicable laws and regulations, support to law enforcement agencies conducting counter-terrorism activities.

(b) Conditions.—Any support provided under subsection (a) may only be provided in the geographic area of responsibility of the joint task force.

(c) Funds.—Funds are hereby authorized to be appropriated for fiscal year 2003 in the amount of $5,000,000 to provide support for counter-terrorism activities in accordance with subsections (a) and (b).

SEC. 303. SENSE OF CONGRESS ON ASSISTANCE TO FIRST RESPONDERS.

It is the sense of Congress that the Secretary of Defense shall take, to the extent the Secretary determines appropriate, use funds provided in this Act to assist, train, and equip local fire and police departments that would be a first responder to a domestic terrorist incident that may come about in connection with the continued fight to prosecute the war on terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

Mr. KUCINICH. Mr. Speaker, I rise to claim time in opposition.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. SKELTON) is recognized for 20 minutes.

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the bill under consideration, H.R. 4547.

The SPEAKER pro tempore. The gentleman from California (Mr. HUNTER) is recognized for 2 minutes.

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that half the time in support of the bill, that is the time that I have of 20 minutes, that half of that be designated to the gentleman from Missouri (Mr. SKELTON) for purposes of control.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair recognizes that subsection (d) is in order.

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

Mr. Speaker, on July 18, the House Committee on Armed Services reported out the bill presently before the House, H.R. 4547, on a near unanimous vote of 50 to 1. To understand what this bill does, allow me to first provide a bit of background.

The President's budget request for fiscal year 2003 contained an unprecedented request for the Congress to establish a $10 billion war contingency fund that would allow the Department of Defense maximum flexibility in expanding these funds to prosecute the war on terrorism. In response, the House adopted a budget resolution in March that set aside $10 billion of the defense budget in a special reserve fund for this purpose.

The operative language of the budget resolution establishes a procedure, by which the House would be able to consider authorizing or appropriating the $10 billion fund requires that only legislation that provides new budget authority for operations of the Department of Defense to prosecute the war on terrorism will qualify to use this fund.

On July 3, the President submitted to Congress a request to amend his budget to provide a bit more detail on how DOD proposes to expend these funds, but would still essentially remain one large $10 billion contingency fund. When the committee and the House acted on the defense authorization bill earlier this year, we recognized that this approach would require that we split the bill into two pieces. One would involve the requested defense program minus the $10 billion, and the other would be the $10 billion which would follow at some later point.

In passing the base defense bill, we also took preliminary action on the $10 billion bill by authorizing about $3.5 billion worth of programs that we judged to be more appropriately considered as part of the so-called "cost of war," and at exactly the same time the Senate has passed its version of the defense authorization bill and chose to include the $10 billion, unlike the House.

All this background brings us to today. The objectives of this bill are twofold: First, to preserve the prerogatives of the Senate the authorizing process by considering and issuing our recommendation on this reauthorization legislation of the defense budget; and, second, to move this bill through the process so that we can go to conference with the Senate with both sides having acted on the totality of the defense budget for fiscal year 2003. H.R. 4547, as amended by the Committee on Armed Services, represents a compromise of sorts. It authorizes specific activities where we have received specific details on how the Pentagon intends to execute these activities and it grants the administration flexibility for these accounts that traditionally are nearly impossible to define in such a manner.

This bill accomplishes a number of objectives; First, it preserves the action already taken by the Senate by authorizing the $3.5 billion worth of war-related items we deferred earlier in May. Second, it would keep intact all major elements of the budget request and authorize those amounts for which the administration has identified a specific purpose. Third, it provides the Department of Defense significant flexibility by creating two transfer accounts that are to move money around and to meet the needs of the war as they emerge.

Finally, it fully and specifically complies with the terms of the budget resolution by ensuring that all activities funded by this bill are directly for the prosecution of the war on terrorism. I would repeat that to my colleagues, that all the dollars that we extend in this bill must be compliant with the resolution that this House passed on September 14, 2001.

Mr. Speaker, we are moving this bill through the House tonight on an expedited schedule for a good reason. The President has asked the Congress to send him first those bills that he needs to ensure that we continue to prevail in our war against terrorism.

The House has done everything possible to comply with this important request, and tonight the expedited consideration of this war funding bill is a continuation of this commitment to properly support our men and women who are on the front lines of this challenge.

In closing, I thank committee members on both sides of the aisle who worked so cooperatively to move this process forward with the gentleman from Arizona (Mr. STUMP) and the gentleman from Missouri (Mr. SKELTON), the ranking member.

Mr. Speaker, this bill was developed on a bipartisan basis with the mutual objective of striking a balance between congressional prerogatives and the need to provide the department with some flexibility in financing this unprecedented global war on terrorism.

The bill represents a very reasonable approach that accomplishes all these goals. I urge Members to give it their very strong support.

Mr. Speaker, I reserve the balance of my time.
Mr. SNYDER. Mr. Speaker, let me just say I am a member of the Committee on Armed Services and the committee considered this bill last week and I voted for it coming out of committee, but this is a very, very poor process.

Members got the Blackberry a week or two after September 11, and we get notice when bills are going to be considered. I believe it was 8:47 this evening I got a message that said that we were going to finish with the Cuban amendment before the Post Office appropriations and go home.

At 9:12 another message comes over it and says through this expedited process, we are going to consider a $10 billion bill, and we are going to give 20 minutes on each side. The Chamber is empty. Do not kid anyone. Members are not sitting in their offices watching the debate tonight. This is a time of war, a time when our country expects us to be paying attention to these kinds of issues. We are not expeditiously doing it, we are expediting the process, we are expediting the denial of democracy.

I wanted to do an amendment on this bill. This process means there are no amendments. I had help with my amendment by the gentleman from Nebraska (Mr. BEREUTER), a well-respected Republican subcommittee chairman, and the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, were joining when an amendment that we were going to go to the Committee on Rules to try to put on this bill.

This process denies the right of any Member to bring an amendment on a $10 billion bill. I think it is a very, very poor way to do a process at any time, particularly at 11:30 at night when Members have gone home.

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

Mr. Speaker, the bill being considered will complete the House’s consideration of the second piece of fiscal year 2003 National Defense Authorization Act. The bill passed the Committee on Armed Services with broad bipartisan support. Passing this bill will allow the House to quickly proceed to conference with the Senate on both pieces of the authorization bill, thereby providing our men and women in uniform with all the tools they need to fight the global war and to protect the American people.

The bill as passed by the Committee on Armed Services reflects a balanced approach to authorizing the $10 billion war reserve fund requested by the administration. The amendment carries forward the specific authorizations made by the committee when it first considered the bill earlier this year. It includes the wartime pay and allowances increases from that earlier consideration, and includes two new, operationally oriented transfer funds that should enable the Department of Defense to meet operational expenses associated with prosecuting the war against terrorism.

Although the committee’s approach may not provide the Department of Defense with complete discretion and use of the $10 billion, I believe it provides sufficient flexibility for the department.

I also want to indicate my support for the premise of this bill that the funds we authorize today are tied to the resolution passed by Congress on September 14, 2001, that authorizes the use of force against those who attacked our great Nation on September 11. The effectiveness of the way to provide the administration funding for activities that are directly related to prosecuting the war against terrorism.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. SKEILTON. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, so do I understand that this in no way authorizes the expenditure of monies for any attack on the nation of Iraq?

Mr. SKEILTON. Mr. Speaker, by its verbiage, this is limited to the resolution that passed Congress on September 14, 2001.

Mr. DOGGETT. Which is a very narrow resolution tying it to the events of September 11?

Mr. SKEILTON. Absolutely.

Mr. DOGGETT. Mr. Speaker, I thank the gentleman.

Mr. SKEILTON. Mr. Speaker, the funds authorized and the increases to pay and allowances included in this bill are critical to the Department of Defense’s ability to continue to fight the war.

Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

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

Mr. Speaker, I congratulate both the ranking member, the gentleman from Missouri (Mr. HUNTER), and the chairman, the gentleman from California (Mr. HUNTER), for bringing this legislation before us. I rise in support of the legislation. I particularly appreciate the language that the committee has included in section 2 pertaining to the scope of the authorization in the bill.

Section 2 states that the $10 billion authorized in this legislation “are authorized for the conduct of operations in continuation of the war on terrorism in accordance with the Authorization for Use of Military Force (Public Law 107-40; 50 USC 1541 note) and, to the extent appropriations are made pursuant to such authorizations, shall only be expended in a manner consistent with the purposes in section 2(a) thereof.”

Section 2(a) of the Use of Force resolution authorizes the President “to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks, or is actively and willingly harboring those responsible unless subsequently authorized for such a purpose by Congress.

Mr. SKEILTON. Mr. Speaker, I re–

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

I want to congratulate the gentleman from Maine (Mr. ALLEN) and the committee for focusing in on that point because certainly it was not the intent of that committee to have that used for anything other than what is in the resolution of September 14 which, Mr. Speaker, I voted for.

I want to say that while I know that is the intention of the committee, I would be very concerned about people in the administration who may interpret to say, as it reads, that the President is authorized to use all necessary and appropriate force against those nations, organizations or persons he determines planned, authorized, committed or aided the terrorist attacks.

It is no secret when we look at the events of the last few weeks, we see headlines such as:


“We could have a situation where on Monday it first looks like there will be a war, on Friday troops are in Kuwait, and by the next Thursday they are in Baghdad.”  John Pike, Defense Analyst, Associated Press, July 10.


One of the things that concerns me, Mr. Speaker, is notwithstanding the assumption which the honorable gentleman in the majority is going to be speaking, I have here the House markup with the actual breakdown of the amount of moneys that are going to be used per category
in the cost of the war. I think it is more than interesting that we see for a war supposedly in Afghanistan an amount of almost a half a billion dollars is going to be used for chemical and biological defense. An amount of nearly the same fine when you take out for conversion of Tomahawk missiles, an amount of $3.5 billion would be used for an operations fund. An amount of over a half a billion dollars would be used for combat air patrols. I think that is interesting too when you take out in the context of a New York Times report of a preliminary Pentagon planning document in an article written by Eric Schmitt, it suggests, according to the Times, that the military brass is considering a large scale air and ground assault involving as many as 250,000 American troops. Indeed, that has been the reportage that we have seen. This report goes on to say in an editorial that such a Pentagon plan for an invasion of Iraq would be backed by hundreds of warplanes. It goes on to say that Saddam Hussein may not be so easily deterred from using his hidden stocks of anthrax, botulinum, VX nerve gas.

So when you put this document together with the report of the preliminary Pentagon planning document, I think this is one of those cases where one plus one equals an invasion of Iraq, notwithstanding the September 14 language of the work of our committee. I want to express that as a concern because there is some symmetry here on the issue of congressional oversight. Members of our Committee on Armed Forces fought very hard to assure there would be congressional oversight. Yet we have a fund of about $10 billion which is largely going to be beyond congressional control. The administration has repeatedly been trying to escape congressional oversight. That, Mr. Speaker, has really been the tenor of the work of our committee. I want to express that as a concern because there is some symmetry here on the issue of congressional oversight. Members of our Committee on Armed Forces fought very hard to have the homeland security bill itself. I spent 15 hours in our government oversight committee. Much of the discussion had to do with the authority of Congress to have oversight over budgetary items and to have oversight over other areas which involve Congress’ constitutional responsibility.

I rise here because when I look at this report that is from the Congressional Research Service, we see an increase of a half a billion dollars is expected to be used by the New York Times and information that we have from our sister agencies which are considering the New York Times and information that we have from our sister agencies which are considering that $10 billion will and will take this money and use it to prosecute a war against Iraq. Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker. I yield myself such time as I may consume. Let me reiterate, according to the language of this bill, that it is limited to the verbiage attached to the September 14 resolution. Let me also add it is my considered opinion, Mr. Speaker, that Congress should intercede against the country of Iraq by the United States of America that this Congress has the duty to pass upon such authorization as we have done so in the past.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS asked and was given permission to revise and extend his remarks.

Mr. ANDREWS. I thank my friend for yielding me this time.

Mr. Speaker, I rise in strong support of this bill, in part because I believe it strikes a proper balance between the flexibility needed in the executive branch and the due prorogatives of those of us in the Congress on this very important issue of the future prosecution of the war against terrorism. This bill leaves intact the law that exists as of today with respect to the future prosecution of this country’s global war against terrorism. That law contemplates three circumstances. The first would be an emergency urgent circumstance where the President, consistent with his constitutional authority, could act to defend the country. This bill in no way limits, nor should it limit, that prerogative.

The second circumstance that the present law contemplates is a circumstance where there is clear and compelling evidence of a connection between any other state or organization and the events of September 11 in fostering, harboring, planning, aiding and abetting the actions of September 11. Under those circumstances, and under the law, the President is already authorized to take steps to defend the country and this bill leaves that intact.

The third circumstance contemplated by the law would be a circumstance that is not emergency, where there is not a demonstration of a clear and compelling link between the actions of another state and the activities of September 11, and it is contemplated that under those circumstances the President, consistent with the Constitution, would be required to come to the House and to the Senate and seek authority to further prosecute activities in defense of the country.

That is the law, and that is the balance that is struck, and this bill leaves that balance intact. For that and for many other reasons, I would urge both Republican and Democratic Members to vote in favor of this very necessary funding to continue to prosecute our very successful efforts in this field.

Mr. KUCINICH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, we approach the midnight hour here in Washington, in our Nation’s Capital. This bill was first noticed for consideration by the House less than 3 hours ago. One hour ago copies of the bill were not available for Members to review, and, in the time since then, there are fewer Members present here tonight than there are members of the National Security Committee.

Any bill that authorizes the expenditure of $10 billion of taxpayer money for any purpose, no matter how worthy or important to the Nation, deserves better consideration than this. It is outrageous to be taking up such a matter under these conditions.

Seldom has a day in recent weeks gone by without some administration official or commentator suggesting that the salvation for our Nation’s security lies in expanding use of nuclear weapons, or that our Nation should alter its traditions by launching a surprise attack, or just a simple but dangerous cry, “on Baghdad.”

Each of these alternatives would do more to undermine the security of American families than to assure that security. We need a full and complete debate about such a major change in
Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge the House to pass this bill.

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

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Mr. Speaker, I urge the House to pass this bill.
I would further say that this bill came up in two pieces, which is extremely unusual for our system. One reason it came up in two pieces was because we were undertaking continuing military operations and, because of that, the chairman of the full committee, the gentleman from Arizona (Mr. STUMP), at whose direction I am acting today, worked with the gentleman from Missouri (Mr. SKELTON), and we put together a bipartisan bill that I gave some direction to where some of this money went.

Let me just describe for the Members where some of the money went. Some of it went to what is known as combat pay enhancements. That includes increasing family separation allowance, increasing flight pay for crew members, increasing the death gratuity given to survivors, increasing career enlistment flying incentive, increasing diving pay, increasing hazardous duty pay.

We also put in a number of required items that, in fact, the administration had requested that had been early on in the base bill. They include the chemical and biological antiterrorism programs ($20 million); command and control, computers, and intelligence, KC-135 tanker aircraft, linguists, military construction, war pay, and the list goes on.

So we did leave some flexibility with the administration and we did give some direction. I would simply say that it was because of the hard work of the gentleman from Arizona (Mr. STUMP) and the hard work of the gentleman from Missouri (Mr. SKELTON) and all of the members on our committee, and I think we have heard from several of our very thoughtful Members today on the Democrat side who participated very fully, such as the gentleman from Maine (Mr. ALLEN), the gentleman from New Jersey (Mr. ANDREWS) gave a very full evaluation of what this did.

Once again, the key point that they reiterated was that this money can only go to the military programs that are allowed under the September 14 resolution, and, once again, I want to read that resolution, because this is a base resolution that these dollars are expended under.

The President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, the gentleman from New Jersey (Mr. ANDREWS) gave a very full examination of that.

Whereas Lindy Boggs served as United States Senator from Louisiana from March 20, 1973, to January 3, 1991;

Whereas Lindy Boggs was the first woman to be elected to the United States Senate from Louisiana and was the first woman to chair a national political convention, leading the convention of 1976 that nominated former United States President Jimmy Carter;

Whereas Lindy Boggs served on the Committee on Appropriations, was instrumental in creating the Select Committee on Children, Youth, and Families, and chaired the Crisis Intervention Task Force; and

Whereas Lindy Boggs served as United States Ambassador to the Holy See from December 16, 1997, to March 1, 2001: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the House honors Corinne “Lindy” Claiborne Boggs for her extraordinary service to the people of Louisiana and the United States, recognizes that her role in founding the Congressional Women’s Caucus has improved the lives of families throughout the United States, and commends her bipartisan spirit as an example to all elected officials.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DeFAZIO (at the request of Mr. GEPhardt) for after 10:00 p.m. today on account of personal reasons.
Mr. Goss (at the request of Mr. Armey) for between 6:00 and 9:00 p.m. on account of personal reasons.

Mrs. Jones of Ohio (at the request of Mr. Gephardt) for today on account of adverse weather conditions and subsequent flight cancellations.

Ms. Millender-McDonald (at the request of Mr. Gephardt) for Monday, July 22 on account of official business in the district.

Mr. Stearns (at the request of Mr. Armey) for after 1:00 p.m. today through July 25 on account of a family medical procedure.

Mr. Underwood (at the request of Mr. Gephardt) for today and tomorrow July 24th.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Kucinich) to revise and extend their remarks and include extraneous material:)

Ms. Thurman, for 5 minutes, today.

Mr. Brown of Ohio, for 5 minutes, today.

Mr. Langevin, for 5 minutes, today.

Mr. DeFazio, for 5 minutes, today.

Mr. Filner, for 5 minutes, today.

Mr. George Miller of California, for 5 minutes, today.

Mr. Pallone, for 5 minutes, today.

Mr. Edwards, for 5 minutes, today.

Mr. Davis of Illinois, for 5 minutes, today.

Mrs. Mink of Hawaii, for 5 minutes, today.

Mr. Taylor of Mississippi, for 5 minutes, today.

Ms. Jackson-Lee of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. Hayes) to revise and extend their remarks and include extraneous material:)

Mr. Wolf, for 5 minutes, July 25.

Mr. Jones of North Carolina, for 5 minutes, July 24.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Jackson of Illinois and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $9,630.

Mr. Jackson of Illinois and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $8,588.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1209. An act to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes.

H.R. 2175. An act to protect infants who are born alive.

H.R. 3487. An act to amend the Public Health Service Act with respect to health professions regarding the field of nursing.
HIGHLIGHTS


The House failed to pass H.J. Res. 101, disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam thereby maintaining normal trade relations with Vietnam.

Senate

Chamber Action

Routine Proceedings, pages S7179–S7242

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2772–2776, and S. Con. Res. 130.

Measures Reported:


S. 2489, to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, with an amendment in the nature of a substitute.

Measures Passed:

National Veterans Awareness Week: Senate agreed to S. Res. 293, designating the week of November 10 through November 16, 2002, as “National Veterans Awareness Week” to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

National Airborne Day: Committee on the Judiciary was discharged from further consideration of S. Res. 242, designating August 16, 2002, as “National Airborne Day”, and the resolution was then agreed to.

Honoring Buffalo Soldiers: Committee on the Judiciary was discharged from further consideration of S. Res. 97, honoring the Buffalo Soldiers and Colonel Charles Young, and the resolution was then agreed to.

Greater Access to Affordable Pharmaceuticals Act: Senate continued consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, taking action on the following amendments proposed thereto:

Withdrawn:

Graham Amendment No. 4309, to amend title XVIII of the Social Security Act to provide coverage of outpatient prescription drugs under the Medicare program.

Hatch (for Grassley) Amendment No. 4310, to amend title XVIII of the Social Security Act to provide for a Medicare voluntary prescription drug delivery program under the Medicare program, and to modernize the Medicare program.

Pending:

Reid (for Dorgan) Amendment No. 4299, to permit commercial importation of prescription drugs from Canada.

Hagel Amendment No. 4315 (to Amendment No. 4299, as amended), to provide Medicare beneficiaries with a drug discount card that ensures access to affordable outpatient prescription drugs.

During consideration of this measure today, Senate also took the following actions:

By 52 yeas to 47 nays (Vote No. 186), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the motion to waive the Congressional Budget Act with respect to Graham Amendment No. 4309 (listed above). Subsequently, the point of order that the amendment violates section 302(f) of the Congressional Budget Act of 1974 was sustained, and the
amendment was withdrawn, pursuant to the order of July 18, 2002.

By 48 yeas to 51 nays (Vote No. 187), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the motion to waive the Congressional Budget Act with respect to Hatch (for Grassley) Amendment No. 4310 (listed above). Subsequently, the point of order that the amendment violates section 302(f) of the Congressional Budget Act of 1974 was sustained, and the amendment was withdrawn, pursuant to the order of July 18, 2002.

A unanimous-consent-time agreement was reached providing for further consideration of Hagel Amendment No. 4315, listed above, on Wednesday, July 24, 2002, with a vote to occur in relation to the amendment to occur following the vote on adoption of the conference report on H.R. 4775, Supplemental Appropriations (listed below).

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Wednesday, July 24, 2002.

Supplemental Appropriations Conference Report—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the conference report on H.R. 4775, Supplemental Appropriations, at 1 p.m., on Wednesday, July 23, 2002, with a vote on adoption of the conference report to occur at 1:30 p.m.

Nominations Confirmed: Senate confirmed the following nomination:

Richard H. Carmona, of Arizona, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years.

Prior to this action, by a unanimous vote of 98 yeas (Vote No. Ex. 185), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close debate on the nomination of Richard H. Carmona, of Arizona, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service.

Nominations Confirmed: Senate confirmed the following nomination:

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Cynthia A. Glassman, of Virginia, and Roel C. Campos, of Texas, each to be a Member of the Securities and Exchange Commission, after the nominees testified and answered questions in their own behalf.
BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Steven Robert Blust, of Florida, to be a Federal Maritime Commissioner, Kathie L. Olsen, of Oregon, and Richard M. Russell, of Virginia, each to be an Associate Director of the Office of Science and Technology Policy, Frederick D. Gregory, of Maryland, to be Deputy Administrator of the National Aeronautics and Space Administration, Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission, and one United States Coast Guard promotion list.

ARCHAEOLOGICAL RESOURCES

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded hearings on S. 2598, to enhance the criminal penalties for illegal trafficking of archaeological resources; S. 2727, to provide for the protection of paleontological resources on Federal lands; and H.R. 3954, to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System; after receiving testimony from Christopher Kearney, Deputy Assistant Secretary for Policy, Management and Budget, Department of the Interior; Elizabeth Estill, Deputy Chief for Programs and Legislation, U.S. Forest Service, Department of Agriculture; and Richard K. Stucky, Denver Museum of Nature and Science, Denver, Colorado.

STRATEGIC OFFENSIVE REDUCTIONS TREATY


ENRON COLLAPSE

Committee on Governmental Affairs: Permanent Subcommittee on Investigations resumed hearings to examine the role of financial institutions in the collapse of Enron Corporation, focusing on their contribution to Enron’s use of complex transactions and questionable accounting practices in order to inaccurately improve the appearance of the company’s financial status, receiving testimony from Robert L. Roach, Chief Investigator, Permanent Subcommittee on Investigations, and Gary M. Brown, Special Counsel, both of the Senate Committee on Governmental Affairs; Lynn E. Turner, Colorado State University Center for Quality Financial Reporting, Broomfield, former Chief Accountant, Securities and Exchange Commission; and Pamela M. Stumpf and John C. Diaz, both of Moody’s Investors Service, Ronald M. Barone and Nik Khakee, both of Standard’s and Poor, Donald H. McCree, Robert W. Traband, and Jeffrey W. Dellapina, all of JP Morgan Chase and Company, David C. Bushnell, James F. Reilly, Jr., Richard Caplan, and Maureen Hendricks, all of Solonm Smith Barney/Citigroup, all of New York, New York.

Hearings will resume on Tuesday, July 30.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit, Timothy J. Corrigan, to be United States District Judge for the Middle District of Florida, and Jose E. Martinez, to be United States District Judge for the Southern District of Florida, after the nominees testified and answered questions in their own behalf. Ms. Owen was introduced by Senators Gramm and Hutchison, and Representative Granger, and Mr. Corrigan and Mr. Martinez were introduced by Senator Bill Nelson.

LAW ENFORCEMENT OFFICERS SAFETY

Committee on the Judiciary: Committee concluded hearings on S. 2480, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns, after receiving testimony from Senator Baucus; Representative Cunningham; Steve Young, Marion, Ohio, on behalf of the Fraternal Order of Police; Arthur Gordon, Woodbine, Maryland, on behalf of the Federal Law Enforcement Officers Association; David Johnson, Cedar Rapids Police Department, Cedar Rapids, Iowa; and Lonnie J. Westphal, Colorado State Patrol, Denver, on behalf of the International Association of Chiefs of Police.
House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 5179–5193; and 1 resolution, H. Con. Res. 445, were introduced.

Reports Filed: Reports were filed today as follows:

H.R. 4547, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2003, amended (H. Rept. 107–603);

H.R. 4965, to prohibit the procedure commonly known as partial-birth abortion (H. Rept. 107–604);

H.R. 3609, to amend title 49, United States Code, to enhance the security and safety of pipelines, amended (H. Rept. 107–605, Pt. 1);

H.R. 3609, to amend title 49, United States Code, to enhance the security and safety of pipelines, amended (H. Rept. 107–605, Pt. 2);

H. Res. 437, requesting that the President focus appropriate attention on neighborhood crime prevention and community policing, and coordinate certain Federal efforts to participate in “National Night Out”, including by supporting local efforts and neighborhood watches and by supporting local officials to provide homeland security (H. Rept. 107–606);

H. Res. 497, providing for the consideration of H.R. 4628, to authorize appropriations for fiscal year 2003 for intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 107–607);

H. Res. 498, providing for consideration of H.R. 4965, to prohibit the procedure commonly known as partial-birth abortion (H. Rept. 107–608); and


Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Schrock to act as Speaker pro tempore for today.

Guest Chaplain: The prayer was offered by the guest Chaplain, Captain Jeff Struecker, Chaplain, United States Army, 1st Battalion, 319th Airborne Field Artillery Regiment of Ft. Bragg, North Carolina.

Journal: The House agreed to the Speaker’s approval of the Journal of Monday, July 22 by a yea-and-nay vote of 339 yea to 45 nays with 1 voting “present”, Roll No. 326.

Recess: The House recessed at 9:34 a.m. and reconvened 10 a.m.


Trade With Vietnam—Maintained Normal Trade Relations: The House failed to pass H.J. Res. 101, disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam by a yea-and-nay vote of 91 yea to 338 nays, Roll No. 329. The joint resolution was considered pursuant to the order of the House of July 22, 2002.

Treasury and Postal Operations Appropriations: The House completed debate and began considering amendments to H.R. 5120, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003. Consideration will resume on Wednesday, July 24.

Agreed To:

Rogers amendment No. 13 printed in the Congressional Record of July 16 that increases funding for the United States Customs Service Salaries and Expenses funding by $700,000 for six customs agents to inspect Canadian trash coming into Michigan and decreases Internal Revenue Service Processing, Assistance, and Management funding accordingly;

Millender-McDonald amendment No. 19 printed in the Congressional Record of July 17 that makes available $600,000 in National Archives and Records Administration Operating Expenses funding for the preservation of the records of the Freedmen’s Bureau;

Kucinich amendment No. 17 printed in the Congressional Record of July 17 that strikes section 513 which exempted contracts under the Federal Employees Health Benefits Program from the cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act;

Flake amendment No. 1 printed in the Congressional Record of July 15 that prohibits the use of any funding to administer or enforce part 515 of
title 31, Code of Federal Regulations (the Cuban Assets Control regulations) with respect to travel to Cuba (agreed to by a recorded vote of 262 ayes to 167 noes with 1 voting "present", Roll No. 331);

Pages H5293–96, H5304–05

Flake amendment No. 20 printed in the Congressional Record of July 18 that prohibits the use of any funding to enforce any restriction on remittances to nationals of Cuba (agreed to by a recorded vote of 251 ayes to 177 noes, Roll No. 332); and

Pages H5298–99, H5305–06

Moran of Kansas amendment No. 9 printed in the Congressional Record of July 15 that prohibits the use of any funding to implement sanctions imposed by the United States on private commercial sales of agricultural commodities, medicine, or medical supplies to Cuba.

Pages H5299–H5301

Rejected:

Goss amendment printed in H. Rept. 107–585 that sought to require the President to certify to Congress that the Government of Cuba does not possess biological weapons, is not developing or providing terrorist states or terrorist organizations the technology to develop biological weapons, and is not providing support or sanctuary to international terrorists before any limitation on funding is applied to the enforcement and administration of travel restrictions to Cuba (rejected by a recorded vote of 182 ayes to 247 noes, Roll No. 330); and

Pages H5267–73, H5291–93, H5304

Rangel amendment No. 5 printed in the Congressional Record of July 15 that sought to prohibit the use of any funding to implement, administer, or enforce the economic embargo of Cuba (rejected by a recorded vote of 204 ayes to 226 noes, Roll No. 333).

Pages H5301–04, H5306

Points of Order sustained Against:

Language on page 74, lines 15 through 25 dealing with affidavits signed by employees to certify their United States citizenship and permanent resident status; and

Page H5263

Section 646 that deals with corporate expatriates.

Page H5267

The House agreed to H. Res. 488, the rule that is providing for consideration of the bill on July 18.

Order of Business—Further Consideration of Treasury and Postal Operations Appropriations: Agreed that during further consideration of H.R. 5120 in the Committee of the Whole pursuant to H. Res. 488, no further 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; amendments numbered 2, 8, 12, and 18 in the Congressional Record, which shall be debatable for 5 minutes each; an amendment by Representative Barr of Georgia regarding a national media campaign and an amendment by Representative George Miller of California regarding a Federal Acquisition Regulation, both of which shall be debatable for 20 minutes each; amendment numbered 16 in the Congressional Record, an amendment by Representative Hoyer regarding High Sea Repairs, and the amendment by Representative Hefley, placed at the desk, all of which shall be debatable for 10 minutes each; amendment numbered 21 in the Congressional Record, which shall be debatable for 40 minutes; and an amendment by Representative Sanders regarding taxation of pension plans, which shall be debatable for 30 minutes. Each such amendment may be offered only by the member designated in this request, or a designee, or the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Pages H5307–08

Suspensions: The House agreed to suspend the rules and pass the following measures:

National Aviation Capacity Expansion: H.R. 3479, amended, to expand aviation capacity in the Chicago Area (agreed to by a yea-and-nay vote of 343 yeas to 87 nays, Roll No. 327). Agreed to amend the title so as to read: “To expand aviation capacity.”; and

Pages H5114–91, H5288–89

Pipeline Infrastructure Protection: H.R. 3609, amended, to amend title 49, United States Code, to enhance the security and safety of pipelines (agreed to by a yea-and-nay vote of 423 yeas to 4 nays, Roll No. 334).

Pages H5273–88, H5306–07

Suspension Proceedings Postponed: The House completed debate on motions to suspend the rules and pass the following measures. Further proceedings on the motions were postponed:

Improving Access to Long-Term Care: H.R. 4946, amended, to amend the Internal Revenue Code to provide health care incentives related to long-term care; and

Pages H5107–14


Pages H5308–14

Privileged Resolution: Representative Sanchez notified the House of her intention to offer a resolution as a question of the privileges of the House and that the text reads as follows: In the matter of James A.
Resolved, that, pursuant to Article 1, Section 5, Clause 2 of the United States Constitution, Representative James A. Traficant, Jr., be, and he hereby is, expelled from the House of Representatives.

Discharge Petitions: Pursuant to Clause 2 of Rule XV, Representative Carson moved to discharge the Committee on Rules from the consideration of H. Res. 479, providing for consideration of H.R. 3818, to protect investors by enhancing regulation of public auditors, improving corporate governance, overhauling corporate disclosure made pursuant to the securities laws (Discharge Petition No. 9) and Representative Phelps moved to discharge the Committee on Rules from the consideration of H. Res. 480, providing for consideration of H.R. 4098, to provide for criminal prosecution of persons who alter or destroy evidence in certain federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers (Discharge Petition No. 10).

Late Report Select Committee on Homeland Security: Agreed that the Select Committee on Homeland Security have until 3 a.m. on Wednesday, July 24 to file a report on H.R. 5005, to establish the Department of Homeland Security.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5195–H5200.

Quorum Calls—Votes: Five yea-and-nay votes and four recorded votes developed during the proceedings of the House today and appears on pages H5098, H5288–89, H5289, H5289–90, H5304, H5305, H5305–06, H5306, and H5307. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 12:13 a.m. on Wednesday, July 24.

Committee Meetings

COMMERCIAL SHIPBUILDING
Committee on Armed Services: Special Oversight Panel on the Merchant Marine held a hearing on commercial shipbuilding in the United States and the Maritime Security Program. Testimony was heard from public witnesses.

WHAT’S NEXT FOR SCHOOL CHOICE?
Committee on Education and the Workforce: Held a hearing on “What’s Next for School Choice?” Testimony was heard from Representative Armey; and public witnesses.

COMPULSORY UNION DUES AND CORPORATE CAMPAIGNS
Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on “Compulsory Union Dues and Corporate Campaigns.” Testimony was heard from public witnesses.

INSURANCE COVERAGE OF MENTAL HEALTH BENEFITS
Committee on Energy and Commerce: Subcommittee on Health held a hearing titled “Insurance Coverage of Mental Health Benefits.” Testimony was heard from public witnesses.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT’S RISK-BASED CAPITAL STRESS TEST FOR FANNIE MAE AND FREDDIE MAC
Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing regarding the Office of Federal Housing Enterprise Oversight’s (OFHEO) risk-based capital stress test for Fannie Mae and Freddie Mac. Testimony was heard from Armando Falcon, Jr., Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development.

HOMELAND SECURITY; PROTECTING STRATEGIC PORTS
Committee on Government Reform: Subcommittee on National Security, Veterans’ Affairs, and International Relations held a hearing on Homeland Security: Protecting Strategic Ports. Testimony was heard from Maj. Gen. Kenneth L. Privratsky, USA, Commander, Military Traffic Management Command, Department of Defense; the following officials of the Department of Transportation: William G. Schubert, Maritime Administrator; and Rear Adm. Paul J. Pluta, USCG, Assistant Commandant, Marine Safety and Environmental Protection, U.S. Coast Guard; Raymond Decker, Director, Defense Capabilities and Management Team, GAO; and a public witness.

MISCELLANEOUS MEASURES
Committee on International Relations: Subcommittee on Africa approved for full Committee action the following resolutions: H. Con. Res. 287, expressing the sense of Congress relating to efforts of the Peace Parks Foundation in the Republic of South Africa to facilitate the establishment and development of transfrontier conservation efforts in southern Africa; and H. Con. Res. 421, recognizing the importance of inheritance rights of women in Africa.
PACIFIC ISLAND NATIONS

Committee on International Relations: Subcommittee on East Asia and the Pacific held a hearing on Pacific Island Nations: Current Issues and U.S. Interests. Testimony was heard from the following officials of the Department of State: Matthew Daley, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs; and Mary Beth West, Deputy Assistant Secretary, Bureau of Oceans and International Environmental Scientific Affairs; and a public witness.

MISCELLANEOUS MEASURES


NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property held a hearing on H.R. 1203, Ninth Circuit Court of Appeals Reorganization Act of 2001. Testimony was heard from the following Judges of the U.S. Court of Appeals for the Ninth Circuit: Mary M. Schroeder, Chief; Diarmuid F. O'Scanlon and Sidney R. Thomas; and Alan G. Lance, Attorney General, State of Idaho.

OVERSIGHT

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on Availability of Bonds to Meet Federal Requirement for Mining, Oil and Gas Projects. Testimony was heard from Tom Fulton, Deputy Assistant Secretary, Land and Minerals Management, Department of the Interior; and public witnesses.

INTELLIGENCE AUTHORIZATION ACT

Committee on Rules: Granted, by voice vote, a modified open rule providing 1 hour of debate on H.R. 4628, Intelligence Authorization Act for Fiscal Year 2003. The rule waives all points of order against consideration of the bill. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule provides that no amendment shall be in order except pro-forma amendments for the purpose of debate and those printed in the Congressional Record, which shall only be offered by the Member who caused it to be printed or his designee and shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Goss and Representatives Pelosi, Roemer and Hastings of Florida.

PARTIAL-BIRTH ABORTION BAN ACT

Committee on Rules: Granted, by voice vote, a closed rule providing 2 hours of debate in the House on H.R. 4965, Partial-Birth Abortion Ban Act of 2002. The rule waives all points of order against consideration of the bill. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representatives Nadler, Scott, Jackson-Lee of Texas, Hoyer and Edwards.

INCREASED STEEL TARIFFS—AMERICAN MANUFACTURERS—UNINTENDED CONSEQUENCES

Committee on Small Business: Held a hearing on “Unintended Consequences of Increased Steel Tariffs on American Manufacturers.” Testimony was heard from public witnesses.

AVIATION SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Aviation Security. Testimony was heard from the following officials of the Department of Transportation: Norman Y. Mineta, Secretary; Michael Jackson, Deputy Secretary; and Adm. James M. Loy, USCG, Acting Assistant Secretary, Security; and Alexis Stefani, Assistant Inspector General, Auditing, GAO.

The Subcommittee also met in executive session to continue hearings on Aviation Security. Testimony was heard from departmental witnesses.

MEDICARE’S GEOGRAPHIC COST ADJUSTORS

Committee on Ways and Means: Subcommittee on Health held a hearing on Medicare’s Geographic Cost Adjustors. Testimony was heard from Representatives Nussle, Roukema, Kanjorski, Visclosky, Shays, Peterson of Minnesota, Hinchey, Smith of Michigan, Watt of North Carolina, Kelly, Aderholt, Moran of Kansas, Peterson of Pennsylvania, Sandlin and Sherwood; William J. Scanlon, Director, Health Financing and System Issues, GAO; Glenn D. Hackbart, Chairman, Medicare Payment Advisory Commission; and a public witness.
Joint Meetings

9/11 INTELLIGENCE INVESTIGATION

Joint Hearing: Senate Select Committee on Intelligence held joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001.

Select Committee will meet again Thursday, July 25.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 24, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up an original bill making appropriations for energy and water development for the fiscal year ending September 30, 2003, 10 a.m., S–128, Capitol.

Subcommittee on Transportation, business meeting to mark up proposed legislation making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003, 4 p.m., SD–116.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation, to hold oversight hearings to examine management challenges of the Department of Housing and Urban Development, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings to examine women in science and technology, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine issues surrounding the Federal Energy Regulatory Commission, 3 p.m., SD–366.

Committee on Environment and Public Works: with the Committee on Foreign Relations, to hold joint hearings to examine implementation of environmental treaties, 10:30 a.m., SD–406.

Committee on Foreign Relations: with the Committee on Environment and Public Works, to hold joint hearings to examine implementation of environmental treaties, 10:30 a.m., SD–406.

Full Committee, to hold hearings to examine the nomination of Kristie Anne Kenney, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador; the nomination of Larry Leon Palmer, of Georgia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras; and the nomination of Barbara Calandra Moore, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua, 2:30 p.m., SD–419.

Committee on Governmental Affairs: business meeting to reconsider the Committee’s action of 5/22, with respect to ordering favorably reported, with amendments S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism; and to consider the nominations of James E. Boasberg, to be an Associate Judge of the Superior Court of the District of Columbia; Michael D. Brown, of Colorado, to be Deputy Director of the Federal Emergency Management Agency; and Mark W. Everson, of Texas, to be Deputy Director for Management, Office of Management and Budget, 9:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 2328, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act to ensure a safe pregnancy for all women in the United States, to reduce the rate of maternal morbidity and mortality, to eliminate racial and ethnic disparities in maternal health outcomes, to reduce pre-term, labor, to examine the impact of pregnancy on the short and long term health of women, to expand knowledge about the safety and dosing of drugs to treat pregnant women with chronic conditions and women who become sick during pregnancy, to expand public health prevention, education and outreach, and to develop improved and more accurate data collection related to maternal morbidity and mortality; S. 2394, to amend the Federal Food, Drug, and Cosmetic Act to require labeling containing information applicable to pediatric patients; S. 2499, to amend the Federal Food, Drug, and Cosmetic Act to establish labeling requirements regarding allergenic substances in food; S. 1998, to amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools; proposed legislation authorizing funds for the Child Care and Development Block Grant; and the nominations of Edward J. Fitzmaurice, Jr., of Texas, and Harry R. Hoglander, of Massachusetts, each to be a Member of the National Mediation Board, 9:30 a.m., SD–430.

Committee on Indian Affairs: to hold hearings on S. 1344, to provide training and technical assistance to Native Americans who are interested in commercial vehicle driving careers, 10 a.m., SR–485.

Committee on the Judiciary: Subcommittee on Crime and Drugs, to hold hearings to examine corporate responsibility, focusing on criminal sanctions to deter wrong doing, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: business meeting to mark up pending legislation, 9 a.m., SR–428A.

Committee on Veterans’ Affairs: to hold hearings to examine mental health care issues, 9:30 a.m., SR–418.

House

Committee on Education and the Workforce, hearing on “Implementation of the No Child Left Behind Act,” 10:30 a.m., 2175 Rayburn.

Committee on Energy and Air Quality, Subcommittee on Energy and Air Quality, to mark up H.R. 3880, to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism, 4 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 3424, Community Choice in Real Estate Act, 2 p.m., 2128 Rayburn.

Subcommittee on Technology and Procurement Policy, hearing entitled “An Oversight Hearing to Review the Findings of the Commercial Activities Panel,” 1 p.m., 2154 Rayburn.

Committee on International Relations, hearing on Economic Development and Integration as a Catalyst for Peace: A “Marshall Plan” for the Middle East, 10:15 a.m., 2172 Rayburn.

Subcommittee on Europe, to mark up the following measures: H. Con. Res. 164, expressing the sense of Congress that security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots; H. Con. Res. 437, recognizing the Republic of Turkey for its cooperation in the campaign against global terrorism, for its commitment of forces and assistance to Operation Enduring Freedom and subsequent missions in Afghanistan, and for initiating important economic reforms to build a stable and prosperous economy in Turkey; and H. Con. Res. 327, commending the republic of Turkey and the State of Israel for the continued strengthening of their political, economic, cultural, and strategic partnership and for their actions in support of the war on terrorism, 12:30 p.m., 2255 Rayburn.

Subcommittee on International Operations and Human Rights, to mark up the following measures: H. Con. Res. 349, calling for an end to the sexual exploitation of refugees; and H. Con. Res. 351, expressing the sense of Congress that the United States should condemn the practice of execution by stoning as a gross violation of human rights, 2:30 p.m., 2255 Rayburn.

Subcommittee on Western Hemisphere, hearing on the Coffee Crisis in the Western Hemisphere, 2:30 p.m., 2200 Rayburn.

Committee on Resources, to mark up the following bills: H.R. 2099, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve; H.R. 2301, to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California; H.R. 2534, Lower Los Angeles River and San Gabriel River Watersheds Study Act of 2001; H.R. 2748, National War Permanent Tribute Historical Database Act; H.R. 3148, to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans; H.R. 3407, Indian Financing Act Reform Amendment; H.R. 3434, McLoughlin House National Historic Site Act; H.R. 3449, to revise the boundaries of the George Washington Birthplace National Monument; H.R. 4622, Gateway Communities Cooperation Act of 2002; H.R. 4682, Allegheny Portage Railroad National Historic Site Boundary Revision Act; H.R. 4708, Fremont-Madison Conveyance Act; H.R. 4917, Los Padres National Forest Land Exchange Act; H.R. 4919, Tonto And Coconino National Forests Land Exchange Act; H.R. 4938, to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska; H.R. 4953, to direct the Secretary of the Interior to grant Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road; H.R. 4966, National Oceanic and Atmospheric Administration Act; H.R. 4968, Federal- Utah State Trust Lands Consolidation Act; H.R. 5039, Humboldt Project Conveyance Act; S. 329, Peopling of America Theme Study Act; S. 423, Fort Clatsop National Memorial Expansion Act; S. 491, to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project; S. 509, Kenai Mountains-Turnagain Arm National Heritage Area Act of 2001; S. 941, Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001; S. 1097, to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park; and S. 1105, Grand Teton National Park Land Exchange Act, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 5005, Homeland Security Act of 2002, 4 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Environment, Technology and Standards, hearing on Satellite Data Management at NOAA, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to consider the following: Several U.S. Army Corps of Engineers Survey resolutions; GSA Fiscal Year 2003 Capital Investment and Leasing Program; Courthouse Construction Prospectus and Lease Prospectus Resolutions; H. Con. Res. 442, recognizing the American Road and Transportation Builders’ Associations for reaching its 100th Anniversary and for the many vital contributions of its members in the transportation construction industry to the American economy and quality of life through the multi-modal transportation infrastructure network its members have designed, built, and managed over the past century; H.R. 4727, Dam Safety and Security Act of 2002; and H.R. 5157, to amend section 5307 of title 49, United States Code, to allow transit systems in urbanized areas that, for the first time, exceeded 200,000 in population according to the 2000 census to retain flexibility in the use of Federal transit formula grants in fiscal year 2003, 11 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Benefits, hearing on the following bills: H.R. 5111, Servicemember’s Civil Relief Act; and H.R. 4017, Soldiers’ and Sailors’ Civil Relief Equity Act, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, on Global Hot Spots, 1:30 p.m., H–405 Capitol.

Subcommittee on Technical and Tactical Intelligence, executive, on Future Imagery Architecture, 3 p.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the measuring of economic change, 10 a.m., 311 Cannon Building.
Next Meeting of the Senate
10 a.m., Wednesday, July 24

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will continue consideration of S. 812, Greater Access to Affordable Pharmaceuticals Act.

At 1 p.m., Senate will consider the Conference Report on H.R. 4775, Supplemental Appropriations, with a vote on adoption of the conference report to occur at 1:30 p.m.; followed by a vote on Hagel Amendment No. 4315 (to Amendment No. 4299) to S. 812 (listed above).

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, July 24

Program for Wednesday: Consideration of H.R. 5120, Treasury and Postal Operations Appropriations (complete consideration, unanimous consent order);

Consideration of H.R. 4965, Partial-Birth Abortion Ban Act (closed rule, two hours of general debate);

Consideration of H. Res. 495, In the Matter of Representative James A. Traficant, Jr. (privileged); and

Consideration of H.R. 4628, Intelligence Authorization Act (modified open rule, one hour of general debate).

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