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, 7, 8 and 9 in the CONGRESSIONAL RECORD.

The CHAIRMAN. If the chairman will suspend. The request being offered by the chairman must be made in the whole House. It cannot be acted upon in the Committee of the Whole.

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. DAVIS of Virginia) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 1559, EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 1559 in the Committee of the Whole pursuant to House Resolution 172 no further amendments 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, 7, 8 and 9 in the CONGRESSIONAL RECORD; and amendments specified in the list that I have placed at the desk.

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 not be subject to amendment, except pro forma amendments for the purpose of debate, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole; any point of order against such an amendment shall be considered as reserved pending completion of debate thereon; and any such amendment may be withdrawn by its proponent after debate thereon.

The SPEAKER pro tempore. The Clerk will read the list.

The Clerk read as follows:

Mr. MCGOVERN regarding reducing funding for counter-drug activities; Mr. OBEY regarding cuts for Colombia money transferred to port security; Mr. DEFAZIO reducing funding for Turkey and increasing for National Guard; Mr. DEFAZIO regarding limitation on military activity not authorized by Congress; Mrs. TAUSCHER regarding nonproliferation; Mr. SHERMAN regarding economic support fund; Mr. REYES regarding money to joint task force for borders; Ms. JACKSON-LEE of Texas regarding $50 million for SEVIS; Mr. NADLER regarding port security; Mr. WU and Mr. SCOTT regarding airline bailout; Mr. FLAKE regarding airline bailout; Ms. MILLENDER-MCDONALD regarding transit security; Ms. JACKSON-LEE of Texas regarding Office for Domestic Preparedness; Ms. JACKSON-LEE of Texas regarding Office for Domestic Preparedness; Ms. JACKSON-LEE of Texas regarding Office for Domestic Preparedness; Ms. JACKSON-LEE of Texas, Substance Abuse/Medical Health; Ms. JACKSON-LEE of Texas, Department of Health and Human Services; Mr. ALLEN regarding IDEA and No Child Left Behind Act, no offset; Mr. CROWLEY regarding $100 million for Pakistan limitation; Mr. CROWLEY regarding Hero bill; Mr. DEFAZIO regarding unemployment compensation for airline workers; Mr. EDWARDS, regarding airline discontinuation of service near bases; Mr. ISRAEL regarding Commercial Airline Protection for Surface to Air Missiles; Mr. KUCINICH regarding Limitation Amendment that require all contracts acquired for the reconstruction of Iraq to be subject to competitive bidding, as stated in the Federal Acquisition Regulation and the USAID Acquisition Regulation; Mr. KUCINICH Regarding Limitation amendment that restricts funds in Title I, Chapter 3 ''Operation Iraqi Freedom Response Fund;'' Mr. RANGEL regarding $450 million from Iraq to school improvement; Mr. RODRIGUEZ regarding adding $70 million for veterans health care; Mr. TURNER regarding homeland security report; Ms. WATERS regarding IDB; Ms. WATERS regarding conflict of interest; Ms. WATERS regarding HUD community development; Mr. HOEFFEL regarding strike $68 million from Colombia. Transfer peacekeeping to Iraq; Mr. STUPAK regarding health care for Iraq; Mr. WU regarding airline bailout; Mr. ROTHMAN regarding airspace restrictions; Mr. NETHERCUTT regarding limitation on use of Iraq funds; Mr. KENNEDY of Minnesota regarding limitation on the use of Iraq funds; and Mr. HOEKSTRA regarding AmeriCorps.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, did the Clerk read two or three amendments to be potentially offered by the gentlewoman from California (Ms. WATERS)?

The SPEAKER pro tempore. Three.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

□ 1645

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

The SPEAKER pro tempore (Mr. TOM DAVIS of Virginia). Pursuant to House Resolution 172 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1559.

□ 1645

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 further consideration of the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from California (Mr. CUNNINGHAM) had been disposed of, and the bill was open from page 3 line 3 through page 9 line 13.

Pursuant to the previous order of the House, 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, 7, 8, and 9 in the CONGRESSIONAL RECORD; and amendments specified in the list placed at the desk. 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 not be subject to amendment, except pro forma amendments for the purpose of debate, and shall not be subject to a demand for a division of the question.

The Clerk will read.

The Clerk read as follows:

Of the funds appropriated under this heading, and in addition, such sums as may be transferred, or are otherwise available, from current and future balances in the Defense Cooperation Account and the Natural Resources Risk Remediation Fund (only to the extent said funds are available pursuant to the authorities and limitations in current law and those further enumerated in chapter 3 of this Act), and only for expenses, not otherwise provided for, necessary to finance the estimated partial costs of operations associated with Operation Iraqi Freedom and other operations and related activities in support of the global war on terrorism (including Operations Enduring Freedom and Noble Eagle), there is hereby made available a total amount of not to exceed $59,682,500,000, only for transfer to the following accounts in not to exceed the following amounts:

MILITARY PERSONNEL

(TRANSFER OF FUNDS)

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $6,974,500,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,984,300,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,204,900,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,834,800,000.

RESERVE PERSONNEL, ARMY

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

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $93,000,000.

OPERATION AND MAINTENANCE

(TRANSFER OF FUNDS)

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $10,481,500,000, of

which $874,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $3,940,300,000, of which $1,909,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,383,700,000, of which $786,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $3,668,200,000, of which $359,000,000 shall remain available for obligation until September 30, 2004.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $901,900,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $58,400,000.

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $301,700,000.

PROCUREMENT

(TRANSFER OF FUNDS)

AIRCRAFT PROCUREMENT, ARMY

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

MISSILE PROCUREMENT, ARMY

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

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

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

PROCUREMENT OF AMMUNITION, ARMY

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

OTHER PROCUREMENT, ARMY

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

OTHER PROCUREMENT, AIR FORCE

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

PROCUREMENT, DEFENSE-WIDE

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

(TRANSFER OF FUNDS)

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $90,000,000, to remain available for obligation until September 30, 2004.

COMBAT, STABILITY OPERATIONS, AND FORCE RECONSTITUTION COSTS

(TRANSFER OF FUNDS)

For additional expenses, to be derived by transfer from the ''Operation Iraqi Freedom Response Fund'', not otherwise provided for, necessary to finance the estimated partial costs of combat, stability operations (including natural resource risk remediation activities), force reconstitution and munitions/equipment replacement, and other related costs, an amount not to exceed $25,436,400,000, of which not less than $4,000,000,000 shall be withheld from obligation until after July 1, 2003, as a reserve for any additional incremental fiscal year 2003 Military Personnel and ''Defense Health Program'' costs that may be incurred above the amounts provided elsewhere in this chapter or previously enacted defense appropriations: *Provided*, That the Secretary of Defense shall not make any transfer from the ''Operation Iraqi Freedom Response Fund'', the ''Defense Cooperation Account'', or the ''Natural Resources Risk Remediation Fund'' to appropriations, programs and activities cited under this heading, until seven days after notifying the Committees on Appropriations of the Senate and House of Representatives of the amounts and purposes of any such transfer: *Provided further*, That subject to the limitations stated above, amounts provided under this heading shall otherwise be available for obligation in the following amounts, as specified:

For classified programs, not less than $1,817,000,000, which shall remain available for obligation until September 30, 2004, and which shall be in addition to amounts provided elsewhere in this chapter for Procurement, and Research, development, test and evaluation;

For Operation and maintenance, up to $20,214,300,000, of which $4,000,000,000 shall remain available until September 30, 2004, and of which not less than $8,000,000,000 shall be only for fiscal year 2003 costs associated with Operation Enduring Freedom and related costs of the global war on terrorism;

For Procurement, up to $4,242,000,000, to remain available for obligation until September 30, 2004, of which up to $3,249,400,000 may be made available to replenish munitions and other equipment expended for military operations in and around Iraq and the global war on terrorism;

For Research, development, test, and evaluation, up to $57,600,000; and

For Department of Homeland Security, ''United States Coast Guard, Operating Expenses'' up to $400,000,000 to support military activities in connection with Operation Iraqi Freedom and the global war on terrorism: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon determinations that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts shall be transferred back to this appropriation or to the ''Operation Iraqi Freedom Response Fund''.

NATURAL RESOURCES RISK REMEDIATION FUND

(INCLUDING TRANSFER OF FUNDS)

There is established in the Treasury of the United States a special account to be known as the ''Natural Resources Risk Remediation Fund''. Funds transferred to, appropriated to, and contributions made to, the ''Natural Resources Risk Remediation Fund'' may be made available for expenses necessary in connection with Operation Iraqi Freedom to address emergency fire fighting, repair of damage to oil facilities and related infrastructure, and preserve a distribution capability, and may remain available until expended: *Provided*, That not to exceed $489,300,000 of the funds appropriated under the heading ''Operation Iraqi Freedom Response Fund'' in this Act may be transferred to this fund: *Provided further*, That the Secretary of Defense may accept from any person, foreign government, or international organization, and credit to this fund, any contribution of money for such purposes: *Provided further*, That the Secretary of Defense may transfer funds available in the Natural Resources Risk Remediation Fund to other appropriations or funds of the Department of Defense to carry out such purposes, or to reimburse such appropriations or funds for expenses incurred for such purposes and such reimbursements may include funds received pursuant to the authority of the previous proviso: *Provided further*, That funds to be transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided, such amounts may be transferred back to this appropriation.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,100,000,000.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $34,000,000, for transfer subject to the terms and conditions governing such transfers as provided for under this heading in Public Law 107–248.

AMENDMENT OFFERED BY MR. HOEFFEL

Mr. HOEFFEL. 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. HOEFFEL:

Page 17, line 25, after the dollar amount insert ''(reduced by $34,000,000)''.

Page 32, line 19, after the dollar amount insert ''(reduced by $34,000,000)''.

Page 34, line 11, after the dollar amount insert ''(increased by $68,000,000)''.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) reserves a point of order.

Mr. HOEFFEL. Mr. Chairman, I offer an amendment today, and I will not ask for a vote, that will increase the amount of money that we are providing to peacekeeping in this supplemental bill to an additional $68 million, and we would take that money from the Colombia military funds.

Mr. Chairman, I think it is critical for this House to understand the importance of internationalizing our peacekeeping. The peacekeeping funds as distributed by this bill by the State Department are used to assist coalition partners and other cooperative frontline states to promote stabilization activities in postconflict Iraq. Frankly, we do not want all of the peacekeeping to be done by American military forces, or even the coalition forces currently fighting with us in Iraq.

It is necessary, certainly, for us to have some initial burden; but we want

to quickly move in terms of long-term security presence to peacekeepers from our allies in Europe, from other partners, from organizations of international stature, such as the United Nations, or more likely perhaps NATO; and we need to understand the need to move toward that. We need to establish the rule of law in Iraq as part of peacekeeping, and we will need an international team of legal experts and judges and prosecutors to form a transitional justice team and a civilian police team. Years of neglect at the United Nations have made that organization probably incapable of the kind of robust peacekeeping that we are going to need.

I would suggest to the House that we look at NATO. That is the kind of organization that can lift a great part of the burden from American taxpayers and yet deliver robust and effective peacekeeping in Iraq after our victory. It is time now to understand the need to internationalize our burdens, not to try to do this all ourselves, to plan ahead and to make sure we call upon international agencies like NATO to help us in the tasks to come after our military victory.

For a variety of reasons, Mr. Chairman, I am going to withdraw this amendment. I thank the gentleman from Florida (Mr. YOUNG) and the ranking member (Mr. OBEY) of the Committee on Appropriations for their cooperation.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 2 OFFERED BY MR. MCGOVERN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. MCGOVERN:

In chapter 3 of title I, in the item relating to ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', after the aggregate dollar amount, insert the following: ''(reduced by $34,000,000)''.

In chapter 4 of title I, in the item relating to ''ANDEAN COUNTERDRUG INITIATIVE'', after the aggregate dollar amount, insert the following: ''(reduced by $27,000,000)''.

In chapter 5 of title I, in the item relating to ''OFFICE FOR DOMESTIC PREPAREDNESS'', after the first and second dollar amounts, insert the following: ''(increased by $34,000,000)''.

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Florida for a time request.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) and any amendments thereto be limited to 40 minutes, to be equally divided and controlled by the proponent and myself as the opponent.

Mr. OBEY. Reserving the right to object, as I said earlier, we have over 40 amendments left to go. I understand this is an important amendment. We just had over an hour on an amendment from the gentleman from California (Mr. CUNNINGHAM) that was considered important. If we provide 40 minutes' time for this amendment, I do not want the expectation to be that we will do that for every other amendment. I would hope that we understand that this is the last amendment we would ask significant time for, and Members can expect us to ask unanimous consent in order to hold each future amendment to considerably less time than this.

Mr. YOUNG of Florida. Mr. Chairman, if under his reservation the gentleman would continue to yield, I will do my best to make that work on my side.

If the gentleman would continue to yield, as to our Members so they can make some plans for the evening, while we will still continue and intend to complete this bill sometime tonight, I would ask the Chair that we not have any votes prior to 8 p.m., roll votes until 8, so Members can have time for dinner or whatever.

Mr. OBEY. I thank the gentleman.

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

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 20 minutes.

The gentleman from Massachusetts (Mr. MCGOVERN) is recognized.

Mr. MCGOVERN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise today to offer an amendment on behalf of the gentleman from Missouri (Mr. SKELTON) and the gentlewoman from Connecticut (Ms. DELAURO) to add $34 million to the Office of Domestic Preparedness for assistance to State and local first responders. I would have preferred to increase those funds by $61 million, but the Committee on Rules last night would not allow even that modest sum to go to our first responders.

This amendment is very simple. It adds $34 million for our first responders, and it strikes $61 million in military and security assistance for Colombia to pay for the increase. This supplemental contains more military aid for Colombia, in total $105 million, than the amount for first responders in 49 of the 50 States. At a time when our country faces an increased risk of terrorist attack, at a time when every dollar is needed to support the men and women who daily protect our communities from terrorism and other threats, this bill makes it clear they would be better off as a military or police officer in Bogota, Colombia, than Worcester, Massachusetts, Miami, Florida, or even New York City.

President Bush asked this Congress to refrain from attaching items not directly related to the emergency at hand. This bill is supposed to focus on Iraq and the region surrounding Iraq and on our own homeland security. So why is military aid for Colombia in this bill?

Scarcely 6 weeks ago, Congress passed an appropriations bill that contained over $500 million in military security and economic aid for Colombia. Have they already run out of that money? No. Most of it is not even in the pipeline yet. When this House returns from the April recess, the Subcommittee on Defense and the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations will begin work on the fiscal year 2004 appropriations bills. The President has asked for more than $700 million in military security and economic aid for Colombia in those bills. I submit that Colombia is very well taken care of in the regular authorization and appropriations process.

If this House approves this amendment, the supplemental will still include $44 million in military and security assistance for Colombia. My amendment does not touch additional funds for hostage search and rescue missions in Colombia. This amendment does not touch funds to strengthen security for President Uribe, and it does not touch at least $25 million in other military assistance in this bill, funds which could be used for bomb detection, for extending the Colombian Government's control over zones of conflict, or for other purposes.

This amendment is a very modest increase for the men and women who are our front-line security right here at home, and a very modest reduction in military funds for Colombia.

Most of my colleagues know that I have grave concerns about our policy in Colombia. I am even more deeply concerned that we never seem to get an opportunity to debate that policy except when money is being slipped in through the back door in supplemental appropriation bills that are focused on other critical issues like the war in Iraq.

Members may disagree with me on our policy on Colombia, but they cannot disagree that these funds are needed more at home right now than they are needed in Colombia.

□ 1700

I just returned from 1 week in Colombia, and I saw first hand what the United Nations High Commissioner on Human Rights in Bogota just reported to the Human Rights Commission in Geneva. Violence and human rights crimes by the paramilitary guerillas are on the increase. Human rights

abuses and crimes by official government military and security forces are on the increase, and the links between the Colombian armed forces and the paramilitaries remain unchanged.

Mr. Chairman, the U.S. has more troops on the ground in Colombia than ever before, and Americans are dying in Colombia and our involvement is becoming increasingly directed in counterinsurgency efforts. These are serious matters. They deserve serious and full debate before we further escalate our involvement.

I know that the chairman of the Committee on Appropriations is concerned that terrorist groups like al Qaeda rely in part on drug money to finance their operations. Every Member of this House is concerned about that. But al Qaeda's drug money comes from South Asian poppy fields, not Colombia. In Colombia, drug money permeates all sectors of society. It helps finance Colombia's 40-year-old civil war. And let me suggest that one of the best ways to deal with the drug problem in America is by making certain that we have enough law enforcement officers on our own city streets.

So I would urge my colleagues to support this amendment, support our police, our firefighters and our public safety officers at home, to pass this amendment for their own hometown.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Arizona (Mr. KOLBE).

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

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

I want to talk about this amendment which does affect both the defense chapter of this supplemental as well as the foreign assistance chapter. The supplemental bill before the House today has the same level as the President's request for funding for Colombia in the Foreign Assistance Chapter. It includes $37 million foreign military financing and $34 million from the Andean Counterdrug Initiative. The McGovern amendment would cut $27 million from the Andean Counterdrug Initiative and $34 million from the funds in the Department of Defense Chapter. It leaves in the foreign military financing assistance and $7 million of the Andean Counterdrug Initiative.

Let me begin by saying about my opposition to the amendment that the funding in supplemental legislation for Colombia is subject to all of the restrictions and conditions that exist under current law. These funds are not exempt from those conditions. The funds are subject to human rights certifications. They are subject to coca spraying conditions, conditions on the use of U.S. helicopters, the rules of engagement, and there is more. In fact, let me emphasize to my colleagues that there is no provision in the foreign assistance legislation that is subject to more conditions than these funds, with the possible exception of those funds provided for the West Bank and Gaza.

I apparently do not need to remind the subcommittee that Colombia is South America's oldest democracy, but it is a country that is torn by decades of civil strife. It has endemic violence, corruption, deep socioeconomic inequities, weak institutions, and a serious economic recession, all exacerbated by the illicit drug production and trafficking. Drug profits play the motivating factor in inciting the terrorism that is killing 3,500 Colombian citizens every year. It is in the national interest of the United States to promote better stability in Colombia by helping it address these longstanding problems and confronting the socially corrosive drug industry.

But for the first time since becoming chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, I have some good news to share with my colleagues. Our eradication efforts with President Uribe's administration and with his assistance are making a difference in Colombia.

The last half of 2002 and the first half of 2003 marks a turning point in the struggle by the United States and Colombia against narcotrafficking and terrorism. We have made significant progress; but as a result, the narcoterrorist groups have become desperate.

President Uribe and his senior administration officials, in office only since August of 2002, have demonstrated the will and the ability to fight narcotrafficking and terrorism at their roots. Therefore, the terrorists are now targeting him and other officials for assassination. Funding in this supplemental will provide much-needed security upgrades for official facilities and training for Colombian security personnel to reduce the threat of assassinations.

I would urge my colleagues to recognize the situation in Colombia, to recognize that U.S. national interest in a stable Colombia is important, to recognize that we are making a difference. Reducing U.S. support at this time would send the wrong message to the FARC and to the paramilitaries.

I urge my colleagues to oppose the McGovern amendment.

(Mrs. LOWEY was given permission to include a statement at this point in the RECORD.)

Mrs. LOWEY. Mr. Chairman, I rise in support of this amendment.

The additional funding requested for Colombia has no place in this bill. More importantly, it adds funding in support of a policy that is essentially flawed. President Uribe's election gave us some initial hope that he would engage all the disparate elements of the conflict with new ideas and a real commitment to bring lasting peace.

Unfortunately, what we have seen is an escalation of activity from guerilla organizations, increasing influence and control by paramilitary organizations, no reduction in coca cultivation, and a slippage in the commitment to prosecute human rights abuses.

I have no illusion about the complexity of the problems of Colombia, but I do not think we should be adding funds to expand our commitment there at this point. Make no mistake: we are headed toward the direct involvement of U.S. troops in that conflict. I regret the fact that there are U.S. hostages in FARC camps, and I support all efforts to rescue them, but this funding goes beyond that and expands the involvement of U.S. personnel on the ground.

If the policy were balanced and we had a real commitment on the part of the Colombian government to deal with all aspects of the problem—including the rapidly expanding drug trafficking by paramilitary organizations—it might be different. Unfortunately we don't, and the influence of these organizations and their cooperation with the Colombian military increases daily. The Colombian military has succeeded in decreasing the control that rebel groups have enjoyed in certain parts of the country. But these successful military operations have been followed up by paramilitary units moving in to these same areas and taking control. This has occurred in the Buena Ventura port area on the Pacific Coast of Colombia, which is a primary drug transshipment port near the town of Cali. And we also have seen no action by the Colombians to arrest indicted members of the Paramilitaries.

Until we have a balanced policy with a real commitment by the Colombian government to deal with all aspects of the problem, our funding for eradication and military training only serves to inflame, not to stop, the conflict. I urge my colleagues to move funding away from these purposes, and instead invest it in homeland security—where it can make a positive difference in the lives of the American people.

Mr. MCGOVERN. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. SKELTON), the distinguished ranking member on the Committee on Armed Services.

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

I rise to support this amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN), my friend and co-sponsor.

The previous speaker spoke about national interest. This amendment provides at least some critical assistance to national interest, and that is of homeland security. Mr. Chairman, this supplemental bill that we are debating today is about the war in Iraq. It is about the crucial ongoing operations in the region of Afghanistan, and it is about protecting the American people from future acts of terrorism. This war is expensive, and its aftermath will be more expensive still. And I must tell the Members, Mr. Chairman, I have deep concerns and I am troubled so very much about the aftermath after we have a victory in Iraq because that of course will be the proof in the pudding as to whether the young men and young women's sacrifices have been in vain.

I commend the Committee on Appropriations for providing the funding to give our troops everything they need to win the war, and I commend them too for making a downpayment on the costs of reconstruction in Iraq. We in Congress and the American people must know that rebuilding that nation will require substantial and sustained commitment.

But we owe a commitment too to our first responders here in our own country. They are on the front lines of the war on terrorism right here at home. Our States remain underfunded for critical needs. The State of Missouri alone requires some $500 million to do the defense work concerning our first responders. And while this supplemental provides some funding for the States, it needs to do more.

This amendment would provide more funding for the first responders by decreasing the amount of military and counterdrug assistance going to Colombia. I have deep concerns about our Nation's involvement in the ongoing conflict there, but today my larger concern is about where we face a bigger danger, and that is right here in the United States of America. That justifies emergency spending.

This amendment, Mr. Chairman, allows funds for unforeseen needs in Colombia, notably search and rescue operations for the Americans held hostage, and increased security for President Uribe, who is trying so hard to bring peace to his nation. But, Mr. Chairman, on the other hand, Colombia's request can be and should be handled in regular order. There is simply no emergency that warrants funding for these other items and programs in this bill. Money is more urgently needed and it would be more appropriately spent in the supplemental supporting our first responders right here in the United States just as we support our troops.

I urge my colleagues to support this amendment, and I thank the gentleman from Massachusetts (Mr. MCGOVERN) for his leadership.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I thank the gentleman for yielding me this time.

I think adopting this amendment would be a huge mistake for this House; so I rise in strong opposition to this amendment which proposes cutting vitally needed assistance to Colombia and the Andean region. Quite simply, now is not the time to turn our backs on the progress we are making against narcoterrorism in Colombia.

General James Hill, the commander of the U.S. Southern Command, said recently that the so-called narcoterrorists operating in Colombia and throughout Latin America fuel and fund worldwide terrorist organizations such as Hamas and Hezbollah. Our counternarcotics and counterterror initiatives in Colombia are finally beginning to bear fruit. For example, last month John Walters, the director of the Office of National Drug Policy, announced promising new estimates of coca eradication in Colombia, and these numbers do not account for the intensified spraying that has occurred since President Uribe took office in 2002. It would be foolish for us to send this message to the Colombian Government now and for us to derail this program just as it is beginning to succeed.

The administration has requested the allocation of supplemental funding to support the Uribe administration's commitment to stamp out terrorists, reduce the level of narcotics trafficking, and eventually eliminate his nation's supply of drugs. President Uribe's aggressive approach to counternarcotics and antiterrorist programs has seen significant results in a very short period of time.

Our 2003 funding was developed prior to President Uribe's taking office, and it is not sufficient to appropriately and effectively fund the current pace of our counternarcotics operations. Supplemental funding would provide Colombia with several essential tools and resources, including intelligence equipment to detect threats against U.S. and Colombian officials and increase capabilities to enhance existing eradication efforts.

After a recent visit with President Uribe in Bogota, I can tell the Members that the Colombian Government's commitment is strong. President Uribe's administration is working to enhance state presence in vast areas of the country that have lacked it for decades. They have the popular support of a vast majority of Colombians to beef up and spray eradication efforts, impose new taxes, to strengthen their police and military, and reform their beleaguered criminal justice system.

Of course, significant hurdles remain. The FARC, ELN, and AUC continue to hold sway over large portions of the countryside where there is little, if any, state presence. The narcotics terrorists have also shown no respect for human rights and do not value human rights. They have murdered and kidnapped innocent men and women and children including American citizens. As we prepare to reaffirm our commitment to the demand side of the war on drugs by reauthorizing drug policy legislation in this Congress, it is imperative that we continue to closely monitor both progress and setbacks on the supply side in Colombia.

With military intervention in Iraq under way and concerns about homeland security here at an all-time high, it is important we do not overlook the battle against narcoterrorism going on in Colombia. It is part and parcel of our international antiterrorist efforts.

The killing and kidnapping of Americans and the murderous bombing of a Colombia club frequented by families are the acts of a desperate band of outlaws.

Mr. Chairman, the Uribe administration has made more progress in 7 months than we have seen in many years. Vote ''no'' on this amendment.

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

I repeat, this amendment supports first responders. It does not touch $44 million of military aid in Colombia. A few weeks ago this Congress approved $500 million in military aid to Colombia, most of which is not even in the pipeline yet, and we can handle the rest of Colombia's needs and have this debate through the regular appropriations process.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), another cosponsor of this amendment.

Ms. DELAURO. Mr. Chairman, I am proud to offer this amendment with my colleagues, the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Missouri (Mr. SKELTON). It would reduce military and security assistance to Colombia and add $61 million to the Office of Domestic Preparedness for assistance to State and local first responders.

Today our country is at war and the Nation's threat level is high. I heard in my district a few weeks ago when I met with police, fire, and emergency medical personnel that there is a serious need in our cities and towns to provide funding for first responders in our fight against terrorism. Our localities have already spent in excess of $3 billion to meet their homeland security needs; and with this economy, with States in the single worst fiscal crisis since World War II, we cannot expect them to shoulder the full burden. Any bill to fund the war must also provide these cities and towns with the funds they need to safeguard their communities.

This bill includes provisions that have nothing to do with meeting our homeland security needs or funding the war in Iraq. In particular, I am talking about the substantial military aid for Colombia. In fact, this bill contains more military and security assistance for Colombia, $105 million, than the amount that nearly every State will receive for first responders. And what is so urgent at this particular moment about our objectives in Colombia that could not be addressed in the annual appropriations process? Why is this funding in an emergency bill meant to address Iraq?

I am concerned that this funding for Colombia may signal an escalation of our military involvement there. If this is true, then we have an obligation to have a full debate here in the Congress and reconsider our objectives there rather than simply approve additional funding without any debate at all.

No matter how we feel about our involvement in Colombia, this bill is not the vehicle by which we should be making serious policy decisions regarding the escalation of our involvement.

□ 1715

I urge my colleagues, do right by their cities, their towns, police, fire, emergency medical personnel. Support this amendment. Give first responders the resources they need to keep their communities safe.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) that would cut $34 million in Colombian assistance provided by the Defense Department and $27 million earmarked for the Andean Counterdrug Initiative to be added to the Office of Domestic Preparedness.

Mr. Chairman, it really makes no sense at this time to direct additional funds to the Office of Domestic Preparedness when $331 million remains unspent from a previous allocation of $494 million.

President Uribe of Colombia is showing real leadership in the face of drug-financed terrorism. His life is always in danger. Our drug czar, John Walters, recently testified before my subcommittee about Colombia's record progress in eliminating illegal drugs. The governor of a leading drug-producing area in Colombia, Putamayo, was in my office just this week telling me of additional successful efforts in his Putamayo district. In fact, drug production in Putamayo has already been reduced from 66 million hectares to 13 million hectares. That is a reduction of 80 percent over 2 years.

Cutting aid to Colombia would also remove search and rescue funding, even as we work to return three Americans who are being held by the FARC.

Mr. Chairman, the drug war continues. Our homeland security compels every effort to fight the drug scourge that continues to kill our children, up to 30,000 a year. Compare that to Iraq. We have an ally in Colombia who is fighting this war for us. Let us not reduce our efforts when we are finally winning.

I urge a ''no'' vote on the McGovern amendment.

Mr. MCGOVERN. Mr. Chairman, I need to repeat this, because I think we need to deal with facts here. Not one dime of search and rescue money is touched by my amendment. So we can disagree on policy, but we should stick to the facts.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time.

I rise today to join my colleagues in expressing my frustration and my disappointment in that our first responders are being neglected in this effort to supplement the cost of the war. I am disappointed on behalf of the first responders in our district in Orange County, California. I am disappointed because the police in Anaheim, California are being forced to spend an additional $20,640 a day to maintain their readiness under the orange threat level. Mr. Chairman, $20,640 per day. The Federal Government is telling these local officers at what level they must remain alert and yet adequate funding is not being provided. This mirrors what is going on all across our Nation.

All of our first responders are responding every single day to the threat that still exists against this country. They are responding with additional officers, with additional sergeants, and with the additional overtime necessary to keep their forces alert. Our first responders are fighting the war, and we should be funding them.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Chairman, first I think it is important that we review why we are in Colombia. Colombia is in our hemisphere and we cannot let it be overtaken by the narcoterrorists.

Violence there in Colombia is primarily because of U.S. and European drug addiction. Violence in the U.S., 20,000 deaths a year, far exceeds the terrorist deaths we have in the United States.

Colombia is an important trading partner. Colombia is a model of democracy, the oldest in South America. Colombia is an energy supplier to the U.S., a supply that has been basically blocked by the narcoterrorist attacks.

Now, the fundamental question. If we have all of these compelling reasons to be in Colombia, more than probably any other Nation where we have troops at this point, the question comes, why are we cutting it and what are we cutting? The gentleman from Massachusetts, who I consider a friend, we do not agree on this subject, but I know he has been down there as I have many times. We have looked at it. We do not agree on some fundamental facts. He sees the glass half empty, I see it half full. We have been making progress on human rights, we have been making progress on controlling the terrorism, and we need to make more aggressive progress and keep it up.

His amendment proposes to cut the funding that provides the intelligence base with which to do the rest of the operations. He did not cut the funding to protect President Uribe, which is critical. The man is under daily attack. They are trying to kill him like they killed his father, like they threatened his family. But we are going to cut the intelligence in this bill to protect Uribe.

We say that we want the Colombian units to go out and eradicate the drugs, but we want to cut with this amendment the money that would enable us to identify where the drugs are. We say we want to help the Colombians tackle the problem, but we are cutting with this amendment the military assistance from SOUTHCOM to help train those Colombian units. That is the $34 million he has in particular targeted, the money that goes to SOUTHCOM.

Now, General Hill from SOUTHCOM said that the terrorist threat coming from Colombia through the narcoterrorists is greater than the other terrorist threats. What does he mean precisely by that? Did he mean al Qaeda? No, he did not mean al Qaeda. There may be future ties to the money, as the gentleman from Massachusetts said, that the greatest funding of the al Qaeda has come from Asian heroin. However, Hamas, the Russian Mafia, and others have started to interconnect with the narcoterrorists.

Let us be blunt here. I have spent the last 2 years doing hearings on our north and south border. We have better control over Middle Eastern illegal immigrants right now, with the possible exception of at Detroit and Buffalo, than we do of our south border. We are completely vulnerable right now to terrorist attacks coming from Hispanic attacks, coming from the south, particularly the FARC and Mexican Mafia-type groups who are directed at us.

As we are more effective in Colombia, as we cut off this multibillion-dollar industry of selling narcotics to the United States, those groups are going to fight back. As they have developed with our money, with our drug users' in the United States money, as they have developed the shoulder packs with which to attack, as they have had the ability to shoot down our helicopters to go off and take down military forces in Colombia, as they bring that to our soil, we better be focused on Colombia. We better be going after those terrorist groups as well.

I strongly oppose this amendment which would cripple our operations.

The following is a letter to other Members of Congress sent online today by Chairman TOM DAVIS and me:

APRIL 3, 2003.

DEAR COLLEAGUE: We strongly encourage you to oppose the McGovern Amendment to cut vitally needed assistance to Colombia and the Andean region. In a time of war, withdrawing American aid to help end political instability and conflict in our own hemisphere is shortsighted and against our national interests for several reasons:

Colombian Instability Directly Threatens U.S. National Security: Political violence and instability in Colombia threatens the security of the United States as much as the instability in Iraq for which America is now engaged in war. Three Americans have been held hostage in Colombia since January by the FARC, which the State Department has designated as a foreign terrorist organization. Other major groups fighting against the democratically elected Government of Colombia have also been designated as terrorist organizations. Public reports recently revealed that Osama bin Laden had visited the tri-border region in South America to

meet with terrorists. The supplemental funding is directed to a serious and proven national security threat in America's own hemisphere.

Drug Eradication Efforts Are Succeeding: Nearly 20,000 Americans die each year of drug-induced causes—substantially more than the toll terrorism has taken in the United States to date. Last month, official estimates from both the CIA and the United Nations indicated that the coca crop in Colombia had declined substantially for the first time in years—as a direct result of U.S.-funded drug control programs. Our efforts have finally reached a turning point, and it would be foolhardy to cut off the program just as it is beginning to succeed.

Domestic Preparedness Funding Is Currently Available: Currently appropriated funding is already available for assistance in first responders and has not yet been obligated.

Plan Colombia Aids Human Rights: The State Department's annual Human Rights report this week examined violations of human rights on all sides of the complex conflict in Colombia. American assistance through Plan Colombia addresses human rights issues by providing $230 million in aid to directly improve human rights and administration of justice, preserve the environment, and foster economic development. Further, by bolstering political stability and the acceleration of peace in Colombia American assistance aims to end the root conflicts driving human rights violations. To withdraw aid from Colombia will cause more, not less, violence and more, not less, violations of human rights.

We strongly encourage you to oppose the McGovern Amendment.

Sincerely,

TOM DAVIS,
Chairman.

MARK E. SOUDER,
Chairman, Subcommittee on Criminal Justice, Drug Policy and Human Resources.

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

Let we repeat again, we just approved a few weeks ago $500 million in military assistance to Colombia. Most of that is not even in the pipeline yet. Mr. Chairman, $44 million remains in the supplemental bill that is untouched. The President has requested an additional $700 million for this Congress to consider in the foreign ops and defense provisions bill. We are introducing this amendment because we care very much about our hometown security in the United States of America which is being shortchanged.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I am deeply disappointed that we cannot just all agree that we must adequately fund our homeland security needs. The McGovern-Skelton-DeLauro amendment moves us in the right direction, cutting $61 million in the bill for Colombia and redirecting resources to State and local first responders. I wholeheartedly support this proposal.

Having traveled to Colombia, I know it is important for the United States to support our neighbor. However, I cannot support sending additional millions above the billions we have already sent to that country to be used for military equipment and military purposes in a failed counternarcotics and counterinsurgency effort. I cannot support this effort, because despite increased U.S. aid to Colombia, the violence in that country persists.

According to the State Department, the Colombian Government is still implicated in gross human rights abuses. I certainly cannot support sending additional U.S. dollars to Colombia for the wrong reasons, before guaranteeing my constituents that our homeland security needs are met. We are far from being able to make that guarantee.

As of today, every single municipality in my district has informed me that their homeland needs are desperately underfunded. One firefighter in my district told me that he prays every single day when he goes to work that no terrorist attack will occur, because the city he works in, despite all of its best efforts, does not have the necessary resources to respond.

The war in Iraq has exacerbated the problem. Firefighters and police officers from my district have been deployed to the Persian Gulf and their departments do not have the funds to hire replacements. Coast Guard cutters controlling the Great Lakes for suspicious vessels have been redeployed to the Persian Gulf, and our public health infrastructure is not equipped to handle terrorist attacks that have been identified as greater threats to our security than Iraq or the war in Colombia.

How dare we send more money to Colombia, ostensibly for its security, than we are sending to first responders in 49 States in our own Nation? I urge all Members to correct this misguided approach to national security. Support the McGovern-Skelton-DeLauro amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the very distinguished gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I appreciate what the gentleman who has offered this amendment has intended, and that is to assist our first responders, and we want to make certain that those who are protecting our streets, those who are protecting and defending our communities against the threat of terrorism have the adequate resources to do that. But this is, unfortunately, an ill-conceived amendment. It would do a great deal of damage.

I have chaired the Subcommittee on Criminal Justice and Drug Policy, and I can tell my colleagues that we finally have the opportunity, the glimmer of hope of bringing under control some of the devastation that is being wrought by the illegal narcotics that are being produced in Colombia. Today, Colombia provides 90 percent of the cocaine and 60 percent of the heroin sold or seized on America's streets. To put this in perspective for my colleagues, drug-related deaths in the United States now exceed homicides. Fifty American lives are lost every day. Before this day ends, 50 Americans will die in the streets and communities across our Nation, most of them young people, and most of the deaths are a result of drugs and narcotics coming from Colombia.

So this is a bad amendment and bad timing, because we have a President now who is supportive of our efforts to curb terrorism, to curb narcoterrorism, and to curb the narcotics that are coming into our streets and communities and killing countless Americans.

So I ask for my colleagues' careful consideration and defeat of the McGovern amendment. I know it is well-intended, but it is inappropriate at this time.

Mr. YOUNG of Florida. Mr. Chairman, I would advise the Chair that I have only one remaining speaker to close, so I will reserve the balance of my time until the gentleman has concluded his time.

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

I feel I need to repeat this one more time. This Congress just a few weeks ago approved $500 million for Colombia. Most of that is not even in the pipeline yet. In the supplemental, we do not touch $44 million. The President has requested an additional $700 million in mostly military aid. We are throwing more money at Colombia than Colombia can absorb. But in my city of Worcester, Massachusetts, they are laying off 20 police officers and 20 firefighters, and that is happening all over my State and all over this country. That means more drugs and more crime, and that is unacceptable.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I support the McGovern amendment because Los Angeles is a very likely target for a terrorist attack. Our city is known worldwide for its famous landmarks and notable economic assets.

□ 1730

Local transportation hubs, such as the port of Los Angeles and Los Angeles International Airport, are the transit points each day for thousands and millions of people and millions of dollars' worth of goods.

LAX is a center of international tourism, not just for the Southern California area but for the Nation as a whole, accomodating more than 60 million passengers from 28 different countries. LAX handles more than 2 million tons of airborne cargo each year.

We talk about the lives of people being affected by drugs coming up from Colombia, but what about the lives of people who might be at the wrong place at the wrong time because they happen to be at LAX, and we have not allocated the funds to help the first responders?

Mr. Chairman, it is a matter of priority. As we have heard over and over

again this afternoon, money has been allocated to Colombia, but not a dime has been allocated to help the first responders handle an incident at Los Angeles Airport, or at Los Angeles' ports.

Mr. Chairman, I ask the Members not to leave us that vulnerable. When we talk about life, think about the lives that could be lost because we do not have the first responders funded to be able to meet the need.

I urge an ''aye'' vote on this amendment.

Mr. MCGOVERN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the reason to support this amendment is simple: States and local governments are being forced to lay off critical first responders: police, firefighters, and emergency medical workers. The amount of funding in the committee-passed bill remains inadequate to meet these needs. Our amendment will help provide a modest increase for these men and women who carry the burden of protecting our hometowns from terrorism and other threats.

The costs of the Iraq conflict are steep and the needs of our own domestic security are critical. This supplemental request will likely not be the last to pay for war-related expenses. Many of us in Congress also share a deep concern about the costs of rebuilding Iraq and providing for its government in transition.

At this time, with the Nation at war, our priority must remain with these efforts. While the war with Iraq justifies emergency supplemental appropriations to support our troops overseas and to protect our security here at home, there is no such emergency with respect to Colombia that would justify deviating further from the regular order of the authorization and appropriations schedule, especially when our first responders remain in real need of additional funds.

As I have said over and over in this debate, we are throwing more money at Colombia than Colombia can absorb. But in all of our communities, even those that have risen in opposition to this amendment, there is a real need with our local law enforcement community among our first responders for additional funds so they can meet the security needs of their communities.

Mr. Chairman, this amendment in no way puts any of the efforts against counterterrorism or narcotics in Colombia at risk. What this amendment does, it strengthens our war against drugs and strengthens our war against crime and strengthens our security right here at home by providing more assistance to our local police officers.

As I have said before, in my home city of Worcester, Massachusetts, 20 police officers are about to be laid off, 20 firefighters are about to be laid off. That does not enhance the security of our community.

That is not unique. It is happening all over this country. We have an opportunity to respond to that crisis. This is the time to do it. This is a good amendment, this is a reasonable amendment, this is a modest amendment; and I would urge all of my colleagues on both sides of the aisle to support the McGovern-Skelton-DeLauro amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to my colleague, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), who will close.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, there is perhaps no free people and democratic government in the world that faces a more serious threat from terrorism, and specifically narcoterrorism, than the government of Colombia.

The narcoterrorists in Colombia, because of the fact that they are engaged in the drug traffic, have hundreds of millions, indeed, billions of dollars at their disposal to purchase the most deadly weapons available from rogue states and terrorist groups from throughout the world to cause the most serious damage conceivable.

Those billions of dollars available to the narcoterrorists in Colombia have made it possible for them to engage in a sustained campaign of extraordinary violence, of kidnapping, of the most horrible conceivable crimes again the Colombian people. Day in and day out the Colombian people and their democratically elected government are fighting the narcoterrorists in an extraordinary way, a valiant way, an admirable way.

What we are doing in this Congress, with the support of the President of the United States, and, indeed, his orientation and his leadership, is we are saying to the Colombian people and their democratically elected government that we support them in their effort against narcoterrorists who have billions of dollars for death and destruction at their service, at their disposal.

These tens of millions of dollars that we are discussing today may be able to be categorized, as they were by the sponsor of this amendment, as a modest proposal. But the challenge before the Colombian people is not a modest challenge, the challenge posed by the tens of thousands of murderers who engage in thousands of kidnappings each year, including, and I have the latest travel warning from the United States State Department, 26 Americans who are reported as kidnapped in recent months in Colombia.

Those terrorists have, as I said before, billions of dollars at their disposal. Yes, we are, in the words of the sponsor of this amendment, dealing with a modest, a modest amount, tens of millions of dollars in aid, for a democratically elected government that is fighting against the most violent terrorists perhaps on the face of the Earth today, terrorists that attack not only military personnel but civilians, and engage in systematic violence against a people who live in a democracy.

So I urge my colleagues to reject, to vote down this ill-timed and ill-conceived amendment and to support our leadership, to support the President, to support the efforts against narcoterrorism that are embodied in our support for the democratically elected government of Colombia.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MCGOVERN. 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 Massachusetts (Mr. MCGOVERN) will be postponed.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—THIS CHAPTER

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

SEC. 1302. None of the funds in this chapter may be used to initiate a new start program without prior notification to the congressional defense committees.

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

SEC. 1304. Title II of the Department of Defense Appropriations Act, 2003 (Public Law 107–248), is amended under the heading ''Operation and Maintenance, Defense-Wide'' by striking ''$25,000,000'' and inserting ''$50,000,000'': *Provided*, That the additional funds for the CINC Initiative Fund made available by this section may be expended notwithstanding the limitations in section 166a(e)(1) of title 10, United States Code.

SEC. 1305. Title II of the Department of Defense Appropriations Act, 2003 (Public Law 107–248), is amended under the heading ''Operation and Maintenance, Defense-Wide'' by striking ''$34,500,000'' and inserting ''$69,000,000''.

(TRANSFER OF FUNDS)

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

(1) by striking ''May 31'' in the fourth proviso and inserting ''June 30''; and

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 1307. In addition to amounts made available elsewhere in this Act for the Department of Defense, $165,000,000 is appropriated to the Department of Defense to reimburse applicable appropriations for the

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

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

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

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

''(C) The aggregate value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of assistance provided under this paragraph may not exceed $150,000,000 in fiscal year 2003.''

(c) Notwithstanding any other provision of law, none of the funds provided in this or any other appropriations Act for the Department of Defense may be used for the drawdown authority in section (4)(a)(2) of Iraq Liberation Act of 1998 (including the drawdown authority of this section) unless the House and Senate Committees on Appropriations are notified in writing of the sources of the funds to be used for such purpose at least seven days prior to the exercise of the drawdown authority.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1310. During fiscal year 2003, amounts in or credited to the Defense Cooperation Account under 10 U.S.C. 2608(b) shall be available for obligation and expenditure consistent with the purposes for which such amounts were contributed and accepted: *Provided,* That such amounts shall only be available for transfer by the Secretary of Defense the ''Operation Iraqi Freedom Response Fund'' and be available for the same period as the appropriation to which transferred: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall report at least seven days in advance to the Congress of all proposed transfers to be made pursuant to this authority.

SEC. 1311. (a) Hereafter, contributions of money deposited into the ''Natural Resources Risk Remediation Fund'' shall be reported to the Congress in the same report, and under the same terms and conditions, as the report required for contributions to the ''Defense Cooperation Account'' under section 2608, chapter 155 of title 10, United States Code.

(b) During fiscal years 2003 and 2004, the use of monies or real or personal property contributed to the ''Defense Cooperation Account'' and the ''Natural Resources Risk Remediation Fund'' shall be subject to the prior approval of the Committees on Appropriations.

SEC. 1312. The Secretary of Defense shall notify the congressional defense committees, in writing, not later than 15 days prior to the obligation of funds appropriated in this chapter for military construction activities or minor construction in excess of $7,500,000.

(TRANSFER OF FUNDS)

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

AMENDMENT OFFERED BY MRS. TAUSCHER

Mrs. TAUSCHER. 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 Mrs. TAUSCHER:

After chapter 3 of title I (relating to Department of Defense), insert the following new chapter (and redesignate the subsequent chapters and any cross references accordingly):

CHAPTER 3A

DEPARTMENT OF DEFENSE

GENERAL PROVISION

SEC. 1351. (a) EXPANDED USE OF COOPERATIVE THREAT REDUCTION FUNDS.—(1) Notwithstanding any other provision of law, during fiscal year 2003 the President may use Cooperative Threat Reduction funds, including Cooperative Threat Reduction funds for a prior fiscal year that remain available for obligation as of the date of the enactment of this Act, for proliferation threat reduction projects and activities outside the states of the former Soviet Union if the President determines that such projects and activities will—

(A) assist the United States in the resolution of critical emerging proliferation threats; or

(B) permit the United States to take advantage of opportunities to achieve longstanding nonproliferation goals.

(2) The amount that may be obligated under paragraph (1) for projects and activities described in that paragraph may not exceed $50,000,000.

(b) AUTHORIZED USE OF FUNDS.—The authority under subsection (a) to use Cooperative Threat Reduction Funds for a project or activity shall be subject to section 1206 of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5955) and includes authority to provide equipment, goods, and services for the project or activity.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for ''Defense Nuclear Nonproliferation'', $55,000,000: *Provided,* That, of the funds made available in this paragraph, not more than $20,000,000 may be made available for the Second Line of Defense program to install radiation detection equipment at key transit points outside the former Soviet Union: *Provided further,* That, of the funds made available in this paragraph, not more than $35,000,000 may be made available for materials protection, control, and accounting activities in regions of concern outside the former Soviet Union, including Iraq should any dangerous agents be discovered there.

Mrs. TAUSCHER. Mr. Chairman, I would like to register my strong support for ensuring that the supplemental appropriations legislation before us gives the President the critical ability to defend the United States against the threat of weapons of mass destruction.

Two of the most effective ways to do that are to give the President the authority to use the Department of Defense funds to dismantle nuclear and chemical weapons facilities around the world, and to support efforts by the Department of Energy to prevent smuggling of weapons of mass destruction throughout the Middle East and central Asia.

The gentleman from South Carolina (Mr. SPRATT), the gentleman from Texas (Mr. EDWARDS), and I have an amendment that would do just that. It provides the President with the authority that he has requested from Congress to expand the use of cooperative threat-reduction funds for projects and activities in countries outside the former Soviet Union.

My amendment also adds $55 million for Department of Energy nonproliferation programs; of that, $20 million for the Second Line of Defense Program to install radiation detection equipment at key transit points outside the former Soviet Union, and $35 million for materials protection control and accounting activities in regions of concern, including Iraq, should any dangerous agents be discovered there.

Both these provisions were contained in the Senate version of the supplemental, approved by the Senate Appropriations Committee just this past Tuesday. Additionally, CTR authority outside the former Soviet Union is urgently needed for the Defense Department to apply its unique knowledge and capabilities in places like Iraq if and when weapons of mass destruction are discovered.

The additional funds for the Department of Energy would allow for some of the same capability while also enhancing domestic security through radiation detection at transit points overseas.

Two years ago, former Senator Howard Baker and White House counsel Lloyd Cutler concluded, ''The most urgent unmet national security threat to the United States is the danger that weapons of mass destruction or weapons-usable material in Russia could be stolen and sold to terrorists or hostile nations and used against American troops abroad or citizens at home.''

Today, it could not be any clearer that our homeland is at risk and that our troops are getting ever closer to potential weapons of mass destruction.

Congress has the duty to let the President use DOD and DOE nonproliferation programs to protect our homeland and our troops.

I understand that my amendment is subject to a point of order and I will withdraw it; but I deeply urge my colleagues to support this provision in conference, and I urge my colleagues who are conferees to please re-insert this language and support it in the conference.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

□ 1745

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 4

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for ''Child Survival and Health Programs Fund'', $40,000,000.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $160,000,000: *Provided,* That amounts made available pursuant to section 492(b) of the Foreign Assistance Act of 1961 for the purpose of addressing relief and rehabilitation needs in Iraq, prior to enactment of this Act, shall be in addition to the amount that may be obligated in any fiscal year under that section: *Provided further,* That during the remainder of fiscal year 2003 the authority referenced in the preceding proviso may not be utilized unless written notice has been provided to the Committees on Appropriations not less than five days prior to the proposed obligation.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $23,000,000, of which not less than $2,000,000 may be transferred to and merged with ''Operating Expenses of the United States Agency for International Development Office of Inspector General'' for financial and program audits of the Iraq Relief and Reconstruction Fund and other assistance for Iraq.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $2,342,000,000, of which:

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

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

(3) not to exceed $1,000,000,000, to remain available until September 30, 2005, for grants for Turkey: *Provided,* That during the period beginning March 1, 2003 and ending September 30, 2005, direct loans or loan guarantees may be made to Turkey, the principal amount of direct loans or loans, any part of which is to be guaranteed, shall not exceed $8,500,000,000: *Provided further,* That the Government of Turkey will incur all the costs, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, associated with these loans or loan guarantees, including any non-repayment exposure risk: *Provided further,* That all fees associated with these loans or loan guarantees, including subsidy and administrative costs, shall be paid by the Government of Turkey to the Government of the United States: *Provided further,* That funds made available under this paragraph and other funds appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 and made available for assistance for Turkey may be used by the Government of Turkey to pay such fees to the United States Government: *Provided further,* That none of the funds made available by this paragraph may be made available for assistance for Turkey until the Secretary of State determines and reports to the Committees on Appropriations of the House and Senate, the Committee on Foreign Relations of the Senate and Committee on International Relations of the House that the Government of Turkey is cooperating with the United States in Operation Iraqi Freedom, including the facilitation of humanitarian assistance to Iraq: *Provided further,* That the President shall determine the terms and conditions for issuing the economic assistance authorized by this paragraph and should take into consideration budgetary and economic reforms undertaken by Turkey: *Provided further,* That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of such economic assistance not yet outlayed under this paragraph;

(4) not to exceed $5,000,000 may be available for administrative expenses of the Islamic Partnership and Outreach program; and

(5) funds made available under this heading for the Islamic Partnership and Outreach program and other regional programs are subject to the regular notification procedures of the Committees on Appropriations.

IRAQ RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the purposes of the Foreign Assistance Act of 1961 for humanitarian assistance in and around Iraq and for rehabilitation and reconstruction in Iraq, $2,483,300,000, to remain available until September 30, 2004, including for the costs of: (1) water/sanitation infrastructure; (2) feeding and food distribution; (3) supporting relief efforts related to refugees, internally displaced persons, and vulnerable individuals; (4) humanitarian demining; (5) healthcare; (6) education; (7) electricity; (8) transportation; (9) telecommunications; (10) rule of law and governance; (11) economic and financial policy; and (12) agriculture: *Provided,* That these funds shall be apportioned only to the Department of State, the United States Agency for International Development, the Department of the Treasury, and the Department of Health and Human Services, as appropriate, for expenses to meet such costs: *Provided further,* That with respect to funds appropriated under this heading in this Act or proposed for appropriation in subsequent Acts, the responsibility for policy decisions and justifications for the use of such funds shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated: *Provided further,* That funds appropriated under this heading shall be used to fully reimburse accounts administered by the Department of State and the United States Agency for International Development, not otherwise reimbursed from funds appropriated by this chapter, for obligations incurred for the purposes provided under this heading prior to enactment of this Act from funds appropriated for foreign operations, export financing, and related programs: *Provided further,* That the United States may accept from any person, foreign government, or international organization, and credit to this Fund, any contribution of money for such purposes: *Provided further,* That funds appropriated under this heading shall be available notwithstanding any other provision of law, including section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956: *Provided further,* That funds appropriated under this heading that are made available for assistance for Iraq shall be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of the obligations of funds.

LOAN GUARANTEES TO ISRAEL

During the period beginning April 14, 2003, and ending September 30, 2005, loan guarantees may be made available to Israel, guaranteeing 100 percent of the principal and interest on such loans, the principal amount, any part of which is to be guaranteed, not to exceed $9,000,000,000, of which up to $3,000,000,000 may be issued prior to October 1, 2003, or thereafter and of which $3,000,000,000 may be issued subsequent to September 30, 2004: *Provided,* That such guarantees shall constitute obligations, in accordance with the terms of such guarantees, of the United States of America and the full faith and credit of the United States of America is hereby pledged for the full payment and performance of such obligations: *Provided further,* That if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2005, the authority to issue the balance of such guarantees shall extend to the subsequent fiscal year: *Provided further,* That guarantees may be issued under this section only to support activities in the geographic areas which were subject to the administration of the Government of Israel before June 5, 1967: *Provided further,* That the amount of guarantees that may be issued shall be reduced by an amount equal to the amount extended or estimated to have been extended by the Government of Israel during the period from March 1, 2003, to the date of issue of the guarantee, for activities which the President determines are inconsistent with the objectives and understandings reached between the United States and the Government of Israel regarding the implementation

of the loan guarantee program: *Provided further,* That the President shall submit a report to Congress no later than September 30 of each fiscal year during the pendency of the program specifying the amount calculated under the preceding proviso and that will be deducted from the amount of guarantees authorized to be issued in the next fiscal year: *Provided further,* That no appropriations under this heading are available for the subsidy costs for these loan guarantees: *Provided further,* That the Government of Israel will pay the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, including any non-payment exposure risk, associated with the loan guarantees issued in any fiscal year, on a pro rata basis as each guarantee is issued during that year: *Provided further,* That all fees (as defined in Section 601(e) of Public Law 102–391) associated with the loan guarantees shall be paid by the Government of Israel to the Government of the United States: *Provided further,* That funds made available for assistance to Israel under chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, may be utilized by the Government of Israel to pay such fees to the United States Government: *Provided further,* That the President shall determine the terms and conditions for issuing guarantees, taking into consideration the budgetary and economic reforms undertaken by Israel: *Provided further,* That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of the loan guarantees not yet issued under this heading.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

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

ANDEAN COUNTERDRUG INITIATIVE

For an additional amount for the ''Andean Counterdrug Initiative'', $34,000,000, to remain available until September 30, 2004.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

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

NONPROLIFERATION, ANTI-TERRORISM, DEMINING, AND RELATED PROGRAMS

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

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for the ''Foreign Military Financing Program'', $2,059,100,000: *Provided,* That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956: *Provided further,* That of the funds appropriated under this heading, not less than $406,000,000 shall be made available for grants only for Jordan and $1,000,000,000 shall be available for grants only for Israel: *Provided further,* That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: *Provided further,* That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed to by the United States and Israel, be available for advanced weapons systems, of which not less than $263,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $115,000,000.

GENERAL PROVISIONS—THIS TITLE

SEC. 1401. Assistance or other financing under this chapter may be provided for Iraq notwithstanding any other provision of law: *Provided,* That funds made available for Iraq pursuant to this authority shall be subject to the regular reprogramming procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except that notification shall be transmitted at least 5 days in advance of obligation: *Provided further,* That the notification requirements of this section may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further,* That in case of any such waiver, notification to the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further,* That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

SEC. 1402. The President may suspend the application of any provision of the Iraq Sanctions Act of 1990: *Provided,* That nothing in this section shall affect the applicability of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102–484) except as it applies to humanitarian assistance and supplies: *Provided further,* That the President may make inapplicable with respect to Iraq section 620A of the Foreign Assistance Act of 1961 or any other provision of law that applies to countries that have supported terrorism: *Provided further,* That military equipment shall not be exported under the authority of this section: *Provided further,* That section 307 of the Foreign Assistance Act of 1961 shall not apply with respect to programs of international organizations for Iraq: *Provided further,* That provisions of law that direct the United States Government to vote against or oppose loans or other uses of funds, including for financial or technical assistance, in international financial institutions for Iraq shall not be construed as applying to Iraq: *Provided further,* That the President shall submit a notification 5 days prior to exercising any of the authorities described in this section to the Committee on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives: *Provided further,* That not more than 60 days after enactment of this Act and every 90 days thereafter the President shall submit a report to the Committee on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives containing a summary of all licenses approved for export to Iraq of any item on the Commerce Control List contained in the Export Administration Regulations, 15 CFR Part 774, Supplement 1, including identification of end users of such items: *Provided further,* That the authorities contained in this section shall expire on September 30, 2004, or on the date of enactment of a subsequent Act authorizing assistance for Iraq and that specifically amends, repeals or otherwise makes inapplicable the authorities of this section, whichever occurs first.

SEC. 1403. Notwithstanding any other provision of law, the President may authorize the export to Iraq of any nonlethal military equipment controlled under the International Trafficking in Arms Regulations on the United States Munitions List established pursuant to section 38 of the Arms Export Control Act, (22 U.S.C. 2778), if the President determines and notifies within 5 days after export the Committee on Appropriations of each House of the Congress, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives that the export of such nonlethal military equipment is in the national interest of the United States: *Provided,* That the authorities contained in this section shall expire on September 30, 2004, or on the date of enactment of a subsequent Act authorizing assistance for Iraq and that specifically amends, repeals or otherwise makes inapplicable the authorities of this section, whichever occurs first.

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

CITIZENSHIP AND IMMIGRATION SERVICES

OPERATING EXPENSES

For necessary expenses for ''Operating Expenses'' related to conducting Operation Liberty Shield, $1,000,000, to remain available until December 31, 2003.

UNITED STATES SECRET SERVICE

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'' for necessary expenses related to conducting Operation Liberty Shield, $30,000,000, to remain available until December 31, 2003.

BORDER AND TRANSPORTATION SECURITY

CUSTOMS AND BORDER PROTECTION

For necessary expenses for ''Customs and Border Protection'' related to conducting Operation Liberty Shield and other purposes, $428,000,000, of which $235,000,000 shall remain available until December 31, 2003, and of which $193,000,000 shall remain available until expended for the acquisition and deployment of portal radiation detectors and non-intrusive inspection technology at U.S. ports of entry.

IMMIGRATION AND CUSTOMS ENFORCEMENT

For necessary expenses for ''Immigration and Customs Enforcement'' related to conducting Operation Liberty Shield, $185,000,000, to remain available until December 31, 2003.

TRANSPORTATION SECURITY ADMINISTRATION

For necessary expenses for ''Transportation Security Administration'' related to conducting Operation Liberty Shield and other purposes, $390,000,000, to remain available until expended: *Provided,* That of the total amount provided herein, the following amounts are available for obligation only for the specific purposes below:

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

(2) reimbursements to local and state law enforcement officers and National Guardsmen for increased security measures at airports and other critical transportation sites, $85,000,000;

(3) port security grants, $40,000,000; and

(4) surface transportation security initiatives, $30,000,000.

In addition, for expenses related to aviation security, $3,178,300,000, to remain available until September 30, 2003: *Provided,* That such appropriation shall be remitted to U.S. flag air carriers for expenses incurred related to aviation security based on the pro-rata share each such carrier has paid or collected to date in passenger security and air carrier security fees to the Transportation Security Administration: *Provded further,* That such appropriation shall be remitted to U.S. flag air carriers for expenses related to aviation security based on the pro-rata share each such carrier is expected to pay or collect to the Transportation Security Administration for the remainder of the fiscal year: *Provided further,* That payments made under this heading may be used by an air carrier for such purposes as each carrier determines appropriate: *Provided further,* That payments made under this heading shall be made within thirty days of enactment of this Act: *Provided further,* That no airline receiving funding under this heading may provide compensation (pay, benefits and stock options) to senior executives that exceeds the base pay and benefits that such executives received in 2002.

FEDERAL LAW ENFORCEMENT TRAINING CENTER OPERATING EXPENSES

For necessary expenses for ''Federal Law Enforcement Training Center Operating Expenses'' related to conducting Operation Liberty Shield, $2,000,000, to remain available until December 31, 2003.

OFFICE FOR DOMESTIC PREPAREDNESS

For an additional amount for ''Office for Domestic Preparedness'', $2,200,000,000, to remain available until December 31, 2003, for grants authorized by section 1014 of the USA PATRIOT Act of 2001 (Public Law 107–56) and for other counterterrorism programs, of which $1,500,000,000 shall be for formula-based grants, and of which $700,000,000 shall be for discretionary grants for use in high-density urban areas, in high-threat areas, and for protection of critical infrastructure: *Provided,* That 80 percent of the funds provided under this heading to any State shall be allocated by the State to units of local government within the State and shall be distributed by the State within 45 days of the receipt of funds: *Provided further,* That none of the funds provided under this heading may be used for construction or renovation of facilities: *Provided further,* That subsection (c)(3) of such section 1014 shall not apply to discretionary grants made under this heading: *Provided further,* That the Secretary of Homeland Security shall notify the Committees on Appropriations at least 15 days prior to the obligation of any amount of the funds provided under this heading.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'' for expenses related to conducting Operation Liberty Shield and other purposes, $230,000,000, to remain available until December 31, 2003.

EMERGENCY PREPAREDNESS AND RESPONSE

OPERATING EXPENSES

For necessary expenses for ''Operating Expenses'' related to conducting Operation Liberty Shield, $45,000,000, to remain available until December 31, 2003.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

OPERATING EXPENSES

For necessary expenses for ''Operating Expenses'' related to conducting Operation Liberty Shield, $10,000,000, to remain available until December 31, 2003: *Provided,* That the Secretary of Homeland Security shall notify the Committees on Appropriations at least 15 days prior to the obligation of any amount of the funds provided under this heading.

GENERAL PROVISIONS

DEPARTMENT OF HOMELAND SECURITY

REPROGRAMMING AND TRANSFER GUIDELINES

(INCLUDING TRANSFER OF FUNDS)

SEC. 1501. (a) None of the funds provided in this Act, or provided in previous Appropriations Acts to the agencies of the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2003, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by Congress; (4) deviates significantly from a program, project, or activity described in the Department's budget justification as presented to or approved by Congress, including those justifications submitted to Congress prior to the enactment of Public Law 107–296; or (5) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose, unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided in this Act, or provided in previous Appropriations Acts to the agencies of the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2003, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the agencies of the Department of Homeland Security in this Act or provided in previous Appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds and shall not be available for obligation unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such transfer.

CHAPTER 6

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for ''Centers for Disease Control and Prevention, Disease Control, Research, and Training'', $16,000,000.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for ''Public Health and Social Services Emergency Fund'', for the Centers for Disease Control and Prevention, $94,000,000.

For an additional amount for ''Public Health and Social Services Emergency Fund'', for costs associated with compensating individuals with injuries resulting from administration of a smallpox vaccine, $50,000,000 to remain available until expended: *Provided,* That such amount shall become available only upon the enactment of legislation authorizing a smallpox vaccination compensation program.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1601. Section 1113 (d) of the Social Security Act (42 U.S.C. 1313 (d)) is amended by striking ''1991'' and inserting ''2003''.

CHAPTER 7

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

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

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

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

CAPITOL POLICE

GENERAL EXPENSES

For an additional amount for necessary expenses of the Capitol Police, related emergency expenses for the security of the United States Capitol complex, $37,758,000, to remain available until expended, to be disbursed by the Chief of the Capitol Police or his designee: *Provided,* That no part of such amount may be obligated without prior approval of the Committee on Appropriations of the House of Representatives and Senate.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For an additional amount for salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $111,000.

ARCHITECT OF THE CAPITOL

CAPITOL POLICE BUILDINGS AND GROUNDS

For an additional amount for necessary expenses for the maintenance, care, and operation of buildings and grounds of the United States Capitol Police, $63,868,000, to remain available until expended.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For an additional amount for necessary expenses for the purchase and installation of a public address system, $5,500,000, to remain available until September 30, 2007.

CONGRESSIONAL RESEARCH SERVICE

For an additional amount for necessary expenses for the implementation of an alternate computer facility, $1,863,000, to remain available until September 30, 2004.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For an additional amount for necessary expenses of security requirements for the General Accounting Office, $4,900,000, to remain available until September 30, 2004.

CHAPTER 8

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY

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

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $5,100,000, to remain available until September 30, 2007: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or

expended to carry out planning and design and military construction projects not otherwise authorized by law.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

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

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1801. None of the funds in the Defense Emergency Response Fund for any fiscal year may be used to carry out new military construction projects at a military installation inside or outside the United States or to reimburse other appropriations or funds of the Department of Defense used to carry out such construction. For purposes of this section, the terms ''military construction'' and ''military installation'' have the meanings given such terms in section 2801 of title 10, United States Code, except that, with respect to military construction in a foreign country, the term ''military installation'' includes, not only buildings, structures, and other improvements to real property under the operational control of the Secretary of a military department or the Secretary of Defense, but also any building, structure, or other improvement to real property to be used by the Armed Forces, regardless of whether such use is anticipated to be temporary or of longer duration.

SEC. 1802. (a) CONGRESSIONAL NOTIFICATION OF CONSTRUCTION USING OPERATION AND MAINTENANCE FUNDS.—Amounts appropriated or otherwise made available for any fiscal year for the operation and maintenance of the Armed Forces (including reserve components) or for activities and agencies of the Department of Defense may not be used to carry out military construction at a military installation inside or outside the United States unless the Secretary of a military department or the Secretary of Defense, as the case may be—

(1) in the case of military construction covered by chapter 169 of title 10, United States Code, complies with the requirements contained in such chapter applicable to the use of operation and maintenance funds for military construction; or

(2) in the case of military construction not otherwise covered by such chapter, submits written notice to the appropriate committees of Congress, not later than 15 days before obligating funds for the construction, containing an explanation of the need to use operation and maintenance funds to carry out the construction and the estimated cost of the construction.

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

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I 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 Florida?

There was no objection.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. 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 Ms. MILLENDER-MCDONALD:

Page 39, line 14, before the period insert '', of which $8,000,000 shall be available for transit security''.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I respectfully offer this amendment that calls for $8 of the $30 million provided for surface transportation security included in the supplemental bill to be used for transit security. This germane amendment provides $8 million which will provide our transit agencies and transit work force the much needed resources to support our Nation's increased transit security needs. This $8 million in transit security funding will do three important things: first, require the Secretary of Homeland Security to determine the percentage of frontline transit employees who are in need of receiving training in emergency preparedness and response training.

Secondly, to provide funding for training programs for frontline transit employees, ensuring that these employees who are the eyes and ears of transportation systems are prepared to respond to emergency situations.

Thirdly, provide funding for ongoing vulnerability assessments which will continuously build on information collected, allowing for easier implementation of new technologies that will assist in averting terrorist attacks on all modes of public transportation. It will also provide for transit agencies to purchase security enhancement equipment. In addition, this funding will be used for the development and implementation of local and regional emergency preparedness plans that fully utilize localities' transportation resources.

For year, governments around the world have recognized that public transportation is a major terrorist target. Until 9/11 the United States has been largely spared the kind of terrorist campaigns waged against public surface transportation. However, we cannot wait for another tragedy to happen to prompt us to address our vulnerabilities. We must act now.

An October 2001 study released by the Mineta Institute, ''Protecting Public Surface Transportation Against Terrorism and Serious Crime,'' an executive overview cites that between 1920 and 2000 there have been approximately 900 terrorist attacks and other significant criminal incidents involving public surface transportation systems. However, all but 14 of these attacks occurred after 1970, the year that marks the beginning of modern terrorism.

Attacks against transportation and transportation infrastructures accounted for 42 percent of all international terrorist attacks, according to the most recent statistics provided by the USDOT Office of Intelligence and Security of 1998.

Mr. Chairman, we must provide resources to our transit work force and our transit agencies to help prepare them and ensure that they are able to protect the communities in which they serve.

Mr. YOUNG of Florida. Mr. Chairman, will the gentlewoman yield?

Ms. MILLENDER-MCDONALD. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, we have reviewed this amendment and find that it is constructive and we are prepared to accept it.

Ms. MILLENDER-MCDONALD. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. 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. NADLER:

In chapter 5 of title I, under the heading ''BOARDER AND TRANSPORTATION SECURITY'', insert the following:

PORT SECURITY

For necessary expenses for inspection by a United States inspection team in foreign ports of every shipping container, before the container is loaded on a vessel bound for the United States, and for boarding and searching every vessel before it approaches closer than 200 miles to the United States coast, $15,000,000,000.

Mr. NADLER. Mr. Chairman, I will not take all of my time.

Mr. Chairman, Islamic terrorist groups served loud notice on 9/11 that they intend to kill as many Americans as possible. Yet the administration and this Congress is ignoring the most likely modes of attack. We are spending upwards of $100 billion on an anti-ballistic missile system supposedly to protect ourselves against a rogue nation like Iraq or Iran or North Korea that might want to launch two or three nuclear armed missiles at us. Yet such a nation would be unlikely to use missiles to attack us if they wanted to, because missiles have return addresses, and the leaders know that American retaliation would obliterate their country a half an hour later.

Rogue nations and terrorists that want to attack the United States with atomic weapons would more likely put those weapons on ships, sail the ships into American ports and detonate the atomic bombs. Not knowing against whom to retaliate, the United States would be helpless.

Every year 12 million shipping containers enter the United States. We inspect fewer than 2 percent of them. This amendment provides $15 billion for two purposes:

First, so that we can insist that no container in a foreign port is loaded on a ship bound to the United States until that container is searched, sealed and certified by American inspectors. If a country refuses access, it should be prohibited from shipping anything to the United States.

Second, the amendment provides funds to enable the Coast Guard to board and search every single ship before they get within 200 miles of American shores, and we must inspect at the border all cargo unloaded from ships in other North American ports. Only by inspecting every container before it is loaded onto a ship in a foreign port and by searching every ship before it gets close enough to our shores can we be reasonably assured that atomic bombs will not obliterate American cities.

Some will object that this will hinder commerce. But one atomic bomb would halt commerce instantly. Every port would be closed tight until these procedures could be put, too late, into place.

This would cost money, about $15 billion a year, but we can afford it. Unfortunately, the administration and Republicans in Congress prefer to squander hundreds of billions of dollars for tax cuts on the wealthy instead of protecting the lives of our people. We have to realize we are in a serious war that may last decades and we must start thinking and acting seriously.

In wartime the government must spend the money to defend the lives of its people or it violates the fundamental social contract. President Bush and Congress must honor that contract or forfeit the trust of the Nation.

So I ask that this amendment be allowed to be considered. I urge the Congress to meet its obligation and to fully fund the security measures to inspect every container and search every ship that is contained in this amendment.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill, and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: An amendment to a general appropriations bill shall not be in order if changing existing law.

The amendment imposes additional duties, and I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment does include language requiring a new determination and requiring further duties. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. WU

Mr. WU. 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. WU:

In chapter 5 of title I, in the item relating to ''BORDER AND TRANSPORTATION SECURITY—TRANSPORTATION SECURITY ADMINISTRATION'', strike the paragraph beginning ''In addition, for expenses related to aviation security, $3,178,300,000'' and insert the following:

In addition, for an airline ticket voucher program to be carried out by the Secretary of Transportation, $3,178,300,000, to remain available until September 30, 2003: *Provided*, That under the program the Secretary shall permit individuals purchasing tickets for air transportation by an air carrier (as such terms are defined by section 40102 of title 49, United States Code) to receive a 50 percent discount on the price of such tickets, if such air transportation will be completed on or before March 31, 2004.

The CHAIRMAN. The gentleman is recognized for 5 minutes on his amendment.

Mr. WU. Mr. Chairman, I ask unanimous consent that the amendment be read in its entirety.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read the amendment.

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

Mr. WU. Mr. Chairman, I am proud to offer this amendment with my colleague from Virginia (Mr. SCOTT). This bill contains $3.178 billion as further assistance to our airlines. There is no doubt that our airlines are in dire financial circumstances. Passenger numbers have never recovered from September 11. Orange terror alerts, other factors have kept passengers away.

By point of illustration, the first Gulf War more than a decade ago. During that time period, four commercial airlines went into insolvency, never to emerge. I believe that this direct handout to the airlines of almost $3.2 billion is not the correct way to proceed.

Our amendment, the freedom to fly amendment, would put this money into the hands of passengers. It would stimulate more passenger traffic, put more people on more airplanes, and in so doing also stimulate the ancillary travel industry; that is, all the other components of the travel industry, whether it is hotels, restaurants, car rental, all the businesses that are at airports. And this would also help airline employees in a market-oriented commonsense approach.

Right now approximately 25 percent of airline seats are going unfilled and we know that a lot of flights have already been cut. The freedom to fly amendment would fill these empty seats and I believe stimulates the airlines to bring more flights on line, preserving jobs and generating additional revenues both for the airlines and for all the affiliated travel businesses.

Mr. SCOTT of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WU. I yield to the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the amendment which we have introduced jointly.

The airlines are facing financial difficulties. Bankruptcies, layoffs, increased costs of fuel, and the war with Iraq have led the Republicans to propose a $3.2 billion bailout of the passenger airline industry in its House supplemental war appropriations bill. I believe it is time to have a more focused approach.

The real problem is that every day airlines fly with thousands of empty seats. A recent New York Times article referred to the airlines problem and estimated that, on average, 25 percent of the seats on airlines are left unsold, even though the number of flights have been reduced. The reduction in flights means cuts in the number of pilots, airline flight attendants, baggage handlers, and additional travel industry jobs. So instead of just writing a check for $3.2 billion to the airlines, we should be considering a way to encourage the American public to fly and fill those empty seats in a way that will preserve and create jobs. This will do it.

As a result of this amendment, air travel will naturally increase because the cost of consumer air travel will be cut in half. The plan will benefit not just the airlines but the traveling public. It will stimulate business for hotels, restaurants, rental car companies, travel agencies and other travel-related industries.

□ 1800

This is better than a subsidy. A subsidy will not create new passengers, will not preserve jobs. Over the past week, the airlines have laid off 10,000 workers; and a subsidy will not stem the tide of additional layoffs. Jobs in the airline industry will be no more secure after the subsidy than before.

On the other hand, the proposed program will result in increased airline business and increased demand for workers. This will fill the empty seats, making them more affordable, increase revenues for the airlines, preserve jobs and generate additional revenues for others involved in travel commerce.

We hope, Mr. Chairman, that this amendment will be adopted. I thank the gentleman for yielding to me.

Mr. WU. Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI.

Clause 2 of rule XXI states in pertinent part: an appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Mr. Chairman, the authorization for this program has not been signed into

law. The amendment, therefore, violates clause 2 of rule XXI; and I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Oregon wish to be heard on the point of order?

PARLIAMENTARY INQUIRY

Mr. WU. Mr. Chairman, as a matter of parliamentary inquiry, I would inquire of the Chair, is it either required or customary for a point of order to be raised before discussion of the amendment?

The CHAIRMAN. Under the order of the House previously adopted today, points of order against amendments are considered reserved on each amendment.

Mr. WU. Mr. Chairman, is that within the rule that we passed for this particular bill, or is that always a rule of the House?

The CHAIRMAN. It was pursuant to the unanimous consent request agreed to earlier today in the full House.

Does the gentleman wish to be heard further on the point of order offered by the gentleman from Florida?

Does the gentleman from Virginia (Mr. SCOTT) wish to be heard on the point of order?

Mr. SCOTT of Virginia. Yes, Mr. Chairman. I think the plan that we have is a much better use of the taxpayers' money than in the underlying bill, and we would hope that the Chair would rule that it is in order to appropriately spend the money.

The CHAIRMAN. The Chair is prepared to rule. The proponent of an item of appropriation carries the burden of persuasion on the question of whether it is supported by an authorization in law, and whether it constitutes a change in law.

Having reviewed the amendment and entertained argument on the point of order, the Chair is unable to conclude that the item of appropriation or the rebate mechanism in question is authorized in law. The Chair, therefore, is constrained to sustain the point of order under clause 2 of rule XXI. The amendment is not in order.

Are there further amendments to this title of the bill?

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. 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. FLAKE:

Page 39, line 16, after the dollar amount insert ''(reduced by $2,078,300,000)''.

Page 39, line 17, strike ''That'' and all that follows through ''*Provided further*,'' on line 22.

Page 40, line 4, strike '': *Provided*'' and all that follows before the period on line 10.

Mr. FLAKE. Mr. Chairman, my amendment today, the reason that I come to the floor today is that I object to the airline provisions being added to this bill because it is a supplemental appropriation bill; and within an appropriation bill, we simply cannot do the things that we need to do long term for the airlines. All we do is ensure that they will be back 6 months later for a similar appropriation.

On an appropriation bill we cannot deal with tax relief, for example, and $25 for every $100 ticket is taxes and fees to the Federal Government. We cannot deal with that on an appropriation bill.

We cannot deal with regulatory relief as well. There are higher antitrust standards that apply to airlines that do not to other industries. We need to look at that. There are limits as far as access to equity capital that apply to the airlines that do not to other industries. Those we cannot deal with in a supplemental appropriation bill.

The reason for bringing this forward is to ensure that we simply do not appropriate an amount that ensures that we have the airlines come back and simply need the same thing 6 months, 8 months, a year from now; and that is surely what we will have if we go through with this.

We are turning the airlines into folks that want to compete under a regular business model into folks that simply will hire more lobbyists and rely on the generosity of taxpayers and appropriators forevermore. We are creating, unless we change this process, an Amtrak in the air where we simply, through appropriation, keep an industry going.

We cannot do that and for that purpose, I have agreed to enter into a colloquy with the gentleman from Missouri (Mr. BLUNT) to talk about what we might do in the future.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

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

Mr. YOUNG of Florida. I yield to the gentleman from Missouri, the very distinguished majority whip.

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding, and I would be pleased to have a discussion with my friend from Arizona. Is that allowed, Mr. Chairman, under this arrangement?

I certainly think the gentleman from Arizona (Mr. FLAKE) is right that we need to look for a long-term settlement to this issue. To continue to handle it as we have, in a crisis moment, is not the right way to do it. To look at the long term, some tax relief is an option to look at the new obligations that the Federal Government has, in my view, to review our long-term sense of airline security.

Until September 11, 2001, there was a widely held and generally defensible view that the fees that passengers paid for airline security were being paid for the purpose of protecting the passengers; and so it was a pure user fee, and it seemed to be defensible in that regard. We now know that we use our security system to secure people who not only are not on the plane that day but who may never be on the plane; and I think the gentleman senses that we need to review that structure to review the additional costs that airlines have assumed because of the new demands of airline security. To look for a more permanent solution to this is absolutely the direction we should take, and I certainly will commit to work with the gentleman on those issues and to try to solve them legislatively for the long term rather than to continue to have to deal with these short-term ways to deal with this issue.

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

Mr. YOUNG of Florida. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding to me. I thank the gentleman for this colloquy and discussion.

We simply cannot deal with the tremendous issues that we have to deal with in terms of tax relief, regulatory reform and to decide, as the gentleman from Missouri appropriately put it, what obligations the airlines actually have and what obligations should we, as general taxpayers or society, bear in terms of security costs; but we cannot have those discussions on appropriations measures.

We cannot wait in between bailouts every year or so to decide how much each airline gets to enact a formula. That is why we need to enter into these discussions in between, when the crisis is not right at hand; and with that understanding, I will agree to withdraw the amendment.

Mr. BACA. Mr. Chairman, I rise today to adamantly oppose the Flake Amendment. This amendment would eliminate $2.0 billion dollars in desperately needed funding for struggling US airlines. It is unconscionable to consider doing this while our economy suffers, and it is even more unconscionable to do so during wartime.

We are witnessing the collapse of the airline industry as we know it? US Air and United have already been forced into bankruptcy, and other major airlines are contemplating the same option. Northwest Airlines alone has lost $1.2 billion over the past two years. Air travel is falling at a rapid rate and will continue to fall until this war is over, the economy improves, and passengers are assured that they are safe in the friendly skies. This month alone, the air travel is down 11% and it is speculated that if another terrorism attack occurs, it will fall an additional 25 percent domestically 43 percent internationally.

Since September 11, 2001, we have placed many needed safety requirements on the airline industry. Eliminating the funding for compliance puts an unnecessary burden on an already frazzled industry and does little to promote flying. Passengers will not fly if they don't feel safe.

The airline industry is paramount to the economic vitality of this nation. It is critical to virtually every industry around the globe. Tourism, goods movement, and business travel affect virtually every locality in this nation. We must guarantee that goods continue to move in an expedited and inexpensive manner and that air travel does not suffer more than it already has.

We must also take into consideration that the airline industry employs a sizable workforce globally. United, which employs thousands in the state of California alone, employs 85,000 worldwide! If we do not help the airlines during these uncertain times, many jobs will be lost and the economy as a whole will be further compromised.

I oppose the Flake Amendment and stand behind the fact that we must do all that we can to keep the industry flying.

Mr. FLAKE. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The amendment is withdrawn.

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

Mr. Chairman, in light of the recent colloquy, let me simply say that I am getting whiplash from trying to follow the lead of the majority party and the White House on the issue that was just under discussion.

We had before us earlier in the week this bill to essentially pay for the first downpayment on the Iraq war. We were trying to get additional money in the bill for homeland security so that we could protect ourselves at home from the retaliation that was likely to come from that involvement in the war.

The House Republican leadership would not see its way fit to allow us to even debate that amendment and come to a vote on the House floor; and yet they arbitrarily ordered the Committee on Appropriations to include the $3.5 billion bailout for the airline industry that was just discussed a moment ago. Then, after that happened, then the White House issued a statement saying that, in fact, the package before the House for airline bailout was too generous.

I am having a little difficulty following the lead of the majority and the lead of the White House because they seem to be working at cross purposes, and I am further confounded by the fact that this House is willing to consider a huge expenditure of funds like this with no hearings and to have it dealt with by a committee that has no special understanding of the problem; and it seems to me that a much better way, well, it just seems to me that we ought to be asking a fundamental question.

It seems to me we ought to be asking the question of whether or not we have a viable airline industry in this country. In my view, we have a bunch of let's-pretend capitalists who have to come to the government for a bailout every time something happens in the economy.

Now, they are essential to our national welfare and to our economic well-being. So I think we obviously need to keep the airline industry functioning, but I do not know how many times an airline has to go bankrupt before it is bankrupt. I do not know how many times they have to come to the taxpayers for additional money before we decide that a better way is to simply regulate them as a necessary public utility or as a public utility providing necessary service to the country, and that is what I really believe in the long term we ought to do.

But I also must protest the slap dash way that this issue has wound up on the appropriation bill because I find it quaint that the House Republican leadership would demand the House go one way while the White House seems to indicate it wants to go another way. It is pretty hard to follow that kind of leadership, and I admire the gentleman from Florida for being a good soldier and responding to the instructions of his leadership; but I would have a difficult time trying to explain this to any taxpayer, any of my constituents.

I would just hope that in the future we can do a better job of managing a problem like this, and I wish we could get to discuss the fundamentals on this issue rather than simply throwing more money at the problem.

We were told that we cannot throw more money at homeland security, and yet we are providing billions of dollars to the airline industry without doing one whit to help the employees of those same airlines.

I find that quaint. It is always the corporate part of the industry that gets the attention of Congress; and the working stiff sort of gets left in the caboose, if I can change transportation modes.

The CHAIRMAN. Are there further amendments to this title?

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. 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 Ms. JACKSON-LEE of Texas:

Page 38, line 21, before the period insert:

''Of which up to $10,000,000 shall be available for the Student and Exchange Visitor Information System established under section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, including training programs''.

Mr. ROGERS of Kentucky. Mr. Chairman, could we have the amendment read for us, please?

□ 1815

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read the amendment.

The CHAIRMAN. The Clerk will report the entire amendment.

The Clerk read the entire amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, we have not had a chance to discuss this amendment with the gentlewoman, and I wonder if we might be able to delay the consideration of it for a few minutes while we do that. I do not want her to lose her opportunity to offer it, in case our conversation is fruitless.

Mr. Chairman, I ask unanimous consent that this amendment be delayed until after whatever is next on the agenda, and that the right of the gentlewoman to offer the amendment would be preserved.

The CHAIRMAN. Under the rule, the gentlewoman is entitled to withdraw her amendment, and the gentleman from Kentucky may seek unanimous consent to have it reoffered at another point in this title.

Mr. ROGERS of Kentucky. Mr. Chairman, I am told this is the last amendment in this title, other than this amendment.

Mr. Chairman, I withdraw the unanimous consent request.

The CHAIRMAN. The gentleman withdraws his request, and the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes on her amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the subcommittee chairman, and as well I thank the chairman of the full committee and the ranking member of the full committee, as well as the ranking member of the subcommittee.

Mr. Chairman, this amendment will hopefully address the question that all of us have as a key element of our work on the floor today, and that is the securing of the homefront as we fight a raging war in Iraq. One of the key issues of 9/11, though we know that only one of the visas was a student visa, it highlighted the difficulty we have with balancing our desire to open the doors of opportunity to our allies and friends to educate their students in our institutions of higher learning. We have developed friendships through that process. We have developed allies through that process.

The exchange student program has been a key part of the foreign policy of the United States. Yet we have a broken system where we have a structure that allows exchange students to come and not follow through on either the purpose for which they have come or allowed us to track them while they are here.

In a statement by the inspector general on April 2 before the Committee on the Judiciary, his report noted that we found that the INS failed to properly train the contract investigators, test the checklist for usefulness and completeness, and monitor the quality of contract investigators' onsite reviews. It means that as we have the student tracking program in place, we do not have the proper training of our new Bureau for Citizens Affairs to oversee the contractors and, as well, to help the universities do their job.

The universities have asked us to be responsible and sensitive to the hard problems that they have. All of us can call the names of our respected universities. They want to do the right thing, Mr. Chairman, but they cannot do it without the right training.

This amendment, and I am very gratified that the chairman of the committee, the gentleman from Kentucky (Mr. ROGERS), has allowed this debate to go forward, this will allow resources

to provide training, and it is already authorized, specifically on how to oversee the SEVIS tracking system. It is new technology. We will be reviewing it in the Homeland Security Committee, I know.

We know that technology in terms of homefront defense is important, the ability to communicate with each other. But certainly as we promote the idea that immigration does not equate to terrorism, would it not be better to have a tracking system for students that works, that is fair, that helps our universities and helps the Homeland Security Department with something that can monitor without the threat of suggesting that every student is a terrorist? Because that is not the case, Mr. Chairman.

So I offer this amendment to give resources where they are needed, to focus the resources on this gaping hole with overseeing and training these contractors. These contractors may be well-intentioned but, in fact, they are not implementing this system as best as it could be. I hope in the discussions with this new Homeland Security Department we will also get a diversification of these contractors and an expertise that can be developed so that they can do the job right.

So this amendment, Mr. Chairman, is simply to allow authorized dollars to be focused on improving the SEVIS system, that is the student tracking system, by enhancing the quality of training of those staffers that are there at the Homeland Security Citizens Bureau but, as well, to oversee those contractors. I ask my colleagues to support this amendment.

Mr. Chairman, I rise today to offer an amendment that would help this nation's security system and help to protect our borders. The Inspector General for the Department of Justice issued a report last month on the Student Exchange Visitor Information System (SEVIS) program for tracking foreign students at American colleges.

The report concludes that SEVIS has not been implemented fully yet and discusses a wide range of implementation problems. Unfortunately, full implementation will require additional funding. For instance, the Help Desk system for providing assistance to the school is understaffed.

There are longs waits when school personnel call the Help Desk for assistance, and adequate funds are not available to increase the Help Desk staff or to send people to the schools to train school personnel in the use of SEVIS.

This amendment would provide additional funding to correct the implementation problems that are identified in the Inspector General's report, with special reference to the need for additional training.

SEVIS makes it easier for approximately 4,300 schools and 1,400 exchange programs to comply with immigration requirements so that they can include bright, talented foreign students in their programs.

International students and exchange visitor programs are enormously beneficial to the United States. They boost worldwide appreciation for democracy and market-based economics and give future world leaders first-hand exposure to America and Americans.

The Inspector General's report indicates that the immigration service needs additional resources to overcome problems in implementing SEVIS, which is a complex system that requires the storage of a huge amount of data. We need money available to implement this system properly.

We can create an effective tracking system that will facilitate bringing talented men and women from different countries to the United States to study and to exchange creative thought and ideas. I urge my colleagues to support this amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word, and I would ask the gentlewoman a question. Should this amendment be accepted, would the other amendments, the five other amendments the gentlewoman has tendered, be withdrawn?

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would hope in that question would be the opportunity to present them. I would like to present those amendments and then I would offer, because I realize that those amendments would be subject to a point of order, so I would be very willing at that point to withdraw them, yes. That is what I would like to do, Mr. Chairman.

Mr. ROGERS of Kentucky. Well, Mr. Chairman, reclaiming my time, I was prepared to accept the amendment, but if we are not going to save any time by it, I do not see any point in accepting it. So I have no choice but to oppose it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if the gentleman would continue to yield, if I am not mistaken I think we had the discussion, because we never have an agreement, but I understood that we would present this one, and I did not discuss the other amendments in the discussion; but that we would move past this one and we would discuss those other amendments and then withdraw them.

Mr. ROGERS of Kentucky. Well, I do not see any point in moving further on this. I was prepared to accept this one on condition that the gentlewoman would just simply withdraw the others. They are subject to a point of order anyway, and we could save a lot of time in that fashion. But if the gentlewoman is unwilling to do that, then I have no choice but to oppose this amendment and all of the others.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if the gentleman will continue to yield, I think when we were discussing this, because the gentleman knows how important these issues are, and one of the amendments deals with domestic preparedness, another with the hazardous materials funding which I think is extremely important.

Mr. ROGERS of Kentucky. If the gentlewoman would like to discuss the other five in a 5-minute period, I would have no problem with that.

Ms. JACKSON-LEE of Texas. Mr. Chairman, that is exactly what I believe we had discussed earlier, is that I would discuss the others in the 5-minute period and then, and I hope the gentleman does not mind a colleague saying this, that I would then reluctantly withdraw them. But I would do so, Mr. Chairman.

Mr. ROGERS of Kentucky. So my understanding is if we accept this amendment, the gentlewoman would spend 5 minutes talking about all five of the others?

Ms. JACKSON-LEE of Texas. That is correct, Mr. Chairman.

Mr. ROGERS of Kentucky. Then I have no problem.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I wish to talk about this, Mr. Chairman. Are we talking 5 minutes on each of the 5 amendments, or 5 minutes total on the 5 amendments?

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I wish, Mr. Chairman, that that was the case, but I believe we have agreed, because of the procedural point of order, that it will be 5 minutes in total. That means I talk very quickly with this very raspy voice.

Mr. ROGERS of Kentucky. Reclaiming my time, Mr. Chairman, it is my understanding that the gentlewoman would speak 5 minutes for all of the five all at once, 5 minutes total?

Ms. JACKSON-LEE of Texas. That is correct, Mr. Chairman.

Mr. ROGERS of Kentucky. In that case, Mr. Chairman, I accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENTS OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer several amendments, which are at the desk; Jackson-Lee 002, 004, 003, and 005, Mr. Chairman.

The CHAIRMAN. Does the gentlewoman ask unanimous consent to consider those amendments en bloc?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to consider these amendments en bloc.

The CHAIRMAN. I believe the gentlewoman has identified four of her amendments. Is there another amendment the gentlewoman would like to include?

Ms. JACKSON-LEE of Texas. Yes, 001, 002, 005, 003, and 004. Did I miss one? They are not in order. I apologize.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendments offered by Ms. JACKSON-LEE of Texas:

In chapter 5 of title I, in the item relating to ''OFFICE FOR DOMESTIC PREPAREDNESS'', after the first and second dollar amounts, insert the following: ''(increased by $2,000,000,000)''.

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In chapter 5 of title I, in the item relating to ''OFFICE FOR DOMESTIC PREPAREDNESS'', insert before the period at the end the following:

: *Provided further,* That, of the funds provided under this heading, $1,400,000 shall be for a grant to the Harris County, Texas Fire Department for Hazardous Materials Response Teams

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In chapter 5 of title I, in the item relating to ''OFFICE FOR DOMESTIC PREPAREDNESS'', insert before the period at the end the following:

: *Provided further,* That, of the funds provided under this heading, $3,000,000 shall be for grants to cities with populations over 1,000,000, and rural communities with populations under 200,000, for fire department hazardous materials response teams

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In chapter 6 of title I, before the general provisions under the heading ''DEPARTMENT OF HEALTH AND HUMAN SERVICES'', insert the following:

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For an additional amount for ''Substance Abuse and Mental Health Services'' for mental health services, $7,000,000, to remain available until expended.

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In chapter 6 of title I, before the general provisions under the heading ''DEPARTMENT OF HEALTH AND HUMAN SERVICES'', insert the following:

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For an additional amount for ''Substance Abuse and Mental Health Services'' for the Harris County, Texas Mental Health and Retardation Authority, $1,200,000, to remain available until expended.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas to consider the amendments en bloc?

There was no objection.

□ 1830

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of these amendments, and let me say first of all that sometimes it is very difficult for our colleagues to follow this debate, and I want to start by thanking the leaders of the Committee on Appropriations. Many Members have points and perspectives that sometimes are lost in the procedural aspects of this debate. Let me make it very clear that all of my amendments, unfortunately, will be subject to a point of order, the ones that I am intending to discuss at this point.

I am not conceding and giving up adequate debate on them, but obviously if they are going to be subjected to a point of order, I believe it is extremely important that I move forward on the legislation that will improve the INS services with the $10 million that has just passed, focus on the training issues, and work with my colleagues respectively on elements that I think are very important that are missing in this legislation.

My amendments before us today deal with adding $2 billion in domestic preparedness, because I believe that we do not have enough money for homeland security. Additionally, I would say that we have a problem in our respective fire departments in the hazardous materials team. I offer $2 million to provide to our first responders, in particular our hazardous materials team, that will allow additional funds to be given to these teams which will be facing the worst of any biological attack.

I think it is important to recognize that preparedness is key to what we are doing. Let me correct the record and say that domestic preparedness was $2 billion, and the hazardous material is $3 million, on the cities over a million, and rural communities under 200,000.

The reason I offer these amendments is I believe we do not have enough dollars dealing with homeland security. Frankly, I join and I was hoping that the Obey amendment would be made in order because obviously the emergency supplemental does not comply with the Budget Act nor do ours; but it is interesting that these were not made in order but the emergency appropriations was.

I have brought these amendments to the attention of this floor because I come from local communities that are suffering, not having enough overtime, not having enough dollars to ensure that we can provide the fire departments with the kind of staffing that they need in case these communities are subjected to biological attacks.

I am disappointed that a point of order will be subjected to them. Let me also say that my other amendments had to do with providing extra funding for SAMHSA because of the stress that individuals are under with respect to mental health services. I thought it was important to add $7 million because in this wartime, we are all facing the kind of stress that requires enhanced mental health services.

Additionally, I asked for additional funding for Harris County Mental Health Services because they too are suffering by closing clinics and having close to 1,500 clients not being able to be served. I know that a number of Members are not offering personal remarks and so I am withdrawing that along with these other amendments because I understand we are not being allowed that in fairness to the process.

Let me close by saying this. I started out by saying that I was against the war. I maintain that the war has not been officially declared by this body. This body has never debated the question of war and declared war against Iraq, but I believe we have the responsibility of supporting our troops. I am disappointed that we have not fully discussed the question of peace on this floor today, and that there are no specific funds designated to begin the discussion of peace.

I have an amendment which discusses that, and I hope in striking the last word towards the end of the bill, we will have an opportunity to discuss peace. I believe we can help our troops as they are waging war, brave as they are, and those that have lost their lives, and the POWs and their families, by recognizing that as they fight for peace, they can also be fighting for the freedom of this Nation.

Mr. Chairman, I support the troops deployed in Iraq. However, I am against this war because I believe war should have been the last option. We are spending $74.7 billion to fund the troops, to rebuild Iraq, to provide aid to our allies, and to fund drug control efforts—this is one of the largest supplemental bills this Congress has considered. Most of the funds in this bill are for the Department of Defense, $62.4 billion. Only $3.5 billion has been allocated for homeland security. While our troops are on the frontlines in Iraq, our first responders here at home—our firefighters, our police officers—in our states and localities are woefully underfunded. Many first responders do not have the equipment, technology, or training to meet national security needs. While we plan to construct schools in Iraq, schools in our nation are crumbling. While we provide humanitarian aid to many countries, our citizens at home lack affordable health care. And, while we plan to rebuild the nation of Iraq and assist our allies, we continue to neglect our nation's veterans.

We provide $700 million for Jordan; $300 million for Egypt; up to $1 billion for Turkey; and $127 million for Afghanistan through the Bilateral Economic Assistance account. In the Foreign Military Assistance account we provide $1 billion for Israel; $406 million for Jordan; $170 million to train the Afghan National Army; $175 million to assist Pakistan in counter-terrorism activities; and $115 million for Peacekeeping Operations.

The Chairman's Mark provides $2.8 billion for a new Iraq Relief and Reconstruction Fund. There are funds for the relief and reconstruction: for water/sanitation infrastructure, feeding and food distribution, refugee assistance and other humanitarian activities. Yet the Chairman's Mark only provides $2.2 billion for grants to First Responders through the Office of Domestic Preparedness. I strongly support our troops, but I also believe that we must protect the troops right here at home—the first responders, who will be called on in any emergency and national security threat.

This bill does not do enough for Homeland Security. We are underfunding the national security here at home. Our cities and ports need protection. I offered amends in the Rule Committee to increase funding for Homeland Security.

My amendment would have increased by $2 billion funding to the Office for Domestic Preparedness. The U.S. Conference of Mayors estimates that if the war and/or threat alert levels continue for six months, cities would incur nearly $2 billion in additional costs. These costs are on top of existing homeland security spending already underway or planned since September 11.

State and local governments have undertaken unprecedented new, expensive, and expanded responsibilities in our national efforts

against terrorism. State and local governments have developed and adopted budgets reflecting these increased responsibilities in difficult fiscal times with very little federal assistance. I offered an amendment to provide funds in the amount of $3 million to be set aside as grants to cities with populations over one million and rural communities with populations under 200,000 for fire department hazardous materials response teams.

Adequate federal resources must be available to assist our urban and rural areas to maintain a heightened level of alert and to assist our first responders during this time of crisis.

First responders have been called upon to identify and to plan for potential threats peculiar to their particular location; these threats include chemical, biological, nuclear, radiation, and explosives.

Additional funding specifically for firefighters in urban and rural areas would help fire departments meet the challenges of responding to threats of terrorism. Firefighters have emergency needs for clothing, equipment, and interoperable communications.

I am troubled that we are in a position today where we are spending money we don't have, on a war we didn't need. Of course, I will cast my vote in support of this bill because this predicament is not the fault of our soldiers. U.S. troops are fighting valiantly in Iraq and they will be victorious. I want them to have all the resources they need to get the job done efficiently and effectively, so that we can bring them home safely to their families and loved ones. I don't support this war, but I support our men and women in uniform—100 percent.

Mr. Chairman, I believe sometimes one must stand for what they believe. I know that there are times when a great nation must answer the call of war to defend itself and its people. Sometimes we must defend our values so that many more can be saved. This is not one of those situations.

Even before the dust had started to settle at the site of the Twin Towers, this war plan seemingly was being devised. From mid-September 2001, this Administration seemed to be resolved to march into Baghdad. The plan was forged before we knew that Saddam Hussein had no known connection to the attacks of 9/11; before we knew that far more insidious dangers lurked in North Korea; before we realized that backed with a true diplomatic and military coalition, inspections could work to disarm Iraq. Even as the true nature of the picture in Iraq came to light, the Administration held its resolve to go to war. But resolve does not equate with reason.

I, and many of my colleagues, and millions of people taking to the streets around the world, have been trying to inject reason into this debate for over a year now. I started by voting against the use of force resolution last Congress. There were two reasons: (1) I did not feel that force was yet justified in the case of Iraq, and (2) I believe that it is unconstitutional for Congress to give the President the power to start a war without a true Declaration from the Congress. Whereas the President controls the military and our nation's intelligence gathering services, before the President takes our soldiers into war he must come to Congress and make the case for war. It is then the duty of Congress according to Article I, Section 8 of the Constitution to make the decision of whether it is in the best interest of the people we represent to make the Declaration of War. That was never done. I, and 154 of my colleagues, supported the Spratt amendment to the Use of Force Resolution, which would have required the President to come back to Congress before marching to war. But we did not prevail.

Therefore, I have continued to call for a debate here on the Floor of the House to make that decision—between war and peace, and between life and death. Early this year, I offered a bill, H. Con. Res. 2, a bill to revisit and to debate the question of going to war with Iraq. Although I questioned the war in Iraq, I have always been in full support of our troops in the region. Indeed I have argued that keeping a force in the region to support weapons insepctors—50,000 soldiers-strong—was absolutely appropriate and prudent. That is because I believe that the threat of force can prevent violence, However, the use of force is violence. The use of force must always be the very last resort. However, we must be realistic in these times to recognize the threat both here and abroad. The threat is real in our local communities. Therefore, any Emergency Wartime Supplement Appropriations bill ought to provide resources to our local and state governments. We must support our military. They are men and women who risk their lives for our civil liberties, but we cannot give the President a blank check with which to reward our allies and to neglect domestic priorities.

Many argued that going to war was preferable to doing nothing in Iraq. Perhaps, I agree. But I have never argued that we should do nothing, nor have any of my colleagues on this side of the aisle. Working with ecumenical leaders from across the county, I developed a 5-point comprehensive plan—a third option—for improving stability in the Middle East. In addition to using a 50,000 soldier-strong force to coerce Iraqi compliance with rigorous inspections, the plan also included re-engaging our estranged allies, who some seem to be ridiculing at every chance, and forming a coalition to establish a warcrimes tribunal to indict and bring Saddam Hussein to justice. The plan included an immediate and generous humanitarian aid effort for the people of Iraqi, who have suffered for so long under Saddam's regime. It included a re-invigoration of the Middle East peace process and of the international fight against terrorism. And it provided for an international effort to rebuild and help to stabilize Iraqi infrastructure.

I still remain firmly against the proposition that war was the only option for disarming Iraq. In fact I believe there are still options to carrying this war to a violent conclusion in the streets of the ancient city of Baghdad. I hope that now that we are in a position of strength, we can force a peaceful resolution to this conflict and satisfy our national security goals without further bloodshed. I feel that such restraint would earn back some of the lost respect and moral authority we had in the eyes of the world community, and improve our homeland security in the long run.

For we are living in a glass house these days, and are throwing stones left and right. We are making enemies around the world and under-funding the domestic forces who would protect us from them. I have offered several amendments to today's supplemental bill, to make sure that in addition to supporting our troops overseas, we also take care of security issues here at home.

Mr. Chairman, I am offering this amendment to the fiscal year 2003 supplemental appropriations bill to help our Nation's security and to provide funds to the people on the frontlines in our own homefront—first responders.

I believe that our domestic priorities and our first responders must not be overlooked as we consider this supplemental appropriations bill. I know my amendments violate the Budget Act, but the supplemental appropriations bill itself violates the Budget Act. My amendment would provide additional funds for first responders in our nation's cities and rural communities.

My amendment would increase by $2 billion funding to the Office for Domestic Preparedness. The U.S. Conference of Mayors estimates that if the war and/or threat alert levels continue for six months, cities would incur nearly $2 billion in additional costs. These costs are on top of existing homeland security spending already underway or planned since September 11. While the Chairman's Mark provides $2.2 billion, $200 million over the President's request, for grants to local and state governments, this amount is still not adequate to fund the domestic security needs of our Nation's states and localities.

As you know, state and local governments have undertaken unprecedented new, expensive, and expanded responsibilities in our national efforts against terrorism. State and local governments have developed and adopted budgets reflecting these increased responsibilities in difficult fiscal times with very little federal assistance.

Adequate federal resources must be available to assist our urban and rural areas to maintain a heightened level of alert and to assist our first responders during this time of crisis.

First responders have been called upon to identify and to plan for potential threats peculiar to their particular location; these threats include chemical, biological, nuclear, radiation, and explosives.

Additional funding specifically for firefighters in urban and rural areas would help fire departments meet the challenges of responding to threats of terrorism. Firefighters have emergency needs for clothing, equipment, and interoperable communications.

First responders stand ready to answer the call of our nation. We must provide them with adequate resources for equipment, training, and supplies. In particular, fire departments are in desperate need of funding. I have heard from my fire department in Houston and hope to secure funding for the fire fighters there for hazardous materials response teams.

Mr. Chairman, I ask unanimous consent to withdraw these amendments, recognizing that I hope we can do more for domestic preparedness, for the hazardous materials teams and our fire departments, and we recognize that we have a crisis in this Nation and we need to help those facing mental health crises by providing more mental health funding.

The CHAIRMAN. Under the rule, unanimous consent is not required. The gentlewoman from Texas (Ms. JACKSON-LEE) withdraws the amendments offered en bloc.

The amendments were withdrawn.

Are there further amendments to this title?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—TECHNICAL CORRECTIONS

SEC. 2001. Division F of Public Law 108–7 is hereby amended under the heading ''United States Fish and Wildlife Service, State and Tribal Wildlife Grants'' by striking ''$3,000,000'' and inserting ''$5,000,000''.

SEC. 2002. The matter under the heading ''Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services'', in Public Law 108–7 is amended—

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

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

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

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

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

SEC. 2003. The matter under the heading ''Office of the Secretary, Public Health and Social Services Emergency Fund'', in title II of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003, (Public Law 108–7, div. G) is amended by striking '', to be available until expended'' after the ''$5,000,000''.

SEC. 2004. Section 207 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003 (Public Law 108–7, div. G) is amended by striking ''or any other''.

SEC. 2005. (a) In addition to the authority provided in section 215 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003 (Public Law 108–7, div. G), in order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2003, the Secretary of Health and Human Services may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)). (b) The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State.

SEC. 2006. (a) The matter under the heading ''Department of Education, School Improvement Programs'', in Public Law 108–7 is amended—

(1) by striking ''$508,100,000'' and inserting $537,100,000''; and

(2) by striking ''$4,132,167,000'' and inserting ''$4,233,167,000''.

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

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

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

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

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

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

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

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

(8) the provision specifying $20,000 for Westside High School, Bakersfield, CA, for equipment shall be deemed to read: ''West High School, Bakersfield, CA, for equipment, $20,000'';

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

(10) the provision specifying $200,000 for the Golden Gate National Parks Association, San Francisco, CA, for environmental education programs at the Crissy Field Center shall be deemed to read: ''Golden Gate National Parks Conservancy, San Francisco, CA, for environmental education programs at the Crissy Field Center, $200,000'';

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

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

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

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

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

SEC. 2007. In the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108–7; House Report 108–10), in the matter in title III of Division G, relating to the Fund for the Improvement of Postsecondary Education under the heading ''Higher Education''—

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

(2) the provision specifying $100,000 for Slippery Rock University, Slippery Rock, PA, for Knowledge Pointe at Cranberry Woods, as part of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents shall be deemed to read as follows: ''Regional Learning Alliance, Marshall Township in Allegheny County, PA, as part of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents, $200,000'';

(3) the provision specifying $100,000 for Slippery Rock University, Slippery Rock, PA, for the North Hill Educational Alliance shall be deleted; and,

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

SEC. 2008. Section 336 of Division I of Public Law 108–7 is amended by striking ''Transportation Management'' and inserting in lieu thereof ''Urbanized''.

SEC. 2009. Amounts made available to carry out sections 1212(k) and 5117(b)(6) of 112 Stat. 107 et seq. shall be used to carry out item number 1278 of the table contained in section 1602 of such Act (112 Stat. 263).

SEC. 2010. The matter under the heading ''Corporation for National and Community Services, Domestic Volunteer Service Programs, Operating Expenses'', in Public Law 108–7 is amended by inserting after ''in this Act'' the following: ''for activities authorized by section 122 of part C of title I and part E of title II of the Domestic Volunteer Service Act of 1973''.

SEC. 2011. To liquidate obligations previously incurred, $64,000,000 is provided to

the National Service Trust of the Corporation for National and Community Service: *Provided*, That the second proviso under the heading ''Corporation for National and Community Service'' in Division K of Public Law 108–7 is deemed to be amended by inserting after ''section 501(a)(4)'' the following: ''with not less than $2,500,000 for the Office of the Chief Financial Officer to enact financial reform in the Corporation, notwithstanding the provisions of section 501(a)(4)(B) of the Act''.

SEC. 2012. Section 115 under the heading ''Department of Veterans Affairs, Administrative Provisions'' in Public Law 108–7 is amended by striking ''2 and''.

TITLE III—GENERAL PROVISIONS—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

AMENDMENT OFFERED BY MR. CROWLEY

Mr. CROWLEY. 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. CROWLEY:

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

SEC.____. Of the amount provided in chapter 4 of title I, in the item relating to ''FOREIGN MILITARY FINANCING PROGRAM'', not more than $100,000,000 may be made available to Pakistan.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that debate on the pending amendment offered by the gentleman from New York (Mr. CROWLEY) be limited to 20 minutes, to be equally divided and controlled by the gentleman from New York (Mr. CROWLEY) as the proponent and myself as the opponent.

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

There was no objection.

The CHAIRMAN. The gentleman from New York (Mr. CROWLEY) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. CROWLEY).

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

I rise today in strong support of the amendment at the desk put forth by myself and the gentleman from New Jersey (Mr. PALLONE).

India has been a strong ally in the war on terrorism, and has also felt the pain of terrorist attacks, as we have felt those same pains here in the United States. The most recent attack on India was last weekend, resulting in the brutal murder of 24 Hindus known as Pandits. The 24 murdered included women and children. This act of terrorism occurred in the Indian state of Jammu-Kashmir.

As we all know, last year Pakistani Islamic militants entered the Indian Parliament and opened fire, killing some of our colleagues in the Indian Parliament. I happened to be in India only 2 weeks after this horrific attack, and I can tell Members that I saw the bullets holes and blood-stained ground where militants killed our colleagues.

Even in the face of these facts, within the supplemental, Pakistan will receive $175 million for border security for their support on the international war against terrorism. They support the United States in our war against terrorism in Afghanistan and central Asia, but they are supporting the militias and terrorists who are crossing into India territory in Jammu-Kashmir every day and carrying out attacks on Indian civilians.

One hundred seventy-five million dollars for Pakistan is an award of support, when the true record shows that in spite of our substantial assistance to Pakistan, if President Bush and Prime Minister Blair pushed for a vote at the U.N. Security Council for the war on Iraq, the best we could have hoped for from Pakistan is they would have abstained.

While Pakistan has worked with the United States of late, they have continually also served as a destabilizing force in central Asia, including testing nuclear weaponry, threatening her neighbors, and funding and supporting terrorists who have crossed the border from Pakistan into India to perpetrate terrorist acts against Indian citizens.

Pakistan has made efforts to combat al Qaeda, and some members of that organization have been apprehended with their assistance. But other terrorist organizations allowed to operate within Pakistan's borders continue to spread extremist ideology and a visceral hatred of the United States.

Today I am asking that we limit foreign military financing aid to Pakistan to $100 million, in large part due to the failure of Pakistan to meet its commitments to combat terrorism. Last June General Musharraf pledged that he would halt all movement of Islamic militant infiltration into Kashmir and crack down on Pakistani supporters of militant organizations in the Kashmir region. While the general appeared to keep his word initially, last week's brutal attack on women and children demonstrates that his pledge has been forgotten.

Leaders of Pakistani terrorist organizations, organizations which have been designated as foreign terrorist organizations by our State Department, and who were previously arrested because of their terrorist activities, have since been released. The United States should not have two definitions of terrorism.

Terrorist organizations operating freely inside Pakistan, often with the tacit support of elements of the Pakistani Government, are focused on harming the United States and represent a grave threat to our national security interests.

I ask Members, is this the type of partner we want fighting with us in the war on terrorism, a country that is ruled by someone who came to power not by being elected but by seizing it, someone who has not clamped down on radical Islamic terrorism on his own soil, someone who has greatly contributed to the destabilization of that area of our globe through his testing of weapons of mass destruction and his refusal to rule out a first strike? It seems we are putting our immediate interests in front of our values.

India is the largest democracy in the world, and as the oldest democracy, we need to assist them so they can be free of terrorism, just as all nations want to be free of terrorism. This is a broad goal, but by not providing India with any funding or support in this bill, when they are affected by terrorism every day through cross-border incursions, I fear we are sending the message to other countries it is okay to support terrorists as long as they are not attacking the United States yet. Is this the message that we want to send to the world?

Today we have the opportunity to show the world that we will not look the other way while one nation allows terrorist acts to be committed on another sovereign nation.

Congress has a crucial responsibility to play in ensuring that U.S. funding is provided to countries fully committed to the war on terror. If we provide Pakistan with hundreds of millions of dollars, we must demand accountability and concrete actions that that country is doing all it can to eradicate terrorist organizations within its borders. We are providing $175 million for a partner that has been at best less than helpful and a destabilizing force in south Asia. I urge Members to limit Pakistan's foreign military assistance aid to $100 million from this account until we see real reforms in Pakistan, and pass these savings on to the homeland security account.

I thank the gentleman from New Jersey (Mr. PALLONE) for sponsoring this.

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

□ 1845

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

Mr. CROWLEY. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I thank the gentleman from New York (Mr. CROWLEY) for offering this amendment, which I support.

As was said, the amendment would strike $75 million of the $175 million in the foreign military finance funding for Pakistan in this bill.

Mr. Chairman, although Pakistan has provided assistance to the United States in our fight against terrorism and in our efforts against al Qaeda, I cannot support military aid to Pakistan. Since a military coup stages by President Musharraf in 1999, Pakistan has been run by a military dictatorship. As a result of the coup, democracy sanctions were put in place that barred any U.S. military assistance to Pakistan. However, just 1 month ago,

under waiver authority that was granted to President Bush by Congress, he waived this coup-related sanction to allow $50 million in military assistance to Pakistan for their antiterrorism measures. Given the current military dictatorship and given that Pakistan just weeks ago received a significant sum of money in military aid, I support striking $75 million in military assistance in this bill and perhaps either returning it to the FMF fund or to reallocate this amendment to first providers or towards other priority homeland security needs.

In addition, it is encouraging that the Bush administration is starting to publicly acknowledge Pakistan's role in transferring nuclear equipment to North Korea. I would like to thank the Bush administration for imposing both contracting and licensing sanctions on the Khan Research Laboratories nuclear firm in Pakistan. They are no longer authorized to export to the United States. And I am encouraged by this first step on the part of the administration to both publicly recognize Pakistan's role in supporting North Korea's covert nuclear weapons program and to impose punitive sanctions accordingly.

Normally, because of Pakistan's nuclear transfer to North Korea, Symington sanctions barring U.S. military assistance to Pakistan would be automatic. However, Symington sanctions have been waived by the President, and military assistance continues to flow to Pakistan. I am disappointed that the administration continues to support military assistance to Pakistan when it is clear that Pakistan exchanged equipment with North Korea most likely for missiles to challenge India.

Again, Mr. Chairman, I cannot argue against the fact that Pakistan has been a friend of the U.S. in fighting against global terrorism. However, the case is much different when we look at Pakistan's own backyard of Kashmir. Terrorism and violence by Islamic militants in Kashmir have escalated to a devastating degree, and I am very concerned that military assistance to Pakistan will be used to perpetuate the terrorist acts in Kashmir and elsewhere throughout India.

Mr. Chairman, based on the history of our laws in place that prevent the U.S. from providing military assistance to Pakistan in certain situations, such as military dictatorship or transfer of nuclear equipment to other countries, and for all the related reasons that I have just detailed, as has the gentleman from New York (Mr. CROWLEY), striking $75 million in military assistance to Pakistan from this bill today is more than justified; and most importantly, it is important to recognize that any dollars that would be cut can be redirected to our own homeland security or to our own first responders and that really should be a priority rather than giving this money to Pakistan.

I support the amendment, and I want to thank the gentleman from New York (Mr. CROWLEY); and I would hope that the administration would pay more heed to these issues of Pakistan's anti-democratic policies and its transfer of nuclear technology.

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time, the distinguished chairman of the full committee.

I understand that the gentleman from New York (Mr. CROWLEY) does intend to withdraw this amendment at the conclusion of this debate, but I do not think the remarks that were made with regard to Pakistan should stand without some comment, without some kind of rebuttal. I do understand and I do desire, as the gentleman from New Jersey (Mr. PALLONE) and the gentleman from New York (Mr. CROWLEY) have spoken so eloquently about the conflict in South Asia between Pakistan and India, I desire as much as they do to have a satisfactory resolution to this conflict, to see that Kashmir no longer divides these two countries and provides a source of conflict of two nuclear superpowers on the Asian subcontinent.

But this is not about an amendment about favoring Pakistan over India. This is an amendment about Pakistan, and Pakistan is one of the most critical front-line states in this global war against terrorism. It has paid a very high price, including the lives of its soldiers because of its decision to side with the United States in the fight against the al Qaeda and terrorism. Their cooperation on terrorism has been excellent. Our nations have coordinated to apprehend nearly 500 suspected al Qaeda and Taliban operatives, including the operational commander, Khalid Sheikh Mohammed, and the September 11 conspirator, Ramzi bin al-Sheibh.

Mr. Chairman, this is not blood money. Some have talked about that with relation to some of the other countries for which money is being provided. This is not money to get their support in the war against Iraq. This is funds to help Pakistan help us prosecute the war against terrorism. The $175 million in foreign military financing in the committee's recommendations is going to increase Pakistan's capability to apprehend and disable terrorists hiding and operating on its own territory. In the regular 2003 appropriation bill, we included money for fixed and rotary wing transport, including C–130s and Cobra/Huey helicopters. This supplemental provides urgent items needed to counter al Qaeda and Taliban pockets in the border area with Afghanistan. Key equipment identified for counterterror operations during the most recent bilateral defense consultation discussions last fall include ground radars and communications equipment. Surveillance systems are needed for the border, and communications can improve with interoperability between our forces and those of Pakistan. The supplemental will also provide for procurement of 10 OH–58 D helicopter reconnaissance systems to interdict the terrorists and to provide for drug interdiction.

Mr. Chairman, let me just conclude by repeating what I said a moment ago. This is not about giving something to Pakistan because they have been supportive of us. This money is being given to help prosecute the war against terrorism. That is our war, and Pakistan is deeply engaged in that war, as has been evidenced by the seizures of people that we have made along the border. We need their continued involvement, and we need their support; and this amendment ought not to be adopted.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I thank my colleague, the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs for yielding.

I rise simply to share with my colleagues from New York and New Jersey that I feel very, very strongly about our ally India and the role she may play in our future. For no reason that my colleague would know, I spent a decent amount of my life in India. I consider it to be my second country. In the case before us, however, we are talking about Pakistan, who has been our great ally in this war on terrorism. To mix the two at this moment could be a very dangerous procedure for us to follow. I am very appreciative of the fact that the gentleman is going to withdraw this amendment. I would hope that we could carry forward this discussion, though, in another forum at another time for there is a lot of work that needs to be done here. India is our ally and our friend and a great democracy. In turn, Pakistan today is helping us in a very special way in the war against terrorism.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for his comments, and I think they summarize precisely my point, which is really this is not about India. It is about Pakistan and having them continue to be involved in the war against terrorism. And I agree with him that India remains a great democracy in the region.

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

Mr. CROWLEY. Mr. Chairman, I want to say I appreciate the discussion. At this time I am prepared to withdraw my amendment.

The CHAIRMAN. The gentleman from New York withdraws his amendment.

AMENDMENT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. 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. DEFAZIO:

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

TITLE IV—UNEMPLOYMENT ASSISTANCE FOR DISPLACED AIR TRANSPORTATION EMPLOYEES

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Air Transportation Employees Assistance Act''.

SEC. 4002. DEFINITIONS.

For purposes of this title—

(1) the term ''eligible individual'' means an individual whose eligibility for temporary extended unemployment compensation is or would be based on the exhaustion of regular compensation, entitlement to which was based in whole or in part on qualifying employment performed during such individual's base period;

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

(A) with an air carrier, at a facility at an airport that involves the provision of transportation to or from an airport, or with an upstream producer or supplier for an air carrier; and

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

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

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

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

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

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

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

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

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

SEC. 4003. ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS FOR ELIGIBLE EMPLOYEES.

In the case of an eligible employee, the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21), as amended by Public Law 108–1 (117 Stat. 3), shall be applied as if it had been amended in accordance with section 4004.

SEC. 4004. MODIFICATIONS.

(a) IN GENERAL.—For purposes of section 4003, the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21), as amended by Public Law 108–1 (117 Stat. 3), shall be treated as if it had been amended as provided in this section.

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

''SEC. 208. APPLICABILITY.

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

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

''(2) ending before December 29, 2003.

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

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

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

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

(1) in subsection (b)(1)—

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

(B) by striking ''13'' and inserting ''39''; and

(2) in subsection (c)(1), by inserting ''⅓ of'' after ''equal to''.

(d) EFFECTIVE DATE OF MODIFICATIONS DESCRIBED IN SUBSECTION (c).—

(1) IN GENERAL.—The amendments described in subsection (c)—

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

(B) shall be treated as applying only with respect to weeks of unemployment beginning on or after the date of enactment this Act, subject to paragraph (2).

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

(A) Any amounts deposited in the individual's temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as ''TEUC–X amounts'') before the date of enactment of this Act shall be treated as amounts deposited by reason of section 203(b) of such Act (commonly known as ''TEUC amounts''), as deemed to have been amended by subsection (c)(1).

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

(i) any determination made under section 203(c) of such Act before the application of the amendment described in subsection (c)(2) shall be disregarded; and

(ii) any such determination shall instead be made by applying section 203(c) of such Act, as deemed to be amended by subsection (c)(2)—

(I) as of the time that all amounts established in such account in accordance with section 203(b) of such Act (as deemed to be amended under this section, and including any amounts described in subparagraph (A)) are in fact exhausted, except that

(II) if such individual's account was both augmented by and exhausted of all TEUC-X amounts before the date of enactment of this Act, such determination shall be made as if exhaustion (as described in section 203(c)(1) of such Act) had not occurred until such date of enactment.

Mr. DEFAZIO. Mr. Chairman, this is an amendment that is long overdue. Those who are here would recall that in the aftermath of 9–11 when this House was rushing to approve a $15 billion package to help the airlines that we were told that there was not room or time, because it was so urgent to be done before the end of the week, to include the employees; but the gentleman from Missouri (Mr. GEPHARDT), the then-minority leader, and Speaker HASTERT engaged in a colloquy where assurances were made that in the very near future in, and this was in September of 2001, that we would consider a bill for employee relief including financial assistance, ability to retain health insurance, training for those in the airline industry.

Since that time 150,000 airline industry employees have been laid off or furloughed, and we are told now by the industry that even if this package is approved, there is a high likelihood that we will see another 70,000 layoffs. Boeing is looking at 30,000 layoffs; and then there are a whole lot of associated industries, travel agents and others, who have been devastated. So this legislation would begin to redress that oversight by this Congress.

The interesting thing about this amendment is it is not in order under the bill, I am going to hear shortly, but this amendment, we would not have to borrow the money to pay for it. We have to borrow the money to send to Pakistan. We have to borrow the money to send to Turkey. We have to borrow for every other function of this bill. We have to borrow the money to build 6,000 schools in Iraq. We have to borrow the money to begin to provide universal health care in Iraq. But to provide extended unemployment benefits to 150,000, headed to more than 200,000, airline employees, we would not have to borrow a penny because the money is already on deposit in the unemployment trust fund.

It is true that the administration does not want to spend the $20-some-odd billion balance in that fund and does not want to extend this benefit to airline employees who have exhausted their unemployment; but the fact is we would not have to borrow the money to do it and it helps Americans. We are borrowing money to help people all around the world. Can we not do something for the airline employees?

The Senate has acted on this issue, and hopefully we will come to a conference agreement that will provide for this long-overdue benefit; but if the House would send a message tonight, if the committee would accept this and waive a point of order against it, again, not having to appropriate funds, only to authorize expenditure of funds from the trust fund, we would begin to help these people who have been sorely hurt by 9–11 and now by this war in Iraq.

Mr. HOYER. Mr. Chairman, I strongly support Mr. DEFAZIO's amendment to provide an additional 26 weeks of unemployment compensation to workers in the air transportation industry.

This industry and its workers have borne the brunt of the continuing war on terrorism and have been wracked by our sluggish economy.

In fact, the industry is expected to lose $6.7 billion this year.

In addition, approximately 200,000 airline workers have lost their jobs since September 11, 2001, and another 70,000 workers are expected to be laid off.

This week, the world's largest carrier, AMR corporation's American Airlines, averted Chapter 11 bankruptcy by negotiating $1.8 billion in labor concessions.

And U.S. Airways only recently emerged from bankruptcy after winning approval for a $900 billion Federal loan guarantee.

Last week, I had the opportunity to meet with representatives of the industry and just hours ago I met in my office with airline workers' representatives.

The industry and workers know that their fate is inextricably linked; that one cannot survive without the other.

Members on both sides of the aisle understand this and want to help.

The fact is, this amendment would incorporate into this supplemental appropriations bill bipartisan legislation that was introduced yesterday by Mr. ENGLISH and Mr. OBERSTAR—H.R. 1553, the ''Air Transportation Employees Assistance Act''.

The Senate Appropriations Committee has already passed a similar plan to extend unemployment insurance benefits in its version of this legislation.

The members of this body should do the same thing to aid this struggling industry, and its workers and their families.

Let's help this vital industry and its workers navigate unprecedented turbulence.

That's precisely what this amendment extending unemployment insurance benefits would do.

I urge my colleagues to support it.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment directly amends existing law. I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Oregon (Mr. DEFAZIO) wish to be heard on the point of order?

Mr. DEFAZIO. Mr. Chairman, if I could speak to the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. DEFAZIO. Mr. Chairman, I did last evening go to the Committee on Rules. There was a Republican member who was a principal sponsor of this legislation who was supposed to come to the Committee on Rules and ask for a waiver. He did not, but in his stead I asked the committee to protect this or, even better, to open up this section of the bill which goes to aviation and allow it to be amended outside of the rules of the appropriations process since this section of the bill was written totally, basically, behind closed doors. Unfortunately, apparently the Committee on Rules saw fit not to do that.

The CHAIRMAN. The gentlewoman from Texas (Ms. JACKSON-LEE) may be heard on the point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Oregon (Mr. DEFAZIO) for being persistent in this very important initiative.

He is correct. In fact, I was in the Committee on Rules when the gentleman from Oregon (Mr. DEFAZIO) asked for a waiver, and as noted, this amendment was to be presented, Mr. Chairman, in a bipartisan fashion.

Let me just cite as a precedent that the emergency appropriations that is before us does not itself comply with the budget resolution, and therefore that legislation was given a waiver.

□ 1900

It would seem that now precedent has been laid that when we see a crisis, and that is what this is, an emergency appropriations, the gentleman from Oregon (Mr. DEFAZIO) is defining his amendment as a crisis, as an emergency. Because I even spoke to some of the leaders of airlines today who indicated that they were aware that employees were being laid off as we speak.

Mr. Chairman, if I might give an anecdotal comment in speaking to the point of order, just 7 days ago, flying Delta Airlines, I was asked to, one might say for many reasons, but I was asked to leave the plane because the plane was going to another location than what I thought it was going to, causing me to miss an important connection, because they canceled a flight and they had to go to another city to pick up some other, if you will, passengers. That meant that they canceled the work of other employees who would have been on that plane. Those employees did not work. They were canceled out.

So there is a crisis when airlines are telling passengers we are canceling flights, we are laying off employees; these employees have no unemployment benefits.

If we are operating under an emergency, Mr. Chairman, then I believe that this employment amendment that deals with extending the employment benefits for employees is a crisis, and we should be subject to a waiver to allow for this debate and to allow for this amendment to be presented, so that these employees, in an industry that is under crisis, can likewise have the relief they need.

Mr. Chairman, I would ask that a waiver be given under the same precedent of which we debate the emergency appropriations, and that is that it is an emergency, that it is a crisis; this amendment represents a crisis, and I would ask that this amendment be allowed to be debated on the basis of a waiver.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Does anyone else care to address the Chair regarding the point of order?

If not, the Chair is prepared to rule. The Chair finds that this amendment directly amends existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. 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. DEFAZIO:

At the end of the bill insert the following new section:

SEC. . None of the funds in this Act may be used to initiate or launch military actions except as authorized by Article I, section 8 of the Constitution.

Mr. DEFAZIO. Mr. Chairman, I had hoped that this amendment would be accepted as noncontroversial. It would, at the end of a bill, insert a new section which basically simply recognizes the Constitution of the United States and the provisions of Article I, section 8. This has been reviewed by and edited by the Parliamentarian's Office and I understand that in its current form, it is in order. I had a previous version which was not in order.

It is very simple, and I will read it. Often we debate things that are too long to read, but this says, ''None of the funds in this Act may be used to initiate or launch military actions except as authorized by Article I, section 8 of the Constitution.''

Now, what does that mean? That means that we already have an outstanding authorization for these activities, which I opposed, which was not a declaration of war, but Congress did pass an authorization under the War Powers Act for current activities in the Middle East and any activities that might be pertinent to that. We have another outstanding authorization for anyone who has engaged in, aided, or abetted, or harbored those involved in 9/11. I think that pretty well covers any potential terrorist threat or harboring of terrorists or fugitives responsible for those sorts of actions around the world between those two resolutions.

So this simply says before the administration might use any of the $75 billion in this bill, which we are borrowing and delegating to them for a number of purposes, to engage in a military action outside of those two authorizations dealing with another part of the world or another country, that it would have to be compliant with the Constitution of the United States of America. I believe this is extraordinarily noncontroversial, and I would give the chairman an opportunity to accept it and save 2 minutes;

I probably have 2 minutes left. But he is not jumping to his feet, so I will keep talking for another 2 minutes.

Mr. Chairman, I find it hard to believe that this House, the people's House, would not feel that in borrowing and transmitting huge amounts of funds to the administration, would not want to protect its constitutional prerogatives and make certain that those funds were not used beyond the purposes of the already existing authorizations. So I would be puzzled if this House would reject this amendment, and I would wonder what they know that I do not know, or what plans to use this money in ways that are not already authorized by law might be out there; and that would cause me grave concern, particularly when I sometimes listen to the Secretary of Defense, who was then contradicted by the Secretary of State.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the DeFazio amendment.

The gentleman and I both offered two similar pieces of legislation, and I applaud this initiative which spoke to the question of whether or not this war was authorized by Article I, section 8, and whether or not this Congress has ever debated the up-or-down question of whether or not we go to war with Iraq.

Might I say that as the gentleman from Oregon well knows, we have repeatedly said that we support the troops. As I started out with this debate earlier today, many have trivialized that comment and suggested that we are unpatriotic to even be discussing this at this time.

I might cite many comments by some of our generals who offered to say that our troops, brave as they are, understand the distinction between the question of dissent against policy and dissent against them. Not a single one of us are not praying for the return of the POWs or are not joyfully celebrating the return of the young lady from West Virginia, the young soldier, the brave soldier. But I think really the question is, Mr. Chairman, is whether or not we adhere to our values and our Constitution. Our Constitution clearly points to a debate on this question.

So I would hope that even as we discuss the emergency supplemental, which, Mr. Chairman, I may ultimately support, that it is the responsibility of this Congress to both declare war, but it is also the responsibility of this Congress to raise up armies. We are doing that today because we do not want to abandon our troops while they are in the middle of battle, but we are asking or raising the question of whether this is authorized.

Might I just cite for my colleagues the statements made by former Secretary MacNamara some 20, 30 years after Vietnam, wishing that these concerns had been raised during the debate about Vietnam. Is it not important that we raise these discussions now?

Might I also say that I am concerned, and certainly have been concerned for a period of time, that the issues of peace were never parallel to the questions of war. We have a War Powers resolution and frankly, if we were under imminent attack, the President could defend us, the Commander in Chief could defend us and report to the Congress. But we went through a series of policy changes and many of us did not know what this war was about: regime change, disarmament, or exile for Saddam Hussein. I think a vigorous debate on this question would have been warranted on behalf of the American people.

To these families and to these troops who are now valiantly fighting, we say we are in support of your survival and your effort for the values of this Nation. But it is important, as we send funds to make sure that our troops are protected, that we remind the Nation that we have never had a debate on this floor to raise up the question under Article I, section 8 to ask the question of whether or not we go to war with Iraq.

Mr. Chairman, I support the DeFazio amendment because, in fact, it asks us within a turnaround period to debate that question as we, if you will, provide these funds, so that our troops might be protected.

I would ask my colleagues to consider the DeFazio amendment and to consider the responsibilities and duties of this particular Congress and this Nation.

Mr. DEFAZIO. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I had prior proposed legislation which would have required this House to fulfill its constitutional duties for this particular action, and some 30-some odd people saw fit to put their names on that. This amendment simply refers to the funds in this bill and future actions that are not authorized. So this is actually even more limited in its scope, but it does go directly to the obligations and duties of this House under Article I, section 8.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I would simply say that we are only suggesting by previous legislation, and suggesting today, that Congress must debate this question, even as we provide funds to protect our troops.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to this amendment.

I am not exactly sure what the gentleman has in mind when he offers it, but I think I know what the effect would be. The effect would be if the U.S. troops managed to take Baghdad, but that they have not finished the operation in Basra, that they might not be able to move from Baghdad to Basra as a new military operation.

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

Mr. YOUNG of Florida. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, it is very clear what we are saying here. Military actions except as authorized, none of the funds may be used to initiate a launch. This is beyond those already authorized. I had other language which went to that; the Parliamentarian stripped it out. But this is clearly saying we have already authorized the current actions, we authorized them under the 9/11 resolution, Afghanistan and other actions. Those are authorized. This would be future actions outside the scope of the Iraq war, outside the scope of the Afghanistan war and/or the war on terrorism, whatever those might be, and Secretary Rumsfeld has an active mind.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, I understand what the gentleman is saying, but oftentimes what one intends in a very simple amendment is not really the effect.

Now, if the gentleman is talking about no further military action without a declaration of war, and I think that is what he is talking about, because Article I, section 8 refers to declaring war, let me make the point that the United States has not declared war since World War II. Korea was a massive war, but there was no declaration of war. Vietnam was a massive war, but there was no declaration of war. We worked on resolutions passed by the Congress to authorize the President to take whatever steps necessary to protect American interests or whatever the purpose was at the time.

So what I am suggesting is that this is a mischievous amendment for those who are opposed to this war in Iraq. They certainly have a right to oppose the war, and I wish we did not have to go to war as well. But I know that if we do not take care of the problem before it gets out of control, then it becomes out of control.

Now, I want to say something about those who are opposed to the war, and again they have the right to be opposed to the war, although I do not think that they are supporting our troops very effectively.

□ 1915

I wanted to tell the gentleman that since the wounded soldiers have started coming back from Afghanistan and Iraq, something that my wife and I do on a regular basis is visit these soldiers, sailors, airmen, Marines, Coast Guardsmen in the military hospitals at every opportunity, especially if they have no family there with them. We have been doing that quite actively very recently.

I want to tell the gentleman a story about a young soldier who, when we entered his room, began to cry. Soldiers usually do not cry, but this soldier cried. My wife went over and hugged him and tried to console him. She did not do too well, although she normally does.

I went and talked to him, and asked, Are you in pain? He said, No, I am not

in pain. I said, The injury could be repaired? He said, Yes, they told me they could fix the injury. I asked, Well, why are you crying? He said, I am crying because I am watching the television, and I am watching the people out there on the streets objecting to my colleagues and myself being in harm's way.

He was crying because of the antiwar protestors. Again, they have the right to protest, but they offended this soldier, who had been wounded defending their right to do it. Now, I am not suggesting that this amendment is anything like that; but I am suggesting that it does lend credence to those who would like to portray the United States as being totally wrong in what we are doing.

I want to say to the gentleman, whatever his position is on this war, if we do not fight the terrorists there is no doubt what would happen. We have already proved that al Qaeda and Saddam Hussein are in bed together. That has already been proved in this military action. But if we do not prevent another September 11, another destruction of two main towers in New York or the Pentagon with the loss of thousands of lives, if we do not do something now to prevent it and it happens again, none of us will be able to excuse our way out of it for not having done what was necessary to keep it from happening again.

I am determined to do everything that I can do, and I hope that all of my colleagues in the House will as well. I heard their speeches after September 11, stating that they would do everything possible to prevent these events from ever happening again, and to rid the world of the threat of terrorism and those who support terrorism.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was rejected.

AMENDMENT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. 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 offered by Mr. DEFAZIO:

Page ___, after line ___, insert the following:

SEC. ___. The amounts otherwise provided by this Act are revised by increasing the amount made available in chapter 3 of title I for ''Operation and Maintenance, Defense-Wide'' by, and reducing the amount made available in chapter 4 of title I under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE'' for ''Economic Support Fund'' (and the allocation within that amount for grants for Turkey) by, $207,000,000, which, in the case of the additional amount for ''Operation and Maintenance, Defense-Wide'', shall be available to establish National Guard Weapons of Mass Destruction Civil Support Team as authorized by law, including section 12310(c) of title 10, United States Code, in order to carry out the requirement in section 1403 of Public Law 107-314 (116 Stat. 2676), that an additional 23 such teams be established, for a total of 55 such teams, with at least one team established in each State and territory.

Mr. DEFAZIO. Mr. Chairman, I will take part of the time to respond to the chairman, since he did not give me time.

Mr. Chairman, I resent the broad-scale implications about the ''proven linkage'' between Saddam Hussein. They have been able to put Saddam Hussein in the same sentence with al Qaeda; but the CIA, DIA and others have not been able to find or prove a single link, except for the group that he did not control up in the northern part of the country behind the Kurds, who have now been eradicated.

But there are proven links to the Saudis, there are proven links to the Pakistani intelligence service, there are proven links to others who in fact will receive assistance under this bill.

That aside, and we will not get back into that debate again here tonight, but I believe the gentleman mischaracterizes my amendment. This was raised in light of Secretary Rumsfeld threatening to take action against Syria. We have heard that ''real men go to Tehran'' and other things from this administration. I am concerned what adventures they might have in mind in terms of further preemptive wars.

I was trying to make the statement that before we fight any more preemptive wars, that we would live up to our authority under article 1, section 8, which we failed, and we failed the troops and the American people in the Congress in the matter of this current action, although it was authorized under other auspices by this Congress.

My other amendment is really simple. I know it will be opposed, but here it is.

This Congress authorized that we would make the American people safe by setting up National Guard weapons of mass destruction civil support teams in every State of the United States and the territories. Guess what, we have not delivered on that. We do not have enough money. We have been told there are budget constraints. We cannot afford a National Guard weapons of mass destruction civil support team in 17 States, including my own and that of the ranking member of the committee and a number of other States. We cannot afford it; yet we can send $1 billion unsolicited to Turkey.

As I said earlier on the floor tonight, the ambassador of Turkey said these funds were not solicited; they were a unilateral action on the part of the United States of America; essentially a gift or bribe, however we want to characterize it.

Would the American people not be better served by just reducing that by 20 percent? So 20 percent of the $1 billion that we are going to borrow and send to Turkey would be spent here in the United States of America for the National Guard to prevent destruction by weapons of mass destruction.

Now, I know we are going to hear, this would be an insult to the Turks and others. But is it not an insult to the American people that we are not making them as safe as we could? If Members want to talk about patriotism, damn it, protect our people here at home. If Members want to cast aspersions on me, I want this money to be spent in the United States of America. They want to send it to Turkey, plain and simple.

We are going to vote up or down on this. It is real simple. They will get up and say, oh, the Turks, the Turks. We either fund under the law what we said we would or what we were mandated to do, which we say we do not have the money to do, or we do not. This is the simple way to do it. The Turks would still get $800 million that they did not ask for.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair would remind all Members that they are to refrain from the use of profanity on the House floor.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have been through this debate earlier today. We had a definitive vote on the issue of whether or not we should eliminate these funds for Turkey.

The case, I think, was made very effectively here on the floor of the House of Representatives about the importance of Turkey in this fight against Iraq, in this fight to protect our soldiers who are operating in northern Iraq.

One of the points I did not get to make today, however, is about the fragility of the Turkish economy. It is very fragile. They have been battered for years by the oil sanctions. They have been battered by the costs of the number of refugees who have come in from Iraq into Turkey. They have been battered by the loss of tourism. They have been battered by the world recession. This is a country that has a huge amount, over $75 billion of public debt.

There is no one that thinks that this $8 billion of loan guarantees that the funds we are talking about would buy for them can save them on its own; but it can buy them time until we can get past this conflict, until we can begin to make the economic reforms with the new government in that country, until we can get an agreement with the IMF and with the World Bank, until we can restructure some of those loans that they have.

But that cannot happen, Mr. Chairman, unless we have these funds made available to Turkey. Taking 20 percent of it out means at least a reduction of $2 billion in those loan guarantees. This is important money. It is important for the security of our troops who are operating in northern Iraq, it is important for the resupply of them, it is important for the supply of the humanitarian assistance going into northern Iraq, and it is important to maintain

the coalition that we find so important in fighting this struggle.

I would urge my colleagues to defeat this amendment as soundly as they defeated the previous amendment. We ought not to be reducing this money that is very important to maintaining our relationship with Turkey and maintaining Turkey's involvement in the war against terrorism and the war against Iraq.

I urge a ''no'' vote.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

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

Mr. Chairman, I would like to simply point out to the House that there are still, as near as I can count, 14 amendments remaining. If we are going to debate 14 amendments, Members can calculate for themselves how long we will be here.

That is all I have to say.

AMENDMENT OFFERED BY MR. ROTHMAN

Mr. ROTHMAN. 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 offered by Mr. ROTHMAN:

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

SEC. . The Transportation Security Administration shall place into effect flight restrictions, substantially similar to those applicable to the Washington, DC, area, that prohibit general aviation aircraft within a 15 mile radius of the City of New York, New York.

Mr. ROTHMAN. Mr. Chairman, under current Transportation Security Administration restrictions, no general aviation aircraft can fly within 15 miles of the Washington Monument. So why, then, does New York City, the other target of the worst terrorist attack in the history of the United States, not have the very same safeguard being provided to it by the Transportation Security Administration against general aviation aircraft within 15 miles of New York City?

Before I continue, I want to make it clear to my colleagues that I am not talking about commercial aircraft, the 737s, 767s, and so forth that so many Americans depend on each day for travel into our Nation's major airports. What I am talking about are the smaller private aircraft that primarily operate out of smaller, general aviation airports such as Teterboro Airport in my congressional district in New Jersey. Those airports do not have the same Transportation Security Administration security procedures that the major airports have.

While these general aviation aircraft by themselves, because of their size, may not seem to be able to inflict a great deal of damage even if they were diverted into a building, if they were filled with chemical or biological agents they could potentially cause a tragedy greater than the one we had on September 11.

The restrictions that I am calling for, which would be the same restrictions that are now in place for Washington, D.C., would keep general aviation aircraft from flying within 15 miles of New York City, the other major target of al Qaeda. That would mean that no general aviation aircraft would be able to fly over Times Square, fly over the Empire State Building, over Giants Stadium in New Jersey, or over the Continental Arena.

There would be exemptions provided, and if one was provided to a general aviation aircraft, that aircraft, and by the way, these exemptions are available here in Washington, D.C., it simply requires those general aviation aircraft first to fly into what is called a gateway airport outside of the 15-mile restricted zone. There, the plane, pilot, passengers, and luggage would be inspected by Transportation Security Administration officials before these general aviation aircraft would be allowed to continue on to Teterboro or these other airports within 15 miles of Manhattan, such as JFK or LaGuardia. Again, these same restrictions are now in place for Washington, D.C., but not New York City.

Mr. Chairman, I urge my colleagues to stand with me and support my call for Homeland Security Secretary Tom Ridge and the Bush administration to immediately put into effect these new restrictions and protect the people of the New York metropolitan area, just as they have chosen to protect the people of Washington, D.C.

Government's number one responsibility is to protect the people. Security is the reason why general aviation aircraft are restricted in coming into airports within 15 miles of Washington, D.C. My amendment would seek the same restriction for general aviation aircraft which would seek to fly in without first being inspected outside the 15-mile zone flying into New York City.

Mr. Chairman, I regret that the Chair will rule that this amendment is not in order to be voted on tonight, so I will, for this evening, be withdrawing my amendment. But let it be clear, Mr. Chairman, I will continue to press my case and to press for the Transportation Security Administration and the Bush administration and the Department of Transportation to protect the people of the New York metropolitan area by enacting the same restrictions that they have deemed necessary over Washington, D.C.

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POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitute legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: An amendment to a general appropriations bill shall not be in order if changing existing law.

The amendment imposes additional duties and I ask for a ruling.

The CHAIRMAN. Does the gentleman wish to be heard on the point of order?

Mr. ROTHMAN. As the Chair and my distinguished chairman may have heard earlier that I have withdrawn my amendment on the basis that the gentleman may very well be correct on that point of order, and I simply wanted to restate my intention to pursue this issue notwithstanding its order this evening.

Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The gentleman from New Jersey withdraws his amendment.

AMENDMENT OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. 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. HOEKSTRA:

In section 2011 of title II, after the aggregate dollar amount, insert the following: ''(reduced by $64,000,000)''.

Mr. HOEKSTRA. Mr. Chairman, thousands of our Nation's troops woke up today with the express task of defending our country against Saddam Hussein's reign of terror in order to protect the safety and freedom of his people, neighboring countries and other nations like ours across the globe.

Our Nation's founders tasked Congress with the authority and power to wage war and the responsibility to fund these efforts. The bill before us today appropriates additional money to fund the work of our men and women fighting in this war. This bill provides critical dollars for efforts to protect and defend the homeland security of the United States. It provides vital resources to first responders, law enforcement officials, and public health workers across the Nation who have developed safety plans to counter the increased national threat posed by terrorism.

The President asked that we keep this a clean bill. Unfortunately this emergency wartime supplemental appropriations bill also seeks to fund an extraneous program entirely unrelated to national defense, homeland security or counterterrorism efforts. Included in this supplemental is a $64 million deficiency appropriation for the Corporation for National and Community Service in order to make the corporation's AmeriCorps trust fund solvent.

The $64 million shortfall was incurred because of poor tracking procedures at the corporation and a recent decision by the Office of Management and Budget to change the way the corporation has been determining the amounts of funds available in the National Service Trust.

The funding was put into the defense supplemental at the 11th hour without the knowledge of the Speaker, the majority leader, the majority whip or the authorizing committee. I chair the subcommittee which has responsibility for oversight for the corporation. It said that this $64 million, if not appropriated in this supplemental, kids in the AmeriCorps program will suffer. We had an oversight hearing this week. That is not what the chairman of the Corporation for National Community Service told us this week. He said they have plenty of time to work through this with the authorizing committee to explain exactly what the accounting problems are, what the accounting issues have been, and most importantly, what they will put in place to make sure that this does not happen again. It is time for us to continue holding the corporation accountable for its performance.

I am pleased that they have now had a couple of years of clean audits. That is significant progress after the mismanagement of the corporation through much of the 1990s. But this latest example of where what the corporation is trying to do in managing its dollars and managing the resources and the commitments that it makes to young people across the Nation reinforces the need that the corporation needs oversight and that it has to get its books in order.

We have the time to make sure that we fully understand what is happening here and how the corporation intends to fix it. We do not at this point in time have to allocate $64 million to the trust fund on this supplemental bill.

The President wanted a clean bill. He said, let us focus on national security. Let us focus on the war. And let us focus on homeland security. That is what the President came to Congress with. That is what he said. This is not the bill. It gives $64 million. They may need it, but they have testified that they can get this money sometime in the future and make sure that they do not deprive any of our young people of the grant and the scholarships that they have earned through the AmeriCorps program.

We are working through a reauthorizations process. We want to get this program reauthorized. We want to reform it. This is one of the elements that should be part of a reform package and should not be dealt with in this supplemental package. Let us make sure that we do it right. Let us make sure that the corporation does it right before we give them $64 million through this supplemental. In the past they have shown that they have not been able to manage the corporation well. They have made improvements, but before we at the 11th hour sneak something into a supplemental bill, before we give them $64 million dollars, let us make sure that they get it right. Let us make sure that they are managing this agency in the way that we expect our dollars to be allocated.

I ask my colleagues to support this amendment and vote for this money when we determine that this is absolutely essential.

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

Mr. Chairman, I chair the subcommittee on appropriations with responsibility for the Corporation for National Service and AmeriCorps, and for that reason this appropriations issue is within our subcommittee's jurisdiction.

The gentleman who just spoke is the authorizing subcommittee chair, and so he has the authorizing jurisdiction. This is clearly an appropriations issue, not an authorization issue. And I just wanted to try to explain exactly what has happened.

The gentleman said that this is being done in the dark of the night, that the Speaker did not know, the majority did not know, the whip did not know. Well, that is just not the case.

I have a letter here on White House stationery, signed by the President of the United States. The letter was dated March 4 and it is to the Speaker. So the Speaker has had this about a month now. And the letter says:

"Dear Mr. Speaker, I ask the Congress to consider the enclosed request for the Corporation for National and Community Service. The request is needed to liquidate legitimate prior year obligations for eligible participants in the AmeriCorps program, to complete the implementation of a comprehensive corrective action plan developed by CNCS to strengthen financial management, and to provide flexibility to support more than 50,000 AmeriCorps members in fiscal year 2003. This request will not increase fiscal year 2004 requests. The details of this request are set forth in the enclosed letter from the director of OMB." Which I also have.

Now, I understand the gentleman's frustration with this department. I have it also. I share responsibility with him, but that is no reason to deny the President's request. The President specifically asked that we move on this, and that is what I have done. These funds are set aside, are funds that are provided in a trust fund to these young people who volunteer to give their time to their community, to their country, and then they benefit from it at the end by receiving these funds. It is a stipend for their education. It is a wonderful program, full of idealism and altruism.

And imagine if you completed your service and realized that the commitment that was made to you to provide these stipends was not there. All that altruism, all that idealism, I think would turn pretty sour pretty fast.

So, Mr. Chairman, I will close by saying I respect the gentleman. I respect his thoughts on this. We work together very closely on this, but this is a direct request by the President of the United States and we are responding to that. So I would urge a no vote on the gentleman's amendment.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Michigan (Mr. HOEKSTRA) be limited to 20 minutes to be equally divided and controlled by the proponent and myself as the opponent.

Mr. OBEY. Reserving the right to object, Mr. Chairman, I know that there are a number of people on this side of the aisle who want to participate in debate on this amendment. So I would ask whether the time arrangements could be adjusted so we would be guaranteed some time on this side of the aisle.

Mr. YOUNG of Florida. Mr. Chairman, the gentleman is opposed, correct?

Mr. OBEY. Yes, Mr. Chairman.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that half of my time be delegated to the gentleman from Wisconsin (Mr. OBEY).

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

There was no objection.

The CHAIRMAN. The gentleman from Michigan (Mr. HOEKSTRA) will be recognized for 10 minutes, the gentleman from Florida (Mr. YOUNG) will be recognized for 5 minutes, and the gentleman from Wisconsin (Mr. OBEY) will be recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

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

I thank the gentleman from Michigan for bringing forward this amendment. For myself I am not sure this is a proper way to spend AmeriCorps funding, but certainly it is not the proper place as part of this bill. As the gentleman from Michigan (Mr. HOEKSTRA) correctly pointed out, for moving forward we need to have a vehicle where you can actually reform, where you can actually make changes, where you can actually do good things moving ahead. You cannot do that as part of the supplemental. Just like it was with the airline money. You cannot reform. You cannot do what you need to do as part of an emergency war supplemental.

What kind of message are we sending to our constituents and taxpayers across the country when we say that AmeriCorps funding, $64 million, needs to be part of a war supplemental? That just breeds the cynicism that it ought to. We should not be doing this. The amendment is justified. I would urge support of it and I thank the gentleman for bringing it forward.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, if you follow the logic of the last speaker, what you are saying is that we should provide in this bill $3.25 billion to the airline industry,

which we do not owe, but that we should not provide the funds in the bill to reimburse the volunteers for services, for which we do owe. I find that that makes no sense whatsoever.

The gentleman from New York (Mr. WALSH) is absolutely right. This is an obligation which government has. We should not blame the recipients, we should not blame the participants in this program for the screw-ups of the agency on their bookkeeping balances.

The fact is that this is totally defensible at a time when we are trying to encourage volunteerism, at a time when we are trying to encourage a sense of self-sacrifice. It would be a strange message indeed to say that we are not going to meet our obligations to the volunteers under this program.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I thank the chairman for yielding me time. I rise in opposition to the amendment.

I have heard my good friend, the gentleman from Michigan (Mr. HOEKSTRA), object to the inclusion of $64 million for the Corporation for National Service in a wartime supplemental appropriations bill.

I take the opposite view. I think including this funding in this bill is entirely appropriate precisely because we are at war against terrorism, and national service is a vital part of winning that war. National service is the right prescription during these times because the best antidotes to terror and hate in society are acts of kindness and service. For instance, just last week, the U.S.A. Freedom Corps launched a new resource for people seeking to support our troops, their families, and their communities called ''On The Home Front.''

The point of the program is that while hundreds of thousands of men and women from all over America are serving in the Armed Forces and away from home, those on the home front can make a difference too. Partnering with the Department of Defense, the U.S.A. Freedoms Corps is offering resources to Americans who want to express their support for members of the military and helping their families in a meaningful way.

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As a fiscal conservative, I believe national service is one of the most productive and cost-effective investments our government can make. Through service, Americans of all ages gain a sense of commitment to their community and their country which will provide value for the rest of their lives.

National service benefits both the recipient and the giver. Volunteers not only address an immediate need; they lead and teach through example, and through that example, they learn the value of serving and helping others. We need to harness the energy and commitment of those anxious to contribute to their country. We should not only defeat this amendment, but we should finally pass the Citizen Service Act.

Let me just say, as a former Peace Corps volunteer, we were paid a minimum wage so we could live, and we were given a small stipend. I have failed to understand, as long as I have been a part of this party, why we would object to people earning a degree, an opportunity to go to school, instead of just being given a grant. I do not understand why we would not be eager and thrilled to have more people participate in national service.

Mr. HOEKSTRA. Mr. Chairman, I yield myself 1 minute just to respond to my colleague from Connecticut.

As he well knows, this $64 million appropriation has nothing to do with enlisting people for this year to be a part of national service. That is a distortion of where this $64 million is going.

This $64 million is going for mismanagement of the trust fund and accounting changes that have not been fully examined by the authorizing committees to determine whether the problems have been fixed. My colleague knows very well that I support the reauthorization of the corporation, and we are working together on the reforms that need to be put in place so that we can be proud of the organization and the promise that they make to our young people.

This is to fix abuses within the program that have occurred, and this is not saying no to community service. This is saying a big yes to community service, but let us make sure that we do it right.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, I rise in support of the Hoekstra amendment striking the provision that provides the Federal AmeriCorps program with $64 million in funding. I have been a strong advocate for keeping this legislation clean, preventing the addition of costly, extraneous or unrelated spending.

The supplemental funding bill was meant to support our troops. It was meant to ensure that the men and women in uniform, like those from Fort Campbell in my home district, have every bit of support they need.

Funding for AmeriCorps simply does not belong in the legislation by any stretch of the imagination. Furthermore, there is a long history of financial mismanagement at the Corporation for National and Community Services, which includes the AmeriCorps program. The corporation has not been able to account for expenditures in recent years. It has had repeated difficulties with audits and a troubling tradition of not matching its funding commitments against the moneys appropriated by Congress. The AmeriCorps program has attempted to clean up its act, but the problem still persists.

AmeriCorps does not merit additional funding of $64 million at a time when we are asking agencies to make across-the-board spending reductions. This supplemental package should not be a funding rescue for AmeriCorps.

The supplemental was intended to provide for our men and women in uniform, to give them the equipment and supplies they need to bring freedom and democracy to Iraq. Let us keep this legislation focused on the troops.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Chairman, I rise to oppose my friend, the gentleman from Michigan's (Mr. HOEKSTRA), amendment today because it cuts national service and breaks promises to thousands of American men and women who voluntarily choose to serve their country and communities.

I agree that we must hold the national service corporation accountable for any improper accounting or tracking procedures that they have engaged in. However, we should not punish thousands of innocent Americans who seek to serve their country and communities. They are responding to the President's call asking for volunteers to serve their country.

The Hoekstra amendment would slash funds to national service just as a record number of Americans are engaging in community and public service opportunities. The Hoekstra amendment would eliminate funds for AmeriCorps education awards. Upon completion of their service term, AmeriCorps members earn an education award.

The Hoekstra amendment breaks a promise made to thousands of AmeriCorps members who proudly chose to serve their country. I urge my colleagues to oppose the Hoekstra amendment.

Mr. OBEY. Mr. Chairman, I yield my remaining time to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding time to me, and I rise in strong opposition to the Hoekstra amendment. I want to associate myself with the remarks of my colleagues, the gentleman from New York (Mr. WALSH) and the gentleman from Connecticut (Mr. SHAYS).

This amendment does, in fact, do great damage to those who have already earned their educational stipend. As my colleagues have pointed out, these individuals that have joined the Freedom Corps have joined AmeriCorps for the purposes of rendering service to our country and a bargain that we struck at the end of that service, a stipend that would be available.

Yes, it is true that apparently there has been some mismanagement in this program, but this administration has made this request for two reasons: one, they say to clean up and deal with the problems that have been discovered by the gentleman from Michigan (Mr. HOEKSTRA) and others; and the other is to pay the commitments that they already have.

These people have rendered their service. The stipend is due, and we ought not to break that faith because what we want to do is we have seen after 9–11 more and more people have offered to participate in the Freedom Corps, more and more people have offered to participate in service to the country; and for many of these individuals, that educational stipend is terribly important. It is now put on the footing that maybe a person got the stipend, maybe they do not. We are going to damage the reputation of this corps.

As my colleagues have pointed out, any of my colleagues who have visited these programs, these are rather remarkable young people from very different walks of life, from a cross section of our community; but for whatever reasons, they decide they are going to make this commitment of service and they do it to the elderly. They do it in education. They do it in public safety. They do it in health care. They do it in so many areas where our communities are in need.

Then when we meet them later in life, like so many of our Peace Corps volunteers, they have a little bit different cut to their jib, little bit different style because they have rendered that service and the pride that they carry with them of the time they spent with their colleagues in national service.

We ought to be encouraging this, and it would be a terrible, a terrible comment if we accept this amendment to simply take this money out and an amount of money at the time the administration is telling the Congress that we are trying to deal with those problems, but we are also trying to honor our pledges to these young people who have joined national service.

We have had debates in this Congress time and again about expanding national service, about having mandatory national service, having an alternative to the draft or to military service; and people on both sides of the aisle have recognized the value that is rendered by the people who engage in this service.

Yes, it is expensive; but we have constantly thought about how do we expand this so people invest in America. So they invest in their communities. So they invest in service to this country. This is not a message that we want to send. This is not a message we want to send after 9–11 when people are screaming to volunteer. This is not a time we want to send this message when people are offering, as was pointed out by the gentleman from Connecticut (Mr. SHAYS) and others, to help and assist some of these families.

Maybe it is working fine in Fort Campbell, but a lot of other facilities are in communities that do not have that kind of impact on the community; and these services are very helpful, certainly for those communities where the National Guard have been called up or the Reserves have been called up and families are away, their soldiers are away, and in those communities, they do not necessarily live in a military community, but they are rendering a service. Many of these people are trying to help them through these times. It is a very bad amendment.

Mr. HOEKSTRA. Mr. Chairman, can I inquire how much time remains?

The CHAIRMAN. The gentleman from Michigan (Mr. HOEKSTRA) has 6½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 2½ minutes remaining.

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I rise in support of the Hoekstra amendment. This Supplemental Appropriations Act is for one main purpose, and that is, to support the troops in this ongoing war and also in support of homeland security.

This shortfall in AmeriCorps funding, which has occurred over a number of years, $64 million, this is something that should be taken care of in the appropriate manner, within the authorizing committee, the Committee on Education and the Workforce.

There are some serious questions about the management of the AmeriCorps trust fund, and this clearly needs to be looked at carefully in the regular administrative process, through the Committee on Education and the Workforce; and I strongly urge my colleagues to vote in support of the Hoekstra amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Chairman, whenever there are problems such as this $64 million shortfall, we need to have clear answers and a remedy for such a problem. I am definitely in support of the Hoekstra amendment because I do not believe that it is appropriate at this time for us to do this $64 million bailout when we do not have even an explanation as to why it exists.

When we look at current law, it explicitly states: ''The corporation may not approve positions as approved national service positions for a fiscal year in excess of the number of such positions for which the corporation has sufficient available funds in the national service trust for that fiscal year.''

We are looking at a critical problem here, and it should not be addressed in this way, in this particular legislation. This funding to eliminate the shortfall should only be addressed after Congress can be assured that the tracking failures will not be an ongoing problem.

Again, I support the Hoekstra amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield myself the balance of the time.

The myth has been repeated often that what we are doing tonight is taking money from young people who have served. That is not accurate.

In February, we put $100 million back into the trust, and the way that this works is that these young people work. They then have the opportunity within the next 7 years to claim their educational award. There is plenty of money in the trust fund to take care of any awards that are going to be coming due in the coming months.

The money is there. What is not there is the policies and the procedures within the corporation that will ensure that this does not happen again. It is called an antideficiency provision, where it is very possible that in the last year the corporation had made commitments for which there was not money that had been appropriated by this Congress.

That is a serious issue; and before we give the corporation $64 million, we ought to make sure that they have the proper procedures in place so that this does not happen, so that sometime in the future when young people do come to claim their education awards, that the money will not be there.

We do know right now that the money will be here. We had Les Lenkowsky come in and testify this week in front of the authorizing subcommittee, and he indicated this is not an immediate problem. This is something that we can work through. This is something that we can get done right; and rather than making sure that we get it done right, put it in the authorizing language, put it in the reauthorization, because I am expecting that there is going to be a significant bipartisan majority that is going to vote to reauthorize the corporation to make sure that we take this program, we reform it, we move it forward and we expand it.

□ 2000

There is no debate about whether this is a good program or not. This is an issue about management that says when we give an organization $64 million, we are going to make sure that they spend it in an appropriate way and that this Congress has done the appropriate oversight to make sure that the problems that we have uncovered in the past do not repeat themselves in the future. That is what this is about. Are we going to make sure that it is done correctly or are we going to give them more money before they are held fully accountable for their performance in the past?

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

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. WALSH).

The CHAIRMAN. The gentleman from New York is recognized for 2½ minutes.

Mr. WALSH. Mr. Chairman, I would remind my friend that the President of the United States requested these funds be made available as soon as possible. Here is the letter, it is a month old, to the Speaker of the House of Representatives.

The bill was circulated a week ago to all committees of jurisdiction. There

was no intent to do this in the dark of night. This was an honest response to an honest request from an honest President.

To paraphrase Mitch Daniels' letter, the Director of OMB, the $64 million requested is to liquidate legitimate prior-year obligations for eligible participants in the AmeriCorps program and to address this longstanding problem.

Mr. Chairman, after 9/11, the President appealed to our better instincts. He called on volunteerism across the country. This is the vehicle. It is the best vehicle. And now he has asked us to provide these funds to keep a promise. A promise is a promise. Support a wartime President who has the vision to see beyond the war. Vote ''no'' on the Hoekstra amendment.

Mr. BOEHNER. Mr. Chairman, I rise in support of the Hoekstra amendment to strike a non-emergency provision in this bill that provides $64 million in new funding for the Corporation for National Community Service.

Last month, the Administration requested $64 million in new funds for the Corporation to ''liquidate obligations incurred in previous years'' in the National Service Trust.

The Administration requested these new funds to make up for a shortfall that was incurred because of poor tracking procedures at the Corporation with regard to AmeriCorps participants and a recent decision by the Office of Management and Budget to change the way the Corporation has been determining the amount of funds available in the National Service Trust.

The purpose of the Administration's request is to ''complete the implementation of a comprehensive corrective action plan developed by CNCS to strengthen financial management of the Trust, change reporting procedures, and restore [National Service Trust] fund balances.''

While I will continue to work with President Bush and Mr. HOEKSTRA to reach agreement on a bill to reauthorize our national service laws—this is not the right time or place to address Corporation financial difficulties.

Mr. HOEKSTRA is currently working on this very issue in his Subcommittee. In fact, he held a hearing this week on ''Performance, Accountability, and Reforms at the Corporation for National and Community Service.'' There was significant discussion on this $64 million shortfall.

I am concerned about adding money to the National Service Trust at this time because, we can't exactly figure out why there is a $64 million shortfall in the Trust, especially considering the language in section 129(f) of current law. Section 129(f) explicitly states that ''the Corporation may not approve positions as approved national service positions . . . for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year . . .''

In addition, the Committee on Education and the Workforce has been examining this issue and this provision was added to the supplemental without prior consultation with our Committee.

Accordingly, I believe that funding to eliminate the shortfall should be addressed after Mr. HOEKSTRA and other Members on our Committee have had time to make sure that these financial problems do not continue at the Corporation. This is a specific issue that will be examined during reauthorization and I ask my Colleagues to let the Committee do its work and to support the Hoekstra amendment.

The CHAIRMAN. All time for debate has expired. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

The amendment was rejected.

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

The CHAIRMAN. Under the previous order of the House, only the chairman of the committee and the ranking minority member may move to strike the last word for the purpose of debate, or their designees.

Mr. STUPAK. Mr. Chairman, I ask unanimous consent to proceed out of order.

Mr. YOUNG of Florida. Mr. Chairman, I could not hear the unanimous consent request.

Mr. STUPAK. To proceed out of order. According to the ruling of the Chair, only yourself and the gentleman from Wisconsin (Mr. OBEY) can move to strike the last word.

Mr. YOUNG of Florida. Maybe the gentleman from Wisconsin (Mr. OBEY) would move to strike the last word.

Mr. OBEY. Mr. Chairman, I am told that I am asking permission to strike the last word.

The CHAIRMAN. The gentleman is correct, and the gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

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

Mr. OBEY. I yield to the gentleman from Michigan.

Mr. STUPAK. Mr. Chairman, I thank the gentleman for getting us over that procedural hurdle, and I will not take the entire 5 minutes.

Mr. Chairman, I was going to offer an amendment tonight on health care, but I decided not to because I am sure it will be ruled out of order under the process we are provided with here tonight. But I wanted to make this point here on the floor tonight.

There is a provision in the supplemental that just sort of baffles me. What the Republicans are proposing is that we provide universal health care coverage for the Iraqi people. This Republican supplemental proposes, and I quote, ''to facilitate rapid universal health care service delivery to the Iraqi population.''

I must ask why are they willing to do this when they have staunchly opposed universal coverage for the American people for years now? I understand that special provisions need to be included to care for the Iraqi citizens injured in war. But if we are going to provide universal health care to the Iraqi population, we should do the same for our people here at home.

Mr. Chairman, I submit the rest of my statement, along with my proposed amendment, for the RECORD.

Mr. Chairman, the 41.2 million Americans who lack coverage should not have to suffer from lack of quality health care any longer. And our heroic soldiers, who will soon become veterans, should not be denied future health care.

The GOP Budget Resolution, that we passed 2 weeks ago, will deny and increase the cost of VA care. In my home state of Michigan, 25,000 veterans will be adversely affected and 5,000 of these veterans reside in my district.

Instead of honoring their commitment to our soldiers, the Republicans are proposing universal health coverage for Iraq?

Maybe now they will finally stop blocking Democratic attempts to cover the 41.2 million Americans who go without health insurance, and maybe now they will join in our other efforts on the health care front, such as providing American seniors access to a true prescription drug benefit through Medicare.

AMENDMENT TO H.R. 1559, AS REPORTED

Offered by Mr. Stupak of Michigan

Page 59, after line 25, insert the following:

SEC. 3002. None of the funds made available under chapter 4 of title I of this Act may be used for the provision of universal health care to the Iraqi people beyond those amounts needed to cover related physical injury to the Iraqi people resulting from the war in Iraq and other diseases or injuries caused by public health conditions resulting from the war in Iraq.

Mr. OBEY. Reclaiming my time, Mr. Chairman, let me simply say that I appreciate the gentleman's comments and would simply say this. I share the wonder that we can be in the process of planning to provide universal health care in Iraq and provide a lot of education reconstruction as well.

I guess my view of it is this. If we are going to be bombing the devil out of a country, I suspect that we have a considerable moral obligation to the population afterwards to help repair the damage and to help repair the human misery. So I do not begrudge what we will be trying to do for the people of Iraq after this miserable war.

What I do hope, however, is that we will be able to reduce and perhaps eliminate future tax cuts that are contemplated right now here at home so that we can in fact provide universal health care for the people at home; so that we can in fact provide some school construction in our own districts; and so that we can in fact modernize hospitals in our own country. I think that is the proper way to do it, and I appreciate the gentleman's comments.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word for the purpose of a colloquy.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Kentucky, chairman of the Subcommittee on Homeland Security of the Committee on Appropriations.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman for yielding to me, and I will ask that the gentleman from Florida (Mr. MICA), chairman of the Subcommittee on Aviation, be yielded to.

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

Mr. YOUNG of Florida. I yield to the gentleman from Florida.

Mr. MICA. I thank both the gentleman from Florida (Mr. YOUNG) and the gentleman from Kentucky (Mr. ROGERS), and I am pleased to engage in a colloquy with the chairman of the Subcommittee on Homeland Security, the gentleman from New York (Mr. ISRAEL), and the gentleman from Florida (Mr. YOUNG).

First of all, I want to thank both the gentleman from Florida (Mr. YOUNG) and the gentleman from Kentucky (Mr. ROGERS) and the Committee on Appropriations for bringing this supplemental appropriations measure to the floor. As my colleagues know, I was going to offer an amendment that would have provided $30 million for research, development, and the initial deployment of technology to protect our commercial aircraft from the threat posed by shoulder-fired missiles.

A terrorist attempting to attack a commercial aircraft is most likely to use a small portable surface-to-air missile. Unfortunately, there are thousands of these weapons worldwide that are available and obtainable on the black market. At least some 27 nonstate groups have these weapons. But there is military technology to defend against this particular potential threat, and the gentleman from New York (Mr. ISRAEL) can elaborate on this issue.

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

Mr. YOUNG of Florida. I yield to the gentleman from New York.

Mr. ISRAEL. Mr. Chairman, I thank my colleagues for recognizing the threat and their leadership in addressing this issue.

Mr. Chairman, time is of the essence. Thirty terrorist organizations, including Osama bin Laden's al Qaeda network, are already believed to own such missiles, and some say it is only a matter of time before they are filtered into the United States. They have the weapons and we have the technology to protect against those weapons.

The threat is real, but so is the defense. It is operational on U.S. and British military transports. Technology that the U.S. military uses to protect transports from missile attacks could be quickly and easily adapted for our own commercial air fleet. All Americans deserve that defense.

I had intended to offer an amendment on this issue, but in view of the work of the gentleman from Florida (Mr. MICA) and the gentleman from Kentucky (Mr. ROGERS) on this, I will withdraw it.

Mr. Chairman, let me once again thank these gentlemen for their leadership on this issue, and I look forward to working with them in the future.

Mr. MICA. Mr. Chairman, if the gentleman will continue to yield, I believe it is absolutely critical that Congress understand the threat of shoulder-fired missiles and respond now accordingly. Therefore, the focus of my amendment was to reduce the cost and use existing military technology and adapt that technology to the commercial aviation environment.

I have, however, decided not to offer the amendment tonight because I understand this issue will be addressed in conference, and it is also my understanding that the gentleman from Kentucky has agreed to support language in the conference report that would require the Transportation Security Administration to report to Congress within 30 days and that report will specify the financial and technical requirements of reducing the costs and also adapting existing military missile defense technology for deployment on our commercial aircraft.

I just want to thank again the gentleman from Kentucky and would ask the gentleman from Kentucky whether this is his understanding as well.

Mr. ROGERS of Kentucky. Mr. Chairman, if the gentleman from Florida will continue to yield, I would respond that the gentleman is correct.

Mr. MICA. I thank the chairman both of the full committee and of the subcommittee.

AMENDMENT OFFERED BY MR. ALLEN

Mr. ALLEN. 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. ALLEN:

At the appropriate place in the bill insert the following new sections:

SEC. ___. FULL FUNDING FOR INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

There is appropriated an additional $9,500,000,000 for programs under section 611 of the Individuals with Disabilities Education Act (20 U.S.C. 1411).

SEC. ___. FULL FUNDING FOR THE NO CHILD LEFT BEHIND ACT OF 2001.

There is appropriated an additional $5,165,000,000 for programs authorized by the No Child Left Behind Act of 2001 (Public Law 107–110).

Mr. ALLEN. Mr. Chairman, the supplemental bill provides emergency funds for the war in Iraq, but right here at home, our States and our school systems are facing an emergency as well. I understand that the amendment that I have offered can be ruled out of order and I will withdraw it, but I am here because I cannot find another way to make the point that I am trying to make.

Our school systems in Maine are struggling and our school administrators and school board members do not know what to do because the Federal Government is not fully funding the special education law that was passed in 1976 and we are not fully funding the No Child Left Behind Act, so all of these school systems, all of these people are basically faced with laying off teachers or raising property taxes. What is going to happen is some combination of the both of them.

So tonight we stand here trying to figure out how to pay for a war in Iraq that we have to pay for, we have to support our troops, but we have these emergencies here at home that we are completely neglecting. I wish there was some way for me to bring this issue up on the floor at one time and say on the one hand the Republicans in this Congress are proposing hundreds of billions of dollars in tax cuts for the richest people in the country and on the other hand not adequately funding our schools. That is the priority.

I know that I cannot bring an amendment before this body and say reduce the tax cut by $9.5 billion this year and actually fully fund special education. We could do that. It is a piece of cake, if you do both at once. It would take $5 billion. Reduce the tax cut and you could fully fund the obligations that we are imposing on States through the No Child Left Behind. Again, it is simple math. It could be done. But the truth is we are barred from doing that. We cannot make that happen.

I came here tonight to say that is what we ought to be doing. That is what we ought to be doing with legislation like this in some form so we could deal with our expenditures and our revenues at the same time, the way people deal with their personal budgets and the way businesses deal with their budgets: look at the revenues, look at the expenditures and make them come out roughly balanced. We can do that. We can support education. But not without reducing the President's tax cut.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 7 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer amendment No. 7.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Ms. WATERS:

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

REQUIREMENT THAT UNITED STATES URGE THE INTER-AMERICAN DEVELOPMENT BANK TO RESUME LENDING TO HAITI

SEC. ___. The Secretary of the Treasury shall direct the United States Executive Director at the Inter-American Development Bank to use the voice, vote, and influence of the United States to urge the Inter-American Development Bank to immediately resume lending to Haiti, and disburse all loans to Haiti that have been approved by the Inter-American Development Bank.

Ms. WATERS. Mr. Chairman, this amendment would provide development assistance loans to Haiti. The amendment would require the United States to use its voice, vote, and influence to urge the Inter-American Development Bank to immediately resume lending to Haiti and disburse all previously approved loans.

There is no money being requested in this amendment. It is simply language. The Inter-American Development Bank is denying Haiti any access to loans for development assistance. Haiti has already had $145.9 million in development

loans approved by the IDB. These loans include $50 million for rural road development, $22.5 million for reorganization of the health sector, $54 million for potable water and sanitation, and $19.4 million for basic education programs.

Haiti could also qualify for an additional $317 million in new loans for development projects as well as a $50 million investment sector loan. However, the IDB is refusing to consider Haiti for any additional loans and has not even disbursed the loans that have been approved. The IDB effectively is denying Haiti access to critical development assistance.

This bill contains $1.7 billion to rebuild Iraq's infrastructure. The bill provides funds for health care services for 13 million Iraqis and finances repair or construction of 25,000 schools, 20,000 houses, and 3,000 miles of roads in Iraq. This bill also contains $105 million for Colombia, $300 million for reconstruction in Afghanistan, and $1 billion each for Israel, Jordan and Turkey.

Furthermore, the bill contains $85 million for the Eastern European countries of Poland, Hungary, the Czech Republic, Slovakia, Estonia, Latvia, Lithuania, Romania, Slovenia, and Bulgaria.

□ 2015

The bill even includes funds for the Centers for Disease Control and assistance to America's airline industry. The Haiti amendment will not increase the cost of this bill to the American taxpayers; it will simply instruct the IDB to resume normal lending to Haiti and disburse the loans that have already been approved.

Haiti is one of the most impoverished nations in the western hemisphere. It is more impoverished than Israel, Jordan, Turkey, and most of Eastern Europe. The Haiti amendment would allow Haiti to build roads and infrastructure and provide basic education and health care services to the Haitian people. Haiti deserves to be included in this bill.

It may be ruled out of order, and the Members on the other side of the aisle are not even listening. Haiti is not important. It is just another little black country in this western hemisphere. The members of the Congressional Black Caucus have done everything. We have pleaded. We are watching people starve and die right next door to us.

This Congress does not give a darn about Haiti. It would be very simple to waive the rules and include the language in this bill. It does not cost a dime. That would say to IDB just move the money that has already been approved. It may not be done, but it is wrong and it is immoral for us to sit and watch the children dying, the infrastructure in total disrepair, and to do nothing even though the loans have already been approved to Haiti for the past 5 or 6 years. It can be ruled out of order, but I will not go away on this issue; and this Congress ought to be ashamed of itself.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rules state in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment imposes additional duties.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentlewoman from Texas (Ms. JACKSON-LEE) wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Yes, Mr. Chairman.

Mr. Chairman, the point of order deals with the question of a waiver on this particular amendment, and I would just say that in the context of the emergency supplemental, we waived the issue of legislating on the appropriations because we said it was a crisis. And in waiving that, we allowed $700 million for Jordan, $300 million for Egypt, and $1 billion for Turkey, which I just voted on, and the reason is I believe we are in a crisis.

The point we would make in waiving it for Haiti is that Haiti represents a loophole in defense, if you will. They represent a potential loophole for terrorism, and not that they are housing terrorists, but if you have a country that is near collapse and there is no appropriating of monies here, clearly I believe this should be considered a crisis and be subjected to a waiver because as we help Turkey and Egypt, so should we help Haiti because it provides for the security of this Nation.

The CHAIRMAN. The Chair will entertain further arguments from the gentlewoman from California (Ms. WATERS) on the point of order.

Ms. WATERS. Mr. Chairman, on the point of order, I think the point was well made earlier today when our ranking member talked about the way we have been treated; and while the chairman and the majority party have waived points of order, have waived the rules so that they could have their amendments so they could do whatever it is they want to do on this bill, they basically closed us out.

Then of course the point that was made by the gentlewoman from Texas (Ms. JACKSON-LEE) that they have waived the rules when they have wanted to, are points that are well made. On the point of order, while it could be considered legislating on an appropriation, it is not that it has not been done, it is not that it will cost any money, it is not that it will cost anything except the will of this body to say to the IDB, go ahead and disburse the money that has already been appropriated. It is not too much to ask of the other side of the aisle. On the point of order, I believe if the chairman was of the mind to do so, he could do so.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

As the Chair noted earlier today, the fact that points of order under clause 2 of rule XXI were waived against provisions in the bill does not under the precedents permit amendments adding further legislation.

The point of order is sustained. The amendment is not in order.

AMENDMENT NO. 9 OFFERED BY MS. WATERS

Ms. WATERS. 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 Ms. WATERS:

At the end of title ___, insert the following new item:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

For an additional amount for the ''Community Development Fund'' for assistance to States and units of general local government for carrying out a variety of development and renewal projects, $5,000,000,000, to remain available until expended: *Provided*, That such funds may be used only for urban and rural development and renewal projects that are designed to provide resources to urban and rural communities, to create jobs and economic opportunities, and to facilitate community growth, including projects for housing rehabilitation and construction, construction and development of health clinics, water projects, and transportation systems, acquisition and demolition of dilapidated buildings, and urban reconstruction and environmental cleanup: *Provided further*, That in administering such funds, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of such funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such waiver is required to facilitate the use of such funds: *Provided further*, That the Secretary may request the head of any appropriate agency to administer the use of the funds for any project, in lieu of or in conjunction with the Secretary, if the Secretary determines that such agency has more appropriate experience and expertise with respect to such project: *Provided further*, That such funds shall not adversely affect the amount of any formula assistance received by any State or unit general local government or any categorical application for other Federal assistance: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974, as amended, no later than 5 days before the effective date of such waiver: *Provided further*, That the Secretary shall notify the Committees on Appropriations on the proposed allocation of any funds and any related waivers pursuant to this section no later than 5 days before such allocation: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

The rules state in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment imposes additional duties.

The CHAIRMAN. Does the gentlewoman from California (Ms. WATERS) wish to be heard on the point of order?

Ms. WATERS. I certainly do, Mr. Chairman.

Mr. YOUNG of Florida. Mr. Chairman, I would insist on the comments being directed to the point of order rather than to the issue.

Ms. WATERS. Mr. Chairman, the gentleman from Florida can insist on whatever he wants to insist on; I choose to speak on the point of order.

The CHAIRMAN. The Chair will hear the gentlewoman from California (Ms. WATERS) on the point of order.

Ms. WATERS. Mr. Chairman, the chairman is exercising his right to make this point of order. He has not been doing it this way all evening. I would dare say that he has indeed waived the rules when he found it convenient to do so. This would not be a precedent this evening.

This particular amendment that I am addressing would simply point out all of the funding that is being done in this supplemental appropriation, and it would raise the question of why if we are building schools and providing universal health care, if we are doing it in Afghanistan and Iraq, doing it in other countries that are not even associated with the war, why not do it right here at home in America?

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

AMENDMENT NO. 8 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. WATERS:

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

SEC.____. (a) LIMITING CONFLICTS OF INTEREST.—If an officer described in subsection (b) was, at any time during the covered period, a member of the board of directors of a company or a senior management official of a company, such officer may not—

(1) be present at, or participate in any way in, any negotiation of a contract for the procurement of goods or services by the Federal Government with such company or any exercise of authority in connection with an existing contract with such company (other than to delegate authority to another officer); and

(2) otherwise directly or indirectly communicate with such company, or any officer or employee of such company, during the period any such negotiation is in progress or the exercise of authority is being considered.

(b) DESIGNATED OFFICERS.—The following officers are described in this subsection for purposes of subsection (a): the President, the Vice President, the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Secretary of Commerce, the Assistant to the President for National Security Affairs, the Senior Advisor to the President, the Director of Central Intelligence, the Director of the Federal Bureau of Investigation, the Deputy Secretary of Defense, and the Administrator of the United States Agency for International Development.

(c) COVERED PERIOD.—For purposes of subsection (a), the term ''covered period'' means the 4-year period preceding the beginning of a negotiation of a contract or the exercise of authority in connection with an existing contract.

Ms. WATERS. Mr. Chairman, this amendment is an entitled amendment that would eliminate conflicts of interest, and would ensure that senior level executives in the administration could not use the conflict with Iraq to obtain financial benefits for companies with which they have been affiliated. Specifically, the amendment prohibits senior level officials in the administration from being present at or participating in any negotiations of contracts with companies in which they were senior managers or members of the board of directors within the last 4 years.

There has been a considerable amount of suspicion about the motives of this administration in pursuing a war with Iraq. Many Americans have expressed concerns that our country initiated military action in order to secure control of Iraqi oil fields and other Iraqi resources. While these suspicions are based on rumors and allegations, we in Congress should not do anything that would contribute to doubts about the sincerity of our country's motives.

Prior to the 2000 election, Vice President DICK CHENEY spent 5 years as the chief executive of the Houston-based energy services company Halliburton. On March 24, 2003 Kellogg, Brown & Root, a Halliburton subsidiary, announced that it was awarded a contract by the U.S. Army Corps of Engineers to put out fires and make emergency repairs in Iraq's oil infrastructure. Prior to the onset of hostilities, Halliburton was one of the several company the administration invited to bid on up to $900 million in contracts to rebuild roads and bridges and other facilities in Iraq.

Although Halliburton declined to bid for a primary contract for reconstruction work in Iraq, the company's officials have indicated their interest and they are going to do it another way. They want to do it through subcontracting. Halliburton contracts and subcontracts in Iraq would create the appearance that the Vice President may be using his position to increase his former company's profit in time of war.

My amendment would protect the individuals who are advising the President on matters of war and peace from conflicts of interest. It would also help to eliminate the appearance of conflicts of interest at a time when the administration's decisions are affecting millions of lives around the world.

Mr. Chairman, I am sure this will be ruled out of order, and it may be embarrassing to some folks. It is a mild amendment. It does not prevent any company from getting a contract. It would simply take the person out of the room who is an adviser to the President who may be in the President's cabinet, who may be in a strategic position to help influence contracting. They would have to recuse themselves from those particular meetings.

Now, if we had the will and if we were interested about our image, and if we were interested in allaying the allegations and the fears that something is going on in the back room, we would indeed adopt this amendment.

I want to tell Members that there are too many people who believe that there are committees and advisory committees that are serving people in very key places and that on these committees we have folks who are looking for contracts who represent the defense industry. We have cronies and associates who are well placed.

This amendment would go a long way in improving our image and sending a message to the American people that we are not divvying up the spoils of this war in Iraq, and it would certainly say to our young men and women who are fighting for what they believe is protecting the freedoms of American people, it would say to them that they are not fighting so that someone could end up with some contracts.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rules state in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment imposes additional duties.

The CHAIRMAN. Does the gentlewoman from California (Ms. WATERS) wish to be heard on the point of order?

Ms. WATERS. Mr. Chairman, on the point of order again, I make the point that the chairman has on other occasions this evening waived the rules, and certainly this would not be a precedent. He could do it if he had the will to do it. Again, I think just as on my other two amendments, he has failed to give an opportunity to have some very serious issues heard. He is doing it, again, not because there should not be room for this kind of amendment, but simply because in this case he wants to protect the administration and allow them to continue to

divvy up the spoils and give contracts to cronies.

□ 2030

The CHAIRMAN. The Chair is prepared to rule. The Chair finds this amendment includes language imparting direction. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. RODRIGUEZ

Mr. RODRIGUEZ. 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. RODRIGUEZ:

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

SEC. ___. The amounts otherwise provided by this Act are revised by reducing the amount made available in chapter 4 of title I for ''Iraq Relief and Reconstruction Fund'' by, and appropriating under the heading ''DEPARTMENT OF VETERANS AFFAIRS'' an additional amount for ''Veterans Health Administration—Medical Care'' of, $90,000,000, of which, in the case of the amount appropriated for ''Veterans Health Administration—Medical Care'', $70,000,000 is for additional health care, as authorized by Chapter 17 of Title 38 and Sec. 8111A of Title 38, and $20,000,000 is for implementation of section 7325 of title 38, United States Code (relating to the establishment of medical emergency preparedness centers in the Department of Veterans Affairs).

Mr. RODRIGUEZ. Mr. Chairman, let me indicate that since the 9–11 attacks the VA has been forced to address issues and has never received any funding to undertake that. My amendment would allow the VA to be able to get additional resources that they need in order to take care of some of that cost and be able to respond to the time of war, also in part to the National Disaster Medical System.

The VA is responsible for several roles within the Federal response plan. The VA is currently diverting its scarce funds from the VA patient care mission to fulfill this mission.

I know that the other side would indicate that $122 million has been allocated, but it is coming from existing patient service. In fact, the VA has recently come out with a report, and on that report it basically indicates, and I have the figures here, that there is a real need for right now, just in terms of getting ready to prepare and what it costs, $248 million dollars, and that report was put together by the Secretary of Veterans Affairs Principi. So I would ask that as we look at providing the supplemental that we not only look at our veterans but the fact that the VA is also responsible to taking care of the healthcare of our military personnel.

There are also already some real costs involved with the war, and that cost has been estimated at a very conservative figure of $70 million since 9–11. So part of the $90 million is $70 million that I am asking that we take and be able to provide to the VA that has a system of hospitals and clinics throughout this country in order to prepare.

The other thing that I want to add is that in responding to the war, they have lost a number of nurses, a number of personnel, and they have had to be able to reach out and contract out for additional staff. So that cost has not been there. It is basically using existing resources to get prepared for the war. So this $90 million will go a long way in helping.

The other $20 million that is part of that $90 million allows an opportunity to identify four centers throughout the country; and those four centers will be ready to respond in case of a major disaster.

I also want to indicate that the VA has many areas of expertise in such diverse topics as biomedical research, as post-traumatic stress disorders, as war-related illnesses, environmental hazards and others.

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

Mr. RODRIGUEZ. I yield to the gentleman from Illinois.

Mr. EVANS. Mr. Chairman, I commend the gentleman for his amendment.

The VA has many programs they have put in place to address returning servicemembers' health care needs, to train their personnel, and to ensure that the VA providers and patients have access to adequate supplies of necessary drugs and state-of-the-art protective gear for decontaminated equipment.

The amendment of the gentleman from Texas (Mr. RODRIGUEZ) would ensure that the VA is adequately funded for these purpose; and as he indicated, it would allow the VA to establish four new centers of excellence in bioterrorism. These centers, created by legislation introduced by the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs, and me would allow the VA to draw from expertise that it has had in the past such as environmental hazards, post-traumatic stress disorder; and I understand the VA has lifted a bar on the provision of medical care funds for these centers, but they were underfunded.

We cannot continue to erode resources for VA's medical health care system.

Mr. RODRIGUEZ. Mr. Chairman, let me indicate that the VA is hurting right now. Our veterans are reaching that age where they need our help and assistance. The resources are needed and would appeal to both sides of the aisle to take into consideration this issue. I am not going to ask for a vote, but I want them to seriously consider what we are doing with our veterans. I know I have had a chance to dialogue with you on this issue. We really need those preparative centers now. We need about $20 million to start them and get those contracts going throughout this country, and I ask the Committee on Appropriations to seriously consider that issue.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment, and I do so regretfully. The gentleman has great concern for America's veterans, and he has always showed that concern; and he does so in this amendment, and I share that concern. I am also pleased that he has decided not to request a vote on this.

I think there is logic to his argument. I would just like to say that we on the subcommittee have taken great pains to provide the veterans medical centers with the resources that they need. In fact, the Committee on Appropriations has provided record increases to VA medical care in the last 3 years. We provided $122 million to the VA for medical care for emergency preparedness activities in the fiscal year 2003 bill which we just passed several weeks ago, fully funded. We fully funded the pharmaceutical cache requirement at $26 million; so no additional funds are required there. We fully funded the computer cybersecurity initiatives for $75 million. We fully funded the personal protective equipment and training needs of $15 million.

Mr. RODRIGUEZ. Mr. Chairman, will the gentleman yield since I am not asking for a vote?

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

Mr. RODRIGUEZ. Mr. Chairman, I know the gentleman is sincere about indicating $122 million, but I also understand that $122 million comes from existing programs that were taken away from services to veterans. I would hope that we just kind of take that into consideration.

Mr. WALSH. Mr. Chairman, reclaiming my time, I beg to differ with the gentleman. These funds were appropriated in the 2003 bill to provide for resources across the board for a VA medical center; and it was supported very strongly, close to 400 votes by the House. So I oppose the gentleman's amendment for those reasons.

We received a letter just a week ago requesting $5 million as opposed to the $20 million being requested today. I know the $5 million will be made available to the VA because I placed language in this bill to do so, and that will give the VA the time and the money they need to plan these medical emergency preparedness centers, and I spoke with the Secretary about it. He is pleased with that number. So I would ask that we oppose the gentleman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

I would like to rise in support of the gentleman from Texas's (Mr. RODRIGUEZ) amendment. We happen to come from the same State and are facing some of the same crises because Texas has one of the highest numbers of veterans among about four or five States. I know that he has a veterans facility in his congressional district or

near there, and I have one as well. The reality of it is that we are trying to provide new money because what we are facing, Mr. Chairman, is that many of our veterans are being de-enrolled or not allowed to be enrolled for veterans medical services. In addition, if one talks to the paralyzed veterans, they will say that they are getting fewer services, and since we are standing on this floor debating on an emergency appropriation to help our troops, the real question will be how will we treat these troops who will be returning who will need medical services along with their families. What is the aftermath? What is the after-attention that we will give the very young men and women who are fighting for us?

We already know we are going to have the wounded and some severely wounded. These individuals will be hospitalized in our veterans facilities. We are already closing the door on these veterans, and the money that the gentleman from Texas (Mr. RODRIGUEZ) is talking about is money that is going to help in homeland security, and I think that is a key element that he is adding to the centers dealing with biotechnology. And I might add that when we had Hurricane Allison in Houston, my veterans hospital was a lifesaver because it opened its doors to the patients who had to be evacuated from the medical center. So these facilities are crucial to the community. They do require, I think, our attention; and I believe this money is well needed.

Mr. RODRIGUEZ. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. RODRIGUEZ. Mr. Chairman, I thank the gentlewoman for yielding. Let me just indicate that my understanding is that that $122 million is not new dollars. It is existing dollars coming from existing services for veterans. In addition to that, and once again I appeal to both sides, the demographics on veterans is growing. Our World War II, Korean veterans are reaching that age where they need us now. They were there for us. We need to be there for them now. So we need to be able to provide those resources; and in all honesty, it does not make any sense for us to look at providing resources for health care for Iraq, which is needed and I do not disagree, but the fact is we also need it for our veterans and for those soldiers that are coming back because one of the objectives also is to serve the individuals in active military. In addition to that letter that the gentleman received for $5 million, I am hoping that that is in there because if that is not in there, then he is going to hear from me once again.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, let me just say to the gentleman from Texas (Mr. RODRIGUEZ) I thank him for his very hard work. What we are seeing is that the doors of veterans hospitals are being closed in the face of our veterans, and what are we going to do when the young veterans come home after they have valiantly fought for our freedom or our values? Whether we agree or disagree with what this war is about, we certainly agree with our troops. And I believe that this amendment from the distinguished gentleman from Texas allows the doors of veterans hospitals to be open; and minimally, Mr. Chairman, I cannot imagine that we would not want to say that the expanded centers that the gentleman from Texas (Mr. RODRIGUEZ) is talking about, these expanded centers cannot be a helpful element to our fight against terrorism and homefront security.

So I would ask that we support the amendment of the gentleman from Texas and add the additional funding for Veterans Affairs.

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

I rise in opposition to the amendment, and I will use only a small part of the allotted time.

Let me just first say to the gentleman from Texas (Mr. RODRIGUEZ) that I really respect his support for veterans. I know it comes from his heart, and I know how strongly he feels about it and how hard he has worked on behalf of veterans everywhere in the United States, and I truly do respect that.

The gentleman from New York has talked about this from the veterans standpoint. Let me just say about where this money would be taken from, and that is from the nearly $2.5 billion that is set aside for the Iraq relief and reconstruction. I think even the gentleman from Texas would concede that the amount that we have provided for Iraq relief and reconstruction is probably only a small part of what is ultimately going to be required. It is certainly not enough to do the job entirely.

So, Mr. Chairman, I would rise in opposition to this amendment because I think it does significantly devastate or reduce the ability of our forces on the ground and our relief and reconstruction teams on the ground to do the job that they need to do for relief and reconstruction by reducing this amount. This is not the place, not the time for us to start whittling away at that account. If anything, we are going to need to come back and add to it later, and for that reason I would oppose this amendment.

Mr. BACA. Mr. Chairman, I rise in strong support of my colleague, Mr. RODRIGUEZ, and his amendment to the supplemental appropriations bill for FY03.

The Department of Veterans Affairs has enormous responsibility resting on its shoulders. Not only is the VA responsible for providing veterans with medical services once they return home from war, but during wartime, the VA backs up the DOD, activates their critical care nurses, and provides training and preparation in case unforeseen emergencies arise.

After 9/11, the biomedical expertise of the VA was tapped, and the VA was designated to begin operating four bio-terrorism centers. This responsibility was granted to the VA by unanimous consent. However, this responsibility was delegated to the VA without the critical funding necessary to operate these facilities.

Two years ago, it would be a luxury for the Federal Government to enable the VA to provided training, equipment, and research for medical centers in case of a biological or chemical attack. Two years ago it would be an added bonus to provide the VA with additional funds to research the effects of war on veterans' health. Today, we are post 9/11 and fighting overseas, and enhancing our security is not a luxury but a necessity. We have learned that there is no price tag for the safety and security of our Nation.

The VA is shouldering an increasingly heavy burden. Let's provide them with the $90 million in funds that it needs to carry out its responsibilities during this time of war in Iraq and time of war on global terrorism.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. RODRIGUEZ).

The amendment was rejected.

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

Mr. Chairman, we have been told all day numerous times that we could not afford to provide the funding that we wanted for homeland security; yet the leadership of this House has insisted that we include over $3 billion in ''relief'' for the airlines. I just thought the body would be interested in this article in the Atlanta Journal Constitution. I want to read the first three paragraphs:

''A group of 30 retired Delta Airline executives told current management last winter that spending millions of dollars to insulate top executive pensions from potential bankruptcy claims was 'morally wrong' and 'unconscionable.'

''The group, which included two former No. 2 executives at the Atlanta company, also warned the move would hurt Delta's reputation, as well as its ability to seek Federal aid and uphold employee morale.

''Their warning came in a January 22 letter to Delta Chairman and Chief Executive Leo Mullin.''

□ 2045

Some of the retired executives decided to make the letter public after last week's formal disclosure by Delta that it spent $25.5 million in 2002 to start creating protected pension trusts for Mullin and 32 other top executives.

Now, if this is not a spectacular idea or example of rip-off capitalism, I do not know what is. This is enough to give capitalism a bad name.

Mr. Chairman, I would just suggest that before we are so anxious to provide the funding that the Republican leadership in this House insists that we provide to these companies, I would suggest that Members recognize that the story tells us that there ought to be a few more stringent conditions on the use of that money by those airlines.

This kind of conduct is outrageous. It is an example of why 50 percent of

Americans do not vote, because they do not think that their elected representatives will protect the interests of working people nearly as eagerly as they will protect the interests of the corporate elite of this country. Delta Airlines management should be ashamed of itself, and anybody who comes into a congressional office looking for a bailout after they are trying to protect these kinds of pensions should be thrown bodily out of congressional offices.

AMENDMENT NO. 11 OFFERED BY MR. NETHERCUTT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. NETHERCUTT:

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

SEC. ____. None of the funds made available in this Act for reconstruction efforts in Iraq may be used to procure goods or services from any corporation or other business entity organized under the laws of France, Germany, the Russian Federation, the People's Republic of China, or Syria.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Under the previous order, points of order are reserved for all amendments.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Washington (Mr. NETHERCUTT) be limited to 30 minutes, to be equally divided and controlled by the proponent and myself as an opponent, and that I be permitted to yield 10 minutes of my 15 minutes to the gentleman from Wisconsin (Mr. OBEY).

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

Mr. OBEY. Mr. Chairman, reserving the right to object, I was having difficulty hearing here. The chairman is indicating that 15 minutes would be reserved for the gentleman from Washington, 5 minutes for the gentleman from Florida, and 10 minutes for yours truly? Is the gentleman opposed to the amendment?

Mr. YOUNG of Florida. Yes, I am.

Mr. OBEY. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Washington (Mr. NETHERCUTT) will be recognized for 5 minutes, the gentleman from Florida (Mr. YOUNG) for 5 minutes, and the gentleman from Wisconsin (Mr. OBEY) for 10 minutes.

The Chair recognizes the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I yield myself such time as I may consume, and I thank the chairman and the ranking member for the time agreement.

I rise in support of this amendment, which has one fundamental premise attached to it. That is, it is a limitation amendment that says that American dollars to be used in the reconstruction of the post-Saddam Hussein Iraq will not be able to be expended to countries that were the coalition of the unwilling: France, Germany, the Russian Federation, or Syria.

It is a commonsense amendment. It is an amendment that was discussed at length in the Committee on Appropriations earlier this week, and it underscores one fundamental concept, and that is that in the postwar Iraq, there will be American dollars expended for reconstruction, and in that reconstruction effort, it seems only commonsensical and advisable that American taxpayer dollars be spent for American corporations that are doing business there, to create jobs in this country, and also to provide corporate and contract authority to companies and entities that are part of the coalition of the countries that assisted America and Great Britain and the rest of her allies in this joint effort to try to liberate the country of Iraq. It seems to me to be common sense. It seems to me to be well expected with respect to a responsible expenditure of dollars, American taxpayer dollars in postwar Iraq.

It also recognizes that there will be many kinds of expenditures and contributions across this world to help the people of Iraq get back on their feet. This amendment does not prevent the French or the Germans or the United Nations or anybody else from participating in that reconstruction effort. The limitation is not with American tax dollars.

So I am pleased to present this amendment. I believe it has broad support, and I am happy to acknowledge the cosponsorship of the gentleman from New Jersey (Mr. SAXTON), the gentleman from Texas (Mr. CULBERSON), the gentleman from Georgia (Mr. KINGSTON), Mr. KENNEDY the gentleman from Alabama (Mr. BACHUS), the gentleman from Florida (Mr. CRENSHAW), the gentleman from Texas (Mr. SESSIONS), the gentleman from California (Mr. OSE), and the gentleman from Indiana (Mr. SOUDER).

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, I thank the gentleman for yielding me this time. I rise today in support of the Nethercutt amendment.

Last month I introduced legislation to block any French company in particular from participating or receiving any U.S. Government aid or financing in any reconstruction of Iraq in the post-conflict setting. From the beginning, in particular, the French position on the war with Iraq encouraged Iraqi defiance of the United Nations Resolution 1441. In fact, the French position was probably well received in Baghdad itself, and resulted in the opinion of most people in encouraging Saddam Hussein to continue to fail to cooperate with the U.N. inspectors and into compliance with Resolution 1441.

I heard on the news just the other day that the French continue their diatribe against the coalition forces and, in fact, have received some current publications from France that I would like to share with the Members in case there is any doubt about the situation involving the French attitude.

Here is a magazine called The Observateur, and the cover headline is ''Iraq: The Traps of a Crazy War.'' The article that follows is entitled, ''The Insane Ones of God'' and goes on to say that they are crazy, meaning anyone who has ever supported a use of force to disarm Saddam Hussein, saying they are crazy and do not have an ounce of judgment. That refers to a lot of people who voted to support the use of force who happen to be here in this Chamber.

Another publication called L'Express has an article entitled, ''Baghdad: Victory at What Price?'' And then we have Le Point. They refer to this action in disarming Saddam Hussein as ''the tragedy.'' It is the cover story, and uses words such as ''arrogance'' and ''propaganda'' to describe the U.S. position.

So I commend the gentleman for moving forward with this amendment and I ask everyone to support it.

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

My understanding is that there is some confusion at the desk about the text of the amendment. It was originally designated as number 11. I substituted another text of language that was, my understanding was number 11.

Mr. Chairman, I ask unanimous consent that the text that was substituted well ahead in place of the original amendment be considered as read.

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute to try to sort this out.

The gentleman's amendment number 11 indicates that he has written this thing 11 times. I know that we started working on this issue at the committee markup. I support and agree with what the gentleman is trying to do. But frankly, I am not satisfied that the language that he offers does not adversely affect other U.S. interests. That is the reason I rose in opposition to his amendment. It is just that I think there is too much confusion on that amendment as we speak, and the fact that we are considering an amendment that is different than the one the gentleman thought he offered I think just further worsens that situation.

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

What I did was put number 11 on the text, expecting that that is what the Chair was considering at the time that I called up the amendment. So I guess,

my sense is, Mr. Chairman, we have two number 11s, and my understanding was that the Chair was clear with respect to what amendment we called up. There is only one amendment with a slightly modified text, and that is the one that we should be debating and that is what I am expecting to be debating.

The CHAIRMAN. The Chair would simply respond briefly to the gentleman that the gentleman claimed to offer and the Clerk reported the only amendment numbered 11 which was at the desk. The other amendment which the gentleman had at the desk was not numbered.

POINT OF ORDER

Mr. OBEY. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. OBEY. Mr. Chairman, it is in violation of clause 2, rule XXII.

Mr. Chairman, the minority has been told all day and all evening that we had to abide by the rules, even though the rule waived points of order against the majority bill. Now we have a situation where a majority Member chooses to try to substitute another amendment for the amendment that was presented by the Clerk. I am sorry, but if we are going to stick by the rules, I am sticking by the rules, and I make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from Washington (Mr. NETHERCUTT) wish to be heard on the point of order?

Mr. NETHERCUTT. Mr. Chairman, I am offering to withdraw the amendment which has been designated 11 by the Chair with the expectation that the real amendment number 11 will be offered by the gentleman from Massachusetts (Mr. KENNEDY) in due course under the same circumstances, so we will be able to debate in full the issue before the House, rather than be denied on a technicality.

The CHAIRMAN. Does the gentleman withdraw his amendment?

Mr. NETHERCUTT. Yes.

The CHAIRMAN. The amendment is withdrawn.

Are there further amendments to the bill?

AMENDMENT 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 offered by Mr. KUCINICH:

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

SEC.____. None of the funds made available in this Act may be obligated for the procurement of goods or services without the use of competitive procedures in accordance with the Federal Acquisition Regulation and the U.S. Agency for International Development Acquisition Regulation.

Mr. KUCINICH. Mr. Chairman, 2 weeks ago, Kellogg, Brown & Root, the engineering and construction division of Halliburton, was granted a contract to put out Iraqi oil fires. This contract was awarded without competitive bidding. The contract also contained no set time limit or cost limit. This means that U.S. taxpayers will have to pay for whatever Halliburton chooses to charge; that is, whether they are the prime contractor or a sub-prime contractor. There is danger to the taxpayers when contracts are awarded without competitive bidding.

USAID, which gave out the contract, stated there was no competitive bidding for this contract because the job involved a ''complex emergency'' and ''national security'' issues. According to the Federal acquisition regulations and AID acquisition regulations, such waivers exist.

Okay, maybe that is understandable. But what about contracts for the postwar reconstruction of Iraq?

The uncontested contract acquisition of Kellogg, Brown & Root to put out Iraqi oil fires raises serious concerns over the administration's continued ties with big oil. The fact that the Department of Defense's Army Corps of Engineers did not conduct competitive bidding for this contract implies that an uncomfortably cozy relationship still exists between Halliburton and the administration.

□ 2100

Also, given there is no time limit or cost limit, it raises further concern that the contractor could increase the costs unchecked.

For the postwar reconstruction effort, waivers of emergency and national security will no longer be applicable. The reconstruction of schools, hospitals, airports, roads, bridges, and even oil refineries are not emergencies. If these types of efforts are not considered emergencies here in America, then they most certainly should not be considered emergencies in Iraq.

As such, contracts for the postwar reconstruction of Iraq should be awarded exclusively on the basis of competitive bidding in order to protect U.S. taxpayers from corruption. These long-term contracts, which USAID has categorized into eight areas, seaport administration, airport administration, capital construction, logistical support, public health, education, personnel support, and local governance, must be subject to competitive bidding.

It is not news that this administration has deep-pocket connections with big oil and defense companies. The President was CEO of Arbusto, CEO of Spectrum 7, and on the board of directors at Harken Energy. The Vice President was CEO of Halliburton. The Commerce Secretary was the CEO of Tom Brown, Inc., an oil and gas exploration company. The National Security Adviser was a director of Chevron Oil. The Veterans Affairs Secretary was chief operating officer of Lockheed Martin.

Then there is the Defense Policy Board, whose nine members have won more than $76 billion in defense contracts in 2001 and 2002. There is Mr. Perle, who until last week was chairman of the board, and has been accused of profiting from the war in Iraq because of his corporate connections with Trireme and Global Crossing.

It is because this administration has so many corporate ties that could lead to the misuse of taxpayer funds that it is important to stress the use of fair and competitive bidding. What this legislation would do and what we should be advocating is that officials in our government should not use their connections to secure these contracts.

The purpose of competitive bidding is to ensure that the acquisition of contracts is completely fair. It is because of these corporate ties that this administration should be going out of its way to reaffirm their commitment to competitive bidding.

The amendment would reaffirm already-existing law for this supplemental bill, stating that all contracts acquired for the reconstruction of Iraq must be subject to competitive bidding, as stated in the Federal acquisition regulations and the AID acquisition regulations.

Mr. Chairman, I think Members of this Congress, having been informed of this conversation this evening, should take steps in our various congressional committees to assure appropriate oversight; to make sure that competitive bidding laws are used to protect the American people, to protect the taxpayers of the United States.

This is an issue that really goes far beyond this particular piece of legislation in the supplemental, but I wanted to use this opportunity, Mr. Chairman, to let Members of both side of the aisle know that this issue is not going to go away and that the appropriate forum for dealing with it would be congressional investigative subcommittees or committees which could call the administration to an accounting. In the meantime, this forum is an appropriate place to demand competitive bidding.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. 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. KENNEDY of Minnesota:

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

SEC. ____. None of the funds made available in the Act for reconstruction efforts in Iraq may be used to procure goods or services from any entity that includes information on a response to a Request for Proposal (RFP) that indicates that such entity is organized under the laws of France, Germany, the Russian Federation, or Syria.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that debate on the pending amendment offered

by the gentleman from Minnesota (Mr. KENNEDY) be limited to 30 minutes, to be equally divided and controlled by the proponent and an opponent.

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

Mr. OBEY. Reserving the right to object, Mr. Chairman, could I suggest that the gentleman, since it is late and we do have other amendments to dispose of, how much did the gentleman suggest in time?

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. My suggested time is 30 minutes, to be divided between the proponent and an opponent.

Mr. OBEY. Could I suggest that we cut it to 20?

Mr. KENNEDY of Minnesota. I object, Mr. Chairman.

Mr. YOUNG of Florida. I would be happy to change that. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Minnesota (Mr. KENNEDY) be limited to 20 minutes, to be equally divided and controlled by the proponent and an opponent.

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

Mr. OSE. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. KENNEDY of Minnesota. May I clarify, Mr. Chairman, do I have just 5 minutes and no time to yield time outside of the proposal?

The CHAIRMAN. At this point, the committee is operating under the 5-minute rule. The gentleman from Minnesota (Mr. KENNEDY) is recognized for 5 minutes on his amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise to offer this amendment. This is an amendment that the gentleman from Washington (Mr. NETHERCUTT) has worked very closely on, responding to concerns that have been raised by many Members, including myself, the gentleman from Texas (Mr. STENHOLM), the gentleman from Kentucky (Mr. LUCAS), and the gentleman from Connecticut (Mr. SIMMONS).

The concern that we have is that we have a broad coalition of the willing supporting our efforts. There have been many that have tried to undermine those efforts. Well, we encourage their involvement in the reconstruction of Iraq; but during the time period when we are putting U.S. dollars into the reconstruction, we want those to be spent with those that have been supportive of us, as opposed to those that have been detrimental to us.

Mr. Chairman, this is a situation where, when we go to other countries and we have asked for their support and we have not received it, and received from 48 other countries the largest coalition of support outside of World War II, I think it is appropriate that there are many people out there that can help us in the rebuilding of Iraq using our dollars without requiring that that be going to those who have actively opposed the efforts we have made to liberate Iraq.

It is important to note that this amendment does protect American jobs, even though there may be some subsidiaries from these countries that are operating in the U.S. In the way the amendment is worded, we will not be putting any American jobs at risk. It is important that, given the great strides that America has put forth to liberate Iraq, that anything that is resulting from this that does require the use of the resources that America has available would be receiving that benefit, and that any other expenditures would be done on behalf of those that are part of our coalition of the willing, I would hope.

Mr. Chairman, I encourage Members to not only support this amendment but also to support the underlying supplemental appropriation.

Mr. BACHUS. Mr. Chairman, I rise in strong support of the amendment of the gentleman from Minnesota (Mr. KENNEDY) and the gentleman from Washington (Mr. NETHERCUTT).

Let me ask all Members to think about this, because there are some things we all agree to. We all agree that we are winning the war, but I think we all believe that it is going to be harder to establish the peace. That is our concern now. We have won the war, but we have to be successful in winning the peace.

We all agree, both sides of the aisle, that we are facing anti-American sentiments. We should ask ourselves, where have those sentiments come from? They have come from the regime in Iraq, but they have also come from those that have supported them. France, Germany, Russia, Syria, the people named in this amendment have caused a great deal of the anti-American sentiment that we are now facing.

I ask Members to picture themselves a citizen of Iraq. We hear what the French and Germans have said, that we are there to get the oil. Then we see the American tanks; we see the American bullets. There is a lot of work for Americans to do after that. The last thing we want is then to see the French coming in and the Germans coming in and rebuilding Iraq; America coming in and conquering or invading, according to the French, and then the French rebuilding. That is going to do nothing to dissolve the anti-American sentiments.

In fact, we know the French intentions are not good. We know what they said; we know what they have done. It would add tremendous insult to the injury that American families have had, those who have sent loved ones into Iraq and lost those loved ones, for us now to send the French in behind them to capture the good will and the hearts of the Iraqi people.

It is the American people; it is the British. We are the ones that ought to be at the forefront and those visible in building the peace and rebuilding Iraq; not those who have made our job harder, those who have openly promoted anti-American sentiments, not only in Iraq but around the world.

Mr. Chairman, I urge the Members, let us not compound the immense problem we have today in establishing the peace and in trying to restore our credibility with the people of Iraq. Let them see Americans rebuilding Iraq. If the French want to be there, we ought to invite them to be there; and the French taxpayers can pay for the French companies who come in and rebuild. But with our money, it ought to be Americans because of this tremendous amount of ill will in the world, and particularly in Iraq.

If we lose this opportunity, we will always be viewed as those that came in with tanks and bullets and guns, and the French and the Germans will come behind us and self-promote themselves as those that came in and repaired the damage.

I close by simply saying this: If the French had not supplied Iraq with many articles of war, and the Germans, if they had not encouraged Saddam Hussein to stand and fight, our job would be a lot easier. They have caused some of the damage in Iraq. They have not acknowledged that. Even today in their newspapers they are continuing to stir up ill feelings. Let us not take our money and give them an opportunity to continue to do that.

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

Mr. Chairman, I think the best evidence of the President's success in winning this war against terrorism is the silence outside, the absence of any attack on our homeland since September 11, when terrorists used 737s as fuel air bombs and flew them into buildings, two in New York and one here.

I think it is proof of the President's good judgment, the fact that we can trust this good man; that he has so successfully fought this war against terrorism, war on terrorism that he has prevented any further attacks in the United States. With the knowledge that he has of the scope of the threat and where it lies around the world, the President of the United States made the measured judgment to go after the dictator in Iraq, not only to enforce the sanctions that the United Nations imposed, not only to free the Iraqi people from this terrible, brutal dictator; but, most importantly, Mr. Chairman, the President of the United States of America is fighting this war to protect Americans here at home.

This war is being fought and will be won to free the Iraqi people, enforce the U.N. sanctions; but most of all, and I cannot stress this enough, the President is fighting this war to protect our constituents, to protect our families, to protect Americans in their neighborhoods from further terrorist attacks.

So when the French, Germans, Russians, Chinese, and Syrians stood up

and actively opposed American intervention, British intervention in Iraq, the French were, in essence, endangering our own homeland, endangering our constituents and our families.

It is absolutely unacceptable that the French, the Germans, the Russians, the Chinese, and the Syrians who have opposed the United States' efforts to protect ourselves against terrorist attacks should be allowed to profit from the reconstruction of Iraq.

I am proud to be a cosponsor of this amendment with the gentleman from Minnesota (Mr. KENNEDY) and the gentleman from Washington (Mr. NETHERCUTT) to make sure that, as the guardians of the Federal Treasury, that the Congress of the United States will not permit any Federal tax dollars to be used to purchase goods or services from any company or any business from France, Germany, China, Syria, or Russia, because those countries actively engaged in preventing United States from protecting ourselves, freeing the Iraqi people, and enforcing the U.N. resolution.

I am proud to be a cosponsor of this resolution and urge all Members to vote for it.

□ 2115

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

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

Mr. SOUDER. Mr. Chairman, on Veterans Day 2000 I was privileged to lead a CODEL to the beaches of Normandy. At that time it was very moving to meet with a number of French mayors, be at Omaha Beach and Utah Beach cemeteries, to visit some of their local cemeteries, the people who sacrificed their lives defending the freedom of the French people, trying to liberate Germany. The people at Normandy said they would never forget.

But clearly the people in Paris forgot. So did the people in Germany. I know Germany has protected our bases. I know they have helped root out terrorist cells. I know they have allowed movement of troops through their country, which others countries have not. That is a good argument not to move all of our bases from Germany, and that should be factored there. But not after the insulting remarks of some people in the administration towards our President, after the insulting remarks of people in their government about our country, should they use American tax dollars to help rebuild. Nor should Russia.

Russia, Syria, Germany, and France gave aid and comfort to Saddam Hussein at a time when American men and women were at risk of losing their lives through sweat and blood. They destroyed the last hope for peace, which was to have a united U.N. go in, encourage Saddam to leave and to turn over the government to people who wanted democracy and freedom in that country and get rid of weapons of mass destruction. But they encouraged him to go on. The blood is on their hands of Americans.

Our men and women who are now risking their lives should not also have their tax dollars go to companies from those countries that brought us into this war. Furthermore, many of those countries, particularly Russia and Syria, as well as France and Germany, have given and sold weapons illegally into these countries. Furthermore, at least Russia and Syria, and possibly others, have been giving consulting and helping monitor tracking systems during the war.

Now, what I want to know is what am I supposed to say to the people in my district, such as Mr. Harrison Triplett who has two sons in Iraq? He was out the other day with an American flag in one of the main sections of Fort Wayne, asking people to support his son and the troops. So I am supposed to say while his sons are over there risking their lives, that after this is over we are going to use our tax dollars to give the people who provided the weapons, who provided the aid and comfort to the people against him.

And what am I supposed to say to Jerry Shultz? He is over there also. He was just on the CBS Morning Show the other week because he proposed to his sweetheart back in Fort Wayne on national TV. She is at a pizza parlor in Albion. She cannot put her ring on until he gets home. But he is being shot at, in part because of France and Germany and Russia and Syria and others who gave aid and comfort to Saddam. They gave weapons to Saddam. He may be getting shot at at this moment by weapons that were developed and provided illegally from these countries.

Furthermore, and even more tragically, I have a young corporal from Warsaw, Indiana, who was a track and football star, who was moved, according to his dad, by the events of 9/11. Corporal David Fribley volunteered for the military. He was sent over to Iraq. He was one of the American soldiers who was shot under a white flag. Murdered by Iraqis. We do not know whether those weapons were provided by the French or the Germans or the Russians or the Syrians. We do not know whether this battle would have occurred without that; but what I know is I will not face his parents and say that their tax dollars are going to be used to go to companies that are headquartered in those countries, rather than to American companies, to people who fought with us in the coalition, to the British, to the Spanish, to the Australians, to those who are with us this moment.

France, Germany, Russia, Syria, other countries are important in trade. I voted for the trade agreements. I know we need to have trade with these countries. We are not cutting off relations, but not one cent of my tax dollars or the dollars of the parents who have their sons and daughters over there at risk, and we need to pass the Kennedy amendment.

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

Mr. Chairman, every Member in this Chamber is familiar with my position on the administration's actions in moving towards war against Iraq. And I think that while we have our respective position, we should be careful not to expand the conflict which the United States finds itself in and not to take people who have been allies consistently for this country and turn them into something other than allies.

The world community has differences with the United States and we are going to have to heal those rifts. But it is more than interesting to have Members standing up condemning the French when we would not be in this Chamber today if it was not for one of the heroes of the Revolutionary War whose image and picture looks upon our every action. I am talking about Lafayette. And we are familiar with Lafayette.

Lafayette is not only a place in Indiana, Lafayette is one of the heroes of the American Revolutionary War. And the father of our country to my right, George Washington, and Marquis de Lafayette one of the great American and French statesmen, look upon us and watch these debates.

We need to reconcile ourselves with all of the nations of the world who may be disagreeing with this administration. We cannot be standing here singling out Russia and France and China and Syria as if they are outside the world community, because when this war is over, we must be the repairers of the breach. Let us not forget that the very symbol of liberty which generations of Americans sailed into New York harbor under, that Statue of Liberty came from France. There are deep spiritual connections between France and the United States.

I happen to agree that this country should not have proceeded in war against Iraq, and I love this country. And I think there are French men and French women who still love America despite the action that the administration has taken. So let us start looking ahead. Let us not condemn nations if they are not agreeing with the administration. Let us find a way to be the repairers of the breach. Let us find a way to look to the next challenge for America to bring the world communities together once again. We have had a genius for that in this country.

We need to remember where we came from. And we came from a relationship with Great Britain, who is now our ally, a relationship which was transformed through the Declaration of Independence, and we fought a war of liberation in this country with the help of the French, and we should never forget it.

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

Mr. Chairman, I want to say this to the previous speaker: I certainly agree with him, the French have had a great role in our history and I certainly am a proud fan of Lafayette. I want to say Lafayette was a man of freedom, and there is no question in my mind whose side in this conflict Lafayette would be fighting for, and that is for the liberation of the oppressed Iraqi people. And that is why his portrait is here. That is why we have a square named after him in my hometown of Savannah. That is why we even have a city named after him in the gentleman from Georgia's (Mr. COLLINS) district. Only we pronounce it the correct way. We call it Lafayette, if you all ever want to come to visit.

The thing about the French, and I like the French but I dislike the French rhetoric that we have heard for the last 6 months. I dislike the French politics, which I think the rhetoric has fueled the politics and it is maybe some EU positioning that is going on.

The things that Mr. Chirac has said about my country are offensive. And the reality is there were not that many French businesses that were standing up and saying, Mr. Chirac, tone it down a little bit. And there certainly were not any Russian companies or Syrian companies that were standing up for the United States over the last 4 months. And it is such a shame, because I think they could have helped prevent this conflict if they would have said, Saddam Hussein, we stand against you in a unified world, in the community of freedom and the community of common law; we think what you are doing to the people of Iraq is outrageous. But instead, for whatever reason, they chose to apparently be on the side of oppression and the side of Iraq, and therefore we have American and British soldiers and 49 different countries, a coalition, fighting Iraqi oppression right now.

I had an interesting issue last week with a company from France that is actually providing food to the American Marine Corps. A French company actually caters to the American Marines. They have contracts worth $881 million. And I find it somewhat outrageous, and I have raised the question and many of you have joined me in raising that question to the DOD. But you know what, I will say, to that company's credit, they have written me a letter and said, you know what, we are on the side of America in this conflict. And I tell you what, they get it. And I am glad to see that they are exercising what I would say would be good corporate responsibility. I want to have further conversations with them.

But there are also rumors, and it was reported by Sean Hannity, who is pretty doggone careful of what he reports, but he was saying that there are apparently and sadly some French companies who have been providing, up to the conflict, helicopter and jet parts to the Iraqi regime. There were Russian companies that were apparently selling night vision goggles to the Iraqis.

Now, that is per one reporter. But I hope that as this conflict unfolds, we do not find that some of these countries who were opposing us in the Security Council had a profit motive of their own. I hope we find that their opposition to us in the Security Council was founded in idealism and passivism and not in, wait a minute, we have got some business deals at stake here; we got to stand for the sides of the Iraqis.

I think that what the gentleman from Washington (Mr. NETHERCUTT) and the gentleman from Minnesota (Mr. KENNEDY) have done is offer a reasonable amendment so that we can offer our objections as a collective body to these people who, when they had the chance to stand up for America and stand up against oppression, they chose instead the path of politics and rhetoric against America. And I hope that we pass this. And I hope down the road we have an opportunity to redress it.

The gentleman from Washington (Mr. DICKS) who I think a lot of, was telling me, you know what, after the war is fought, that is the time to consolidate everybody and get them on the side of the new tomorrow to rebuild Iraq. And you know what? I think he has some good points to it because we do not want to have a fissure between us and Russia and Germany and France and Syria and China or any of these other countries forever.

Indeed, we have 49 countries in our coalition right now. We do want to bring the world together to rebuild a democratic republic, a free republic of Iraq after this. And I hope that these folks will come on board. I hope that they not only bring their know-how, but I hope they bring some of their own dollars to the table. And if they can, and at that point, I think they absolutely should be welcome to help rebuild this country, the country of Iraq.

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

Mr. Chairman, I wanted to express my appreciation to the gentleman from Washington (Mr. NETHERCUTT) for his good work. I have some concerns about the proposed amendment. It is not broad enough in its constitution. For example, when we construct the list of those who have been intransigent and unwilling to listen to the rational thoughts of those of us in America trying to free people from oppression, we have left off the list the country of Turkey who refused to let our troops cross their territory to bring about freedom to those oppressed people from Iraq.

It was only a few years ago when we conducted our operation in Afghanistan, when we asked those in Mexico to stand by our side. They refused to send troops. But when they were on the verge of bankruptcy, the President of the United States went around the Congress and sent billions of dollars to rescue them from financial calamity.

□ 2130

Vincente Fox has been unusually quiet in the recent weeks and days as America's young men have placed their lives at risk.

Yes, this group of identified nations should be known as an axis. It is called the ''axis of weasels,'' those who refuse to take a stand in defense of freedom, in the face of tyranny and oppression.

Tonight, as we sit and debate this resolution, the axis of weasels is watching as our young men and women storm the streets of Baghdad, trying to free young men and women from the fear of oppression and the Fejadin taking the lives of kids.

Is there any doubt? Is there any question? Is any Member of this House standing here tonight listening to this debate in question about what should be done about the axis of weasels? Are we going to tax the American workers, take their money and send it back to people to rebuild Iraq who criticized our efforts from its outset?

What are we thinking? They are our allies who have laid their lives on the line, who have more than adequate resource and contracting capability to join with American hardworking people and give back the people of Iraq the standard of living to which they are entitled, which was taken from them not by a coalition forces, but by the despot Saddam Hussein, whose fortunes I hope are not favorable this evening.

We have to join together in this House, stand up not only to this axis of weasels, but to all of those who stand in the face of Americans who fight only for one thing, to bring democratic opportunities to poor people around the globe.

Oh, I know there are those who say this was fought for the case of big oil. If we wanted oil, we would have simply taken Kuwait. If we wanted to oppress, we would not have left Afghanistan. Look at our record. We stand here tonight united as a Congress not for the cause of dominating the world interests. We stand united in the face of tyranny to free people who are oppressed.

It was only a few short months that the women of Afghanistan got the right to drive a car, to teach their children how to read publicly. Their tyranny cannot be fully comprehended, but what we are about tonight is the beginning of a new day, a day that brings justice and responsibility to those who refuse to give dignity to humans.

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

Mr. Chairman, we used to have a Member of this body by the name of Jimmy Burke, and Jimmy Burke said once to the freshman class incoming, he said, oh, I understand your problem; you think this place is on the level. Well, I want to tell you that does not matter what you do on this amendment. This amendment ain't on the level. This amendment is consumer fraud masquerading as legislation, and it ain't going to do nothing to nobody and let me tell you why.

If you look at the language carefully, the language purports to send the message that what we are doing is, oh, oh,

look at the muscles. We are telling those Frenchies and those German companies, you cannot participate; but if you look at the actual language, the language allows those companies to get around this limitation by doing the same thing that corporate expatriates have done in this country by simply setting up a mailing address in Bermuda or any other offshore place.

So it is what I call a holy picture amendment. The politicians pause for holy pictures, boy, we really did something. But you have got language that does not do nothing to nobody.

This language has absolutely no effect whatsoever except that it makes the job of the White House and the State Department more difficult, which is I assume why we have the letter from the State Department which says that such an amendment would jeopardize the type of support we are attempting to build within the United Nations, support which aims to unite the international community in a forward-looking effort to build a better future for the people of Iraq.

Now, if we were wise, and I know that is beyond reasonable expectations often in a legislative body, but if we were wise, what we would, in fact, be doing is looking at tomorrow rather than yesterday.

We are going to, whether we like it or not, need to rebuild the alliances which have been temporarily shaken by our divisions in this war. We are going to have to rebuild the United Nations and rebuild NATO so that we are more unified in dealing with postwar Iraq and the rest of the world; and we are going to have to overcome the fact that because of divisions we have right now, pro-U.S. responses in public opinion polls throughout Europe have dropped by about 20 percent.

Now, to me, the way that we overcome that, the way we overcome the world's cynicism is by demonstrating traditional American magnanimity, which is what we did in the Marshall Plan and what we have done so many times in our country's history.

So I would simply say, Mr. Chairman, who am I to stand in the way, if majority party members want to make life a little more difficult for a Republican administration?

Now, I stand here, I hope as a patriot; and I believe that this amendment does cause the administration additional problems. I am so proud of the chairman of this committee because this committee produced legislation which guaranteed that the executive branch could not cross the line and trample on legislative prerogatives, and I congratulate and I honor the chairman for having the guts to do that.

But we also, we also as legislators from time to time have to restrain ourselves and recognize that sometimes we do the Nation no good when we impinge upon executive branch prerogatives, as this amendment I believe does.

So I am standing here as a Republican who has a minimum of, as the Democrat, as my friends know, I started out life as a Republican but then when I learned to read I switched parties.

But let me simply say, I stand here, I hope, as a patriot, and I think that this is one place where George Bush needs some running room. If you do not have enough confidence in him to let him make the right choice, then by all means vote for this amendment; but you know, it does not do nothing to nobody except enable politicians to pose for political holy pictures. What is new around here?

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

Mr. Chairman, my good friend from Wisconsin just recited a very amusing tale about learning to read and becoming a Democrat. When I learned to count, I became a Republican.

The night is late, the hour is late, and we have many, many challenges in front of us. We have people arrayed across the world protecting our interests; and in the face of that, I do something tonight that I rarely do and that is come to the well and speak in favor of the Nethercutt amendment and the Kennedy amendment.

I have heard a lot of citations to our indebtedness, to our friends Lafayette and others, the German Hessian soldiers and the like; and yet across this world there is but one country that uniformly puts its young people and its treasure on the line for the protection of freedom and democracy for people who do not even live here. Think about that. Think about what we are doing in this short period of time in particular.

We have young people, particularly in Iraq today, putting their lives on the line to bring freedom and democracy to people who have not enjoyed it for many, many decades.

It comes before us tonight on an appropriations bill with an amendment proposed by my good friends from Minnesota and Washington to say to the world that the Americans know who we are; that we believe in the concept of accountability; and that we will not vote to continue to spend American lives on a goal that benefits those lacking the courage to do the necessary thing, lacking the commitment to stand with those who will confront evil where it is found and lacking the qualifications to judge those of us who will.

Mr. Chairman, we are at a point that is at the heart of who we are. Are we a country that sends our young people across the world to defend the interests of freedom and democracy, to then yield those same interests to someone who simply seeks 12 pieces of silver?

I urge this body to think long and hard about the standard of accountability that we want in this world and the standard we set for our children and the generations to come.

I urge support of this amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. OSE. I yield to the gentleman from Minnesota.

Mr. KENNEDY of Minnesota. Mr. Chairman, I thank the gentleman very much for yielding, and I would just like to respond to the ranking member to say, yes, we have carefully crafted this amendment in a way that protects American jobs and does not put those jobs at risk, that does give the State Department to a degree a modicum of flexibility, and we do need to rebuild those entities around the world; but we need to rebuild them with the understanding that America does remember who stands with America and America does remember who stands opposed to America on our efforts to defend peace and freedom and to liberate oppressed people around the world.

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

This has been a very heated debate and a welcome one, especially for me. As I look at this body, both sides of the aisle are right; but here is my problem.

My problem is respect. I think that the core of the gentleman from Minnesota's (Mr. KENNEDY) amendment is about respect. Every once in a while a person has to stand up and get some respect.

However one feels about this war, I want my colleagues to think about World War II; and I want my colleagues to think about a country, France, a country that would not pick up a rifle to defend its ownself, when 10,000, 10,000 of our troops hit the shores of Normandy and gave their life in one day to stand for a country's freedom, that would not stand and fight for its own freedom. That is the price that many of our American soldiers pay.

Maybe that would not be so bad with me if it were not for what they did. It is one thing to have your say, but it is another thing to go and help a country visibly with weapons, with arms, with their support at a time when we are sending our boys and girls into battle.

That World War II landing was very personal with me because one of those troops that put their lives on the line in World War II, to go help free France, was my own father. That is amazing, but that is important.

This amendment may or may not go anywhere. We are all here to stand up to say a word in support for our troops. I am going to vote for this amendment. I am going to vote for it for the respect of those World War II veterans who fought and thousands died for France, but France did not come to our aid, for those who are giving their lives and dying in Iraq today.

□ 2145

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

I think over my right shoulder stands George Washington, known to many of us as the Father of this Nation. As he looked in the eye of the British soldiers seeking to preserve the freedom of the 13 colonies, he looked for allies where he could find them. My history tells me

that one of those happened to be a country called France. It is interesting that as we have grown to be the singular power of this Nation, we seem to have lost both the decorum, the respect, and the dignity of many of our Founding Fathers.

Now, it is well known that I came to this Nation first in the bottom of the belly of a slave boat, but I realize that I live now in the most powerful Nation in the world, a Nation that first started with the language ''to form a more perfect union.'' What that means, my colleagues, is that we are looked upon to have the dignity, the decorum, the understanding of world diplomacy, and the appreciation of democracy and sovereign nations. And with this power comes responsibility. With this privilege comes burden.

It is interesting that in the course of the time where our troops are moving toward Baghdad, where they are embedded with our values, our values of freedom, we would make mockery on the floor of the House. This is not about France. This is about patronage and payback to the 40 babies that say they are part of the willing coalition. What is this, a Las Vegas gambling game? That if you are in the stakes, you get a piece of the action? This is not what this war is about.

I am against the war as it is presently constructed, as they would say. But we are here supporting these troops in this legislation. What, are we handing out dollars to people just because they are part of the coalition? It is the question to the United States that if we are to rebuild our world alliance and our position in this world, then however we do the peacekeeping it must be in a coalition, whether it is the United Nations, NATO, or whether we engage the European Union. We cannot do this alone. Because if you have a military occupation, you can be assured we are doomed to failure, not because of the military's lack of excellence, they are excellent, but because of the world's perception that we are occupiers as opposed to people who have come to induce democracy.

This is fraudulent that we would undermine the dignity of those who knew what coalitions were all about. And I am particularly offended that my colleagues would cite Mexico as an unwilling ally. We should not denigrate our friends, my colleagues, because we do not have permanent friends, but we have permanent interests. And every one of these people that have been denigrated rose to the occasion on 9/11. They cried with us, prayed with us, and joined the war on terrorism. What an insult that we would deny the sovereignty of these nations and not believe that they have the right to, in a democratic way, to object.

Oh, there may be politics. There may be contracts abound. Looks like everybody has a hand out in this. The baby NGOs do not get a chance to do their real work because they do not have any money. Small businesses, minority businesses, women-owned businesses do not get anything. The big guys are knocking everybody over. Is that what it is about; money? We have to move in the world tomorrow and next year, and the decade after. We should not burn our bridges that we have to cross again.

This would not be the kind of debate that would be befitting of a Nation premised on a constitution that says ''to form a more perfect union.'' What an insult that we do not tolerate the sovereignty of nations. I can assure my colleagues that there will be weeks and years and days to come when we will look to the allies that we denigrate now.

Coming from Texas, I am particularly insulted that one would question Mexico, who has tried to work with us over the years on border issues, and crying and sending troops during 9/11. We begin to get on shaky ground when we begin to attack individuals and nations who have differences of opinion on this war.

This war itself should be questioned, and I hope that we will be able to move in peace for those of us who have opposed the war and supported the troops; and move in dignity reflective of the Constitution and reflective of this founding Nation and our Founding Fathers.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind all persons in the gallery they are here as guests of the House, and any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

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

Mr. Chairman, I will not take the full 5 minutes, but I do think it is important that we put this debate into perspective. This is a good thing we are doing. We should be debating issues of expenditure of taxpayer dollars. This is not holy pictures. This is an important time for our country to talk about how we spend billions of dollars in this country.

Why in the world would our legislative body cede the authority for that to the administration? I respect this administration, but this is a congressional responsibility. And just because there is a difference in position on the issue that is before the House does not mean that this is posing for holy pictures. I think that is an objectionable declaration about what this is. This is in the best traditions of this House.

On the Committee on Appropriations just this week we had a fabulous debate on this precise issue and on an amendment that was very near to this one. It was a broader amendment, frankly, that gave the President great waiver authority to decide whether exceptions could be made with respect to the expenditure of taxpayer dollars for reconstruction in Iraq. So beyond being something that is frivolous, this is very serious business, and I would argue to my colleagues that this is in the best tradition of this House to talk about this issue of how we spend the money that the taxpayers send to us to decide how to spend.

It is not unreasonable that we make a judgment about what foreign countries should benefit with taxpayer dollars that are sent to Washington by loyal Americans. But it is the Congress' decision to decide whether a priority might be American jobs and American companies and allied countries, companies, and jobs. So what is wrong with having friends in the world and communicating with those friends and especially creating jobs in this country?

I would argue that anybody who votes against this has the potential to favor French job creation rather than American job creation. How in the world are we going to feel in 2 months, when perhaps our country would award a contract to a German or a French or a Russian company to the exclusion of American interests, to an American company that could do the job just as well? I would argue, my colleagues, that we should be concerned about that.

So this is a good debate. This is a good amendment. It is the amendment that I intended to have before the House before a point of order was raised. So that is fine. I appreciate the gentleman from Minnesota (Mr. KENNEDY) being there to offer this amendment. But we should never confuse a good debate and a difference of opinion on the issues as being unworthy or worthy. We can make our judgments about the validity of our arguments, but to say that this is not worthy of the House or not an appropriate debate as to how taxpayer dollars will be spent misses the mark.

So I urge my colleagues to vote for this amendment. This is what we are sent here to do, to guard the Treasury of the United States. This is the taxpayers' money. This is the people's House. The House of Representatives decides the appropriations for this country. I urge us to exercise our obligation and to vote for this amendment, and I believe it will pass.

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

Mr. Chairman, I will be brief. I agree with the last speaker that this is a topic which should be debated, and I think this debate has shown what is some of the very best and perhaps what sometimes can be the worst in a legislative body in a great democracy like ours.

Passions can flare, passions can drive legislation. Passion is important. As legislators, as people who make policy, passion is important. We ought to believe in what we do. But as legislators we also have a responsibility to temper our passions, to temper our passions with careful thought, to make sure that passions do not alone drive us, drive our legislative proposals. So that

sometimes what looks good, what feels good, what sounds good, may not be good.

These are just some of the concerns that I have about the legislation, the proposal which is before us at this time, and I would just share some of these thoughts. I know these thoughts do not carry any of the weight of the passions that people feel. But I also think as legislators we need to keep these things in mind.

For one thing, we are deeply involved in the World Trade Organization with a number of trade agreements that we have entered into and this body has approved, and I have serious concerns that this violates a number of those obligations that we have freely entered into. No country has fought harder for the government procurement provisions in the World Trade Organization than the United States, because we are the largest exporter of contracting services. We have the most to benefit, and similarly, perhaps, the most to lose if others retaliate against us.

Secondly, I am concerned about the application of this as it applies to the defense part. This just does not limit it to the foreign assistance part, but to the defense side. There are times when you need to be able to buy equipment, to buy spare parts, to buy goods, and those may come from a foreign company. I am concerned about the foreign assistance part of it as it applies to spare parts. Let us say an American contractor is given the job of rebuilding hospitals in Iraq. We know that a lot of medical equipment comes from countries like Germany. What if we are trying to replace a part in an x-ray machine and we have to order those parts under this provision? I presume it would be forbidden to do so. So we would have to pay all the money to buy a new piece of equipment instead of being able to repair another piece of equipment.

Lastly, let me just ask this. Does this provision apply to a company like Chrysler, DaimlerChrysler? I think it might. It is not at all clear. I guess if they do not put that return address on their envelope, their RFP, maybe it does not. But if they happen to put the RFP as coming from the corporate headquarters in Germany, then indeed it would. And thousands of American jobs could be lost as we try to buy equipment from what is essentially an American company but happens to be a subsidiary of a country that is organized in Germany.

These are just a few of the considerations that I have and I think we need to take into account. If this amendment passes this evening, I will be looking at these very carefully. And I hope my colleagues on the conference will look at them as well and that we will work to make sure that we have a piece of legislation, when it comes from conference, that does not do more damage to American jobs, more damage to American contractors, than it would if we had this piece of legislation not included in the bill.

□ 2200

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

Mr. Chairman, I think we are nearing the end of this debate and getting ready to pass this bill. I think there is one other amendment that we will deal with very quickly after we conclude this. So I want to take a few minutes to say a word of compliment to the Committee on Appropriations members and the staff. We got this request just a little over a week ago. We were able to read it, vet it, understand it, hold hearings with all of the major agencies involved, write the bill, go to full committee, amend it and bring it to the floor in a little over a week. I think the committee and the staff, especially the staff, they spend more time than the Members, did a tremendous job.

Secondly, Mr. Chairman, you have been in the chair for nearly 12 hours today and have done an outstanding job. That applause is very well deserved. The gentleman from Texas (Mr. THORNBERRY) is very fair, and has managed this debate extremely well.

And now I yield to the gentleman from Georgia (Mr. ISAKSON).

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

Mr. YOUNG of Florida. I yield to the gentleman from Georgia.

Mr. ISAKSON. Mr. Chairman, earlier in the evening the distinguished ranking member read accurately from the Atlanta Journal Constitution a news article regarding the actions of the board of directors of Delta Airlines. The ranking member also accurately reflected his disappointment and disappointment shared by others in that action.

What was not entered into the RECORD were the actions of the CEO of Delta Airlines, and I will not read it all, but I would like to read the following things:

. . . who affirmatively, instead of accepting the compensation reduced his compensation by 25 percent, will not accept an annual incentive pay included in his contract for the year 2003, rescinded any retention award payment he might be eligible for 2004 and 2005, and affirmatively rescinded his contractual stock option agreements totaling $5.5 million.

Mr. Chairman, corporations are persons under the laws, and sometimes they do not have hearts. CEOs are individuals who have souls, and when corporate CEOs take appropriate actions, and I think consistent with the times which we are in, that should also be in the RECORD.

DELTA,
April 3, 2003.

To: All Delta Employees
From: Leo F. Mullin, Chairman and Chief Executive Officer
Subject: Executive Compensation

Following the release of Delta's proxy statement at the end of March, much attention by the media and within the company has been focused on the subject of executive compensation. Today, I would like to address this issue with you directly, beginning with the context in which the Board of Directors made the decisions described in the proxy statement, over the course of 2002. I would also like to share with you the actions I have taken in regard to my own compensation, given the dramatic ways in which that context has now changed.

Let me begin by noting that Delta's proxy statement, which outlines the Board's executive compensation decisions during 2002, was issued on March 25, 2003. The date of issue was set in order to comply with Security and Exchange Commission requirements for distribution prior to our April 25 annual shareholders meeting. However, the actions described in the proxy statement occurred over the full course of 2002, with many of those actions rooted in the events and the aftermath of September 11. As the Board explains in the proxy statement, a key priority in response to the national and industry crisis following 9/11 was to maintain a management team ''capable of responding effectively to the extraordinary challenges,'' including programs that would retain and motivate the team members.

Among other actions, the Board established demanding performance goals for Delta's executive team, placing primary emphasis on ensuring adequate liquidity and drastically reducing the daily ''burn'' of cash (generally defined as the amount by which costs exceed revenue). The Delta team succeeded on both counts. Consequently, Delta is the best positioned hub-and-spoke carrier in the industry, a view supported by reports from many Wall Street analysis. Because the key goals were met, the Board, in January 2003, approved the final 2002 incentive awards, as the proxy statement details.

Also as part of its effort to retain Delta's management team during the extraordinary challenges ahead, the Board in January 2002 established a Special Retention Program, as discussed in the proxy statement. This program provides potential cash awards in 2004 and 2005 for Delta executives, tied to both retention and performance goals.

In these and every other executive compensation program outlined in the proxy statement, the Board has consistently acted in the best interest of Delta Air Lines, meeting all legal and ethical requirements and expectations at every point. The decisions in regard to executive compensation were fully appropriate in the context of the time in which they were made.

However, the reality of the airline industry is that the context changes rapidly. Concerns we are now facing were not part of the environment when those earlier decisions were made, or their importance has been magnified, including issues related to:

Impact of the War in Iraq.

Continuing, deeper than expected plunge in revenue and traffic.

Increased competitive concerns as United and US Airways restructure under bankruptcy protection.

Further competitive pressure as American Airlines manages to reorganize outside of bankruptcy—and as others (most recently Air Canada) declare Chapter 11.

Need for immediate action in Washington to provide federal relief from post-9/11 security costs and tax burdens.

Competitive requirement that Delta's labor costs be brought in line with that of the restructuring carriers.

With this said, I understand the concerns that have been raised in the current context. Most importantly, I want to provide a basis for moving forward so that we can resume our focus on the crucial core business and strategic issues we face. Hence, I have chosen to take the following steps:

Reduce my salary rate by 25 percent (to $596,250), down from the beginning of year salary rate ($795,000); this reduction includes

the 10 percent salary rate reduction taken earlier this year.

Not accept any Annual Incentive Pay that might be awarded to me for 2003 performance.

Rescind any Retention Award payment I might be eligible for in 2004 and 2005.

Rescind the stock-based awards associated with the renewal of my five-year contract (signed November 29, 2002), with a minimum estimated Black-Scholes value of $5.5 million.

As Delta's CEO, I believe it is appropriate for me to take these steps. Also as Delta's CEO, I believe it is absolutely essential for the welfare of our company that I continue to meet the requirement, using a competitive compensation program, to attract and retain a highly motivated executive team. I am enormously proud of the team we have assembled, and fully confident of their ability to meet the challenges ahead. Most recently, they have confirmed their commitment to shared sacrifice with the salary reductions announced earlier this year. As with the entire Delta team, their continued support is absolutely invaluable to me and to the company as we move forward through the demanding days ahead.

In closing, let me say that while the specifics of this decision required careful thought and consideration, what became clear as I worked through the process was that there was no absolutely correct approach or set of actions. But, in the current circumstances, the steps I am taking feel right to me. I hope you will agree.

LEO MULLIN.

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

Mr. Chairman, I rise in opposition to the amendment of the gentleman from Minnesota (Mr. KENNEDY). While this amendment appears and seems to be patriotic at first glance, what this amendment could really do is punish American workers. It would hurt American workers who work for foreign companies and American companies who supply foreign corporations.

Many of my colleagues have given examples of companies that have their corporate office in France or Germany, but have big numbers of employees working here in the United States. In today's global economy, it is not possible to determine who this amendment would really be hurting. This issue deserves much more thought, debate, and consideration by the appropriate committees rather than being offered as an amendment at this time. I urge my colleagues to vote against the Kennedy amendment.

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

Mr. Chairman, I will try to make this quick. I rise in strong support of this amendment. There is a limit to American magnanimity. There is a limit to how much we will just turn our heads and say we will forgive you. And yes, we will forgive those people who are our friends who betrayed us when we were putting the lives of our young people on the line. We will forgive them, but we will not forget; and that is what this amendment is all about, not forgetting those who would not stand with us, and remembering those who did stand with us when the lives of our people were at stake. I have no problem with that.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Minnesota.

Mr. KENNEDY of Minnesota. Mr. Chairman, I would just like to make it clear that the way this is worded, it would be highly unusual this would be putting any American jobs at risk, and we have gone to great pains, the gentleman from Washington (Mr. NETHERCUTT) and myself, in reviewing these approaches to make sure that we do not.

I think it is appropriate. This is not just about American jobs, but it is, the gentleman says, about American people, American Congress, remembering who has stood with us and making sure that those who stood with us as we go to liberate Iraq would also be standing with us as we go to rebuild Iraq.

Mr. ROHRABACHER. Mr. Chairman, there is a much greater chance that American jobs will be lost if we do not make this declaration to the policymakers and to the bureaucrats and to the government officials who will enforce the law once we pass the law. We are making it very clear to them that American companies and companies from countries which helped us, which stood by us, will have preference over those companies from countries which stood aside at the moment when it counted or even harped and backbit our leaders when they were taking tough stands.

We will not forget what happened during these last 3 and 4 months. We will not forget the actors who play President of the United States, but spend their own time in the real world undercutting American Presidents who have had to make tough decisions about the national security of our country.

We will not forget the impotence of the United Nations. We are not going to place our faith in that institution again. We will not forget that NATO is dominated by the Germans and French, and we will not forget that the British and the Spanish not only stood by us but joined us and put the lives of their young people on the line as well.

Finally, I would like to end with one small story. I hope our French brethren are brethren. Dean Rusk in his memoirs talks about how Lyndon Johnson called him into the Oval Office in 1964 after Charles de Gaulle declared that France would be out of NATO and declared that all American troops would have to be off of French soil in 90 days. LBJ gave Mr. Rusk the job of going to France, talking to the General, and asking him a question and coming back and reporting verbatim what the General said. So Mr. Rusk, our Secretary of State, went to Paris and met with General de Gaulle.

He said, President Johnson has tasked me with asking you this question: When you demand that all American soldiers are off of French soil within 90 days, are you including those thousands of Americans buried in Normandy?

General de Gaulle was speechless. He turned away and could not speak.

I would hope that the French people, now that this war is coming to a conclusion with the great victories that we have had in these last few days, when they see that we have put the lives of our people on the line again, I hope they will become speechless, because I am sick and tired of hearing from a lot of those people, and so are a lot of Americans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. EDWARDS

Mr. EDWARDS. 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. EDWARDS:

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

No funds appropriated under this Act may be provided to an air carrier if the air carrier or any of its subsidiaries discontinues service to the Kilred Texas Municipal Airport between April 4, 2003 and April 4, 2004.

Mr. EDWARDS. Mr. Chairman, the vote we just cast dealt with how America should treat nations who do not support us in our war against Iraq.

This amendment deals with the issue of how we treat American companies who have turned their back on the families of our military servicemen and women who are fighting that war against Iraq tonight. Let me read from the Atlanta Journal Constitution just 4 days ago. ''The use of Delta's funds for this purpose left us in disbelief.'' That is what 30 former Delta executives said about the CEO of Delta Airlines and 32 executives spending $25 million of Delta Airlines funds to set up special pension trust funds for themselves.

Mr. Chairman, the CEO of Delta who comes before this House asking for billions of Federal tax subsidies was recently part of providing $25 million in expenditures to protect 33 executives while 16,000 employees are being laid off. Mr. Chairman, I find myself in disbelief that the same Delta Airline executives who could spend $25 million to protect their pension trust funds said today in Killeen, Texas, in my district, that they cannot afford to continue air service during a time of war to the community that is the home of the only two-division Army installation in America, Fort Hood.

That is correct. The same executives that had $25 million to protect their future said to the families of soldiers who are deploying tonight, some of whom are at war tonight in Iraq, two of whom from Fort Hood are POWs in Iraq tonight, that we are not going to provide air service anymore. In fact, we are going to cut off air service to Fort

Hood and its two Army installations and the 44,000 soldiers that represent Fort Hood, we are going to cut off that air service even while we are at war in Iraq. They even had the audacity to tell employees today, while Delta lobbyists were running around the halls of this Capitol saying we need millions, in fact billions, in tax subsidies to support our efforts at Delta Airlines. I find myself in disbelief, just as 30 former executives at Delta found themselves in disbelief at the actions of executives of this company.

My amendment sends a clear message to the executives of Delta and to Continental Airlines and any other airline: Do not come to the House of Representatives, to these hallowed halls, during a time of war and ask for the taxpayers of military families to subsidize a bailout for your companies while you are cutting off airline service to the thousands of military families whose loved ones are putting their lives on the line in Iraq tonight.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, I ask the gentleman to yield because he and I discussed this at length earlier in the evening, and I think the gentleman raises a point that should be considered seriously, and I have told the gentleman that.

I told the gentleman during the negotiations with the conference committee I would make sure that this issue was brought before the conference and a thorough discussion would take place and see if there is something that we can do that would be helpful to the families of those soldiers at Fort Hood.

Mr. EDWARDS. Mr. Chairman, I thank the chairman because the gentleman realizes, as I do, that since I did not get the news, employees of my district did not get the news today after the Committee on Rules had established the rules for amendments on this bill, technically this amendment could be ruled out of order. For that reason, in a moment I will respectfully pull down the amendment in my appreciation of the chairman for his recognizing the importance of talking to airlines about not cutting off airline service to major military installations during a time of war when we are asking those families, taxpayers, to help subsidize the continuation of those airlines.

I do not know what the intention is of Delta and Continental who have made these recent announcements to cut off air service to so many military families which are sacrificing so much for us. I will say to them, if they are willing to reconsider what I consider their incredibly unfair decisions tonight and in the days ahead, I will be the first to applaud them for their patriotism and sense of public service during this time of war.

But I also want to send a clear message. If all they offer us is lip service for the next 3 days until they get this bill passed and then they cut off air service to tens of thousands of military families who might lose loved ones as they are cutting off that service, I may be only one Member of Congress, but I hope they understand there will be millions of American veterans and millions of American families who will share my outrage that it is wrong, it is unpatriotic for these companies to turn their backs on the military families who are facing death and risk of life in Iraq tonight.

I thank the chairman, and I look forward to solving this problem.

□ 2215

Mr. EDWARDS. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment is withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 2 offered by the gentleman from Massachusetts (Mr. MCGOVERN) and the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. MCGOVERN

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Massachusetts (Mr. MCGOVERN) on which further proceedings were postponed and on which the noes 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 CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 216, not voting 10, as follows:

[Roll No. 106]

AYES—209

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Gutknecht
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Wexler
Woolsey
Wu
Wynn

NOES—216

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Dunn
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Houghton
Hunter
Isakson
Issa
Istook
Janklow
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary

Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stenholm
Sullivan
Sweeney
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Upton
Vitter
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—10

Berman
Combest
Gephardt
Hyde
McCarthy (MO)
McInnis
Oberstar
Walden (OR)
Weiner
Young (AK)

□ 2234

Messrs. NETHERCUTT, JANKLOW, JONES of North Carolina, TURNER of Ohio, CUNNINGHAM, BARTLETT of Maryland, MORAN of Virginia, SMITH of Michigan, PENCE, and MOLLOHAN changed their vote from ''aye'' to ''no.''

Messrs. TANCREDO, DEFAZIO, LEACH, and KANJORSKI changed their vote from ''no'' to ''aye.''

Mr. UPTON changed his vote from ''present'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DEFAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes 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 CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 113, noes 312, not voting 10, as follows:

[Roll No. 107]

AYES—113

Bachus
Ballenger
Becerra
Berkley
Berry
Bilirakis
Blumenauer
Boswell
Brown (OH)
Brown, Corrine
Capps
Capuano
Carson (IN)
Coble
Conyers
Cooper
Costello
Cummings
Davis (AL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
Doggett
Duncan
Eshoo
Etheridge
Evans
Feeney
Ferguson
Filner
Garrett (NJ)
Goode
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Hayes
Hill
Hinchey
Hoekstra
Holt
Honda
Hooley (OR)
Hostettler
Hulshof
Inslee
Jackson-Lee (TX)
Jenkins
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Lampson
Langevin
Larson (CT)
Lee
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Majette
Maloney
McDermott
McGovern
McIntyre
McNulty
Menendez
Michaud
Millender-McDonald
Miller, George
Ney
Nussle
Osborne
Otter
Owens
Pallone
Pastor
Paul
Payne
Pence
Ramstad
Rogers (MI)
Rush
Sanchez, Linda T.
Sanders
Sandlin
Schiff
Scott (VA)
Sherman
Slaughter
Souder
Stark
Stenholm
Strickland
Tanner
Taylor (MS)
Taylor (NC)
Tiberi
Tierney
Toomey
Towns
Upton
Waters
Watson
Woolsey
Wu

NOES—312

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Ballance
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Cole
Collins
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
Deal (GA)
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Everett
Farr
Fattah
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harman
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoeffel
Holden
Houghton
Hoyer
Hunter
Isakson
Israel
Issa
Istook
Jackson (IL)
Janklow
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lowey
Lucas (OK)
Lynch
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McCrery
McHugh
McKeon
Meehan
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Northup
Norwood
Nunes
Obey
Olver
Ortiz
Ose
Oxley
Pascrell
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Saxton
Schakowsky
Schrock
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Vitter
Walsh
Wamp
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (FL)

NOT VOTING—10

Berman
Buyer
Combest
Gephardt
Hyde
McCarthy (MO)
McInnis
Oberstar
Walden (OR)
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote.) Members are reminded there are 2 minutes remaining on this vote).

□ 2241

Mr. PENCE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments?

If not, the Clerk will read the last lines of the bill.

The Clerk read as follows:

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

The CHAIRMAN. No further amendments being in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, pursuant to House Resolution 172, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

(Mr. LAHOOD asked and was given permission to speak out of order.)

DEBT OF GRATITUDE

Mr. LAHOOD. Mr. Speaker, I think we owe a big debt of gratitude for the way that the gentleman from Texas (Mr. THORNBERRY) has conducted the proceedings of the House all day today. Mac, you did a great job.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 414, nays 12, not voting 9, as follows:

[Roll No. 108]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walsh
Wamp
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NAYS—12

Blumenauer
DeFazio
Farr
Flake
Grijalva
Kucinich
Lee
Lewis (GA)
Paul
Sanders
Watson
Woolsey

NOT VOTING—9

Berman
Combest
Gephardt
Hyde
McCarthy (MO)
McInnis
Oberstar
Walden (OR)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are reminded there are 2 minutes left in this vote.

□ 2259

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 2300

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Texas (Mr. DELAY) for the purposes of informing the body as to the schedule for the coming week.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman from Maryland (Mr. HOYER) yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under a suspension of the rules and a final list sent to Members' offices by the end of the week.

We may also consider a motion to go to conference on the Armed Services Tax Fairness Act and any votes called on these measures, though, will be rolled until 6:30 p.m.

On Tuesday we expect to consider several additional bills under suspension of the rules, as well as S. 380, which is virtually identical to the Postal Service Reform Bill that we had scheduled for consideration tonight.

For Wednesday and the balance of the week we have several measures that we will consider under a rule. These include the gun manufacturers liability Reform Bill that was reported by the Committee on the Judiciary earlier today, the comprehensive energy policy bill, the FY 2004 Budget Resolution Conference Report, and the Conference Report on the FY 2003 War Supplemental.

I would note for Members that we plan to stay in session into the weekend if necessary in order to complete the supplemental before our spring recess.

I thank the gentleman for yielding, and I am happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his information. First, if I might, Mr. Leader, you indicate that we may also consider a motion to go to conference on the Armed Services Tax Fairness Act on Monday. Do you know whether that is more definite now? The reason I ask that is we may want to have a motion to instruct on this side.

I yield to the gentleman.

Mr. DELAY. I appreciate the gentleman yielding and I wish I could give him a more definite answer. We are trying to consider how we would approach this very important bill and we want to get it out before the Easter break. And the best I can tell the gentleman is it looks like we are going to conference on it or we want to go to conference on it. But I do not want to mislead him. There may be other alternatives available to us after we consider work with the Senate.

Mr. HOYER. I thank the gentleman for that information, and I would appreciate as soon as you know how you are going to handle this if you would let us know.