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House of Representatives

The House met at 1 p.m.

The Reverend Ralph Clay, Christ's Community Church, Portsmouth, Ohio, offered the following prayer:

Dear God, we have gathered here today to seek Your wisdom and guidance as the House convenes. I pray for President Bush as he leads this great country. Give him the strength and courage necessary to perform the duties of his office. Thank You, almighty God, for the blessing of living in a free Nation. May we always be grateful for freedom. May our citizens know peace. May our hurting know compassion. May our leaders discern between good and evil and have the courage to stand for that which is good.

Almighty God, unify us, protect us, and cause us to trust in You with all our hearts.

Bless this House today as they carry out the responsibility of governing this great country, the United States of America. This I pray, amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PORTMAN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill and a joint resolution of the following titles in which the concurrence of the House is requested:

S. 1053. An act to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

S.J. Res. 18. Joint resolution commending the Inspectors General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government during the past 25 years.

WELCOME TO PASTOR RALPH CLAY

(Mr. PORTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTMAN. Mr. Speaker, I rise to welcome our guest pastor today, Pastor Ralph Clay. We are very thankful for his presence and for his humble ministry to God.

Pastor Clay joins us today from Christ Community Church in Portsmouth, Ohio. Pastor Clay is a respected faith leader there and also a respected community leader who has made life better for those living in Portsmouth, Ohio, and the surrounding areas. In fact, I just learned this past weekend Pastor Clay and Christ Community Church made life a lot easier for single parents, regardless of whether they were members of his church or not. They offered a variety of free services from financial counseling and diabetes screening to oil changes for single parents, and they had a great response.

As an ordained minister for 38 years and a gospel singer since age 6, and I have heard his voice and it is beautiful; he has been active in his community his entire life. He has been involved with the local housing authority, the public library, the inner-city development corporation, and is a member of the Pastoral Care at Southern Ohio Medical Center.

Pastor Clay has been married to his wonderful wife, Marilyn, who is with us today, for 39 years. They have four children and two grandchildren. He is an outstanding family man, minister, and member of his community. It was humbling for all of us, I know, to hear his inspired message this afternoon in this historic Chamber.

Thank you, Reverend Clay, for joining us.

PERMISSION FOR MEMBER AT ANY TIME ON OCTOBER 15, 2003, TO ADDRESS THE HOUSE FOR 30 MINUTES

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that at any time on the legislative day of October 15, 2003, the gentleman from California (Mr. LEWIS) may be recognized to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION FOR MEMBER AT ANY TIME ON OCTOBER 15, 2003, TO ADDRESS THE HOUSE FOR 30 MINUTES

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that at any time on the legislative day of October 15, 2003, the gentleman from Wisconsin (Mr. OBEY) may be recognized to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

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LIMITING PERIOD OF DEBATE TIME UNDER THE ORDER OF THE HOUSE OF TUESDAY, OCTOBER 14, 2003

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that the period of debate on emergency supplemental appropriations under the order of the House of October 14, 2003, be limited to 5 hours, divided equally and controlled by the chairman and ranking minority member of the Committee on Appropriations or their designees.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was objection.

BUILDING MOMENTUM

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, since the first days after 9–11, President Bush has made two points very clear in his vision for American security: first, that the top priority of his administration is to defend our Nation and free nations everywhere by declaring and winning a war against global terror; and, second, that this war on terror is unlike any conflict in history, fought simultaneously on economic, military, and diplomatic fronts around the world.

In the last 2 weeks, good news has emerged in several of these sectors. First of all, American businesses created 57,000 jobs last month, strengthening our economy and putting paychecks back into our people's hands. Our national security is dependent on the creation of even more jobs and economic growth so that we can afford to meet the ever-changing challenges on the war on terror. That is why President Bush's tax relief has proven so vital and why proposals to raise new taxes are so dangerous.

Even as the economy rebounds here at home, we have got to keep military, diplomatic, and economic pressure on terrorists around the world.

So this week, after 2 weeks of hearings, the House will take up the President's supplemental war budget to pay for our ongoing military and democracy-building efforts in Iraq and Afghanistan. We are also committed to keeping up the diplomatic pressure on states that harbor and assist the terrorists themselves.

Toward that end, today the House will also take up the Syria Accountability and Lebanese Sovereignty Restoration Act. This bill, which is cosponsored by 260 Members, identifies Syria's continued actions assisting international terrorism and lays out potential sanctions against Syria for such activity.

All three of these items, Mr. Speaker, the growing economic recovery, the supplemental war budget, and the Syrian accountability bill, are interrelated and, as they move forward, will continue to build America's momentum in the war on terror. That momentum will continue to forge prosperity and security for the American people and, in turn, create peace around the world.

NOT THAT MUCH GOOD NEWS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think that there is not that much good news. We will begin today a process of deliberating on the $87 billion that this administration has asked this Congress to decide on. As those who take a loyal oath to this Nation, we will do our very best to make decisions on behalf of the American people.

But there is not good news in Iraq. Our young soldiers are confronted with sniper shooting and landmines. There is not good news amongst their families when National Guardsmen and Reservists are not getting the fullest pay that they need to have. There is not good news when our soldiers do not have a time certain or do not have an opportunity to rotate out, as we have known to happen in past operations.

I had the opportunity to meet with these young people. These are young people who are fighting on the frontlines who have taken an oath, who believe in this country. I think it is our obligation as we debate this supplemental, the largest supplemental in the history of this Nation, that we deliberate over a period of days, not 48 hours, and ensure that the American people know that when we vote on the supplemental, it is not for the brass, it is not for corporations, but it is for our children, the young men and women who are on the frontline. I believe that the vote should be delayed so that we can do what is good for those young people.

WELCOMING THE BULGARIAN SPEAKER TO U.S. CAPITOL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, today America welcomes to Washington the Speaker of Bulgaria's National Assembly, Ognian Gerdjikov. Tomorrow morning, the Speakers of our two democracies will meet for the first time in history. The Bulgarian Speaker and the United States Speaker of the House, the gentleman from Illinois (Mr. HASTERT), will meet here in the Capitol. Additionally, Speaker Gerdjikov will meet with our majority leader, the gentleman from Texas (Mr. DELAY).

Bulgaria has become a great friend and ally to America, emerging from totalitarian communism to recognizing 100 years of diplomatic relations with the United States and, now, unwavering partnership in the war on terrorism. To commemorate the 100th anniversary of diplomatic relations, their country has produced this beautiful medal indicating how significant it is, this friendship with America.

I ask all of my colleagues to join me in welcoming the Bulgarian Speaker and other members of the National Assembly to the United States Capitol. This indicates the growing significance of the Bulgarian-American friendship.

In conclusion, God bless our troops.

TROUBLING CIRCUMSTANCES SURROUNDING WAR SUPPLEMENTAL

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, like many of my colleagues, I am troubled about the supplemental which is to come before us today. Like all of us, I wish to support our troops. But I am troubled about the fact that there have been no legislative hearings on this matter and that the authorizing committees have not spoken. I am troubled about mixing defense and reconstruction. I am troubled about the way that this matter has been handled up to this particular time and about the way the administration has used the military to handle the reconstruction, which was not done in the time after World War II.

I am troubled about the need for audits. I am troubled about the fact that we have here no protection against sole-source and contracts not subject to bidding. I am troubled about the buying of non-American goods by the agencies in charge of these things. I am troubled about the postal reform that we are going to be financing, or the building of the ZIP code for Iraq. Neither is an emergency need for Iraq.

Why are we funding two prisons at $50,000 a bed. I would suspect that Iraqis might very well decide it would be useful either to shoot Americans or Iraqis just to get into a prison of that luxurious quality. I would note that pickup trucks at $33,000 a piece or trash trucks at $50,000 tend to be something that looks fine to the Iraqis, but I think not so well to the American taxpayers who are going to be footing the bill and giving up programs needed here at home for our people.

SUPPORT RESOLUTION HONORING BERNICE JONES

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Mr. Speaker, today I am introducing a resolution honoring the memory of Mrs. Bernice Jones of Springdale, Arkansas. She passed away on September 10, 2003.

Mrs. Jones married her husband, Harvey, in 1938. Together they established

Jones Truck Lines, Incorporated, which became the largest privately owned trucking line in the United States. In 1980, after selling the company, Harvey and Bernice Jones made it their mission to foster the growth of their community.

Over the years, the Joneses were instrumental in the development of many facilities which improved the quality of life for all Arkansans. A few examples are the Harvey and Bernice Jones Eye Institute and the Jones Center for Families. Even after Harvey's death, Bernice continued to donate millions of dollars to educational pursuits throughout Arkansas.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Jones and for the timely passage of this resolution.

□ 1315

SUPPLEMENTAL APPROPRIATIONS

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.

Mr. DEFAZIO. Mr. Speaker, today Congress will begin the debate on borrowing $87 billion to continue the conflict in Iraq and build that country. Not rebuild it, build it. It is not for war damage; it is a vision of people in the Bush administration of the needs of the Iraqis, which apparently exceed the needs of Americans when it comes to clean water. They are appalled that they have open water systems; we have open water systems in the U.S. They are appalled that the port does not have state-of-the-art cranes. Well, we have got a lot of cranes missing from ports in the United States.

Then the most outrageous thing is somehow we have troops over there without ceramic body armor. Despite the fact, we appropriated $79 billion earlier this year, $300 million to buy $27 million worth of vests. There was a nearly $400 billion Pentagon budget; could not find the $23 million there. Now, we are told they need another $300 million to buy $23 million worth of vests. How many times are we going to buy these things? What is going on?

When are the troops going to get the equipment they need? Billions and billions for contractors, for Pentagon procurement, but the troops do not have the basics. There is something very wrong with this picture.

MAKING $18.6 BILLION OF SUPPLEMENTAL APPROPRIATIONS A LOAN

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, today we will be considering the $87 billion supplemental that was just referred to. Sixty-six billion dollars of that will go for military aid, and I have no opposition to that at all. I am very supportive of making sure our troops have what they need to come home safely and get their job done. But $18.6 billion of this supplemental is going for a reconstruction plan that will be in the form of grants, of gifts that will never be repaid to the people of the United States.

I will be offering an amendment that will make this $18.6 billion in reconstruction come in the form of loans that will be repaid. That will be ruled out of order. And when it is, I will offer a second amendment, immediately, which will cut $18.6 billion from the supplemental package. This $18.6 billion will be cut specifically from reconstruction.

If my second amendment passes, the administration will quickly return to us with a proposal for $18.6 billion to be in the form of a loan. I would ask my colleagues to join me in saying if we are going to give $18.6 billion to oil rich Iraq, let us get a repayment. Let us make sure our people do not have to bear this burden and our children repay that debt.

REJECT THE RULE ON THE SUPPLEMENTAL APPROPRIATIONS

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHERMAN. Mr. Speaker, this House should reject the rule on the supplemental unless it allows us to do three things. First, we should be able to vote on an interesting issue. We are told we are providing $87 billion for our troops. Wrong. We are forcing our grandchildren to provide $87 billion for the troops. The House should be allowed to vote on whether we add revenue raisers to this bill, so that we can pay for what we are doing.

Second, we should be allowed to vote on whether to prevent any waiver of the contracting rules, so that we can assure our constituents that all the money is not going to Halliburton in sole-source contracts.

And, finally, as the gentleman from California (Mr. ROHRABACHER) pointed out, we should be allowed to vote on whether this money is going as loans or gifts—the money, that $18.6 billion that is going not to rebuild, but actually to build Iraq. Why is it that we are told that Iraq cannot borrow the money? Because they already have $100 billion in debt. So the question is does Saddam Hussein's debt need to be repaid by American taxpayers.

RECOGNIZING THE STUDENT PARTICIPANTS IN SOUTHWEST FLORIDA'S CONGRESSIONAL CLASSROOM PROGRAM

(Ms. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HARRIS. Mr. Speaker, just a few weeks ago, 21 exceptional students from southwest Florida experienced an adventure of a lifetime. As participants in the 13th Congressional Classroom Program, these competitively and independently selected young men and women spent a full week in Washington engaging in unique up-close studies of our Federal Government.

They learned from a bipartisan array of some of the most eminent and experienced leaders in Washington, including the gentleman from Illinois, (Mr. HASTERT), Deputy Secretary Richard Armitage, and CSPAN founder, Brian Lamb. Later they applied their newfound knowledge in a mock congressional session.

Mr. Speaker, the enthusiasm and zest for the values of this good citizenship that these students displayed was truly remarkable. I thank them for their dedication and inspiration while looking forward to the outstanding contributions that they will make to our society in the future.

TURKISH PARLIAMENT VOTE TO SEND TROOPS TO IRAQ

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, this Member rises to commend the Turkish Grand National Assembly for its decision to approve the deployment of Turkish troops to Iraq to help restore security and stability there.

Last week, the Turkish parliament voted by a nearly 3 to 1 ratio to authorize the government to send troops to Iraq. This was an important and politically courageous step by our fellow parliamentarians in Ankara, one that could help stabilize Iraq, while at the same time helping to repair Turkish-American relations, a strong and positive signal that the Turkish parliament values the Turkish-American alliance and that the vote last winter was an unintended anomaly in our relationship.

This Member is optimistic that this vote marks a return to a normal pattern of cooperation that has marked Turkish-American relations. At the same time, we should recognize it was a courageous vote because many Turkish voters harbor an understandable concern about sending their soldiers on an operation abroad, especially to their neighbor. Yet our Turkish colleagues recognized that international security depends on the stabilization of Iraq, and they have agreed that Turkey should play a role in helping to rebuild its neighbors.

Mr. Speaker, despite the concerns of some Iraqis, the Turkish parliament's decision yesterday is a positive step and I commend them for it.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2004

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to the order of

the House of today, the gentleman from California (Mr. LEWIS) is recognized for 30 minutes.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have never been more proud to be a Member of the House of Representatives than during a recent trip, when I had the privilege of chairing a delegation of 17 Members who traveled to Iraq, the largest delegation to travel there to this point. And, indeed, it was a delegation made up of liberals, of conservatives, of Democrats, Republicans, of people who voted against the war in the first place, of individuals who supported, very strongly, the President's position in the region. The map is different than the territory, the saying goes.

And one really has to visit this country and see firsthand what has taken place there to get an understanding as to why America has such a vital and important role in the region.

Indeed, it is my view that Iraq can become a model of developing countries within the region, where there is new opportunity for freedom, for enterprise, for democracy, for, in this case, the first time in their history.

Indeed, during our travels, we had a chance to see absolutely the worst of the most significant totalitarian regime to operate in this shrinking world in modern times. Absolutely, this regime carried forward in a fashion that treated its people worse than or just at least as bad as the experience in Nazi Germany, as well as during the reign of Stalin.

To visit the killing fields where you see mounds of dirt, clothing poking out, where relatives had come to try to dig out the bodies of their loved ones who had been murdered at such locations, several such locations, perhaps in the hundreds in Iraq where between half a million and 1.5 million Iraqis were murdered by Saddam Hussein and his henchmen, to have the experience to see firsthand what has happened over these past 35 years to their infrastructure, utility plants. We visited one location where there were four stacks, two of them operating, but inside you could see the deterioration. I mean, literally, grime everywhere, steam flowing that should not have been flowing, basic infrastructure that had been ignored.

Iraq is fundamentally a very wealthy country, a country that has agricultural potential that would cause it to rival any country in their region. A fabulous people of great intellect and educational background, an oil reserve that has huge potential, that too, for one reason or another, to my astonishment, Saddam Hussein allowed to deteriorate. So at this point, this country with potential is burdened by a huge debt, made largely by our friends like Germany and France, who we hope, sometime in the near term, will consider forgiving much of that debt so that Iraq has a chance to get back on track.

Indeed, it is critical for us to recognize that the supplemental that is before us later today involves some $65 billion to support our troops in Iraq, in Afghanistan, and elsewhere.

The balance of the $87 billion package, some $18.5 billion, is to give direct assistance for the reconstruction of this Iraq. It is the chance to provide a democratic opportunity as well as economic opportunity for these people who have been under such burden for so long.

Mr. Speaker, I yield 6 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, first of all, I want to commend the gentleman from California (Mr. LEWIS) and the other Members who joined us on this trip, the gentleman from Texas (Mr. BONILLA), the gentleman from New York (Mr. WALSH), who are also the subcommittee chairs on the House Committee on Appropriations. We had an outstanding group.

It was a tough trip. We flew into Amman, Jordan, and the next morning went in on a C–130, an old C–130, I think it was a 1962 vintage, and landed in a kind of military landing at Baghdad International Airport.

We had a chance then to be briefed by Mr. Bremer's people. Mr. Bremer had actually briefed us here in the country. General Sanchez gave us a good rundown on what was going on. As the gentleman from California (Mr. LEWIS) mentioned, we went south to look at an area where somewhere between 300,000 and 1 million Iraqis had been murdered. And it was a very sobering experience. And we actually talked to people who had witnessed with their own eyes the killing of these people.

The next day we went north to Mosul, met with General Petraeus, had a chance to see his good work with the 101st Airborne. And we also visited a hospital that day and a power plant, which the gentleman from California (Mr. LEWIS) had just mentioned. And in all these instances, we were stunned to see how run down the facilities were in the country. Saddam Hussein had spent his money on palaces and on the military and had let his country deteriorate.

We had a chance to talk to a number of Iraqis, and, also, we had to recognize that there was a major security problem and one that we have to continue to deal with. There has been a lot of debate here in the Congress in both bodies about loans versus grants, but the consensus of our group, the 17 Members that made this trip, was that we came away feeling that if we were going to set an example for the rest of the world, we have to step up here because the security of our troops are directly related to the ability to get this moving, to get the electric energy producing at a higher rate, to restore the oil producing facilities. All of this depends on an investment by the United States.

And Iraq already has $100 billion of debt to other countries. And it was run up by Saddam Hussein. And reparations are being demanded by other countries including Bahrain and Kuwait.

In the Committee on Appropriations, we had an overwhelming majority in favor of not only funding the military operations both in Iraq and Afghanistan, but also to do the economic work that is so essential to build the trust with the Iraqi people. And it is interesting when you talk to and read some of the articles, the reason that these people are cooperating with the United States is they see the fact that we are there trying to help their country.

Up in the north, for example, Saddam Hussein's two sons were captured by a tip from a person who had been working and cooperating with the 101st Airborne with General Petraeus' people.

□ 1330

And I believe that if we can continue to build this relationship and work with these people, we can get this security situation under control. Clearly, that is not the case as we speak here today. The security situation is still very dangerous inside the country.

We had a chance to be briefed on the improvised explosive devices, the other tactics being used by the people who are part of the former Baath Party, former members of Saddam's regime. There may be, who knows, 5,000, 10,000 of these people still opposed to the United States and to our coalition; and we need to have a good effort there with our intelligence community and with our Special Forces to go after those people inside the country.

Again, it is the cooperation of the Iraqi people in giving us tips, letting us know who the bad guys are, letting us know where the safe houses are where these people are being protected by others. And I believe if we are going to be successful and we get our children home, if we are going to get them home in the near future, we have to build this relationship, and we have to help them develop their country, develop their democracy. And then they in turn can help us resolve the security issues.

We are training police as we speak. We are training people to be able to go back into their own militia so they can defend and protect their own country. So I think that we are making a significant amount of progress.

Ambassador Bremer is doing a good job, but he needs the resources. And also if we are going to ask the rest of the world to make grants, the Japanese, the Germans, the Brits, how can we do that if we are going to say we are going to loan them the money? Frankly, there is no one to loan the money to at this point. And I would doubt that they could repay the money under any circumstance. So it would be a grant, but we would be making a very nondirect and dishonest statement to the American people.

Again, I said I wanted to commend the chairman and all the Members who went. We had a chance to see what is

happening there. I recommend to the Members of the House to go and see for themselves. We are making progress. Security is still an issue; but things are getting better, and they are certainly moving in the right direction. And we need the support of the funding for the troops and to reconstruct Iraq.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BONILLA).

Mr. BONILLA. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I want to empathize that this trip by the congressional delegation was historic. It was a bipartisan trip; and I congratulate my colleague, the gentleman from California (Mr. LEWIS), for putting this incredible group together. It was a large group and it reached across the political spectrum.

All of these Members were taking this situation in Iraq very seriously and they were seeking the truth about Iraq. We were all choosing not to just get our information from news media reports that appear each night on the networks or from some of the major newspapers that only take snippets of what is actually happening in Iraq.

The truth we discovered was that the 31-member coalition has a solid grip, a real plan on improving and stabilizing a free Iraq by helping rebuild the infrastructure, establishing border security, and also trying to help build a new military for Iraq that would be on our side and would fight side by side with us, Iraqis working with us to create a country that is no longer an outlaw nation and no longer led by a rogue dictator in Iraq.

This is important to the safety of our people. And I think the strongest message we have for anyone out there who is mulling this issue over in their mind is this is about creating a safer world, about a safer country, about fighting the war on terrorism in Iraq and winning, because ultimately it will eliminate this haven and this opportunity for terrorists to thrive in that part of the world.

I was so impressed that the delegation came back, again, in a bipartisan way and reached the same conclusion. The conclusion says we must win this war on terrorism in Iraq and we must stand with our State Department, with our military, with Mr. Bremer, the administrator who is doing an incredible job in Iraq. We must win this effort. And, again, this is a bipartisan effort that we feel very strongly about, and we will be debating this in the next day as we approve the funds that are necessary to complete this mission.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from San Diego, California (Mrs. DAVIS of California).

Mrs. DAVIS of California. Mr. Speaker, I wanted to thank the gentleman from California (Mr. LEWIS), and I wanted to thank him particularly for his leadership on this trip.

Mr. Speaker, I rise in reluctant support of the supplemental appropriations. Had I not been to Iraq and seen for myself the extent of their needs, I may not have supported it. But I cannot begin to describe the images there of Third World conditions in hospitals, the decay of infrastructure, the lack of drinkable water, the pervasive sense of insecurity and more.

Mr. Speaker, I opposed our unilateral invasion, but now I see that as liberators and occupiers we face an overwhelming challenge to craft the environment that will allow the Iraqis to create a viable future by drawing both on their innate and natural resources.

As I spoke to several of our commanders in the field, it became clear that the needs of the military for better force protection and the need to fund major infrastructure projects are linked. And, in fact, security and reconstruction are inseparable. To be sure, as conditions for Iraqis improve, it will impede the efforts by militant forces to recruit young men and destabilize the country. And also better living conditions will increase trust and motivate more Iraqis to provide friendship to security forces. However, we cannot continue to go it alone.

A recent RAND report states what we all know: Building a democracy, a strong economy and long-term legitimacy depends on striking the balance between international burden-sharing and unity of command. The U.S. cannot generate the required resources and endurance relying principally on the limited coalition that fought the war.

The U.S. portion of the cost should be a sacrifice shared equally among all Americans, including the wealthiest. Now it is our military and their families who bear the burden and face the ultimate sacrifice. That is why I will support an amendment to help fund this effort by freezing the tax brackets for upper incomes.

Further, had the Committee on Appropriations not adopted the accountability measures offered by the minority whip, I might have opposed the legislation. The President would do well to allay the concerns of a skeptical public and Congress by endorsing and accepting these accountability standards.

In a town hall meeting I sponsored in San Diego this past weekend, I heard voices, voices of outrage that echo those of many of my constituents who have contacted me. And what I learned mirrors my own reaction setting foot in Iraq: we have not well prepared our constituents and all Americans for the aftermath. That is why this legislation is difficult to swallow. But to be sure, we should have better applied the lessons of our most recent history. Having opposed the invasion, I question where we are today and the final cost in dollars and lives, but walking away now is simply not an option.

With the approval of the $87 billion, we may or may not succeed in our efforts. But without it, Mr. Speaker, we are guaranteed failure.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, I thank the chairman, the gentleman from California (Mr. LEWIS), and the gentleman from Washington (Mr. DICKS) for organizing and leading this delegation to Iraq. It was a remarkable journey and lots of observations, I think, are important that the American public hear from us.

First of all, I am here to support the emergency supplemental, $66 billion for our troops. They need this money for equipment and to continue to do their jobs, which they have done courageously and brilliantly in war and in peace. I do not think the American public has any idea of how bright and effective and resourceful our soldiers are in war and in peace. I have never seen so many masters of public administration degrees in one place as I have in our United States Army and in our Marines. They are doing a remarkable job in very difficult conditions.

The $20 billion for the rebuilding of Iraq and some for Afghanistan is essential. This will not only help to restore the strength and the vibrancy of that country but it will also help our troops to do their job. A New York Times reporter stated recently, ''We broke it. We need to fix it.''

Well, we did not break it. The United States did not break Iraq; Saddam Hussein broke Iraq. Our soldiers in their execution of this war were extremely careful. They went after Saddam's palaces, military installations, Baathist Party headquarters, the political and military infrastructure. The roads and bridges and canals of this country were relatively untouched, which is remarkable. When I tell people that back home, they say, well, why do we not hear that more often? I do not know why, but that is one of the reasons I wanted to speak today.

This should not be alone. Iraq is heavily burdened by reparations to Kuwait, which I do not believe they should pay. Kuwait is a wealthy country. The loans that were made to Iraq were made to Saddam Hussein by Western powers. I think we should work with them to forgive those. I do not think we should be a party to putting more burden on the Iraqi people.

They will have the resources within a year or two to run their own country, to manage their own affairs. But this infusion of funds will help them get their power grid up, which was destroyed by looters after the war, not during the war. Their water grid, Saddam did not build water systems in the north or the south because they were not his supporters. We need to make sure the Kurds and the Turkmen and the Shea peoples have the same quality of life that they have in central Iraq.

This country has tremendous potential. We all saw it from 150 feet off the ground in Black Hawk helicopters. We saw the potential. This is an agricultural mecca. They have the Tigris and

Euphrates rivers; the Fertile Crest that we all studied about in school is still there. They have top soil 4, 5, 6, 7 feet deep, 1,000 miles long, 100 miles across. They can feed most of the central part of Asia. But most importantly, if this country becomes democratic, and I think it can if we stay with the task and get the job done, it will be a beacon, as our leader said, to the rest of the Middle East which is sorely lacking in democracy.

It will put pressure on the Saudis, the Syrians, and the Iranis to follow suit and give their people a stake in their government.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KIRK), another member of our delegation.

Mr. KIRK. Mr. Speaker, history has an uncanny way of reminding us of our own motivation. When General Marshall outlined his program to help Europe, he did not know 30 years later the United States would stand at a similar crossroads. The 400,000 Americans killed in World War II paid the ultimate price for the mistakes made after World War I. And following the second European war, the continent ran out of food and suffered from runaway inflation and turned to communism.

Learning the lessons of World War I, we came forward with the Marshall Plan, and it went beyond feeding the hungry and laid the foundation for the post-war recovery. Unlocking the potential of Europe, revitalizing the economies of 17 countries, expanding foreign trade, striking a blow against communism, these were all worthy goals but they cost an expensive $105 billion.

We are at a similar crossroad now. We know that President Truman's decision to back the Marshall Plan helped prevent World War III. A third generation of Americans did not return to Europe, and today we face similar questions. In the House of Representatives as we debate $19 billion for Iraq, we consider Truman's question: How much would you pay to avoid World War III? And the answer from the American people was $105 billion.

So looking at the unfinished work of Desert Storm, how much would we pay to stop a third war in Iraq?

Well, cost is relative to income. Today's U.S. economy is larger than it was in 1947; the Marshall Plan imposed a heavy burden on our economy, 5 percent of the economy. This plan costs .02 percent of our economy. In this way, it is 200 times less expensive than the Marshall Plan.

Now, as part of this delegation, I was in Baghdad. I saw the main power plant returning to prewar capacity. I saw firsthand a budding democracy taking root on the front pages of no less than 120 newspapers. Under Saddam, half of all children did not go to school.

□ 1345

Last week, 90 percent of kids returned to class, many with the 1.5 million book bags provided with the U.S. flag embossed on the front. They returned to class also with five million textbooks, but these textbooks were absent the pictures of Saddam and the rhetoric of hate that undermined the future of this region.

Like their predecessors in Europe, our troops should finish this mission, earning a ticket home with no future Middle Eastern war forcing a return to the killing fields of Iraq. As the elected Representatives of the American people, we need to decide how much it costs to prevent a third war in Iraq. The stakes are very high. Leaving Iraq before our work is done guarantees that another generation of Americans will have to return to fight there. I think that is a risk that I am not willing to take.

I really applaud the bipartisan leadership that we had, especially the gentleman from Washington (Mr. DICKS) standing with us, and I thank my colleague for the opportunity to talk today.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

I very much appreciate my colleague's expression of concern.

Mr. DICKS. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Speaker, I think one thing that since we have gotten back on this trip and having a chance to reflect on it, and I appreciate the gentleman's very kind remarks, and I think the analogy of the Marshall Plan is a good one to think about in the context, but it is becoming clearer, the administration, I think, is working hard at the U.N. to bring other countries in. We need some partners in this operation to pay part of the cost, to share part of the burden, because it is, in fact, a U.N. resolution that we were enforcing when the United States went into Iraq, and I believe it is now time for the United States to reach out to the rest of the world and to bring the rest of the world into this operation. We may still have to lead it militarily, but on economic development, on moving the country forward, providing assistance, I think this is the time when that needs to happen.

Mr. LEWIS of California. Reclaiming my time, I am struck as the gentleman is making remarks, he talked a lot with us about the fact that the funding flow that may come from this supplemental, including the reconstruction, are as much designed to help secure our troops as anything. Would my colleague react to that?

Mr. DICKS. Mr. Speaker, if the gentleman will yield, I am having a hard time hearing over here.

Mr. KIRK. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Illinois.

Mr. KIRK. Mr. Speaker, for example, this money is going to help support 240 health clinics around Iraq. Those health clinics will be close to where our troops are stationed. So the people of Iraq will see that we are adding to the health infrastructure of this country and know that it is because of the presence of Americans. It helps protects our troops.

Mr. DICKS. If the gentleman will further yield, General Petraeus was up there explaining, opening these schools, getting people back to work, helping to train the police, selecting the local mayor, selecting the governor of the province. All these things are being done, and what they need in order to continue to do this is resources for reconstruction, and I think one of the things that I fought hard for in the bill was to make sure that the commanders are given some flexibility to be able to do some of these things because they are like the local mayors. They are out there in those provinces working on these issues, and his point over and over again, it is directly related to the security of our troops and the coalition troops.

If we do these things and build a relationship with the Iraqis, it is going to make it easier to protect our kids. That is why I think it is so crucial that we keep this package together, and that is why I think the money for reconstruction is just as crucial for security purposes as the other funding.

Mr. LEWIS of California. Mr. Speaker, reclaiming my time, we learned many a thing during our trip to Iraq, but most impressive to me is that the media has talked much about the fact that there were not people cheering in the streets when we arrived in Iraq. I can tell my colleagues that was largely true because of the fear that remained on the part of the people in Baghdad, but as we flew over hundreds of miles of Iraq, very low altitudes in helicopters, one of the great impressions was endless farmhouses, kids running out of the houses, families running out of the fields, waving at the helicopters.

I can tell my colleagues they were not waving at Congressmen. They did not know we were there. They were waving at American troops who were there providing them with an opportunity for peace and, indeed, for freedom in the years ahead.

Above and beyond that, among the horrendous actions of this terrorist, indeed Saddam Hussein, directly impacted the mortality of the children of Iraq from a time when the children of Iraq lived as long as children in the whole region. It now has one of the worst child mortality rates in the entire world.

Beyond that, one of our colleagues, one of the Democrats with us, a fellow who voted against the war in the first place, kind of crystallized it for me, he said, After all we have seen, this is going to be a very tough vote for me, and he went on to say, After seeing what we have seen, it occurs to me that sometimes we have to be just a bit ahead of where our constituents may

be. It is time for us to lead, and so I am going to vote for this package that is coming to the House.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from New York.

Mr. WALSH. Mr. Speaker, I just wanted to make one point, and it was specifically asked that I do so.

When we split, half our group went to Mosul, half went to Kirkuk. We met with the city council and the mayor of Kirkuk. The mayor spoke first, and the first thing he said in a very emotional way, he was a Kurd, he said, I want you to go back to the United States and tell the mothers and fathers of these soldiers that we are deeply grateful to them for the sacrifices their sons and daughters made to liberate us.

I wanted to make sure that I delivered that message. It was repeated by Shiias, Turkimen and other Kurds who served on the city council. So I just wanted to make sure I made that point.

Mr. LEWIS of California. Mr. Speaker, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Again, we heard the same thing, and again I want to say my own personal thanks to all those who have served in the military operation.

I had a chance to go over right before the war with the chairman and then with the gentleman from Illinois (Speaker HASTERT) and to go again to see the success of the military operation, but again, I want to emphasize, we have got to continue to work on this security issue, to help protect the young men and women.

Many of us have been to the various hospitals to see the wounded. It makes one's heart break that we did not have some of the equipment necessary at the right time to protect them. Now, we have put the money in the budget. We have beaten on the Defense Department to get it out there, and I think they are doing a much better job, but this was a very revealing trip, and I think we are doing the right thing, but we have got to continue to stay with it, bring in our international allies and get this job done, and if we do it right, it could be a great success.

Mr. LEWIS of California. Mr. Speaker, reclaiming the balance of my time, let me say there will be much discussion today about whether we should make a loan or whether this should be a grant, that is, the $18.5 billion piece of this.

Normally, I would have leaned in the direction of perhaps making a loan, but the difficulty with that is that there is a huge burden of almost $200 billion on the backs of the people of Iraq, largely due to Saddam Hussein, and in the latter part of this month, there is a meeting in Spain with the donor countries, and we hope to get the likes of France and Germany and others to forgive much of that obligation so we can get this country back on track. If we are in the lending business at this moment, that donor's conference will become a lender's conference and undermine that capability.

Further, it is very important for us to know that if we are successful in Iraq, it will set a tone for the entire Middle East, expanding the opportunity for freedom and for democratic growth within the region.

This has been a very, very important trip for the gentleman from Washington (Mr. DICKS) and myself and all of those colleagues who joined us. As I said in the beginning, I have never been more proud than I was on this trip than to watch Democrats and Republicans, American Congressmen, working together on behalf of freedom.

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

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2004

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. OBEY) is recognized for 30 minutes.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to myself to explain the procedure of the situation.

Mr. Speaker, we are proceeding under a very unusual circumstance to say the least. We will be having considerable discussion of a bill which is not yet before us but which will be before us tomorrow, assuming that the Committee on Rules brings out a rule that provides for its consideration tomorrow. Meanwhile, we will be having discussions about what the House anticipates will be on the floor tomorrow.

We have just had a half an hour description of a trip taken by one of the congressional delegations to Iraq, and we are now yielding for the next half an hour to other Members of the House who want to express their thoughts on the subject in general, and when we are finished with that half an hour, we will then be proceeding to additional debate, which is provided for on the House floor today through a unanimous consent agreement reached yesterday.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Mr. Speaker, I appreciate the gentleman for yielding me the time.

Mr. Speaker, I will vote for the final supplemental package. However, I do rise to express a number of concerns that I have.

This is the largest foreign aid package that any current Member of this Congress has voted for, and I do not believe that it should be left to our children and grandchildren to bear the burden of today's decision.

During the Committee on Appropriations markup of this aid package last week, I voted in favor of an amendment offered by the gentleman from Wisconsin (Mr. OBEY), the ranking minority member. The gentleman from Wisconsin's (Mr. OBEY) amendment would have transferred $4.6 billion from the reconstruction of Iraq to the equipment needs of our brave men and women who are still in harm's way. I would again support this amendment if it were allowed to be offered in the House because I strongly believe that it is our duty and our responsibility to first ensure that every American soldier and military personnel in Iraq has the equipment they need to fight and defend themselves; secondly, that our generation should pay for it, not our children.

The gentleman from Wisconsin's (Mr. OBEY) amendment would have added additional funds for repairing and replacing equipment used in operations. It would have included funds to allow the Army to increase its number of active-duty troops from the current level of 480,000 to 500,000. These additional troops, enough for one full Army division, after 1 year would help relieve pressure on an already overdeployed active-duty force, but most importantly, the entire $87 billion package would be paid for by canceling the top tax cut rate of 1 percent. The amendment restores the top tax rate to pre-2001 levels of 39.6 percent. It would have placed us in a position of not borrowing money to fight a war today that our children would have to pay for tomorrow.

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

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

This is a very difficult time for me as a Member of this body to come before my colleagues and ask you to seek out, to write, to call, to e-mail and to fax your United States Congressperson, your United States Senator and the President of the United States, letting us know, America, how you feel about $87 billion being spent on the country of Iraq at this time; $66 billion of that is for our troops; 18 plus billion of it is for the reconstruction of Iraq.

I stand before my colleagues as an appropriator, one who has sat in two hearings on the $18 billion of your tax money. At the same time that we are building their electricity, their water, their schools, their hospitals, ours are crumbling. I believe that we should help Iraq, and I think the American people believe that, but we should not be building Iraq better than Iraq was built before the U.S. invaded. I think that is wrong, and I think the American people should speak out on that.

We are in trying times in our own country. Many schools, many hospitals are in dire need. Our judicial system is falling and failing, and yes, we are going to rebuild their judicial system. I think something's wrong with that, and we need to speak out on that, and we need to hear from you, America, on this very question this week. As this supplemental goes this week, today, tomorrow, and probably early Friday

morning, we need to hear from you. It is your money. I am really appalled that it is going through quickly.

I strongly support giving the troops what they need for the next 3 to 6 months. This supplemental is for 15 months. How many hospitals in America will be closing during that time?

□ 1400

How many schools will be crumbling? How many people are out of work? We need investment in America. Yes, we need to help Iraq, after all, we have bombed it, with over 5,000 people killed and two or three of our soldiers being killed every day.

Terrorism is an international problem, and we must address it with leadership and with leaders. So I urge you, America, speak out, let your voices be heard. Fax, call, write or e-mail your Congressperson, U.S. Senator, and President Bush.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair would remind all Members to address their remarks to the Chair and not to individuals who may be watching these proceedings.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time and for the amendment that hopefully he will be able to offer later in this debate.

It is very clear now to most Americans that the administration was planning more for war than it was for the peace after the war. The administration continued to insist that actions would be quick, easy, and inexpensive. The administration continued to tell Americans this even though they were advised otherwise. They were advised by the Council on Foreign Relations, by the James Baker Institute, the Washington Institute of Near East Policy, and the Center for Strategic International Studies. All warned of the postwar violence and the instability that would come about if we did not internationalize this effort immediately.

They also warned about the inability of the oil fields to pay for this; about the special training that was going to be needed by our troops and by an international police force; about the likelihood of post-war violence and the need, again, for a specially trained police. By now, it must be clear that that advice was not taken by this administration.

As a result, we were ill prepared for postwar Iraq. Soldiers were put needlessly in harm's way due to poor planning and the absence of proper supplies, and a mission for which they were not trained and which was properly not theirs. They were improperly equipped for the threat that they faced. And that comes on the heels of spending $79 billion.

The failures and the threats have become even worse, and they continue to grow. The threats are more sophisticated, more dangerous. We now see parties from outside Iraq entering into that. The borders are not secure, and hundreds of American soldiers have been killed and severely wounded.

The administration, in fact, with this first $79 billion and its planning for postwar Iraq has failed in its duty of care it owed these soldiers and their families. Now they seek another $87 billion. How will this be different from the first $79 billion, and how can they justify the additional $45 billion to $70 billion they are coming to ask for us next?

This administration has a duty to the soldiers and the taxpayers to explain how is their safety going to be enhanced; how are we going to increase the number of bulletproof vests that are necessary, the bulletproof Humvees that are necessary. And when are we going to stop sending Guard units into this theatre with inferior equipment?

It is clear to all that we simply cannot leave Iraq. It is not good for Iraq, and it is not good for the security of America. But what we must do is insist upon a plan that will bring about real international participation, force security that our soldiers are due, and a fairness to the taxpayer. But that is not this plan, and for that reason I must vote ''no.''

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. SKELTON), our ranking member on the Subcommittee on Defense of the Committee on Appropriations.

Mr. SKELTON. Mr. Speaker, let me commend the chairman and the ranking member of the Committee on Appropriations for bringing to the floor this supplemental appropriations bill. This $86.7 billion supplemental will help improve the quality of life for our servicemembers currently serving in Operation Iraqi Freedom and Operation Enduring Freedom.

I am pleased that the committee chose to continue to increase the imminent danger pay for those who continue to face danger on the front lines. The supplemental also supports a continued increase in the family separation allowance, which will help separated families cope with the cost increases associated with the deployments.

The bill also continues the authorization of per diem travel funding for family members whose servicemember may be ill or injured as a result of the activity or duty; and it would allow the Department of Defense to provide for a per diem to allow the servicemembers to purchase civilian clothing as well.

The bill would improve the security of our forces in Iraq and in Afghanistan, with $251 million being provided to purchase additional special armor plates. These special armor plates are in short supply in Iraq. As a matter of fact, we were told they were 37,000 short. Increased funding has been provided for modern hydration systems, for clearing unexploded ordnance, for spare parts, and other necessary field equipment.

Now, Mr. Speaker, despite these improvements, I believe more could have been done. For instance, the increase in imminent danger pay and family separation allowance increases should be permanent. Next September, servicemembers and their families should not have to wonder again and hope that Congress will do the right thing and extend the increases for another fiscal year.

Additional funds should also have been provided to support the growing number of family assistance centers that are needed, particularly for the Guard and for the Reserve.

In addition, supplemental funding could have been provided to enhance the transitional services for our injured servicemembers for whom continued military service will not be possible.

These are just a few examples of the additional improvements that could have been included in this bill but are not.

Mr. Speaker, I commend the chairman and the ranking member of the Appropriations Committee for bringing to the floor this supplemental appropriations bill for military and reconstruction activities in Iraq and Afghanistan.

This $86.7 billion supplemental will help improve the quality of life for the service members currently serving in Operation Iraqi Freedom and Operation Enduring Freedom, as well as for their families. I am pleased that the committee chose to continue the increase in imminent danger pay for those who continue to face danger on the front lines. The supplemental also supports a continued increase in the family separation allowance, which will help separated families cope with the costs increases associated with deployments away from home. Both increases would be effective for the entire 2004 fiscal year.

The bill would also continue the authorization of per diem travel funding for family members whose service member may be ill or inured as a result of service on active duty, and would also allow the Department of Defense to provide a clothing per diem allowance with which service members could purchase civilian clothing while recuperating from their injuries.

The bill would also improve the security of our forces in Iraq and Afghanistan; $251 million has been provided to purchase additional special armor plate inserts—the armored protective plates that are in such short supply in Iraq. Increased funding has also been provided for modern hydration systems, for clearing unexploded ordnance, for spare parts and for other necessary field equipment.

Despite these improvements, I believe more could be done. For example, the increase in imminent danger pay and family separation allowance increases should be permanent. Next September, service members and their families should not have to wonder and hope that Congress will do the right thing and extend the increases from one fiscal year to the next.

Additional funds also should have been provided to support the growing number of family assistance centers that are needed, particularly for the Guard and Reserves. The majority of National Guard and Reserve families do not live near a military base and has difficulty accessing the family support programs that are provided by the services. Additional funds for family support programs would have been helpful.

In addition, supplemental funding could have been provided to enhance the transitional services for our injured service members for who continued military service will not be possible. Providing more case managers, who provide direct assistance to recovering service members, would help smooth the transition. Creating additional social workers to work with the service member and the Department of Veterans Affairs for follow on health care services and disability compensation would also improve transitional services and help prevent these vulnerable service members from suffering undue hardships.

These are just a few examples of additional improvements that could and should have been included in this bill. While I understand the difficulties the chairman faced in bringing forward a bill that would be acceptable, I believe that the committee should have made a better effort to include the amendment offered by the ranking member, Mr. OBEY, which included a number of these quality of life improvements that I have previously mentioned.

As such, I hope that my colleagues will support those amendments that seek to improve the protection of our troops and the quality of life for themselves and their families.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentlewoman for yielding me this time.

The President has requested of the United States Congress, on behalf of the American people, $87 billion to continue the conflict and build Iraq. I only have three problems with the President's request. Every penny of the $87 billion will be borrowed, obligating this generation and future generations of working Americans to foot the bill.

It could be paid for; just suspend the tax cuts for those who earn over $300,000. It is a time of war and conflict and sacrifice. Maybe there could be a little bit of sacrifice at the top.

Eighty-seven billion dollars is excessive. It is rife with the potential for sweetheart deals and war profiteering. There was a cement plant with a $15 million estimate; done for $80,000. Feed the Iraqi council, 25 people, $5,000 a day. They canceled the contract. They think we are nuts. Mr. Al-Barak on the council says, where you spend a billion dollars, we could do the job for $100 million. So maybe 10 percent of this money is justified.

And it is not to repair war damage; it is to build Iraq, not rebuild Iraq. The President is putting the needs of the Iraqi people first with borrowed funds.

Now, we are going to borrow money to pay Iraqis for no-show jobs, but we cannot get an extension of unemployment benefits out of the Unemployment Trust Fund. The President says we cannot afford it. We are going to borrow money to build a water system for Basra because, ah, we are appalled, they have an open unlined channel providing water. I have a city in my district in Albany, Oregon, that has an open unlined channel providing water for that city, but they cannot get help from the Federal Government because the President says there is no money. We are providing another $50 million for the Port of Nasra. We cannot get money to dredge ports in the western United States. The President says there is no money.

Americans at home need economic security, and the young men and women who we have sent over there need their basic needs in equipment and health care and food and shelter met, and this bill fails on all those points. It is $87 billion that is not going to meet the needs of the American people and the young men and women we have sent into harm's way.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I rise today in total support of our troops, yet I cannot deny my lingering concerns about the supplemental spending measure and the administration's priorities.

Last spring, this Congress provided $79 billion in supplemental funding for military operations in Iraq and Afghanistan. And like most of my colleagues, I voted in favor of the bill and trusted that the administration's request was the result of a proper assessment of our military's needs. Imagine my shock to hear from my colleagues who visited Iraq that our soldiers and equipment are not equipped with lifesaving devices, such as top-of-the-line Kevlar inserts and armor for our Humvees.

I cannot fathom why the Department of Defense did not put our soldiers' lives as a high enough priority to provide each of them with a Kevlar insert, a lifesaving device that costs only $517. I applaud our appropriator for making funding available in this second supplemental spending bill to provide our brave men and women this necessary protection.

I also wish to commend my colleagues on both sides of the aisle for raising the important issue of whether these funds should be administered as loans. With more than a $400 billion deficit and pressing needs here at home, we should be giving serious consideration to loaning these reconstruction funds to Iraq.

Our economy is sputtering along, we are not getting the international financial support we need for Iraq, and our deficit is ballooning. These are all signs that we should be seriously questioning the wisdom of granting Iraq and Afghanistan $87 billion that could be used wisely here at home.

Mr. Speaker, Texas children are being dropped from the CHIPS rolls and losing much-needed health insurance, yet we do not have the money to help our States protect them. Our bridges and roads are crumbling here, but we cannot pass a highway spending bill because we do not want to spend the money to put into it, yet we are supposed to have over $18 billion to simply grant Iraq for its reconstruction. I ask my colleagues, what about this country's reconstruction?

Make no mistake, Mr. Speaker, our troops have my full and unwavering support. They have served our country with honor and bravery, and I am voting for them in supporting this bill. But I implore my colleagues and the administration to remember the urgent needs we have here at home and always put the needs of our country first.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, the administration of George W. Bush has done more damage to our Nation domestically and internationally in a shorter period of time than any administration in my lifetime. In the last 3 years, this Republican Congress has made at least two grievous mistakes by acting on measures without a full and realistic assessment of the consequences.

The first mistake made over time was to pass huge tax cuts for the rich, which have drained the Treasury and created record deficits. The second was authorizing a war against Iraq based on poor intelligence and the misrepresentation of the intelligence we had.

We cannot afford a third mistake. I believe that approving the supplemental gives us the best chance of managing the consequences of the invasion. This vote is not a vote on the Iraq invasion. That question was decided a year ago. And like 132 others in this Chamber, I voted no to war, but the war was authorized. Today's vote is about where we go from here.

Our primary goals are to remove U.S. troops as quickly as possible and to leave the Iraqis with the ability to govern themselves. The sooner we provide safe and stable conditions that allow for self-government, the sooner our troops will come home. That is why, as hard as it is, we need to approve the military and reconstruction package. The alternative is to leave Iraq in a state of anarchy, a power vacuum likely filled by factional militias and terrorists.

Because of the majority's obsession with tax cuts, we are financing this $87 billion package with debt that our children will pay in reduced services and higher taxes for decades to come. The generation that made these mistakes should pay this bill, and that is why we should freeze the tax breaks that the President has given away to the wealthiest 1 percent of Americans.

We do not have good choices as we stand here today, but our troops need Kevlar vests and armored Humvees,

and Iraq needs money for reconstruction. They are poor choices, but I believe we need to support the supplemental.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

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

Mr. SHERMAN. Mr. Speaker, we all support the troops. We all want to see Iraq built, or at least restored. There is only one issue that is in doubt: whether the $18 billion goes to Iraq as a loan or as a gift.

Now, we will have two chances to vote on that issue, at least two. First, the rule will come before this House. A vote for the rule is a vote to say that we will never get an explicit vote on whether this should be a loan or a gift. If you are in favor of an $18 billion gift out of the hides of the American taxpayer, you have to vote for the rule. If you vote against the rule, that opens it up to having a protected amendment, like one that I and others are proposing, to convert the $18 billion from a loan to a gift.

The second opportunity will be on the Rohrabacher amendment, and there will be other amendments, when we can strike the $18 billion. People should understand that does not mean that we do not build Iraq. Instead, that means the administration has to come forward with a loan package. So what is at issue in those votes, the only major issue that is going to be close on this floor, is whether the $18 billion is a loan or a gift.

Now, what happens if we make it a loan? I have a plan. Step one, renounce the $100 billion that Saddam Hussein borrowed.

□ 1415

Step two, loan $18 billion to Iraq. Result: Iraq has $18 billion of debt. The other approach, is to not renounce the $100 billion except that portion, that tiny portion, which is voluntarily forgiven. So then they will owe $60 or $70 or $80 billion, none of it to us. Then in 2008, in 2010, and 2012, the vast majority of Saddam's debt will be repaid.

Who gets the money? Twenty-five billion dollars to Saudi Arabia. Seventeen billion dollars to Kuwait. Seventeen to $30 billion to the other gulf states. That is right. If you go with the plan that is in this bill now, over $75 billion to rich oil states.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Speaker, I think it is absolutely critical that we fund our troops and the rebuilding effort in Iraq, and I think some very good arguments have been made in support of that, particularly by the gentlemen who took the trip to Iraq to see, on the ground, firsthand, what is going on over there. We have an incredible investment over there that we must see through to the end. We must follow through on the policy and try to leave Iraq in as good a state as possible when we eventually withdraw. But the problem I have is I think we ought to pay for it. We should not simply add this $87 billion to the already growing Federal debt. And it is fairly easy to do. The gentleman from Wisconsin (Mr. OBEY) has a suggestion in his amendment to take it out of the existing tax cut but, personally, I would be open to other options that reduce spending elsewhere and cover those costs.

The problem I have with this supplemental is that it simply adds to our debt. And I know it is an incredibly important expenditure. We have had many incredibly important expenditures in the last several years, and we will have many more in the future, but at some point, those expenditures have got to add up to equal the revenue. If not, we are burdening not just future generations, I have heard that, but anyone here who plans on being alive more than 10 years in the future will also have to bear that burden of an incredibly high Federal debt, a debt that is over $6 trillion in total and a deficit that is going to push towards $500 billion next year.

Let us do the right thing in Iraq, but let us pay for it. Let us pay for it preferably out of the tax cut, which could easily afford to see an $87 billion reduction but, as I said, I would have the offer to the colleagues on the other side, if there is some area of government spending that you want to cut specifically to fund it, then that is fine, but we cannot afford to continue to act like the debt does not matter. I think the most scary aspect of the debate on this subject has been the comments coming out of the administration in the last few months that have said just that, that deficits don't matter, that all of a sudden it doesn't matter if you balance your budget. That is wishful thinking and dead wrong. It matters whether or not we balance our budget. Let us start moving in the right direction and do the right thing in Iraq, but pay for it, for once.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, over the next 2 days we will be debating the President's request for $87 billion in military reconstruction efforts in Iraq and Afghanistan. At the outset, I want to acknowledge the outstanding bravery and dedication shown by our men and women in uniform who are serving overseas. After visiting Iraq in August and visiting Afghanistan a year ago, I could not be more impressed with the young people who are standing in harm's way every day on our behalf. Our first priority, then, in this emergency supplemental must be to meet the needs of our troops and keep them safe. It has been alarming to learn over the past several months that many soldiers lack Kevlar vests, that there are insufficient armored vehicles, that spare parts and other essential supplies have not reached our troops. This must be corrected immediately. It is also essential that the administration demonstrate it has a well-thought-out plan for Iraq's reconstruction.

When Ambassador Bremer testified before the Committee on International Relations, I asked him how much of the prewar planning was of use to him in the postwar period. His answer was both candid and astounding. He never read the postwar plan. He never had time to. The lack of adequate postwar planning has hurt our effort significantly. We must insist on far more planning and accountability. Any supplemental appropriation must not be a blank check but should require frequent reporting and consultation with Congress. Americans must also not bear this burden alone. It is in the profound interest of the world community that Iraq be placed on the road to self-governance and that it not be allowed to descend into chaos. The resolution which now appears likely to pass in the United Nations is a positive step forward but those words must be followed by deeds. Other nations must contribute troops and funds toward the security and reconstruction in Iraq. Moreover, private companies must not be allowed to profiteer from the vast sums expended. Open bidding processes should be used whenever possible and greater scrutiny should be applied to any and all contracts awarded. Maximum use of Iraqi labor should be employed to further obtain Iraqi support for reconstruction.

Finally, to the degree we must finance the lion's share of the military reconstruction efforts, this burden must not be allowed to fall to the very soldiers and their children in the future. We should not debt finance this war.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in yielding me time.

Congress will provide the necessary support for our troops, and we will make a significant investment in stabilizing and rebuilding Iraq. But the question before Congress is how best to provide that troop support and how to make the appropriate investment. We have already provided huge sums that were clearly not well spent. We will be approaching $200 billion of borrowed money with no end in sight, and our troops continue to have unmet needs that were entirely foreseen.

This request has serious problems because the administration has serious credibility problems, not just with this Congress. They have a credibility problem with the American public. The people know that the administration exaggerated threats; they dismissed people who gave accurate estimates of costs and consequences; they strained the evidence, to be charitable, and they ignored or misunderstood the realities.

It was wrong to give this administration a blank check to wage unilateral war, and it is wrong to give them a blank check with vast sums of money for reconstruction. While this proposal has been improved by the Committee on Appropriations, there is still too much spent on the wrong things administered by the wrong people.

There should be a better balance between what we spend in Afghanistan and what we spend in Iraq. The leadership of the Department of Defense who overruled the professionals, who have been unable to get it right, should not be administering reconstruction. It should be done by the Department of State, especially utilizing the USAID network.

I would hope that the administration would stop whistling in the dark that this is all going according to plan, and it is going well. They should not lash out at people who are pointing out the obvious problems and flaws. This is an opportunity to have the administration display some candor, maybe a little humility, to help get everybody on the same page. Congress does no one any favors, not our troops, not our citizens, not the Iraqi people, to continue to fund and support the administration's ill-advised and shortsighted plan.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise today to ask my colleagues to insist that accountability is built into the supplemental appropriations. My vote, as a matter of fact, will be contingent on inclusion of an accountability provision.

The history of our Nation has proven that accountability is not only patriotic, it most often determines our greatest successes from our most tragic failures. That is why I support provisions included in the alternative proposal that require reporting on the funding for both the military and the reconstruction components of the bill. By meeting these critical reporting requirements, the administration would ensure the necessary flow of funds to our troops.

Three weeks ago, I introduced legislation that would require similar accountability, and I am pleased that these protections are included in the alternative proposal. We have an opportunity today, Mr. Speaker, to regain an oversight voice that has been lost for too long in this House. It is our duty, our duty to the some 40,000 troops who are serving in combat without Kevlar inserts, our duty to their parents who have to send their sons and daughters the most basic of supplies, and it is our duty to the American taxpayers who are footing the bill, a duty to ensure that these funds are being spent in the most effective and in the most efficient way. I urge my colleagues to demand that accountability is part of this measure.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

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

Mr. DOGGETT. Mr. Speaker, with more than 2,000 young Americans dead and injured in Iraq, we have a constitutional obligation to hold this Administration accountable. We here in Congress need to demonstrate a little more of the type of courage that our young people have shown in Iraq.

We are having this vote now because the Administration has been unwilling to build a genuine international coalition. The price of going it mostly alone is that American taxpayers continue to do most all the paying and our young men and women do most all the dying. Americans must ''pay it all'' because of the ''know-it-all'' ideologues who rejected the advice of our leading military experts, of our strongest allies and the experienced weapons inspectors.

This is not a problem of too little money, it is a problem of too little thinking and planning.

Throwing more taxpayer money at the problem has nothing to do with ''standing by our troops.'' As the data in this chart demonstrates, if the supplemental is rejected entirely, at its current rate of spending, the Army will still have plenty of money for half a year. But the choice need not be between zero and $87 billion. If you really want to stand by the troops, then supplement some now and force the Administration to come back no later than January 2004 with a plan to protect our troops and ensure security in Iraq. Do not give the Administration a pass on accountability and a blank check through the next election.

This vote has nothing to do about supplying Kevlar vests to our troops. It is about providing ''political Kevlar'' to the defenders of a failed policy.

Do not allow the failure of the Administration ideologues in business suits to continue endangering those who so bravely serve us in uniform.

This is an Administration that cannot find Osama bin Laden, cannot find Saddam Hussein, cannot find weapons of mass destruction, cannot even find the person in the White House who was responsible for illegally endangering a woman who put her life on the line working for the CIA. The only thing the Administration can find is the taxpayers' wallet, again and again.

Ms. KILPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I believe it is critically important that we get our military troops all the resources they need to safely complete their mission as soon as possible in Iraq. However, I do not support rubber-stamping this legislation so the Bush administration gets a free ride from Congress and does not have to account for its strategy in Iraq.

Mr. Speaker, I oppose outright the $18 billion in reconstruction funds included in the supplemental and feel the Bush administration has an obligation to explain to Congress why it downplayed our role in reconstruction prior to the war. Last March, Secretary Rumsfeld told the Senate Appropriations Committee, ''I don't believe that the United States has the responsibility for reconstruction. Funds can come from those various sources I mentioned, frozen assets, oil revenues and a variety of other things, including the Oil for Food which has a very substantial number of billions of dollars in it.'' But then the Secretary changed his mind over the last 6 months, stating last month, ''Iraq is in no position to pay its current debt service, let alone take on more additional debt.''

Was the administration bending the truth 6 months ago, or have events changed in Iraq to warrant these reconstruction funds? Congress deserves an answer to that question, and I do not believe we have received an adequate explanation yet.

Mr. Speaker, I will not support a supplemental that does not create accountability for the funds Congress appropriates for no-bid contracts to companies like Vice President CHENEY's old employer, Halliburton. I will not support a supplemental that does not turn the reconstruction funds into a loan rather than a grant. And I will not support a supplemental that is not paid for. If these changes were made, then I could support it, but I do not think that is going to happen. I think that this administration has the bill that they want, and so I cannot support the supplemental that is being put forward today. I think it is a mistake. I think we will regret it. I think, most importantly, we need accountability, and we are not getting it.

What about all the money that could be spent that is being spent on Iraq that could be spent here at home for the needs that we have, whether it is infrastructure, like hospitals or sewage treatment plants, or roads or highways, whatever? Instead, we are spending it on Iraq. We do not need to do it. I think it is a mistake.

□ 1430

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

I first want to say that we have for the next several hours, the next 48 hours, a general debate and a final vote on what we will do with $87 billion of the taxpayers' money that is not paid for. Are we going to saddle our children and grandchildren with this debt? Can some of this be a loan and what is needed right away be sent out forthwith? Those are the kinds of questions, and we hope that some of the amendments will be adopted as we debate the supplemental. Iraq is not a poor country; $2 trillion of oil reserves now can be used to secure and pay back some of this money.

Mr. Speaker, it is important that we get engaged, that we speak to one another, that some of the amendments do

go forth and that we keep America strong, keep our troops healthy and protect them as God would have it.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING AND HONORING AMERICA'S JEWISH COMMUNITY ON 350TH ANNIVERSARY, SUPPORTING DESIGNATION OF AMERICAN JEWISH HISTORY MONTH

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 106) recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an ''American Jewish History Month,'' and for other purposes.

The Clerk read as follows:

H. CON. RES. 106

Whereas in 1654, Jewish refugees from Brazil arrived on North American shores and formally established North America's first Jewish community in New Amsterdam, now New York City;

Whereas America welcomed Jews among the millions of immigrants that streamed through our Nation's history;

Whereas the waves of Jewish immigrants arriving in America helped shape our Nation;

Whereas the American Jewish community has been intimately involved in our Nation's civic, social, economic, and cultural life;

Whereas the American Jewish community has sought to actualize the broad principles of liberty and justice that are enshrined in the Constitution of the United States;

Whereas the American Jewish community is an equal participant in the religious life of our Nation;

Whereas American Jews have fought valiantly for the United States in every one of our Nation's military struggles, from the American Revolution to Operation Enduring Freedom;

Whereas not less than 16 American Jews have received the Medal of Honor;

Whereas 2004 marks the 350th anniversary of the American Jewish community;

Whereas the Library of Congress, the National Archives and Records Administration, the American Jewish Historical Society, and the Jacob Rader Marcus Center of the American Jewish Archives have formed ''The Commission for Commemorating 350 Years of American Jewish History'' (referred to in this resolution as the ''Commission'') to mark this historic milestone;

Whereas the Commission will use the combined resources of its participants to promote the celebration of the Jewish experience in the United States throughout 2004; and

Whereas the Commission is designating September 2004 as ''American Jewish History Month'': Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) honors and recognizes—

(A) the 350th anniversary of the American Jewish community; and

(B) ''The Commission for Commemorating 350 Years of American Jewish History'' and its efforts to plan, coordinate, and execute commemorative events celebrating 350 years of American Jewish history;

(2) supports the designation of an ''American Jewish History Month''; and

(3) urges all Americans to share in this commemoration so as to have a greater appreciation of the role the American Jewish community has had in helping to defend and further the liberties and freedom of all Americans.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

GENERAL LEAVE

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

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

There was no objection.

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

House Concurrent Resolution 106 recognizes and honors America's Jewish community on the occasion of its 350th anniversary. In 1654, 23 Jewish immigrants from Brazil traveled across the sea and landed in North America at New Amsterdam, which eventually became New York City. Over the next few hundred years, millions more Jews from all over the world migrated to the United States in search of a better life. Our Nation is certainly a better place because they have come here. This resolution acknowledges the contributions of Jewish Americans to this great Nation, and I commend the gentleman from my home State of Ohio (Mr. CHABOT) for introducing this concurrent resolution.

Mr. Speaker, this legislation is a fitting way for this House to commemorate the influence of Jewish Americans on every aspect of life in our great Nation over the last 350 years. I urge all Members to support passage of House Concurrent Resolution 106.

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

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

American Jewish history commenced in 1492 with the expulsion of Jews from Spain. This action set off a period of intense Jewish migration. Seeking to escape the clutches of the Inquisition, some Jews in the 16th century sought refuge in the young Calvinist republic of the Netherlands. A century later hundreds of their descendants crossed the ocean to settle in the new Dutch colony of Recife in Brazil, where Jewish communal life became possible for the first time in the New World. When Portugal recaptured this colony in 1654, its Jews scattered to the Dutch port of New Amsterdam, now New York City.

Colonial Jews never exceeded 1/10 of 1 percent of the American population; yet they established the patterns of Jewish communal life that persisted for generations. Jews lived in cosmopolitan cities like New York where there were opportunities for commerce and trade and organized synagogue communities. Charleston, Philadelphia, New York, and Newport each had one synagogue that assumed responsibility for the religious and communal needs of all local Jews. Early Jewish Americans explored, wrote poetry, and created industries. Jews have continued to make important contributions to the history and culture of America. During 2004 and 2005, 350 years of Jewish life in America will be commemorated, honored, and celebrated. Jewish immigration to America throughout the last 350 years brought with it legions of notable researchers, lawyers, statesmen, inventors, artists, authors, musicians, doctors, entrepreneurs, spiritual leaders, and Members of Congress.

This resolution honors the life, culture, and contributions of the 6.5 million Jews who live in America and those who came before them. I join the sponsors in supporting this resolution.

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

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT), the sponsor of the concurrent resolution.

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

I also want to thank the gentleman from Ohio (Mr. PORTMAN), who is the chief cosponsor of this concurrent resolution, and we introduced it on March 20 of this year, recognizing the 350th anniversary of Jewish communal life here in North America and encouraging all Americans to celebrate September, 2004, as American Jewish History Month in recognition of the occasion. An identical resolution was introduced in the other body by Senator VOINOVICH and Senator DEWINE.

Since 1654 when Jewish refugees from Brazil established America's first Jewish community in what is now New York City, millions of Jewish immigrants have come to America and have helped shape our American culture. House Concurrent Resolution 106 recognizes the many contributions of the American Jewish community to this great Nation's civic, social, economic, and cultural life. The resolution also notes that American Jews have fought valiantly for the United States in every one of our Nation's military struggles, from the American Revolution to Operation Enduring Freedom.

The Library of Congress, the National Archives and Records Administration, the American Jewish Historical Society, and the Jacob Rader Marcus Center of the American Jewish Archives have formed the Commission for Commemorating 350 Years of American Jewish History to mark this historic milestone. The commission is designating September, 2004, as American Jewish History Month. This resolution commends the commission for its efforts and supports the designation of an American Jewish History Month.

Finally, Mr. Speaker, House Concurrent Resolution 106 urges all Americans to share in this commemoration so as to have a greater appreciation of the role of the American Jewish community in helping to defend and further the liberties and freedoms of all Americans.

I want to thank the gentleman from Virginia (Chairman TOM DAVIS) and the Committee on Government Reform and the gentleman from Ohio (Mr. LATOURETTE) for bringing this resolution to the floor, and I again want to thank the gentleman from Ohio (Mr. PORTMAN) and the 69 cosponsors of this resolution.

I urge my colleagues to support the resolution.

Mr. WAXMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise today in support of H. Con. Res. 106, celebrating 350 years of American Jewish history. Whether they were born in the United States or they immigrated here from Israel, Europe, or Middle East countries such as Syria, as many people in my district in New Jersey have done, the American Jewish community is a melting pot of cultures and tradition. Over the last 350 years, the American Jewish community has given rise to many of our Nation's most renowned artists, authors, doctors, scientists, business leaders, and statesmen. Members of the American Jewish community were present at the birth of our Nation and have helped to transform the United States into what it is today through their contributions to culture, scientific discovery, and entrepreneurial innovation.

In talking about the American Jewish community, we cannot forget the link between the community here and the community in Israel. Throughout my time in Congress, I have had the opportunity to travel to Israel, most recently this past August. There I met with leaders in the World Jewish community, including the chief Sephardic rabbi, Shlomo Amar. Each time I travel to the region, I am struck by the many ways in which our two nations are so intimately connected. Not just politically or diplomatically but the many ways in which Jewish and Israeli culture have influenced American culture. After returning from Israel, I held several town hall forums with members of my local Jewish community. Many of my constituents expressed the same desire for peace and community, as did the people I met with while in Israel.

In closing, Mr. Speaker, I would like to thank the gentleman from Ohio (Mr. CHABOT) and the gentleman from Ohio (Mr. PORTMAN) for introducing this resolution and recognizing a community that is such a great part of American society and culture.

Ms. WATSON. Mr. Speaker, I yield 5 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of House Concurrent Resolution 106, a resolution to recognize and honor the American Jewish community. And I certainly would like to express my appreciation to the gentleman from Ohio (Mr. CHABOT) for his sponsorship of this concurrent resolution.

Some 350 years ago, the first Jewish refugees arrived here in our country, settling in what is now known as New York City. This marked the beginnings of evolution of the American Jewish community, a community that has grown and flourished, one we all know and indeed should formally acknowledge, that has contributed tremendously to the United States.

Mr. Speaker, history has not been kind to the Jewish people. We are all well aware of the atrocities they suffered during the Holocaust. Jews throughout the past have had their freedoms restricted, being forced to live separated in their own communities with limited geographic and limited economic opportunities. Yet despite all are the hardships and obstacles faced, the Jewish community in America has developed into a successful society.

The success of the American Jewish community is testament to the value of the basic American right to freedom. In America Jews can live anywhere, stand up for their own rights, and have the freedom to determine their own destinies. Today the United States has the largest Jewish population and one that has contributed greatly to our country's civic, social, economic, and cultural life. Jewish community members have served in our Armed Forces, have held Nobel prizes, become members of the Supreme Court, Senators and Members of Congress, and have even served as members of the cabinet of the President. Most importantly, they have set an example for all Americans who believe in justice and equal treatment under the law. We even now have two candidates of Jewish ancestry who are running for the highest office of our country, that of the Presidency of the United States.

Mr. Speaker, this year is the year 5763 according to the Jewish calendar, and we have 237 years left before the end of the world. I say that humorously, Mr. Speaker. Highlighting the successes of American Jews and educating the community about our American Jewish history will prove to be of great value to the United States at large.

I stand here today to urge my colleagues to support this resolution.

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. PORTMAN), the other original cosponsor of the legislation.

Mr. PORTMAN. Mr. Speaker, I thank my colleague from Cleveland for managing this legislation and for his support. I also want to congratulate the gentleman from Cincinnati, Ohio (Mr. CHABOT), my colleague and neighbor, for his work on this project.

Mr. Speaker, I rise today very proudly in strong support of the resolution recognizing and honoring the Jewish community on the occasion of its 350th anniversary, supporting the designation of an American Jewish History Month and recognizing and honoring the many contributions of America's Jewish community.

The year 2004 will mark the 350th anniversary of Jewish refugees landing on North American shores and establishing North America's first Jewish community in New Amsterdam, now called New York City. Today, America's Jewish population stands at about 7 million people.

During 2004 and 2005, these 350 years of Jewish life in America will be commemorated, honored, and celebrated, and so will Jewish immigration. After all, Jewish immigration to America throughout the last 350 years has brought with it legions of notable scientists, lawyers, statesmen, inventors, artists, authors, musicians, doctors, ethicists, entrepreneurs, and spiritual leaders, men and women who substantially transformed our great Nation and so many of our communities.

I, of course, have seen firsthand in my hometown of Cincinnati the strong and powerful positive influence of the Jewish community and Cincinnati also happens to be home to a number of our country's most important Jewish institutions. These include the American Jewish Archives, which has dedicated itself to assembling an extensive collection of documents to chronicle American Jewish history, and the Hebrew Union College, Jewish Institute of Religion, established in 1875, a pillar to the American Reform Jewish movement.

Mr. Speaker, I am strongly in support of this resolution because I believe passage of it will foster awareness and will help facilitate understanding. I encourage all of my colleagues on both sides of the aisle to support it.

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

□ 1445

Ms. WATSON. Mr. Speaker, I yield 5 minutes to gentleman from Texas (Mr. BELL).

Mr. BELL. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise in support of H. Con. Res. 106, to recognize the American Jewish community on the occasion of its 350th anniversary and to support the designation of American Jewish History Month.

No community in modern history has suffered more under tyranny and oppression and has been forced to fight harder throughout its history to secure the most basic rights we enjoy today in America, rights many of us sometimes take for granted in this great country of ours.

That is, in part, why we in America can boast that we are home to the largest Jewish population in the world. The history of the Jewish people is deeply entwined with the spirit and heart of America, and their struggle has been ours for the past 300 years.

I have the profound honor of representing the largest Jewish population in Texas in District 25. I can tell you that this is a proud community that loves this country and loves the freedoms that so many of our forefathers have died side-by-side to protect. These Americans are the survivors of the greatest crime humanity has ever seen, and they are the living legacy to what it means to sacrifice in the name of freedom and liberty. Their celebrated lives are living, walking proof of why those difficult sacrifices are worth making.

We as a Nation would not be complete, we would not be the America we all know today, without the incredible contributions and sacrifices made by the Jewish people, both here in America and in the world abroad.

The greatest lesson I think we can learn from the Jewish community is this: After thousands of years of persecution and torture, after encampment and extermination, after being spread to the four corners of the wind by forces that would undo almost any other community, they thrive today. Why?

Well, the long and painful, but proud history of the Jewish people, here and abroad, should show all of us that becoming a great people is not about defining geographical boundaries. Rather, it is a connection of spirit, founded on common ideals and beliefs that creates great societies. For us in America and for our Jewish friends, both here and abroad, those ideals are freedom, liberty, and respect for our fellow man. These are the ties that bind all of us together, and these are the ties that should show our common enemies, those that would try to destroy all of us, that they will never, ever succeed.

So I rise in support of this resolution, and would ask my colleagues to support it as well.

Mr. HOYER. Mr. Speaker, I am proud to join my friends from Ohio (Mr. CHABOT and Mr. PORTMAN) in strongly supporting House Concurrent Resolution 106, which recognizes and honors America's Jewish community on the occasion of its 350th anniversary and supports the designation of ''American Jewish History Month.''

Ever since Jewish refugees from Brazil landed on our shores in 1654 and established the first Jewish community in what is now New York City, American Jews have made immeasurable contributions to our Nation's civic, social, economic and cultural life.

And this resolution is a long overdue and explicit recognition by this Congress of those contributions.

Throughout history, few people have endured greater intolerance and hardship.

As Thomas Jefferson once wrote: ''I can only offer my regret . . . at seeing a sect [the Jews], the parent and basis of all of Christendom, singled out for persecution and oppression.''

And yet, in America, the Jewish community has overcome, persevered and thrived—in science and medicine, in literature and the arts, in law and education, in business and public service, and in a host of other occupations and professions.

Further, America's Jews have always answered freedom's call, valiantly fighting in every one of our Nation's military engagements, from the American Revolution to Operation Iraqi Freedom. And 16 American Jews have been awarded the Congressional Medal of Honor.

''The Jewish Faith,'' remarked President Coolidge, ''is predominantly the faith of liberty.''

And so this proud tradition of a proud member of the American family continues today.

All of us are the benefactors of the American Jewish Community's unswerving adherence to and work on behalf of freedom, tolerance, and basic human rights.

And thus, it's only fitting, Mr. Speaker, that this Congress recognize the enormous contributions of America's Jewish Community to our Nation and support the designation of ''American Jewish History Month.''

Mr. NADLER. Mr. Speaker, as a member of the American Jewish community, I am proud to support the designation of an ''American Jewish History Month''. For the last 350 years, Jews have lived and worked in the United States, and have contributed significantly to the shaping of our country. Dating back, prior to the Revolutionary War, Jews have been an integral part of our nation. Over the last three and a half centuries, there have been many famous American Jews, such as Louis Brandeis, the first Jewish Supreme Court Justice, and Lewis Charles Levin, the first Jewish Congressman. Jews have fought and died for our country in every war in the history of the United States. Jews are responsible for the creation of countless Broadway plays, Pulitzer prize novels and Academy Award winning films. American Jews have won Olympic medals, Super Bowls and have been elected to various Sports Halls of Fame.

I need to look no further than my own district to be reminded that Jews have literally left their mark on America. The base of the Statue of Liberty has the poem ''The New Colossus'' inscribed on it, which was written by Emma Lazarus, an American Jew. American Jews have been a symbol of both immense religious pride, and fierce patriotism.

American Jews are doctors and lawyers, politicians and CEO's, actors and athletes, veterans and volunteers. Jews are fully immersed in this nation's fabric and are one of the primary reasons the material of this country is so strong. I urge you to help celebrate 350 years of Jews in America and to remember that without American Jews, our country would not be as great as it is.

Ms. WATSON. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I urge all my colleagues to support the resolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 106.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF COLLEGE SAVINGS MONTH

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 270) supporting the goals and ideals of College Savings Month.

The Clerk read as follows:

H. CON. RES. 270

Whereas the people of the United States recognize the challenge and accept the responsibility of obtaining the education and skills that will enable them to successfully compete in the global economy of the 21st century;

Whereas since 1980 the rate of increase of the cost of postsecondary education has exceeded the rate of increase of inflation, public assistance to students, and family income;

Whereas the rapidly rising cost of postsecondary education poses a serious threat to the ability of the people of the United States to ensure their and their children's access to postsecondary education;

Whereas since 1992 the annual amount of new student loan commitments has increased from $15,000,000,000 to $35,000,000,000, which represents an increasing burden on college graduates to pay for their college education long after that education is completed;

Whereas it is in the interest of the Nation to ensure that the people of the United States have the opportunity to obtain a postsecondary education and to encourage parents to save for their children's education;

Whereas many States have offered tax incentives to encourage their citizens to save for educational expenses;

Whereas additional Federal tax incentives to encourage the people of the United States to save for educational expenses became effective after December 31, 2001; and

Whereas the National Association of State Treasurers and the College Savings Plan Network have requested that the Congress designate September as College Savings Month in order to raise public awareness about the need to save for educational expenses: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress supports the goals and ideals of College Savings Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from California (Ms. WATSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 270.

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

There was no objection.

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

Mr. Speaker, H. Con. Res. 270, introduced by the gentleman from Michigan (Mr. ROGERS), aims to raise awareness about the need to save for higher education expenses.

It is increasingly imperative for today's young people to possess college degrees in order to compete in our Nation's workforce. At the same time, the cost of undergraduate college educations continues to rise at a faster rate than inflation.

Behind only their own retirements plans and mortgages, parents will probably put more money into their children's college educations than anything else in their lifetimes. This reality can severely limit options for those students and families who have not set aside funds to pay for college.

Mr. Speaker, there is hope for parents and students who seek to defray the high costs of higher education. Many tax-deferred investment opportunities, low-interest loans and scholarships can assist with paying for college, and they are available for those who look hard enough. Hopefully, the House's consideration of this resolution will encourage all future college students, and parents of future college students, to fully explore all such options.

Mr. Speaker, few things are more valuable to one's career, financial security or happiness than their college education. Unfortunately, few things are more expensive than a college education. It is important that all Americans interested in going to college take the necessary steps to ensure that college is something they can afford.

Mr. Speaker, I urge all Members to support H. Con. Res. 270. I want to thank the gentleman from Michigan (Mr. ROGERS), and urge passage of the bill.

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

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

Mr. Speaker, College Education Month focuses our attention on a question Americans with children are asking themselves: How will I be able to afford a college education for my children?

Rising tuition rates force families to borrow thousands of dollars to fund their children's college education. The debt that these families and new graduates face after graduation is daunting. The majority of college students today will have borrowed over $20,000 by the time they graduate.

As Federal and State governments reduce student financial aid because of budgetary constraints, families have to bear more of the financial responsibility for college costs, and they need to plan accordingly.

To encourage families to save for their children's college education well before college, the College Savings Plans Network was formed in 1999 as an affiliate to the National Association of State Treasurers. To make higher education more attainable, the Network serves as a clearinghouse for information about existing college savings programs.

Tuition rates have risen well past the rates of inflation. During any 17-year period from 1958 to 2001, the average annual tuition inflation was between 6 percent and 9 percent, ranging from 1.2 times general inflation to 2.1 times general inflation. On average, tuition tends to increase about 8 percent per year. An 8 percent college inflation rate means that the cost of college doubles every 9 years. For a baby born today, this means that college costs will be more than three times the current rate when the child matriculates college.

College savings plans allow participants to save money in a special college savings account for college applicants' education expenses. Contributions can vary, depending on individual saving goals. Savings account funds can be used nationwide at eligible institutions.

To raise awareness about these programs, the Network has designated September "College Education Month." This resolution supports the Network and its efforts to help families plan, prepare and save for college education without relying heavily on student loans and financial aid.

The steadily increasing costs of college education should not stop America's youth from reaching their goals and aspirations.

I urge passage of this important resolution.

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

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Michigan (Mr. ROGERS), the sponsor of the resolution.

Mr. ROGERS of Michigan. Mr. Speaker, I thank the chairman for yielding me time, and I thank the gentleman from Massachusetts (Mr. TIERNEY) for cosponsoring this legislation, working in a bipartisan way to recognize a very powerful tool that many do not know even exists.

Mr. Speaker, one of the reasons for this resolution is to remind many Americans that there is a possibility that you can save and compound and fight the rising costs of getting your children a quality education.

I remember in Michigan we started something like this where it is tax-free in and tax-free out in a 529. You do not pay Michigan income tax if you get into one of these education funds. At the announcement, a woman brought a jar full of pennies. She was so excited, she said, "You know, no longer do I have to fill this jar with pennies. I can put it somewhere where these pennies will become dollars and hundreds of dollars for my child to have and get a chance at a quality education in America." How true that was, and how inspiring it was for that woman to recognize that this is such a powerful instrument for parents all across this great country, to have the benefits of a tax-free way to save and compound for offsetting these rising costs of getting that education.

Mr. Speaker, 86,000 people since the introduction of this bill, in Michigan alone, have signed up and are putting $25, $15, $10 or $100, as much as $5,000, away in these funds and watching it grow, tax-free, certainly at the State level, and tax-free at the Federal level, thanks to all the Members of this Chamber, when you withdraw it for your child's education. You can start to fight back the cost of books and computers and room and board, and, certainly, that cost of tuition through these funds.

I want to, again, thank my colleagues on the other side of the aisle for working in such a great, bipartisan spirit to reach a very laudable goal, and that is quality, accessible, higher education and vocational training for every American. This certainly empowers hundreds of thousands of them to do that right here at home.

Ms. WATSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BELL).

Mr. BELL. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise today to join with the gentlewoman from California (Ms. WATSON) as well as the gentleman from Ohio (Mr. LATOURETTE) in support of H. Con. Res. 270. Certainly, nothing could be more important in this day and age to recognize than saving for college.

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Speaker, I rise in support of H. Con. Res. 270, supporting the goals and ideals of College Savings Month.

For many students, attending college following high school graduation is just the next phase in their lives before joining the workforce. But, for some, the choice to attain a postsecondary education is not as easy as just getting accepted into a program of their choice.

With the growing cost of postsecondary education, many students are

forced to take out student loans, loans that can often exceed $30,000 a year. Entering the workforce with these kinds of commitments can often be intimidating for a newly-graduated student.

Having had two children in college at one time, I understand how saving for our children's postsecondary education has become increasingly important, as we continue to see the costs of the postsecondary education steadily rising.

Currently, the United States Tax Code offers options for families to do just that, save money, to set aside for the value of that education. Two such options are the 529 College Savings Plan and the Coverdell Accounts. Both of these plans have benefited thousands of students and helped their families meet the rapidly escalating costs associated with obtaining a college degree.

Mr. Speaker, I plan on introducing the Education Savings Act of 2003 tomorrow that will clarify the law to make it clear that employers can make tax deductible contributions to employees in their 529 and 530 education accounts, available to all employees at every income level. The Education Savings Act will clarify that any amounts contributed to these educational accounts will not count toward an employee's gross income.

Planning for our children's postsecondary education by setting up savings accounts is essential, now more than ever.

I would like to take this opportunity to thank my colleagues, the gentleman from Michigan (Mr. ROGERS) and the gentleman from Massachusetts (Mr. TIERNEY) for their efforts to give this important issue the recognition it deserves.

Mr. ROGERS of Michigan. Mr. Speaker, as the sponsor of H. Con. Res. 270, I rise in support and wish to thank Chairman DAVIS for bringing it to the floor today and to thank Congressman JOHN TIERNEY for joining me in sponsoring this resolution. H. Con. Res. 270 recognizes September as College Savings Month in conjunction with the National Association of State Treasurers and the College Savings Plan Network in order to raise public awareness about the need to save for educational expenses.

Since 1980, the rate of increase of the cost of postsecondary education has exceeded the rate of increase of inflation, public assistance to students and family income. This rapid rate of increase poses serious threats to the ability of parents to save for and individuals to access postsecondary education.

Given that it is in our Nation's best interest to have a highly educated population and to encourage parents to save for their educational expenses, many States, like Michigan, offer tax incentives to encourage their citizens to save for educational expenses. As a State senator, I sponsored legislation to develop a 529 plan that provides tax-free contributions and withdrawals made to an education savings account. Soon after becoming a Congressman, I introduced legislation to make distributions from State-sponsored prepaid tuition or college savings plans tax free. I was pleased when this provision was included in the 2001 Economic Stimulus legislation that was signed by the President. Education savings accounts are one way that we can ensure that individuals at every income level have the ability to contribute to their child's or a relative's or even their own postsecondary education.

I realize many working families are trying to save for college and it would be ideal if no student had to take out a student loan. But for those who do incur debt, we need to make sure every student loan borrower has a real opportunity to borrow at the lowest rate possible. In order for borrowers to reach the lowest rates possible, there must be competition in all aspects of the student loan program, including consolidation loans.

In order to ensure that we instill such competition, we will need to make sure that we repeal the single holder rule during the reauthorization of the Higher Education Act, which is currently moving through the Education and the Workforce Committee. I want to thank my colleagues, Chairman BOEHNER and Congressman MCKEON, for their efforts to keep college costs under control. It will be part of my commitment to them as well as students and families everywhere that they can have the benefit of competition from the more than one thousand qualified lenders in the program when they consolidate their loans and, thus, allow them to further reduce their debt burden by taking advantage of historically low fixed interest rates, just as other borrowers are able to do every day.

In conclusion, I encourage my colleagues to support H. Con. Res. 270 and the goals and ideals of College Savings Month.

Ms. WATERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I urge passage of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 270.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed.

A motion to reconsider was laid on the table.

RECOGNIZING AND CONGRATULATING EAST BOYNTON BEACH, FLORIDA, UNITED STATES LITTLE LEAGUE TEAM CHAMPIONS

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 273) recognizing and congratulating the East Boynton Beach, Florida, Little League team as the 2003 United States Little League Champions.

The Clerk read as follows:

H. CON. RES. 273

Whereas the Little League team East Boynton Beach, Florida, captured the Florida State and Southeastern United States Regional Championship to reach the Little League World Series in historic Williamsport, Pennsylvania;

Whereas more than 7,000 teams from around the world competed for the honor of reaching the Little League World Series, East Boynton Beach was among the 8 final American teams;

Whereas, on August 23, 2003, after competing against the best young baseball players in the Nation, East Boynton Beach defeated the team from Saugus, Massachusetts, by a score of 9–2 in the final game, thus capturing the United States Little League Championship title;

Whereas the team spirit and sportsmanship displayed by its roster of East Boynton Beach players Michael Broad, Richie DeJesus, Cody Emerson, Jordan Irene, Patrick Mullen, R.J. Neal, Matt Overton, Ricky Sabatino, Benny Townsend, Devon Travis, and Andrew Weaver set a new standard of excellence through team spirit and sportsmanship;

Whereas the coaching staff led by manager Kenny Emerson, assisted by coaches Joe Irene and Tony Travis not only taught these young men how to play top grade baseball on the field, but also taught them the best way to conduct themselves off the field;

Whereas national television commentators, sportswriters, and other media from around the world singled out East Boynton Beach for the way they joyfully played the game and the respect and friendship they showed to all opposing players from around the world; and

Whereas these Little League ambassadors from East Boynton Beach have honored their parents, families, teachers, friends, and the City of Boynton Beach, Florida, by their actions, demonstrating not only the best of Little League tradition but the best of America: Now therefore be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the achievement of the Little League team East Boynton Beach, Florida, in winning the United States Little League Championship and congratulates them on this victory and on the example of excellence they set on the field and off the field;

(2) expresses its pride that the 2003 East Boynton Beach team represents America as the 2003 United States Little League Champions and invites the players, coaches, parents, and other league and city officials to the United States Capitol in Washington, D.C. to be honored;

(3) requests that the President recognize the national champions in their achievements; and

(4) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to the City of Boynton Beach and the Boynton Beach Little League office for appropriate display and to transmit an enrolled copy of this resolution to each player and coach of the East Boynton Beach Little League baseball team.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from California (Ms. WATSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the distinguished gentleman from Florida (Mr. SHAW), the sponsor of this resolution.

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

Mr. Speaker, this past August, some of the best young athletes from around

the country gathered in historic Williamsport, Pennsylvania, to compete in America's favorite past time at the 2003 Little League Championships. Today, I stand with my colleagues from Palm Beach County, the gentlemen from Florida (Mr. WEXLER) (Mr. FOLEY) and (Mr. HASTINGS), to honor these boys from my home district who captured the United States championship.

Just as we honor their victory with this resolution, I want to especially compliment them on their spirit and their sportsmanship which became legendary in this series. These are the character traits that deliver victory and most certainly enabled them to bring home the championship to East Boynton Beach.

So let me first start by congratulating the boys from the East Boynton Beach Little League team: Michael, Richard, Cody, Jordan, Patrick, R.J., Matt, Ricky, Benny, Devon, and Andrew, who are also known as this year's United States Little League World Series Champions.

While we all recognize their outstanding achievements, we also recognize that children do not get there on their own. In each of our lives, there are people we remember who have helped shape our character along the way: role models who helped make our choices clearer, role models who make our defeats less painful and our victories even sweeter, role models who teach us through their encouragement and support. As we grow older, we come to recognize the scope and impact of their influence and that influence as it has affected our lives.

The boys from East Boynton Beach are surely no exception to this rule. They have been reared by loving parents who, no doubt, sacrificed much of this past year. To make their sons' dreams come true, they chauffeured them to countless practices and packed the family up to cheer at games all season long. When the boys were on the field, they were coached by the best in the league, led by manager Kenny Emerson, assisted by coaches Joe Irene and Tony Travis. These role models not only taught the team how to play top-grade baseball on the field, but also taught them the best way to conduct themselves when they are off the field.

So for all of these reasons, I am proud to bring to the attention of the United States House of Representatives the phenomenal achievements of these fine young men from Florida's 22nd Congressional District. Their victory brought East Boynton Beach great recognition, as it has indeed all of Palm Beach County and the State of Florida. But it was their teamwork and their sportsmanship that brought us all the greatest of pride. We applaud their effort and are offering this concurrent resolution to honor their spirit, which captured our hearts and brought home the championship. I am sure my colleagues will join me in voting ''yes'' on this resolution.

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

Mr. Speaker, 11 preteen boys from East Boynton Beach came within a game of winning the Little League World Series. They lost the Little League game to Japan, but they had a wonderful time playing the game and spending the summer becoming the first team from southern Florida to win the national championship. A pitcher on the East Boynton Beach team said of the Little League World Series game, ''I don't care that we lost. We had a blast.''

Little League baseball was created for just that purpose. In 1938, a man named Carl Stotz hit upon the idea for an organized baseball team for the boys of his hometown of Williamsport, Pennsylvania. Mr. Stotz gathered several of the neighborhood children and experimented with different types of equipment and different field dimensions during that summer. In 1939, he enlisted the help of others and formed three teams: Lycoming Dairy, Lundy Lumber, and Jumbo Pretzel.

Mr. Stotz came up with the name Little League, and the first Little League game was played June 6, 1939. His idea was to provide a wholesome program of baseball for the boys of Williamsport as a way to teach them the ideals of sportsmanship, fair play, and teamwork.

Carl Stotz would have been proud of the East Boynton Beach team. Sportsmanship, fair play, and teamwork are what made them the 2003 United States Little League Champions, an example not often set by the grown-ups involved in the game.

The East Boynton Beach Little League baseball team played with respect and friendship for their coaches, parents, and opposing teams. And all should be commended.

I join the sponsors of this resolution in commending them for their achievements.

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

Mr. LATOURETTE. Mr. Speaker, I would advise the gentlewoman we have no additional requests for time.

Ms. WATSON. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, I rise in strong support of this resolution recognizing the accomplishments of the East Boynton Beach Little League team, which have been stated very eloquently, who won the United States Little League championship title this summer.

This Little League team from East Boynton Beach captured the hearts and souls of America this past August through sheer determination, grit, and love for the game of baseball. Out of the 7,000 teams from across the globe participating in the Little League World Series, these young ball players displayed the highest level of sportsmanship and goodwill. I am extremely proud of the way they worked together as a team, as representatives of their community and Nation, and with the greatest amount of respect for their opponents.

I join my colleagues in Congress in congratulating the East Boynton Beach players: Michael Broad, Richie DeJesus, Cody Emerson, Jordan Irene, Patrick Mullen, R.J. Neal, Matt Overton, Ricky Sabatino, Benny Townsend, Devon Travis and Andrew Weaver. I also want to highlight the extraordinary efforts of manager Kenny Emerson and coaches Joe Irene and Tony Travis, individuals who instilled a keen sense of skill, spirit, and confidence in these young men and taught them how to conduct themselves on and, maybe even more importantly, off the field.

Finally, I also want to congratulate and thank those who are often overlooked who are critical to the accomplishments of these teams. East Boynton Beach's success could not have been achieved without the sacrifice of family members as well as the support of fans in Boynton Beach and throughout Florida. Clearly, the backbone of this team is not only the players and the coaches, but also the parents and family members who sacrificed their time, money, and effort to support this team of champions.

Again, I would like to join the gentlemen from Florida (Mr. SHAW) (Mr. HASTINGS) (Mr. FOLEY) in congratulating the East Boynton Beach Little League team for winning the United States league championship.

Mr. Speaker, on behalf of the gentlewoman from California (Ms. WATSON), I yield back the balance of our time.

Mr. LATOURETTE. Mr. Speaker, I urge passage of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 273.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING INSPECTORS GENERAL OVER THE LAST 25 YEARS

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 70) recognizing Inspectors General over the last 25 years in their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government.

The Clerk read as follows:

H.J. RES. 70

Whereas the Inspector General Act of 1978 (5 U.S.C. App.) was signed into law on October 12, 1978, with overwhelming bipartisan support;

Whereas Inspectors General now exist in the 29 largest executive branch agencies and in 28 other designated Federal entities;

Whereas Inspectors General work to serve the American taxpayer by promoting economy, efficiency, effectiveness, and integrity in the administration of the programs and operations of the Federal Government;

Whereas Inspectors General conduct audits and investigations to both prevent and detect waste, fraud, abuse, and mismanagement in the programs and operations of the Federal Government;

Whereas Inspectors General make Congress and agency heads aware, through semiannual reports and other communications, of problems and deficiencies in the administration of programs and operations of the Federal Government;

Whereas Congress and agency heads utilize the recommendations of Inspectors General in the development and implementation of policies that promote economy and efficiency in the administration of, or prevent and detect waste, fraud, abuse, and mismanagement in, the programs and operations of the Federal Government;

Whereas Federal employees and other dedicated citizens report information to Inspectors General regarding the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety;

Whereas Inspector General audits and investigations result in annual recommendations for more effective spending of billions of taxpayer dollars, thousands of successful criminal prosecutions, hundreds of millions of dollars returned to the United States Treasury through investigative recoveries, and the suspension and debarment of thousands of individuals or entities from doing business with the Government; and

Whereas for 25 years the Inspectors General have worked with Congress to facilitate effective oversight to improve the programs and operations of the Federal Government: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress—

(1) recognizes the many accomplishments of the Inspectors General in preventing and detecting waste, fraud, abuse, and mismanagement in the Federal Government;

(2) commends the Inspectors General and their employees for the dedication and professionalism displayed in the performance of their duties; and

(3) reaffirms the role of Inspectors General in promoting economy, efficiency, and effectiveness in the administration of the programs and operations of the Federal Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the distinguished chairman of the Committee on Government Reform, the gentleman from Virginia (Mr. TOM DAVIS), introduced House Joint Resolution 70. This resolution commends inspectors general for the important work that they do to improve the operation of the Federal Government.

This year marks the 25th anniversary of the Enactment of the Inspector General Act. This 1978 law originally established Offices of Inspectors General in 12 Federal Departments and agencies. This act has since been amended so that today, statutory IGs oversee nearly 60 Federal Departments and agencies.

Inspectors general are a valuable resource for Congress and the American people. Through their audits and investigations, they highlight wasteful spending and fraudulent activities and recommend ways to improve the operation of government programs. In fiscal year 2002, IGs made recommendations that saved more than $70 billion. Investigations performed by IG personnel also resulted in more than 10,000 criminal prosecutions.

Mr. Speaker, 25 years after the enactment of the IG act, IGs remain important guardians of good government. This resolution salutes their efforts, and I strongly support its adoption.

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

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

Mr. Speaker, I rise in strong support of House Joint Resolution 70, which recognizes inspectors general for their efforts to prevent waste, fraud, and abuse over the last 25 years and urge Members to vote for this measure.

The Committee on Government Reform has a long history of working with the inspectors general to eliminate waste, fraud, and abuse in Federal programs. Indeed, the Committee on Government Reform drafted the original statute establishing inspectors general in the executive branch 25 years ago.

The close relationship between the inspectors general and our committee is entirely appropriate. The inspectors general community is one of Congress's principal watchdogs in the executive branch. There is much we can learn from each other as we work to ensure that our government operates in the most effective and efficient manner possible.

IGs have a very difficult job. They are appointed by the President and report to Congress as well as the head of their agency. As independent investigators within the Federal agencies, they are often the last person a manager wants to hear from. Yet in many instances, the toughest jobs are the ones that need the doing most.

During fiscal year 2002, IGs returned over $4.5 billion to the Federal Government in restitutions and recoveries, and their audits identified another $72 billion in funds that could be used more effectively. They also had more than 10,000 successful criminal prosecutions. Similar accomplishments are made year after year. The IGs have more than proven their usefulness to Congress and to the American public.

It has been 25 years since the passage of the original IG act. That act established IGs in six Cabinet-level Departments. A good measure of the success of the IG concept is the fact that today, there are inspectors general in all Departments and also in most major independent agencies, for a total of 59 in all. Both Congress and the executive agencies themselves have come to rely heavily on the IGs to uncover fraud, waste, and abuse in the Federal Government.

This resolution states in part, ''Inspectors General work to serve the American taxpayer by promoting economy, efficiency, effectiveness, and integrity in the administration of the programs and operations of the Federal Government.''

I firmly believe that to be true, and I urge my colleagues to support this resolution commemorating their 25th anniversary.

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

Mr. LATOURETTE. Mr. Speaker, I want to congratulate and welcome the gentleman from Florida in his new capacity as an ex-officio member of the Committee on Government Reform.

Mr. DAVIS of Virginia. Mr. Speaker, House Joint Resolution 70, recognizes the accomplishments of the Inspectors General on the 25th anniversary of the passage of the Inspector General Act. Twenty-five years ago this month, the Government Reform Committee—then known as the Government Operations Committee—worked in a bipartisan fashion to enact legislation that established Inspectors General in six Cabinet level departments and another six government agencies. The IG Act was adopted in response to a need to reduce fraud and waste and to enhance accountability in the federal government. Under the IG Act, audit and investigative units within an agency were consolidated under a single office with protections designed to ensure independence and objectivity. The IG Act has since been expanded so that today we have IGs in 29 major department sand agencies and in 28 smaller federal entities.

Over the last quarter century, IGs have been a vital asset in the war against waste, fraud, and mismanagement in the programs and operations of the federal government. The IGs and their more than 11,000 hardworking auditors, investigators, inspectors, and support staff, produce impressive results each year. In fiscal year 2002, IG audits resulted in savings of tens of billions of taxpayer dollars and returns of hundreds of millions of dollars to the Treasury. In addition, IG investigations resulted in thousands of successful criminal prosecutions. With a combined fiscal year 2002 budget of $1.5 billion dollars, the IGs clearly provide significant returns for the taxpayer's investment.

The Committee on government Reform and the entire Congress have come to rely heavily on the critical work of the Inspectors General. In the twenty-five years since the passage of

the inspector General Act, much has changed in the way the Federal Government manages it programs and operations. A series of new management laws—including the Chief Financial Officers Act, the Government Performance and Results Act, and the Federal Information Security Management Act—are dramatically changing the management and accountability of the Federal Government, and the Inspectors General are playing a critical role in the implementation of these laws.

American taxpayers deserve no less from their government than the utmost accountability for their hard-earned money. I urge my colleagues to support this resolution and salute the Inspectors General for their extremely important work on behalf of the American taxpayers.

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the joint resolution, H.J. Res. 70.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The title of the joint resolution was amended so as to read: ''Joint resolution commending the Inspectors General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government during the past 25 years.''.

A motion to reconsider was laid on the table.

EDDIE MAE STEWARD POST OFFICE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1883) to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office.''

The Clerk read as follows:

H.R. 1883

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

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, shall be known and designated as the ''Eddie Mae Steward Post Office''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the Eddie Mae Steward Post Office.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1883.

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

There was no objection.

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

Mr. Speaker, H.R. 1883 was introduced by our esteemed colleague, the gentlewoman from Florida (Ms. CORRINE BROWN), which designates this postal facility in Jacksonville, Florida, as the Eddie Mae Steward Post Office.

□ 1515

All Members of the Florida State delegation have cosponsored the legislation as is required by the rules of our committee.

Eddie Mae Steward lived nearly her entire life in Duval County, Florida. She became an institution in that area. After graduating from Douglas Anderson High School and Edward Waters College in Jacksonville, she began a life of public activism. Ms. Steward became the first female president of the local NAACP chapter in Jacksonville and rose to the level of Florida State president of the NAACP. Naming this post office after her in Jacksonville would be a wonderful tribute to her life of philanthropy.

Mr. Speaker, Eddie Mae Steward sadly passed away in March of 2001 at the age of 61. The gentlewoman from Florida (Ms. CORRINE BROWN) introduced identical legislation to 1883 last year, and it passed the House, but not the Senate, before the end of the 107th Congress. With today's passage by the House, we would hope that H.R. 1883 can be presented to the President for his signature before the end of this Congress.

Mr. Speaker, I urge all Members to support this legislation.

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

Mr. WEXLER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I am thrilled to see this bill on the floor of the House today to dedicate a post office in Jacksonville to Ms. Eddie Mae Steward. Eddie Mae Steward left her mark on her community in many ways.

Eddie Mae Steward single-handedly launched the effort that led to the court-ordered desegregation of Duval County's public schools, she was the first female president of the Jacksonville branch of the NAACP, and served as the State NAACP president from 1973 to 1974.

She also served as the secretary of the Duval County Democratic Executive Committee. A graduate of Edward Waters College in Jacksonville, she was truly a dedicated civil rights activist.

Ms. Steward was the first to take on the fight to improve the infrastructure of public schools for children in Jacksonville. One school in particular, Boylan Haven, a private school for African American girls, was described to be unfit by any standard. Ms. Steward took on the local school board, and after a three-week battle and intense pressure from Ms. Steward and local civil rights activists, the school board decided to send the students to other area schools. Today, Eddie Mae Steward remains a tribute to those willing to undertake great risks to bring about social justice.

Much like those before her who struggled against the injustice of status quo, she was referred to as a ''troublemaker.'' However, it was fundamental fairness, strong principles, and the strength of her conviction that led her to become a visionary and courageous leader.

Ms. Steward leaves six children. And I am honored to recognize Eddie Mae Steward with this post office designation. I urge support for this measure.

Mr. LATOURETTE. Mr. Speaker, I would advise the gentlewoman from California (Ms. WATSON) that we have no additional speakers. I am prepared to yield back when she is.

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

Mr. Speaker, as a member of the House Committee on Government Reform, I rise in support of H.R. 1883 which names a postal facility in Jacksonville, Florida, after Eddie Mae Steward. This bill was sponsored by the gentlewoman from Florida (Ms. CORRINE BROWN) and has the support and cosponsorship of the entire Florida State delegation. The measure was unanimously reported out of committee on September 12, 2003.

Eddie Mae Steward, a native Floridian and lifelong resident of the Jacksonville community, was well known as a community leader and civil rights activist. She began her career as a civil rights advocate when she filed the suit for desegregation for the Duval County School System. She continued her efforts on behalf of her community by leading a series of successful fights to improve run-down public schools in Jacksonville.

In 1972, Eddie Mae Steward became the first female president of the Jacksonville branch of the National Association for the Advancement of Colored People, a position she held for 6 years. She also served as the Florida State NAACP president from 1973 to 1974, as well as secretary of the Duval County Democratic Executive Committee. Sadly, she passed away on March 5, 2000.

Mr. Speaker, I commend my colleagues for seeking to honor the late Eddie Mae Steward by naming a postal facility near her family home in Jacksonville, Florida. I urge the swift passage of H.R. 1883.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 1883.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VIETNAM VETERANS MEMORIAL VISITOR CENTER

Mr. POMBO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1442) to authorize the design and construction of a visitor center for the Vietnam Veterans Memorial, as amended.

The Clerk read as follows:

H.R. 1442

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

SECTION 1. VISITOR CENTER.

Public Law 96–297 (16 U.S.C. 431 note) is amended by adding at the end the following:

"SEC. 6. VISITOR CENTER.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Vietnam Veterans Memorial Fund, Inc., is authorized to construct a visitor center at or near the Vietnam Veterans Memorial on Federal land in the District of Columbia, or its environs, subject to the provisions of this section, in order to better inform and educate the public about the Vietnam Veterans Memorial and the Vietnam War.

''(2) LOCATION.—The visitor center shall be located underground.

''(3) CONSULTATION ON DESIGN PHASE.—The Vietnam Veterans Memorial Fund, Inc. shall consult with educators, veterans groups, and the National Park Service in developing the proposed design of the visitor center.

''(b) APPLICATION OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly referred to as the Commemorative Works Act) shall apply, including provisions related to the siting, design, construction, and maintenance of the visitor center, and the visitor center shall be considered a commemorative work for the purposes of that Act, except that—

''(1) final approval of the visitor center shall not be withheld;

''(2) the provisions of section 8908(b) of title 40, United States Code requiring further approval by law for the location of a commemorative work within Area I shall not apply; and

''(3) the Secretary of the Interior shall enter into a written agreement with the Vietnam Veterans Memorial Fund, Inc. for specified maintenance needs of the visitor center.

''(c) OPERATION.—The Secretary of the Interior shall—

''(1) operate the visitor center; and

''(2) as soon as practicable, in consultation with educators and veterans groups, develop a written interpretive plan for the visitor center in accordance with National Park Service policy.

''(d) FUNDING.—The Vietnam Veterans Memorial Fund, Inc. shall be solely responsible for acceptance of contributions for, and payment of expenses of, the establishment of the visitor center. No Federal funds shall be used to pay any expense of the establishment of the visitor center.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. POMBO) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. POMBO).

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

Mr. Speaker, H.R. 1442, which I introduced and that was amended by the Committee on Resources, authorizes the Vietnam Veterans Memorial Fund to establish an underground visitor center at or near the Vietnam Veterans Memorial to better inform and educate the public about the Memorial and the Vietnam War.

My colleagues may not remember, but back in 1979 Congress authorized the Vietnam Veterans Memorial Fund to raise the necessary funds to build the Vietnam Veterans Memorial, known more commonly as The Wall. The Fund met its goal, raising over $8 million. And on November 13, 1982, The Wall was opened to the public. I have no doubt that the Fund will meet its goal for the visitor center.

The Fund has been integrally involved with the Memorial since 1982, and I expect that it will also be integrally involved with the visitor center. While the center will be operated by the Park Service, the National Park Rangers will work side by side with volunteers and educators from the Memorial Fund and other veterans' organizations in assisting visitors as they seek a better understanding of the Memorial and our involvement in the war.

Today over 4.4 million people annually visit the Vietnam Veterans Memorial, the most visited Memorial in our Nation's capital. Some come to ''The Wall That Heals'' to sketch the name of their fallen mother or father, brother or sister on a piece of paper, while others come for a solemn moment with a fallen comrade. It has become the quietest place in our Nation's capital.

No Federal funds will go toward the design and construction of the visitor center. Once completed, the maintenance costs will be shared by the Fund and the National Park Service.

Once built, the visitor center and The Wall will work in synergy to provide a profound educational experience unlike any other monument or memorial. While the exhibits for the visitor center will be determined once it is built, I expect that some of the 60,000 personal articles that have been left by family members over the years at the Memorial will find a permanent home.

A visitor center for the Vietnam Veterans Memorial is the right thing to do. It is our moral responsibility to provide a place where the thousands of stories of profiles in courage can be told and shared with fellow Americans.

Too many visitors to The Wall walk away not truly knowing the impact the Vietnam War had on our country, the men and women who fought in Vietnam and the lives of those families who lost their mothers and fathers, sons and daughters. While there are the names of 58,235 men and women on The Wall who made the ultimate sacrifice for democracy and security, I do not know how the draft affected their families, who they were, where they came from, or how they felt about the war. A visitor center could begin to answer some of these questions.

The Vietnam Veterans Memorial will offer the visitor a more comprehensive understanding as to the evolution of the Memorial and why America got involved in Vietnam in the early 1950s, committed itself until 1973, making it our Nation's longest military conflict, spanning six Presidential administrations and sacrificing the lives of over 52,000 Americans.

I know my colleagues who unselfishly served this country during the Vietnam War with honor and duty, such as two of the original cosponsors of the bill, the gentleman from Nevada (Mr. GIBBONS), and the gentleman from Pennsylvania (Mr. MURTHA), agree with me that the visitor center is needed.

This bill represents a true bipartisan effort. I would like to thank the Committee on Resources ranking member, the gentleman from West Virginia (Mr. RAHALL), the Committee on Resources vice chairman, the gentleman from Nevada (Mr. GIBBONS), and our colleague, the gentleman from Pennsylvania (Mr. MURTHA), for their support and efforts in moving this legislation forward.

I would also like to thank Jan Scruggs of the Vietnam Veterans Memorial Fund and a number of his colleagues from veterans organizations across the country, Don Murphy, Deputy Director of the National Park Service and his staff, and David Watkins, of the minority staff, for all of the hours that they put in working with the majority staff in moving this bill forward.

Finally, I would like to thank my constituents, Leo Burke of Stockton, California, a veteran of World War II, and Retired Air Force Colonel Robert Frank of Pleasanton, California, a veteran of the Vietnam War. Both have been instrumental in raising the awareness of H.R. 1442 and support for the visitor center.

I would also like to thank the members of the Karl Ross Post Number 16 American Legion in Stockton, California, and the Vietnam War veterans from the tri-valley area in my district for their support of this legislation.

H.R. 1442, as amended, is supported by the majority, minority of the Committee on Resources and the administration. It has been an honor for me to serve in helping to move this much-delayed legislation forward.

I urge my colleagues to support H.R. 1442 as amended. I look forward to this important legislation becoming law.

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

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

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, any potential changes to the Vietnam Memorial or any of these magnificent memorials on our National Mall must be considered very carefully. The Wall is an incredibly powerful tool for reconciliation and healing as we have heard, and, as I have heard from many of my constituents, it is also a permanent record of sacrifice and loss.

Millions of Americans feel a deep and personal connection to The Wall, and we in Congress are its stewards.

In this instance a visitor center would allow the National Park Service and the Vietnam Veterans Memorial Fund to provide visitors to this wall a context that might further their understanding of the war.

For many visitors, the list of over 50,000 names inscribed on black granite is certainly moving, but their personal understanding of, and connection to, the events surrounding the conflict is very limited. A small underground visitor center would become an a powerful tool in expanding visitors' connection with the Memorial and its subject matter.

Certainly, there is more work to be done even after this legislation is enacted. How best to design and construct the center so that it will not intrude upon The Wall itself or any other memorial on the Mall, as well as how best to fund staff and maintain the center must all be explored.

However, development of this legislation has become a cooperative process, as we have heard, and the bill contains certain provisions that will provide guidance on each of these issues as the process of establishing the center moves forward.

Once completed, the Vietnam Memorial Visitor Center will be a welcome and informative addition to our National Mall. The gentleman from California (Mr. POMBO), the gentleman from West Virginia (Mr. RAHALL), and all the cosponsors of H.R. 1442 are to be commended for their efforts on this important legislation.

In addition, the contributions of the administration and the Vietnam Veterans Memorial Fund were vital during this process. I urge my colleagues to support H.R. 1442, as amended.

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

□ 1530

Mr. POMBO. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), vice chairman of the Committee on Resources and an original cosponsor of the bill.

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

Mr. GIBBONS. Mr. Speaker, I thank the chairman of the committee, the gentleman from California (Mr. POMBO), for yielding me time.

Mr. Speaker, I rise today to speak in support of a bill which will authorize the building of a visitors center at the Vietnam Veterans Memorial. I am proud to have assisted and supported the gentleman from California (Mr. POMBO) and the leadership and the staff of the Committee on Resources in bringing us one step closer to making the Vietnam Veterans Memorial Visitors Center a reality.

In this body, Mr. Speaker, I am but one of many who served our great Nation in uniform during this period of our country's history. And today we debate long-overdue legislation to create a visitors center at the Vietnam Veterans Memorial, the most popular memorial in Washington with more than 4 million visitors a year.

Etched row upon row the heroes listed on the wall continue to serve our Nation still today. They serve to remind us of the price of freedom.

Throughout the United States, teachers and students are benefiting from the educational programs of the Vietnam Veterans Memorial Fund. We must ensure that this noble effort continues beyond America's classrooms. It must continue when those students visit our Nation's capital. It must continue when they visit the Vietnam Veterans Memorial. The underground visitors center must be there on that sacred site. The visitors center will create a profound learning experience for all Americans, a place where veterans and family members come to remember and often to mourn, a place where love is openly displayed, love for those lost in Vietnam.

The visitors center will teach our children the lessons we learned as soldiers and as a country. In the best traditions of war memorials, the visitors center will ensure that future generations will always remember the sacrifices that were made by our servicemembers for their country, for their freedom.

It will educate our country's youth and continue the wall's work of healing our Nation. I cannot think of a more appropriate place for a visitors center than on the hallowed grounds of the Vietnam Veterans Memorial.

The Vietnam War was controversial. However, there is no controversy about the bravery and sacrifice of the men and women who answered the call of duty. Former President George H.W. Bush, himself a former combat pilot, wrote of the legislation that we debate today, ''This center will remind all Americans that we owe these soldiers a debt of gratitude.''

I echo the President's sentiments. Let us take up this historic step. Let us create a center to recognize our courageous Vietnam veterans. Let us establish this visitors center so every future generation understands the sacrifices made and as a Nation we will never forget.

Mr. Speaker, I encourage my colleagues to pass this historic legislation as a tribute to those who have served our country.

Mrs. NAPOLITANO. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, first of all, I certainly want to commend my good friend, the chairman of the Committee on Resources, the gentleman from California (Mr. POMBO), and also our ranking member, the gentleman from West Virginia (Mr. RAHALL), for their outstanding leadership in bringing this legislation to the floor. More especially, I want to commend also my good friend, the gentleman from Nevada (Mr. GIBBONS) and my good friend, the gentleman from Pennsylvania (Mr. MURTHA), for their outstanding contributions in making this legislation a possibility.

Mr. Speaker, as an original cosponsor, I rise today in support of H.R. 1442, the Vietnam Veterans Memorial Visitors Center Act.

The Vietnam Veterans Memorial was dedicated in 1982; and with some 4.4 million visitors each year, it is the most visited memorial in Washington, D.C.

This memorial stands as a testament to the sacrifices made by the men and women during the Vietnam War. Their names are engraved in the wall to honor their memory and serve as a reminder of the ultimate sacrifice they made on behalf of our Nation. Some of them are my own relatives and friends; their names are on that wall.

H.R. 1442 is designed to enhance public education at the Vietnam Veterans Memorial. Specifically, it would authorize the Vietnam Veterans Memorial Fund to design and construct an underground visitors center for the memorial. The fund would also promote the educational experience for the public, an experience culminating in self-guided tours, displays of collections and mementos of the fallen soldiers and exhibits discussing the historical significance of the memorial and the Vietnam War.

Mr. Speaker, as a Vietnam veteran, I am painfully aware of the sacrifices made by these men and women in defense of freedom. I am honored to have been able to support this legislation which I believe is crucial in educating the public about the Vietnam War, as well as preserving the memory of our fallen men and women in the military.

Mr. Speaker, this memorial is more than just a reminder of the events before, during, and after that tragic war in Vietnam. This memorial should also serve as a reminder to our national politicians and military leaders of our Nation never, never to take lightly the matter of putting our soldiers, our sailors, our Marines, and our Air Force personnel in harm's way. It should be only if there is absolutely clear evidence that the security and safety of our Nation is at risk.

I need to remind my colleagues we did not win the war in Vietnam. And

for a former Secretary of Defense to confess years later and publicly stating that as a matter of policy we were wrong to be in Vietnam, tell that to the parents and the wives and the brothers and sisters and the relatives of some 58,000 brave men and women who lost their lives in that terrible conflict, and some 400,000 who were wounded and maimed for life. And I cannot help it also, Mr. Speaker, but to state for the record that some 2 million Vietnamese, included among them tens of thousands of innocent women and children needlessly killed in that terrible conflict.

It is my sincere hope that this memorial will stand as a center for learning and telling the American people the real truth of what happened in that dark 10-year period of our Nation's history.

Mr. Speaker, I would like again to take this opportunity to thank my good friend, the gentleman from California (Mr. POMBO), and the ranking member of this committee for their continued leadership and commitment in honoring the Vietnam Memorial. I urge my colleagues to support this legislation.

Mr. POMBO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to speaker in favor of H.R. 1442, the Vietnam Veterans Memorial Visitor Center Act.

I am very proud to be a cosponsor of this legislation which authorizes the design and construction of a visitors center to enhance the experience of visitors to the Vietnam Memorial. I will not ever forget the impact that the wall had on me when it was first commemorated in 1982. At that time the sacrifices made by American soldiers, Marines, Navy, and Air Force in Vietnam were so fresh on everyone's conscience. However, as years pass, the Vietnam War becomes the subject of a history text book rather than a reality of life.

The sacrifices made by Vietnam veterans must not simply fade into the past. We owe much more to the soldiers who answered the call to duty and who sacrificed for our freedom. Today, most of the visitors to the wall were not alive during the Vietnam era. Many do not fully understanding the message on the wall. The Vietnam Veterans Memorial Visitors Center will ensure that Americans now and also future generations will learn and understand the true history of the Vietnam War.

I want to thank the gentleman from California (Mr. POMBO) for his leadership on this matter so that we can continue to honor the sacrifices made by our many brave Americans.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman for yielding me time. I thank her for her leadership and the gentleman from California (Mr. POMBO) for his leadership as well.

Let me say what we all know, that there are no veterans, and I think all would agree, that are more deserving than Vietnam veterans, no veterans that got a rawer deal at home and in the field. We cannot do enough. They still are the homeless veterans, not simply the returning veterans.

I support this memorial. And I support it because it has been put underground. But I come to the floor to remind people that that is not where it always was. It was above ground. Now it is going underground and still there is a lot of work to be done to make sure that it is in keeping with the Mall itself. The Mall is becoming a crowded urban area, rather than the Mall it was meant to be.

The Vietnam Memorial, anybody who goes there knows that people who come to the Vietnam Memorial need some place to go. Some people that come, they bring so many things with them. They leave items. It is the most visited memorial. It is a shrine. It is not simply a memorial.

So the need for some place for people to be is apparent here. We have to be very careful, however, as we get pressure from various groups. For example, there is another memorial, because after this wonderful shrine was put there, some came forward and said, we do not like that so we want another one. And so there is another one there which, of course, people ignore because the place where people come is the place where there was a competition. And pursuant to that competition was this extraordinary memorial that could not be improved upon. But there was political pressure, and there is another memorial there that looks like all the other memorials in Washington.

And it is political pressure that I come to the floor to remind people of because political pressures are making our Mall a place where our generation is using up all of the space.

There is a portion of the Senate bill, when this goes to conference, to access the so-called reserve, the access from the White House to the Jefferson Memorial, the Capitol to the Lincoln Memorial. It is unfair to future generations to say, look, I am sorry there is no space there, but we had a lot of things that we wanted to commemorate.

Mr. Speaker, I want to read a letter from the National Capital Planning Commission that reluctantly approved, or said it supported, this memorial but warned the Congress, ''While we applaud efforts of the Vietnam Memorial Fund to seek ways to ensure the visitors center will not visually intrude on the historic open space of the Mall, the Commission is concerned that if this center is approved, Congress will soon find itself under increasing pressure to authorize similar education centers at other memorials throughout the monumental core, including the Vietnam Memorial, the World War II Memorial, the Martin Luther King, Jr. Memorial, and the FDR Memorial.''

My position on all these memorials is the same. Martin Luther King, when people wanted to memorialize him before 25 years, no, no exceptions. He had to wait 25 years. We wanted an African American memorial on the Mall, I was against it. It is not going to be on the Mall. We have to have one policy.

I think we have done the right thing here. But this is a real warning to the Congress that it does not have a lot more space left on that Mall.

HON. CRAIG THOMAS,
Chairman, Subcommittee on Nationnal Parks, U.S. Senate, Washington, DC.

DEAR SENATOR THOMAS: I am writing to express the views of the National Capital Planning Commission with regard to S. 1076, a bill that would authorize a visitor education center at the Vietnam Veterans Memorial.

As I stated previously in testimony before the Senate Energy and Natural Resources Committee, the Commission is supportive of the establishment of a visitor education center. We believe such a center could help inform the millions of visitors to the nation's capital—including thousands of school-aged children—who are eager to learn more about the complex history of the Vietnam conflict and the Vietnam Veterans Memorial. However, the Commission is concerned that locating an education center at the site of the Vietnam Veterans Memorial would set an unwelcome precedent for additional education centers at other memorials across the Mall. Instead, we believe there are alternative ways to provide visitors to the Vietnam Veterans Memorial with an education center that would be more consistent with Commission policies and avoid setting a precedent for additional visitor centers on the Mall.

Since 1991, the Commission has consistently expressed objection to constructing additional elements to the Vietnam Veterans Memorial. In our view, the memorial succeeds in evoking a powerful, emotional response precisely because of its simplicity. The memorial presents a complete and timeless tribute whose impact could be diminished if it were coupled with an education center whose main focus would be historical interpretation and exhibit. In addition, as you may be aware, in September 2001, this Commission, along with the Commission of Fine Arts and the National Capital Memorials Commission, adopted the Memorials and Museums Master Plan to guide the location of new memorials and related structures in the nation's capital. The Plan sets forth a policy stating that visitor services at memorials in Area I, which includes the Vietnam Veterans Memorial, ''should be limited to only small information kiosks and restroom facilities and should not contain buildings or interior housing exhibits, displays, collection, or other interpretive products and programs normally found in museums, visitor centers, or education centers.''

While we applaud efforts of the Vietnam Memorial Fund to seek ways to ensure that the visitor center will not visually intrude upon the historic open space of the Mall, the Commission is concerned that if this center is approved, Congress may soon find itself under increasing pressure to authorize similar education centers at other memorials throughout the Monumental Core, including the Korean War Veterans Memorial, the World War II Memorial, the Martin Luther King, Jr. Memorial, or the FDR Memorial. Additional structures at these sites would further diminish the Mall's cherished open landscape.

As we move forward to implement the Memorials and Museums Master Plan, we anticipate working with the National Park Service on a study that will provide a comprehensive assessment of landscape conditions, land use, and visitor services on and adjacent to the Mall. We expect the study will examine alternatives for educating visitors about memorials located on the Mall.

We look forward to working with the Committee on this important issue. Please do not hesitate to contact our General Counsel, Ash Jain, or myself at (202) 482–7200 if we can be of any further assistance.

Sincerely,

PATRICIA E. GALLAGHER, AICP,
Executive Director.

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

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Mr. Speaker, I rise in strong support of this legislation. I want to thank its sponsor, my good friend, the gentleman from California (Mr. POMBO), the chairman of our committee, for his leadership on this issue.

Just a few weeks from now on November 11, our Nation will observe Veterans Day. I believe one of the most moving tributes to our veterans is in fact this Vietnam Veterans Memorial Wall which honors the service and sacrifice of over 3.5 million Americans who served in Southeast Asia during that conflict.

Our Nation suffered the loss of 58,000 men and women and more than 300,000 came home injured or wounded. The Vietnam wall honors those we lost and pays a testament to their sacrifice. The fact that the wall is the most visited monument in Washington speaks to the experience it offers to every visitor.

As impressive as the wall is, I believe we can enhance the experience by establishing a facility to educate visitors about the sacrifices that our troops made during the conflict. The legislation we are considering today would authorize the creation of an underground educational visitors center within the memorial's existing 2-acre site. The facility will feature photographs of those who were killed or remain missing, as well as some of the more 60,000 items that have been left at the wall over the last few years.

The visitors center would be funded by private donations through the Vietnam Veterans Memorial Fund, a nonprofit organization that raised money to build the memorial wall.

Earlier this year I was pleased to take part in a Committee on Resources hearing on the grounds of the national Mall next to the memorial. I believe an educational visitors center will serve as an important learning tool for the millions of visitors who will visit the wall each year, especially those too young to remember the conflict in Vietnam.

Through the passage of this legislation today, we can help the American school children and the public at large have a greater access to the information about service, sacrifice, and patriotism for those whose names are inscribed on the Vietnam Veterans Wall.

□ 1545

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

I just wanted to thank my speakers for coming in and supporting this important piece of legislation, and I am only sorry I did not get on the gentleman from California's (Mr. POMBO) bill early enough because it would have been something that would be tremendously important. My brother served in Vietnam.

I urge my colleagues to support and endorse this bill.

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

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

I want to thank the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from California (Mr. CARDOZA), two of my California colleagues who have worked so hard on this legislation and others over the past several months to make this a reality, and I think that their support is well-known amongst the veteran community, and I thank them for their work.

I urge my colleagues to support H.R. 1442, as amended.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. POMBO) that the House suspend the rules and pass the bill, H.R. 1442, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NEVADA NATIONAL FOREST LAND DISPOSAL ACT OF 2003

Mr. POMBO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1092) to authorize the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada, as amended.

The Clerk read as follows:

H.R. 1092

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Nevada National Forest Land Disposal Act of 2003''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The United States owns, and the Forest Service administers, land in small and large parcels in Carson City and Douglas County, Nevada.

(2) Much of this Federal land is interspersed with or adjacent to private land, which renders the Federal land difficult, inefficient, and expensive for the Forest Service to manage and more appropriate for disposal.

(3) In order to promote responsible and orderly development in Carson City and Douglas County, Nevada, appropriate parcels of the Federal land should be sold by the Federal Government based on recommendations made by units of local government and the public.

(b) PURPOSE.—The purpose of this Act is to provide for the sale of certain parcels of Federal land in Carson City and Douglas County, Nevada.

SEC. 3. DISPOSAL OF NATIONAL FOREST SYSTEM LANDS, CARSON CITY AND DOUGLAS COUNTY, NEVADA.

(a) DISPOSAL REQUIRED.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall sell any right, title, or interest of the United States in and to the following parcels of National Forest System lands in Carson City or Douglas County, Nevada:

(1) The parcel of land referred to as the ''Carson Parcel'', consisting of approximately 3 acres, and more particularly described as being a portion of the southeast quarter, section 31, township 15 north, range 20 east, Mount Diablo Base and Meridian.

(2) The parcel of land referred to as the ''Jacks Valley/Highway 395 Parcel'', consisting of approximately 28 acres, and more particularly described as being a portion of the northwest quarter of the southeast quarter, section 6, township 14 north, range 20 east, Mount Diablo Base and Meridian.

(3) The parcel of land referred to as the ''Indian Hills Parcel'', consisting of approximately 75 acres, and more particularly described as being a portion of the southwest quarter, section 18, township 14 north, range 20 east, Mount Diablo Base and Meridian.

(4) The parcel of land referred to as the ''Mountain House Area Parcel'', consisting of approximately 40 acres, and more particularly described as being a portion of the northwest quarter of the northeast quarter, section 12, township 10 north, range 21 east, Mount Diablo Base and Meridian.

(5) The parcel of land referred to as the ''Holbrook Junction Area Parcel'', consisting of approximately 80 acres, and more particularly described as being a portion of the west half of the southwest quarter, section 7, township 10 north, range 22 east, Mount Diablo Base and Meridian.

(6) The two parcels of land referred to as the ''Topaz Lake Parcels'', consisting of approximately 5 acres (approximately 2.5 acres per parcel), and more particularly described as being portions of the northwest quarter, section 29, township 10 north, range 22 east, Mount Diablo Base and Meridian.

(b) MODIFICATION OF DESCRIPTIONS.—The Secretary may—

(1) correct typographical or clerical errors in the descriptions of land specified in subsection (a); and

(2) for the purposes of soliciting offers for the sale of such land, modify the descriptions based on—

(A) a survey; or

(B) a determination by the Secretary that the modification is in the best interest of the public.

(c) SELECTION AND SALE.—

(1) COORDINATION.—The Secretary shall coordinate the sale of land under this section with the unit of local government in which the land is located.

(2) EXISTING RIGHTS.—The sale of land under this section shall be subject to all valid existing rights, such as rights-of-way, in effect as of the date of the sale. In the case of the parcel described in subsection (a)(2), all access rights in and to United States Highway 395, together with any and

all abutter's rights adjacent to the westerly right-of-way line of such highway, within the parcel shall be restricted.

(3) ZONING LAWS.—The sale of land under this section shall be in accordance with local land use planning and zoning laws and regulations.

(4) SOLICITATIONS OF OFFERS.—The Secretary shall solicit offers for the sale of land under this section, subject to any terms or conditions that the Secretary may prescribe. The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(5) METHOD OF SALE.—The Secretary shall sell the land described in subsection (a) at public auction.

(d) DISPOSITION OF PROCEEDS.—

(1) PAYMENTS AND DEPOSITS.—Of the gross proceeds from any sale of land under this section, the Secretary shall—

(A) pay five percent to the State of Nevada for use for the general education program of the State;

(B) pay five percent to the Carson Water Subconservancy District in the State;

(C) deposit 25 percent in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act''; 16 U.S.C. 484a); and

(D) retain and use, without further appropriation, the remaining funds for the purpose of expanding the Minden Interagency Dispatch Center in Minden, Nevada, as provided in paragraph (3).

(2) USE OF SISK ACT FUNDS.—The amounts deposited under paragraph (1)(C) shall be available to the Secretary until expended, without further appropriation, for the following purposes:

(A) Reimbursement of costs incurred by the local offices of the Forest Service in carrying out land sales under this section, except that the total amount of reimbursement may not exceed 10 percent of the total proceeds of the lands sales.

(B) The development and maintenance of parks, trails, and natural areas in Carson City, Douglas County, or Washoe County, Nevada, in accordance with a cooperative agreement entered into with the unit of local government in which the park, trail, or natural area is located.

(3) MINDEN INTERAGENCY DISPATCH CENTER.—The Minden Interagency Dispatch Center is located on land made available by the State of Nevada in Minden, Nevada, and will serve as a joint facility for the Forest Service and the Nevada Division of Forestry for the purpose of fighting wildland fires. The expansion of the center shall include living quarters and office space for the Blackmountain Hotshot Crew, a guard station for housing engines and patrol vehicles, an air traffic control tower, a training facility, and a warehouse.

(4) LIMITATION.—None of the amounts made available to the Carson Water Subconservancy District under paragraph (1)(B) shall be used to pay the costs of litigation.

(e) RELATION TO OTHER PROPERTY MANAGEMENT LAWS.—The land described in subsection (a) shall not be subject to chapter 5 of title 40, United States Code, as codified by Public Law 107–217 (116 Stat. 1062).

(f) WITHDRAWAL.—Subject to valid existing rights, all Federal land described in subsection (a) is withdrawn from location, entry, and patent under the public land laws, mining laws, and mineral leasing laws, including geothermal leasing laws.

(g) REVOCATION OF PUBLIC LAND ORDERS.—

(1) IN GENERAL.—To facilitate the sale of parcels of land described in subsection (a), the Secretary shall revoke any public land orders in existence on the date of the enactment of this Act that withdraw the parcels from all forms of appropriation under the public land laws, to the extent that the orders apply to land described in such subsection (a).

(2) EFFECTIVE DATE.—A revocation under paragraph (1) shall be effective on the date on which the instrument conveying the parcels of land subject to the public land order is executed.

(h) REPORT.— The Secretary shall submit to the Committee on Agriculture and the Committee on Resources of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on all land sales made under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. POMBO) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. POMBO).

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

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

Mr. POMBO. Mr. Speaker, H.R. 1092, sponsored by the gentleman from Nevada (Mr. GIBBONS), would authorize the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada.

This legislation would dispose of Federal land interspersed with or adjacent to private land in Carson City and Douglas County. The parcels identified have been difficult and expensive for the Forest Service to manage, and the land has lost its National Forest character.

I urge support for the legislation.

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

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

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, H.R. 1092 would direct the Secretary of Agriculture to auction six Federal parcels in Carson City and Douglas County, Nevada. Proceeds would be used for the general education fund in Nevada and other purposes, including the development and maintenance of parks and trails in Carson City and Douglas and Washoe Counties.

The majority has explained the bill, and we have no objection.

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

Mr. POMBO. Mr. Speaker, I yield as much time as he may consume to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I thank the gentleman from California (Mr. POMBO), the chairman of the committee, for allowing me this time to speak on this piece of legislation, and I rise today in support and urge my colleagues to support H.R. 1092, the Nevada National Forest Disposal Act.

Mr. Speaker, this piece of legislation is important to the people of the State of Nevada, and as a lifelong resident of the great State, where the Federal Government manages almost 90 percent of all land, I am committed to promoting sensible public lands management policies that allow for responsible economic growth while protecting our precious natural resources and scenic vistas.

This legislation, the Nevada National Forest Disposal Act will require the Secretary of the Interior to sell in a public auction six parcels of land in Nevada, ranging in size from three acres to 75 acres. Each parcel borders private lands on at least two sides, and each is located within residential areas or next to a busy highway. None of these lands are pristine forest lands. In fact, barely any vegetation and no forest characterization can be found on some of the lots recognized in this legislation.

This bill would remove these lands from the Federal management and sell them to the local community at fair market value to allow for much-needed economic development in Carson City and Douglas County, and the revenues of the sale will benefit the entire State as well as the United States Forest Service.

Sixty-five percent of the revenues from the land sales will go towards a fund to build an Interagency Dispatch Center to serve as a joint facility for the Forest Service and Nevada Division of Forestry to fight wildland fires. Twenty-five percent of the revenue will be used for development and maintenance of parks, trails and natural areas in Carson City, Douglas County and Washoe County. Five percent will go into Nevada's general education program, and 5 percent will go to the Carson Water Subconservancy District.

This commonsense bill has the support of the counties, the State of Nevada and both of Nevada's U.S. Senators as well.

The intent of this legislation, and in truth, as smart public lands management, is to dispose of public lands which do not make sense for the Federal Government to manage and to use the revenues from the land sales to better manage and protect other Federal lands. H.R. 1092 accomplishes this goal.

Mr. Speaker, let me also take this opportunity to quickly explain two changes that were made to the bill before it came to the floor.

First, the State of Nevada requested to limit access on one parcel which borders a major freeway in order to prevent a major disruption in freeway traffic. As one can imagine, it would be a disaster if the future owner of the land put a driveway right into the middle of this heavily-used freeway. This legislation protects against such a scenario and ensures the integrity of the existing freeway.

The second change simply requires the Secretary to sell these parcels in a public auction. These changes only strengthen the bill which is a win-win for everyone.

Mr. Speaker, H.R. 1092 is a model of efficient public lands policy. It is important to the State of Nevada, and I urge my colleagues to support it.

Mr. POMBO. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. POMBO) that the House suspend the rules and pass the bill, H.R. 1092, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada.''

A motion to reconsider was laid on the table.

IRVINE BASIN SURFACE AND GROUNDWATER IMPROVEMENT ACT OF 2003

Mr. POMBO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1598) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California, and for other purposes.

The Clerk read as follows:

H.R. 1598

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Irvine Basin Surface and Groundwater Improvement Act of 2003''.

SEC. 2. PROJECT AUTHORIZATION.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is amended by inserting after section 1635 the following:

''SEC. 1636. IRVINE BASIN GROUNDWATER AND SURFACE WATER IMPROVEMENT PROJECTS.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Irvine Ranch Water District, California, is authorized to participate in the design, planning, and construction of projects to naturally treat impaired surface water, reclaim and reuse impaired groundwater, and provide brine disposal within the San Diego Creek Watershed.

''(b) COST SHARE.—The Federal share of the costs of the projects authorized by this section shall not exceed 25 percent of the total cost.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project authorized by this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the item relating to section 1635 the following:

''1636. Irvine basin groundwater and surface water improvement projects.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. POMBO) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. POMBO).

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

H.R. 1598, sponsored by the gentleman from California (Mr. COX), authorizes Federal assistance for the design and construction of a de-salter and a regional brine line to treat brackish groundwater. The bill also provides for strategic placement of wetlands to naturally clean surface water in the San Diego Creek Watershed. All Federal assistance would be limited to 25 percent of the overall project's cost.

This bill is yet another step towards ''drought proofing'' southern California and will decrease the region's overdependence on imported Colorado River water.

I urge my colleagues to support this important bill.

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

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

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, I rise in support of H.R. 1598. Communities throughout the Nation are finding technologically advanced and innovative ways to solve their water supply and water quality problems. H.R. 1598 is an excellent example of how we can help those communities.

With only a small amount of financial assistance from the Federal Government, we can save water by building water recycling and desalting projects, and may I add, also recycling projects, that are important to southern California. Not too long ago, Congress would have rushed to support an expensive dam and reservoir project. We now have the option to help our cities who understand that the future to securing a reliable water supply is through the promotion of water recycling, conservation and desalination.

Mr. Speaker, I hope the administration can understand how important these projects are, especially water recycling, and how they can help communities solve their water problems that are so urgently needed, even now, especially in the area where there is tremendous drought.

I urge my colleagues to vote in favor of H.R. 1598.

Mr. Speaker, I have no speakers, and I yield back the balance of my time.

Mr. POMBO. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. COX).

Mr. COX. Mr. Speaker, I thank the chairman for yielding me the time.

The Irvine Basin Surface and Groundwater Improvement Act is a bill that, as its author, of course, I am very pleased to see on the floor, but one also that I am very very grateful to the committee for producing. This is going to make a very important contribution to improving water quality in southern California.

I would especially like to thank and recognize the efforts of the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources. I would like to thank the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from West Virginia (Mr. RAHALL), the ranking member, for their support and leadership, and also my colleague from Orange County (Mr. CALVERT), the chairman of the Subcommittee on Water and Power. I thank all of them for their active interest in and support of this important legislation.

This bill authorizes the Federal Government to assist in designing a series of wetlands. As the gentlewoman from California (Mrs. NAPOLITANO) has said, this is an innovative approach, one that has the support of environmentalists and government leaders alike. This series of wetlands is going to clean up polluted surface runoff within the San Diego Creek Watershed in Orange County, California.

For those of my colleagues who are not familiar with southern California, the San Diego Creek is one of our region's major watersheds. It empties into Upper Newport Bay, one of the largest wetlands in the entire coastal region between Los Angeles and San Diego.

The Upper Newport Bay is home to over 75 species of fish, nearly 200 species of birds, and a number of threatened and endangered species, including the light-footed clapper rail, Belding's Savannah sparrow, the American osprey, the California brown pelican and California's least tern. In addition, the Bay is an important stop on the Pacific Flyway for 50,000 migratory birds each year.

Unfortunately, the Upper Newport Bay is threatened by silt and polluted runoff from the San Diego Creek that flows into the Bay. In fact, the Environmental Protection Agency has declared the water quality of San Diego Creek and its tributaries to be limited. That is a bureaucratic euphemism for hazardous to swim in or drink. The reason for this designation is that drainage from urban surfaces flows unfiltered into the watershed.

Thankfully, there is a solution on the horizon to save the Upper Newport Bay. This legislation will use a natural treatment system to reduce the amount of silt and pollutants that gets dumped into San Diego Creek and, in turn, into Upper Newport Bay. The plan was developed by environmentalists and local officials, and it relies on wetlands, nature's own system for filtering pollutants out of the water. Specifically, the plan calls for the creation of an entire network of wetlands to be developed along the San Diego Creek basin.

The natural, beneficial bacteria in the soils of these wetlands, along with

plants such as bulrush and cattails, will remove nitrogen and other pollutants from surface runoff. It is expected that this natural treatment system will reduce fecal coliform levels by over 26 percent and each year remove 126,000 pounds of nitrogen and 21,000 pounds of phosphorus from the San Diego Creek.

In this way, the natural treatment system will help prevent unwanted sediment, nutrients and contaminants from polluting and clogging up San Diego Creek and Upper Newport Bay. It will also provide another major benefit. The creation of all these new wetlands will provide considerable additional wildlife habitat and open space, including habitat for the many threatened and endangered species of the Upper Newport Bay.

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For all of these reasons, the Natural Treatment System established by this legislation is strongly supported by local environmental groups, including Orange County Coastkeepers and the Newport Bay Naturalists and Friends. This legislation is also fully supported by our local public officials, including the Irvine Ranch Water District, the County of Orange and the cities of Newport Beach, Lake Forest, Irvine, Orange, Santa Ana, and Tustin.

This bill, Mr. Speaker, will be of tremendous help to our local environmental efforts. By allowing the U.S. Bureau of Reclamation, which has extensive experience in wetlands restoration, to serve as a partner in this important regional project, H.R. 1598 is an important step toward assuring that the Natural Treatment System moves forward as quickly and cost effectively as possible.

Finally, I would like to point out that the Natural Treatment System will also provide significant cost savings for the Federal Government. Since the Upper Newport Bay is a Federal waterway, the U.S. Corps of Engineers regularly dredges the bay to remove the accumulation of silt and pollutants. By significantly reducing silt runoff into Upper Newport Bay, the Natural Treatment System will reduce both the Corps of Engineers' dredging expenses and the bill to Federal taxpayers.

Mr. Speaker, I strongly urge my colleagues to support H.R. 1598 so that we can move forward with this important environmental initiative for Southern California.

Mr. POMBO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. POMBO) that the House suspend the rules and pass the bill, H.R. 1598.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

JOHNSTOWN FLOOD NATIONAL MEMORIAL BOUNDARY ADJUSTMENT ACT OF 2003

Mr. POMBO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1521) to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1521

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Johnstown Flood National Memorial Boundary Adjustment Act of 2003''.

SEC. 2. BOUNDARY OF JOHNSTOWN FLOOD NATIONAL MEMORIAL.

The boundary of the Johnstown Flood National Memorial (''Memorial'') is modified to include the area as generally depicted on the map entitled ''Johnstown Flood National Memorial, Cambria County, Commonwealth of Pennsylvania'', numbered N.E.R.O. 427/80,008 and dated June, 2003. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

SEC. 3. ACQUISITION OF LANDS.

The Secretary of the Interior (''Secretary'') is authorized to acquire from willing sellers the land or interests in land as described in section 2 by donation, purchase with donated or appropriated funds, or exchange.

SEC. 4. ADMINISTRATION OF LANDS.

Lands added to the Memorial by section 2 shall be administered by the Secretary as part of the Memorial in accordance with applicable laws and regulations.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

In addition to amounts otherwise made available for land acquisition, there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. POMBO) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. POMBO).

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

Mr. Speaker, H.R. 1521, introduced by the gentleman from Pennsylvania (Mr. MURTHA) and amended by the Committee on Resources, would revise the boundaries of the Johnstown Flood National Memorial. The Secretary of the Interior would be authorized to acquire approximately 15 acres of land from willing sellers to be included within the boundary of the Johnstown Flood National Memorial. Acquisition of these additional lands would provide permanent protection for resources that are integral to the historic flood of 1889.

Both property owners, Tom and Ann Furlong and the South Fork Fishing and Hunting Club Preservation Society, are supportive of the bill and the acquisition of their properties. One parcel of land originally in the proposal has been removed, as the owner is no longer a willing seller. Therefore, there are no private property conflicts with this legislation.

The Johnstown Flood Memorial comprises nearly 165 acres in western Pennsylvania and tells the story of the events leading up to the 1889 Johnstown flood, of the flood itself, and its effects on Johnstown and the Nation.

My colleagues may be interested to know it was during the Johnstown flood that Clara Barton successfully led the Red Cross in its first disaster relief effort. H.R. 1521, as amended, is supported by the majority and minority of the subcommittee and the administration. I urge my colleagues to support the legislation.

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

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

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, H.R. 1521, sponsored by our colleague, the gentleman from Pennsylvania (Mr. MURTHA), would expand the boundaries of the Johnstown Flood National Memorial. There are several private property owners interested in selling their land for inclusion within the memorial, and this legislation is needed to facilitate these acquisitions.

On the afternoon of May 31, 1889, after several days of torrential rains, the South Fork Dam on Lake Conemaugh in southwest Pennsylvania failed, sending 20 million tons of water into Johnstown, Pennsylvania. The resulting flood killed more than 2,200 people, making it one of the worst natural disasters in American history. The Johnstown Flood Memorial is a powerful tribute to the lives lost during this tragedy, and the parcels which would be added under H.R. 1521 would be important additions to the memorial.

I expressly want to thank the gentleman from Pennsylvania (Mr. MURTHA) for his diligence in moving this legislation through the House, and I urge all our House colleagues to support H.R. 1521. I also want to thank the chairman of the Committee on Resources, the gentleman from California (Mr. POMBO), for his assistance in this.

Mr. MURTHA. Mr. Speaker, this bill will authorize the expansion of the Johnstown Flood National Memorial, a National Park Service site in South Fork, Pennsylvania.

Specifically, the bill will enable the National Park Service (NPS) to acquire adjacent properties and historically significant structures that are an integral part of the story of the Johnstown Flood.

The Great Johnstown Flood, which occurred on May 31, 1889, was the largest news story in the era next to the assassination of Abraham Lincoln. It swept away an entire city, causing the loss of over 2,209 people. Though members of the South Fork Fishing and Hunting Club, which owned the earthen dam and

was situated above it, worked feverishly during the storm to prevent the dam from bursting, their efforts were futile.

The Johnstown Flood Memorial was dedicated in 1964. Today the park consists of 165 acres and receives over 126,000 visitors annually. It preserves the remains of the old South Fork Dam which was breached in the flood, as well as portions of the former Conemaugh Lake bed.

This bill would authorize the purchase or acquisition by NPS, from willing sellers, an additional approximately 14½ acres. This property holds certain related historic structures such as the ''Moorhead Cottage'' and the ''Clubhouse.'' Both of these are significant to the story of the Johnstown Flood as they represent the life and role of club members both before and after the flood. The property offers a unique opportunity to use tangible resources to interpret the events that led to the Johnstown Flood, and the club members' response to the Flood.

These structures were built near the shore of Conemaugh Lake, by the South Fork Fishing and Hunting Club. In 1889, the Club had 61 members who were wealthy industrialists, bankers and merchants from Pittsburgh, including Andrew Carnegie, Henry Clay Frick and Andrew W. Mellon. The Clubhouse contained 47 rooms, where the majority of members stayed. The cottages did not have kitchens, so the Clubhouse was the focal point of the Club.

The Clubhouse is clearly among the most significant historical structures not only in the Johnstown Flood story but in our entire region. The 1889 South Fork Fishing & Hunting Club National Historical Society has done a tremendous job over the years in preserving this vital piece of history, but these dedicated volunteers can't be expected to finance the cost of needed repairs, maintenance and interpretive features. Our best alternative to preserve this vital history is to add these structures to the National Park Service.

The Johnstown Flood story continues to fascinate people even though the tragedy happened more than 100 years ago. There is such drama in the story of wealthy Pittsburgh industrialists who owned the poorly-maintained dam that collapsed, causing the worst man-made disaster in history by claiming 2,209 lives. Adding the Clubhouse and these other structures to the National Park will greatly enrich the interpretive potential of this site.

I would like to thank my Colleagues for their consideration of this bill. Thank you for your time.

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

Mr. POMBO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. POMBO) that the House suspend the rules and pass the bill, H.R. 1521, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POMBO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bills H.R. 1442, H.R. 1092, H.R. 1598, and H.R. 1521.

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

There was no objection.

AWARDING A CONGRESSIONAL GOLD MEDAL TO DR. DOROTHY HEIGHT IN RECOGNITION OF HER MANY CONTRIBUTIONS TO THE NATION

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1821) to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation.

The Clerk read as follows:

H.R. 1821

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

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) Dr. Dorothy Irene Height was born March 24, 1912, to James Edward Height and Fannie (Borroughs) Height in Richmond, Virginia and raised in Rankin, Pennsylvania.

(2) Dr. Height is recognized as one of the preeminent social and civil rights activists of her time, particularly in the struggle for equality, social justice, and human rights for all peoples.

(3) Beginning as a civil rights advocate in the 1930s, she soon gained prominence through her tireless efforts to promote interracial schooling, to register and educate voters, and to increase the visibility and status of women in our society.

(4) She has labored to provide hope for inner-city children and their families, and she can claim responsibility for many of the advances made by women and African-Americans over the course of this century.

(5) Her public career spans over 65 years.

(6) Dr. Height was a valued consultant on human and civil rights issues to First Lady Eleanor Roosevelt and she encouraged President Eisenhower to desegregate the Nation's schools and President Johnson to appoint African-American women to sub-Cabinet posts.

(7) Dr. Height has been President of the National Council of Negro Women (NCNW) since 1957, a position to which she was appointed upon the retirement of Dr. Mary McLeod Bethune, one of the most influential African-American women in United States history.

(8) The National Council of Negro Women is currently the umbrella organization for 250 local groups and 38 national groups engaged in economic development and women's issues.

(9) Under Dr. Height's leadership, the National Council of Negro Women implemented a number of new and innovative programs and initiatives, including the following:

(A) Operation Woman Power, a project to expand business ownership by women and to provide funds for vocational training.

(B) Leadership training for African-American women in the rural South.

(C) The Black Family Reunion, a nationwide annual gathering to encourage, renew and celebrate the concept of not only the Black family but all families.

(D) The Women's Center for Education and Career Advancement to empower minority women in nontraditional careers.

(E) The Bethune Museum and Archives, a museum devoted to African-American women's history.

(10) Dr. Height has been at the forefront of AIDS education, both nationally and internationally; under her direction, the National Council of Negro Women established offices in West Africa and South Africa and worked to improve the conditions of women in the developing world.

(11) Dr. Height has been central in the success of 2 other influential women's organizations, as follows:

(A) As president and executive board member of Delta Sigma Theta, Dr. Height left the sorority more efficient and globally focused with a centralized headquarters.

(B) Her work with the Young Women's Christian Association (YWCA) led to its integration and more active participation in the civil rights movement.

(12) As a member of the ''Big Six'' civil rights leaders with Whitney Young, A. Phillip Randolph, Martin Luther King, Jr., James Farmer, and Roy Wilkins, Dr. Height was the only female at the table when the Rev. Dr. Martin Luther King, Jr. and others made plans for the civil rights movement.

(13) Dr. Height is the recipient of many awards and accolades for her efforts on behalf of women's rights, including the following:

(A) The Spingarn Award, the NAACP's highest honor for civil rights contributions.

(B) The Presidential Medal of Freedom awarded by President Clinton.

(C) The John F. Kennedy Memorial Award from the National Council of Jewish Women.

(D) The Ministerial Interfaith Association Award for her contributions to interfaith, interracial, and ecumenical movements for over 30 years;

(E) The Lovejoy Award, the highest recognition by the Grand Lodge of the Benevolent and Protective Order of Elks of the World for outstanding contributions to human relations.

(F) The Ladies Home Journal Woman of the Year Award in recognition for her work for human rights.

(G) The William L. Dawson Award presented by the Congressional Black Caucus for decades of public service to people of color and particularly women.

(H) The Citizens Medal Award for distinguished service presented by President Reagan.

(I) The Franklin Delano Roosevelt Freedom Medal awarded by the Franklin and Eleanor Roosevelt Institute.

(14) Dr. Dorothy Height has established a lasting legacy of public service that has been an invaluable contribution to the progress of this Nation.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, to Dr. Dorothy Irene Height a gold medal of appropriate design in recognition of her many contributions to the Nation.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medals

struck under section 2 at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS; PROCEEDS OF SALE.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medal authorized under section 2.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

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

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material on H.R. 1821, the legislation under consideration.

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

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 1821, legislation introduced by the gentlewoman from California, that would award the Congressional Gold Medal, the highest civilian honor Congress can bestow, on the prominent civil rights activist Dorothy Height.

Dorothy Height has been one of the most influential leaders in the 20th century, and even now in the 21st century, fighting for racial and gender equality. Dedicating her entire life to breaking down the immense barriers that divide race and class, Ms. Height stands side by side with other civil rights heroes such as Dr. Martin Luther King, Jr. and Rosa Parks.

Dorothy Height experienced racial and gender discrimination from an early age and embarked on a lifelong effort to guarantee all Americans their inalienable right of life, liberty, and the pursuit of happiness. Mr. Speaker, the Founding Fathers promised freedom and equality. Ms. Height worked, and continues to work at the age of 91, to make them come true for everyone.

To bring those promises to fruition, Ms. Height began her activist career at the Young Women's Christian Association, the YWCA. Because of her efforts, the once-segregated organization now serves as a model of racial integration.

Mr. Speaker, Dorothy Height's contributions to the civil rights movement certainly did not stop at the YWCA. She was also an active member of the National Council of Negro Women, an umbrella group for 240 local and 31 national organizations working for black women's rights. In 1957, she became president of the NCNW, and she worked closely with Dr. King in virtually every major civil rights event in the 1960s.

Mr. Speaker, the civil rights movement would hardly have been the same without Dorothy Height. She organized voter education drives in the North, and voter registration drives in the South. She helped plan the 1963 march on Washington, and led an effort to protect activists who ran freedom schools in Mississippi. For every civil rights effort, large or small, Dorothy Height was there.

However, Ms. Height's activism delved even further into the obstacles black Americans faced. She addressed important internal issues within the black community, and she will ever be remembered as the person who established the National Black Family Reunion Project to illustrate to current generations the achievements of their ancestors and the benefits of extended family.

Mr. Speaker, because of all her vital contributions to the improvement of American democracy, the time has come, in fact it is long overdue, for Congress to honor this remarkable woman. Dorothy Height has devoted her life to expanding the American Dream to every color, class, and gender. For her dedication, her deeds, and, most important, her dream, I am proud to stand in support of this legislation to award her the Congressional Gold Medal.

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

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

Mr. Speaker, I want to first thank my colleague, the gentlewoman from California (Ms. WATSON), for introducing and being the lead sponsor of the bill which would award a Congressional Gold Medal to Dr. Dorothy Height.

I cannot think of a time that I have felt more humble to be in control of time and to pay tribute to a great individual. And I cannot think of anybody that is living today that deserves a high honor of this kind more than Dorothy Height. So it is a great pleasure for me to be here and to have been asked to control time on our behalf.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WATSON), the original sponsor of the bill.

Ms. WATSON. Mr. Speaker, I thank the gentleman for yielding me this time, and it is indeed a great honor to rise before this distinguished body as the original sponsor of H.R. 1821, a bill to award a Congressional Gold Medal to Dr. Dorothy Height.

I first want to thank the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) for their diligent work on this bill, as well as staffers Joe Pinder and Jaime Lizarraga.

Dr. Height, who turned 91 earlier this year, continues to have an active and distinguished career as a human rights activist and humanitarian. She is recognized as the preeminent social and civil rights activist of our time and is known as the grand dame of America's civil rights movement.

Mr. Speaker, I do not believe that there is any recipient of a Congressional Gold Medal whose career has been as long and as productive as Dr. Dorothy Height's. It spans almost three-quarters of a century, and Dorothy Height is still going strong into the 21st century.

As a young woman, at the age of 25, Dr. Height joined forces with Mary McLeod Bethune, founder of the National Council of Negro Women, in her quest for women's full and equal employment and education advancement. During her tenure with the legendary Mary McLeod Bethune, Dr. Height's career as a preeminent civil rights activist began to unfold as she tirelessly worked to prevent lynching, desegregate the armed forces, reform the criminal justice system, and create free access to public facilities.

That same year, Dr. Height began her work with the national Young Women's Christian Association of the USA. She rose quickly through several leadership positions and developed numerous programs to promote interracial and ecumenical education.

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Dr. Height is credited with developing strategies to ensure the success of the YWCA's mission of providing equal opportunity and facilities for women of all cultures, ethnicities and nationalities. Dr. Height is considered one of the major leaders of the civil rights movement of the 1960s. As one of the Big Six civil rights leaders, she was the only woman at the table when Dr. Martin Luther King and others made plans for the civil rights movement. Dr. Height was constantly inspiring others, from the poor to world leaders, to achieve at the highest level. As an adviser to Presidents through their First Ladies, Dr. Height has effected significant change in the lives of not only African American women, but all women and their loved ones. She counseled Eleanor Roosevelt and prodded President Eisenhower to desegregate the Nation's schools. And she pressed President Johnson to appoint black women to sub-Cabinet posts. Dr. Height's many achievements and her distinguished service to the Nation and the world has earned her over 50 awards and honors from local and State governments as well as the Federal Government. Some of them include the following, the John F. Kennedy Memorial Award from the National Council of Jewish Women; the Ministerial Interfaith Association Award; the Lovejoy Award, the highest recognition by the Elks of the World; the Ladies Home Journal ''Woman of the Year'' Award; the Congressional Black Caucus's William L. Dawson Award for decades of

public service; the Citizens Medal Award presented by President Reagan for her distinguished service to the Nation; the Franklin Delano Roosevelt Freedom Medal; and the Presidential Medal of Freedom Award presented by President Clinton.

Mr. Speaker, it is with great honor and humility that I proposed legislation awarding the Congressional Gold Medal to Dr. Height. The time is long past due to recognize and to pay tribute to the significant works of this American treasure.

Mr. WATT. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), ranking member of the Committee on Financial Services.

Mr. FRANK of Massachusetts. Mr. Speaker, I appreciate the willingness of the gentleman from North Carolina to take management of this bill to the floor and I want to join in thanking the gentlewoman from California for giving us the opportunity to honor this extraordinary woman, Dorothy Height.

No problem in the history of this country, in my judgment, comes close to the problem of race in terms of its importance and the need for us to respond. Having brought people against their will from Africa hundreds of years ago and having subjected them, first to slavery, and then to a rigid and degrading system of official segregation, and then to a very grudging and gradual retreat from that segregation system, this Nation has to confront what I think is the saddest part of our history, our treatment of people of African descent. I am pleased that we have made the progress that we have made. Although, anyone who thinks racism has been extirpated lives in a much too optimistic world, but we have made progress. It is for that reason that it is so important to honor Dorothy Height. She was born into a racist society. She was born into a society in which national legislation, passed by our predecessor Congresses, signed by Presidents, enforced by the United States Supreme Court, segregated on the basis of race. And everyone knows that ''separate but equal'' was never anything more than a cruel joke. Separation came because people believed in inequality. And Dorothy Height was born not only into that racist system, she was born as a woman at a time when society was far less willing to acknowledge the equality of women in the social and political sphere. Facing that double handicap, she set out to help heal this society, to cure the ills that have troubled us. Of course, she did not succeed altogether, but no one that I know of has done more over this long and distinguished lifetime of hers to fight against those evils, the evils of prejudice, of segregation, of denying people the ability to live up to their full potential.

One of the great honors of my life is that as I came along to join this body and became actively involved as a member of the Committee on the Judiciary and various civil rights fights, I got the chance to know her, to work with her and to be inspired by her. I am particularly proud, Mr. Speaker, that one of the latter things I did with Ms. Height as she continues her efforts was to appear with her in her capacity as chair of the Leadership Conference on Civil Rights, one of the great institutions of our time and with the executive director, the very distinguished and able Wade Henderson as they announced their endorsement of legislation that would ban discrimination based on sexual orientation, because I have found that people who have been unfairly discriminated against, based on one characteristic of themselves, understand why it is unfair to do that elsewhere, and it is an example of the greatness of Dorothy Height, that later in her life, well past her 80th birthday, she understood the importance not of abandoning the fight for racial fairness which she continues, but of taking on, also, the newer fight for opposing discrimination based on sexual orientation.

I believe the great heroes of this society are those who have undergone whatever was necessary to help us live up to the wonderful ideals of that Constitution of 1787, and that was a Constitution which stated an ideal better than the society lived up to the reality. Realizing those ideals has been the most important part of our Nation's history and no one, literally no one, has played a more important part in that, no one has been tougher and more dedicated and more loving at the same time in her insistence that the country live up to its own best ideals than Dorothy Height. I thank the gentlewoman from California for giving us a chance to acknowledge that.

Mr. WATT. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON of Indiana. Mr. Speaker, certainly I would add my praise and congratulations to the honorable gentlewoman from California for bringing this incredible, this very vital and very necessary and much deserved issue before the United States Congress, and that is to award a Congressional Gold Medal to the Honorable Dorothy Height. Dorothy Height, the president of the National Council of Negro Women, succeeded in that position from an icon of this world, that was Dr. Mary McLeod Bethune, who created the National Council of Negro Women, who was adviser to several Presidents and so was Dorothy Height. It is not a coincidence, I do not believe, that Dorothy's last name is Height, because she has scaled great heights in this country to enable people of color to get their rightful place at the tables of justice and equal opportunity. There are countless branches of the National Council of Negro Women around the country and around the world and their emphasis is phenomenal. It is very scriptural in terms of doing for these, the very least of these. In Indianapolis, we have a Mental Health Gift Lift which allows the community to come together to give gifts to those who are mentally challenged.

Mary McLeod Bethune, and then Dr. Height, talks about love, leaving love as a testament. Dorothy Height is an individual that I feel very blessed that I am able to touch her hand in my lifetime. She was there when we conferred a medal on Rosa Parks. She was a very generous and very giving person, a very inspirational individual, very visionary individual in terms of how we could move this country forward in the right way. The gentleman from Massachusetts talked about her being there in the forefront so that we could ban injustices against people of certain sexual orientations. That was a very bold move on her part, but it was a very right move on her part. And that is what Dorothy Height did. She lived not just because, she lives for a cause. There are not too many people that I know who are more deserving of the Congressional Gold Medal, the highest honor that this House could convey on an individual, than Dorothy Height.

I want to commend the gentlewoman from California for bringing this matter to the House. It is much deserved. It is long overdue. I felt compelled to come here and support her in this manner, for doing her good work, commending somebody for their good work.

Mr. WATT. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from California (Mr. LANTOS).

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

Mr. LANTOS. Mr. Speaker, I want to commend my good friend for his very important piece of legislation.

Mr. WATT. Mr. Speaker, I yield 2¼ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from North Carolina for yielding me this time.

Mr. Speaker, I rise today to support this legislation that honors and salutes a giant and to acknowledge my good friend the gentlewoman from California (Ms. WATSON) for her leadership and insight on an effort long overdue.

We are blessed to have the Dr. Dorothy Height, Dr. Dorothy Irene Height, born on March 24, 1912, in Richmond, Virginia and raised in Rankin, Pennsylvania. Many of us have had the opportunity to study Dr. Height's history and contributions simply because she has given us the greater part of her life in service. And so we could tell you that she was a social justice activist, a civil rights activist, a servant of the people, one who served a number of Presidents, humanitarian, American, a hero, a great patriot. All of those are words without motion, unless you get to know Dr. Dorothy Height. You will then be captured by her charm, her energy, her insight, her intellect and her compassion. I am honored to have had

the opportunity among others to be able to share in her vision. It is wonderful to know that she can speak eloquently about Mary McLeod Bethune, that she can speak to the concept of ownership amongst African American people, having led the effort to put the first African American-owned building on Pennsylvania Avenue just two blocks away from the White House. You can see that she believes in women's rights, and she acts upon women's rights. She believes in the empowerment of minorities, and she acts upon the empowerment of minorities. She is what has been called a glorious and wonderful champion of the great leadership that we need and hope to have in the United States of America.

And so, Mr. Speaker, I am delighted to be here today because our words are simply that, simple words, mere words. But if our presence on the floor today commemorates the honor that is being given to Dr. Dorothy Height, the leadership of the gentlewoman from California (Ms. WATSON), we are here then to be part of the following that salutes this great leader and this great patriot. Dr. Height, we love you.

Mr. Speaker, I rise in unwavering support of H.R. 1821. Dorothy Height's lifetime of achievement measures the liberation of Black America, the advance of women's rights and a determined effort to lift the poor and the powerless into the Halls of Power and influence in our nation.

Dorothy Height began her career as a staff member of the YWCA in New York City, becoming director of the Center for Racial Justice. She became a volunteer with the National Council of Negro Women, when she worked with NCNW founder Mary McLeod Bethune.

When Bethune died, Height became president, a position she continues to hold. NCNW, an organization of national organizations and community sections with outreach to four million women, develops model national and international community-based programs, sent scores of women to help in the Freedom Schools of the civil rights movement, and spearheaded voter registration drives. Height's collaborative leadership style brings together people of different cultures for mutual benefit.

Because of Dorothy Height's commitment to the Black family, she has hosted since 1986 the Black Family Reunion Celebration in which almost 10 million have participated.

Born in Richmond, Virginia, she moved with her parents to Ranklin, Pennsylvania at an early age. Winner of a scholarship for her exceptional oratorical skills, she entered New York University where she earned the Bachelor and Master degrees in four years.

While working as a caseworker for the welfare department in New York, Dr. Height joined the NCNW in 1937 and her career as a pioneer in civil rights activities began to unfold. She served on the national staff of the YWCA of USA from 1944 to 1977 where she was active in developing its leadership training and interracial and ecumenical education programs. In 1965 she inaugurated the Center for Racial Justice which is still a major initiative of the National YWCA. She served as the 10th national president of the Delta Sigma Theta Sorority, Inc. from 1946 to 1957 before becoming president of the NCNW in 1958.

Working closely with Dr. Martin Luther King, Jr., Roy Wilkins, Whitney Young, A Philip Randolph and others, Dr. Height participated in virtually all major civil and human rights events in the 1950's and 1960's. For her tireless efforts on behalf of the less fortunate, President Ronald Reagan presented her the Citizens Medal Award for distinguished service to the country in 1989.

Dr. Height is known for her extensive international and developmental education work. She initiated the sole African American private voluntary organization working in Africa in 1975, building on the success of NCNW's assignments in Asia, Africa, Europe, and South America.

In three decades of national leadership, she has served on major policy-making bodies affecting women, social welfare, economic development, and civil and human rights, and has received numerous appointments and awards.

As president of NCNW, Dorothy Irene Height has an outstanding record of accomplishments. As a self-help advocate, she has been instrumental in the initiation of NCNW sponsored food, child care, housing and career educational programs that embody the principles of self-reliance. As a promoter of Black family life she conceived and organized the Black Family Reunion Celebration in 1986 to reinforce the historic strengths and traditional values of the African American Family. Now in its ninth year, this multi-city cultural event has attracted some 11.5 million people.

Dr. Dorothy I. Height's lifetime of achievement measures the liberation of Black America, the brilliant advance of women's rights, and the most determined effort to lift up the poor and the powerless.

Still fighting, pushing, and advocating, Dr. Dorothy Height—mother, wife, grandmother, great-grandmother, doctor, civil/human rights activist, and freedom fighter continues unrelentingly to serve our country in the health and most meaningfully—the civic arena at the age of 91.

Dr. Height is a commendable and formidable woman. She has whole-heartedly devoted her life to public service, struggling for social justice, the eradication and education of HIV/AIDS, unprivileged children, equal rights, voting rights, women's rights, and education opportunities for all citizens irrespective of color, ethnicity, gender, disability, sexuality and other markers of difference.

She was the leading lady in the civil rights movement, sitting as the only female on the planning table with Whitney Young, Dr. Martin Luther King, James Farmer, A. Phillip Randolph, and Roy Wilkins. She has been and continues to be emulated internationally. Needless to say, Dr. Height is a jewel in the African American community and an influential and exemplary leader in the country.

Many examples of her work stand out in our minds. To give just one—under her leadership of the National Negro Women's Council, she introduced and implemented many initiatives and programs geared towards the betterment of the Afro-American community, the advancement of minority women in all sectors of society, most notably, in business and non-traditional careers. Serving in all capacities imaginable, she has served distinguishably.

Dream giver and earth shaker, Dr. Dorothy Height has followed and expanded on the original purpose of the National Council of Negro Women, giving new meaning, new courage and pride to women, youth and families everywhere. While most individuals resolve to retirement at her current age, Dr. Dorothy Height continues to extend and commit herself beyond measures; she has done so not for recognition or national esteem, but as a labor of love. For the above-mentioned reasons, it is our rightful duty to honor her in recognition of her many priceless contributions to the civic growth of this nation and the beautiful legacy she will leave by awarding her a congressional gold medal.

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Mr. WATT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I think it bears saying that Dorothy Height, who is a District resident, although she lived for many years in New York, is indeed a great American leader among us and one of a kind. There is no comparable leader in American life today because she was a guiding light. She is about 90 years old, still going as strong as any of us on this floor. She was a guiding light in the achievements we have made thus far for equal rights in America today. At the 40th anniversary on the March on Washington we just celebrated on August 23, some of us noted that Dorothy Height had the same position. She was president of the National Council of Negro Women then, but she was not included in the leaders that put on the march because she was a woman, and yet this is a woman who has stood for the rights of people of color and women equally. She is unique in the sense that when particularly black people were confused about whether one could be equally for women and for African Americans, she was a leader to say there is no such bifurcation in human rights.

Mr. WATT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, my mother used to say, and she was a wise person, that we should honor people while we can or give them their flowers while they can still smell them, and Dorothy Height is still among us. So it is a great pleasure to be able to pay tribute to her while she can still hear the words and read the words and understand the words, and she has been with us through so many decades of service through a time when she has had substantial impact on our history, through contact with extraordinary people. In her recent autobiography called ''Open Wide the Freedom Gates,'' she describes contacts with W.E.B. DuBois; Marcus Garvey; Eleanor Roosevelt; Mary McLeod Bethune; Adam Clayton Powell, Sr.; Langston Hughes; W.C. Handy; and a host of other people. And she describes her involvement with the March on Washington as the only female member who was kind of in the back room in the organizing committee associated with that march.

I think she has contributed so much, and more recently her organization of

the Black Family Reunion, with which my son was associated and got to know her. Every time I see Dr. Dorothy Height now, she never asks how I am doing. She is always asking about my son. So it is just a great pleasure to pay tribute to and support the Congressional Gold Medal for such a wonderful heroine.

There is no living person today who deserves this congressional merit more than Dorothy Height. It is just a tremendous honor to be able to pay tribute to her, and I encourage my colleagues to support this bill.

Ms. MILLENDER-McDONALD. Mr. Speaker, it is a great honor for me to speak in favor of H.R. 1821 to award Dr. Dorothy Height the Congressional Gold Medal. During the 107th session, I introduced H. Res. 55 declaring a day acknowledging all of Dr. Height's stellar achievements, and this legislation resulted in over one hundred mayors across this country submitting proclamations to Dr. Height. We cannot celebrate Dr. Height and her illustrious accomplishments enough. By awarding her the Congressional Gold Medal, we are noting a life well lived by a dynamic woman who at one time simultaneously held leadership positions with the YWCA, the National Council of Negro Women and Delta Sigma Theta Sorority. Dr. Height became known as the only woman among the ''big six'' group of civil rights leaders including Dr. Martin Luther King, Jr., Roy Wilkins, Whitney Young and A. Phillip Randolph.

Always a pioneer on behalf of women's and civil rights overall, Dr. Height became as well known abroad as she is here in the United States for her efforts to build coalitions among women internationally. We revere Dr. Height for advancing the National Council of Negro Women's agenda in terms of developing model programs in the areas of teen parenting, eradicating hunger, and career education. Dr. Height has always advocated for the expansion of access and opportunities for poor and marginalized people everywhere.

In 1989, President Reagan recognized Dr. Height's contributions to society by awarding her the Citizens Medal award for distinguished service to the nation, and she has also earned more than 50 honors from local, state and national organizations. Her life is a living testimony to the quest for an equitable society for all.

Mr. CUMMINGS. Mr. Speaker, I rise today in support of H.R. 1821, which awards the Congressional Gold Medal to Dr. Dorothy Height in recognition of her many outstanding and remarkable contributions to bettering this Nation.

Born in 1912 in Richmond, Virginia Dr. Dorothy Irene Height distinguished herself at an early age as a dedicated student with exceptional oratorical skills. As a young girl she fearlessly and vehemently stood up to the racist and sexist climate of the times. At the age of 25 she heeded the call of her mentor, Mary McLeod Bethune, founder of the National Council of Negro Women, and joined the struggle for women's full and equal employment and educational advancement. She has and continues to dedicate her life to the struggle for equality, social justice, and human rights for all peoples.

Mr. Speaker, throughout her illustrious career as a civil rights advocate, Dr. Height tirelessly worked to prevent lynching, encourage voter registration, desegregate the armed forces, reform the criminal justice system, and create equal access to public accommodations. Her public career spans nearly 65 years. She was a valued advisor to First Lady Eleanor Roosevelt and encouraged Presidents Eisenhower and Johnson to desegregate the Nation's public schools and to appoint African American women to sub-Cabinet positions. Since 1957 she has served as President of the National Council of Negro Women, an umbrella organization for 250 local groups and 38 national organizations dedicated to economic development and women's issues.

Mr. Speaker, the numerous awards and accolades Dr. Height has received over the years is a testimony to her invaluable contributions to the progress of this nation. The NAACP has awarded her The Spingarn Award, its highest honor. She is also the proud recipient of the John F. Kennedy Memorial Award from the National Council of Jewish Women; the Ministerial Interfaith Association Award; the Lovejoy Award; and the Congressional Black Caucus' William L. Dawson Award for her decades of public service to people of color and particularly women. However, Dr. Height is not one to rest on her laurels. She continues to lead the fight against social injustice and inequality and her profound love for and dedication to our youth is unmatched. As a direct link to the civil rights movement of the 1960s, Dr. Height continues to inspire future generations of civil rights activists.

Mr. Speaker, what else is truly remarkable about this grand dame is that at age 90 she does not plan on slowing down. And although she spends much of her time in a wheelchair, she continues to stand up for equality and social justice. I only hope and pray I have the same vigor and fight in me at that age.

Once again, I am proud to stand before this body in support of H.R. 1821. I want to thank my esteemed colleague from the state of California, the Honorable Diane Watson, for her leadership in sponsoring this important piece of legislation. I urge my colleagues to lend their support to this resolution and award Dr. Height our highest accolade.

Mrs. CHRISTENSEN. Mr. Speaker, what an awesome privilege for me to have found myself in the presence of Dr. Dorothy Height—a brilliant woman, a woman of profound courage and insight—some of my living history as a woman, as person of African descent and as an American.

Mr. Speaker, by bestowing Dr. Height with a Congressional Gold Medal, we honor this body, and I am pleased to be part of this effort. Although Dr. Height is known most recently for her leadership role with the National Council of Negro Women, her life accomplishments exemplify her commitment for a better society for all individuals, especially for African-Americans.

Under the direction of Dr. Height, the National Council for Negro Women developed model programs on topics ranging from teenage parenting to eradicating hunger, and established the Bethune Museum and Archives for Black Women. The Bethune Museum is the first institution devoted to the history of black women. Dr. Height founded the Center for Racial Justice, served as President of the National Council of Negro Women and the Delta Sigma Theta Sorority, and held several leadership positions with the Young Women's Christian Association of America.

Beginning as a civil rights advocate in the 1930's, Dr. Height soon gained prominence through her tireless efforts to promote interracial schooling, to register and educate voters, and to increase the visibility and status of women in our society. Dr. Height's devotion and commitment to fight for social justice in this nation and throughout the world has been unaffected by time. She has been at the forefront of AIDS education, both nationally and internationally; under her direction, the National Council of Negro Women established offices in West Africa and South Africa and worked to improve the conditions of women in developing countries.

Dr. Dorothy Height's work represents the true meaning of public service. By awarding her with a Congressional God Medal, we honor a lasting legacy of public service that has been an invaluable to the progress of this Nation.

Mr. DAVIS of Illinois. Mr. Speaker, Dr. Dorothy Height is a steadfast pioneer of women's rights and racial justice for people of color. She has set an example of what can be achieved through commitment and group activism.

As the fourth elected president of the National Council of Negro Women (NCNW), Height led a crusade for justice for Black women. To help strengthen the Black family, Height conceived of and organized the Black Family Reunion Celebration which has been held here in Washington, D.C. since 1986.

Under the leadership of Ms. Height, the NCNW achieved tax exempt status; raised funds from thousands of women in support of erecting a statue of Mary McLeod Bethune (NCNW's founder) in a federal park; developed several model programs to combat teenage pregnancy and address hunger in rural areas; and established the Bethune Museum and Archives for Black women, the first institution devoted to Black women's history. She has been instrumental in the initiation of NCNW sponsored food, childcare, housing and career educational programs.

No stranger to political activism, in the 1960's, Height called on NCNW to sponsor ''Wednesdays in Mississippi'' when interracial groups of women would help out at Freedom schools and conduct voter registration drives in the North and voter registration in the South. She worked with Dr. Martin Luther King, Jr. and Roy Wilkins to prevent lynching, desegregate the Armed Forces, reform the criminal justice system, and provide equal access to public accommodations.

Dr. Dorothy Irene Height has a long legacy as a leader in the struggle for equality and human rights. She through words and deeds have proven her distinguished service to humanity and her many contributions for equality, social justice and human rights for all peoples. She is to be commended for her efforts.

I encouraged all my colleagues to support H.R. 1828 to award a Congressional Gold Medal to Dr. Dorothy Height in recognition of her many contributions to the nation.

Ms. LEE. Mr. Speaker, thank you Congresswoman WATSON for bringing this resolution to the floor. I proudly stand here today to honor the extraordinary accomplishments of Dr. Dorothy Irene Height.

Dr. Height's diligent service over the past 65 years has improved the lives of countless people, not only in the United States, but across the globe. Her dedication to the promotion of civil rights, social justice, and equality make here a true inspiration and model leader.

Dr. Height worked passionately on African-American women's issues and HIV/AIDS issues, two of the primary issues that I strive to address in my work here in Congress. Dr. Height message resonates especially deep within my heart.

Through Dr. Height's work with the National Council of Negro Women and by acting as a consultant to Eleanor Roosevelt, Height was, and continues to be, instrumental in the advancement of civil rights in America.

As president of the National Council of Negro Women (NCNW) Height oversaw several programs which encouraged the empowerment of women throughout America. These programs included; Operation Woman Power, The Black Family Reunion, the Women's Center for Education and Career Advancement, and the Bethune Museum and Archives. In addition to programs that aid women in the U.S. Dr. Height continues to empower women internationally on HIV/AIDS issues throughout third world countries, specifically in West Africa and South Africa.

In addition to her contributions through the NCNW, Dr. Height's work with the Delta Sigma Theta sorority and the Young Women's Christian Association (YWCA) has increased citizen participation in government and furthered the status of at risk peoples.

Dr. Height's emphasis on the value of service is exemplified in her own words; "Without community service, we would not have a strong quality of live. It's important to the person who serves as well as the recipient. It's the way in which we ourselves grow and develop. . ." Dr. Height's worldview is one which we could all do well to adopt.

This Congressional medal will place Dr. Height's among the ranks of other celebrated leaders such as Mother Teresa of Calcutta, Lady Bird Johnson, and Rosa Parks, to name a few. Like her predecessors, Dr. Dorothy Height's exemplary leadership enhances the lives of all people throughout America and the world.

I thank my colleagues for this resolution and for their support.

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

Mr. KING of New York. Mr. Speaker, I urge the passage of the bill, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 1821.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEFENSE PRODUCTION ACT REAUTHORIZATION OF 2003

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1680) to reauthorize the Defense Production Act of 1950, and for other purposes, as amended.

The Clerk read as follows:

S. 1680

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Defense Production Act Reauthorization of 2003''.

SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.

(a) IN GENERAL.—The 1st sentence of section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended—

(1) by striking ''sections 708'' and inserting ''sections 707, 708,''; and

(2) by striking ''September 30, 2003'' and inserting ''September 30, 2008''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''through 2003'' and inserting ''through 2008''.

SEC. 3. RESOURCE SHORTFALL AND RADIATION-HARDENED ELECTRONICS.

(a) IN GENERAL.—Notwithstanding the limitation contained in section 303(a)(6)(C) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)(6)(C)), the President may take actions under section 303 of the Defense Production Act of 1950 to correct the industrial resource shortfall for radiation-hardened electronics, to the extent that such Presidential actions do not cause the aggregate outstanding amount of all such actions to exceed $200,000,000.

(b) REPORT BY THE SECRETARY.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing—

(1) the current state of the domestic industrial base for radiation-hardened electronics;

(2) the projected requirements of the Department of Defense for radiation-hardened electronics;

(3) the intentions of the Department of Defense for the industrial base for radiation-hardened electronics; and

(4) the plans of the Department of Defense for use of providers of radiation-hardened electronics beyond the providers with which the Department had entered into contractual arrangements under the authority of the Defense Production Act of 1950, as of the date of the enactment of this Act.

SEC. 4. CLARIFICATION OF PRESIDENTIAL AUTHORITY.

Subsection (a) of section 705 of the Defense Production act of 1950 (50 U.S.C. App. 2155(a)) is amended by inserting after the end of the 1st sentence the following new sentence: ''The authority of the President under this section includes the authority to obtain information in order to perform industry studies assessing the capabilities of the United States industrial base to support the national defense.''.

SEC. 5. CRITICAL INFRASTRUCTURE PROTECTION AND RESTORATION.

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) by redesignating paragraphs (3) through (17) as paragraphs (4) through (18), respectively;

(2) by inserting after paragraph (2) the following new paragraph:

''(3) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means any systems and assets, whether physical or cyber-based, so vital to the United States that the degradation or destruction of such systems and assets would have a debilitating impact on national security, including, but not limited to, national economic security and national public health or safety.''; and

(3) in paragraph (14) (as so redesignated by paragraph (1) of this section), by inserting ''and critical infrastructure protection and restoration'' before the period at the end of the last sentence.

SEC. 6. REPORT ON CONTRACTING WITH MINORITY- AND WOMEN-OWNED BUSINESSES.

(a) REPORT REQUIRED.—Before the end of the 1-year period beginning on the date of the enactment of this Act, this Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the extent to which contracts entered into during the fiscal year ending before the end of such 1-year period under the Defense Production Act of 1950 have been contracts with minority- and women-owned businesses.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall include the following:

(1) The types of goods and services obtained under contracts with minority- and women-owned businesses under the Defense Production Act of 1950 in the fiscal year covered in the report.

(2) The dollar amounts of such contracts.

(3) The ethnicity of the majority owners of such minority- and women-owned businesses.

(4) A description of the types of barriers in the contracting process, such as requirements for security clearances, that limit contracting opportunities for minority- and women-owned businesses, together with such recommendations for legislative or administrative action as the Secretary of Defense may determine to be appropriate for increasing opportunities for contracting with minority- and women-owned businesses and removing barriers to such increase participation.

(c) DEFINITIONS.—For purposes of this section, the terms ''women-owned business'' and ''minority-owned business'' have the meanings given such terms in section 21A(r) of the Federal Home Loan Bank Act, and the term ''minority'' has the meaning given such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

SEC. 7. REPORT ON IMPACT OF OFFSETS ON DOMESTIC CONTRACTORS AND HIGHER–TIER SUBCONTRACTORS.

(a) ASSESSMENT OF IMPACT REQUIRED.—In addition to the information required to be included in the annual report under section 309 of the Defense Production Act of 1950, the Secretary of Commerce shall assess the net impact, in the defense trade, of foreign sales and related foreign contracts that have been awarded through offsets, industrial participation agreements, or similar arrangements on domestic prime contractors and at least the first 3 tiers of domestic subcontractors during the 5-year period beginning on January 1, 1998.

(b) REPORT.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary of Commerce shall submit a report to the Congress containing findings and the conclusions of the Secretary with regard to the assessment made pursuant to subsection (a).

(c) COPIES OF REPORT.—Copies of the report prepared pursuant to subsection (b) shall also be transmitted to the United States

Trade Representative and the interagency team established pursuant to section 123(c) of the Defense Production Act Amendments of 1992.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this legislation.

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

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of S. 1680, as amended, reauthorizing the Defense Production Act of 1950. The language we are considering today makes some important decisions to the text the Committee on Financial Services passed last spring. Reflecting input from the Senate, the legislation adds studies on the effect on the economy of defense offsets, not only on prime defense industry contractors but on subcontractors, and on the U.S. capacity to produce military-grade radiation-hardened electronics. The legislation extends the DPA authorities for 5 years as requested by the administration.

Mr. Speaker, this Chamber rarely considers legislation as important as the DPA. In peacetime and in war, it allows for the priority production of equipment and material necessary for national security and the public health; and with the addition of the language suggested by the Senate, now it will specifically authorize the act to be used to protect our critical infrastructure as well. The act also allows the careful tightly targeted use of Federal funds to ensure there is an adequate industrial capacity in this country to produce certain vital military equipment or material that otherwise would not be available.

Mr. Speaker, it is important that the House act swiftly to send this amended legislation back to the Senate and that the other body quickly pass this compromise so that the authorities, which expired at the end of last month, are available to civil and military authorities. It is inconceivable that the priority production powers in the DPA not be available if needed for use in the case of a devastating hurricane or earthquake or in the unthinkable event of a terrorist's biological weapons attack or to speed up the production of equipment for our troops in Afghanistan or Iraq or elsewhere in the world. The authorities were used after the September 11 attacks to speed the delivery of targeting sensors for the Predator unmanned aerial vehicle by nearly 2 years, to speed the delivery of equipment for airports that detected explosives, and to speed up production of new high-tech bulletproof vests.

Mr. Speaker, this 5-year reauthorization of the DPA will provide the necessary time for a much-needed study and reform of the DPA so that Congress may remove obsolete language and clarify or update other language. It has been impossible for nearly a decade to reform the act on anything other than a piecemeal basis because the reform efforts always coincided with reorganization. Decoupling them will finally give us the breathing room to do some thoughtful work on the act itself.

I ask all Members to join with me to pass S. 1680, as amended, and then join me in the next couple of years for a thoughtful update of the underlying legislation.

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

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

Mr. Speaker, I rise in support of the 5-year reauthorization of the Defense Production Act, legislation that is critical to our Nation's national defense, to the war on terror, and to our ability to respond to disasters. The Defense Production Act was first enacted in 1950. It allows the Defense Department and Federal Emergency Management Agency to procure supplies quickly on an emergency basis. Its authority is also needed to make sure that the national defense industrial base has the resources needed for national security. The act expired on September 30; and given the current situation in Iraq, it is critical that we move this bill today.

During the current Iraq conflict, the act's authority has been used to secure computers, chemical warfare protective clothing, and medical equipment. The legislation we are considering is the product of a year of bipartisan work and compromise. It was improved during full and subcommittee markups in the Committee on Financial Services earlier this year. The Senate Banking Committee passed legislation in September, and over the last month, Members and staff have worked to resolve remaining issues.

I am pleased that the final bill contains an amendment offered by the gentleman from New York (Mr. MEEKS) requiring reporting on minority contracting. The bill also contains a compromise worked out between the committee leadership and Senator DODD on the issue of offset contracts with foreign nations. Offset agreements are arrangements where U.S. domestic defense contractors outsource work to foreign contractors as part of agreements by foreign countries to purchase U.S. defense products. The legislation will require the U.S. Commerce Department to assess the economic impact on U.S. contractors and subcontractors of these agreements. I am pleased to support this provision with the understanding that it fulfills Senator DODD's concerns. We must be as vigilant in protecting the jobs of American workers as we are in defending America's national defense.

Finally, the spirit of bipartisanship with which we have worked on this reauthorization would not have been possible without the leadership of the gentleman from New York (Mr. KING), chairman of the Domestic and International Monetary Policy, Trade, and Technology Subcommittee. I also wish to thank the gentleman from Massachusetts (Mr. FRANK), ranking member, and the gentleman from Ohio (Chairman OXLEY) for their work on this important issue.

This is legislation our troops need today. It is legislation that our constituents may need in the event of a disaster, and I urge my colleagues to adopt this bill.

Mrs. MALONEY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I want to say that I do support the gentlewoman's work and the work of the Chair on the Defense Production Act, and I am particularly grateful for the Meeks amendment on minority contracting. As we now go abroad, it becomes more relevant around the world.

Mrs. MALONEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentlewoman for yielding me this time.

I thank the gentlewoman for her leadership and the gentleman from New York (Mr. KING) for his leadership on the reauthorization of this bill.

I think that it is extremely important that we have this particular reauthorization at this time in the backdrop of the efforts that have been proposed not only by this administration but by this body as it relates to the rebuild of Iraq. And as I know the gentlewoman's leadership on women's issues and women's participation, I think the Meeks amendment is completely appropriate that we give the involvement of the minorities and women in contracting.

When I speak to my constituents in the district, they are particularly concerned about the idea of a rebuild, no matter what happens ultimately on the floor with this legislation and the fact that minority and small businesses do not have the opportunity in engaging in this effort and as well participating in efforts with the Defense Department, one of the largest budget line items that we have in this whole budget of the United States; and it is extremely important that we have this opportunity. So I think this is an instructive piece of legislation. I think it is very helpful, and I am very glad to rise to support this legislation. I know that this is not humorous, but it appears that the Speaker finds it humorous, but in any event I hope that is not the case, and I support this legislation enthusiastically.

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

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Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume for the purpose of entering into a colloquy with the gentlewoman from New York (Mrs. MALONEY).

Mr. Speaker, as chairman of the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, I rise today regarding the authorization of the Defense Production Act and the legislation that the House of Representatives and Senate have produced. I wish to make two points.

First, the House of Representatives and the Senate have agreed to include language that makes clear that all the authorities included within the DPA may be used for critical infrastructure protection and restoration purposes. I have been informed that in past administrations there may have been some confusion regarding the applicability of the DPA to critical infrastructure. The language included in the reauthorization legislation ends any debate that may have existed.

Secondly, it is the intent of the House that the DPA be interpreted to allow the administration to exercise the authorities provided under Section 101 of the DPA to directly assist a private sector critical infrastructure owner or operator in furtherance of critical infrastructure protection or restoration.

The House of Representatives' desired interpretation, however, should not be construed, in any way, as limiting the applicability of the DPA's other authorities with respect to critical infrastructure protection and restoration.

Mrs. MALONEY. Mr. Speaker, will the gentleman yield?

Mr. KING of New York. I yield to the gentlewoman from New York.

Mrs. MALONEY. Mr. Speaker, as ranking member of the Subcommittee on Domestic and International Monetary Policy, Trade and Technology, I rise today to echo the statements of the gentleman from New York (Mr. KING) regarding the reauthorization of the Defense Production Act and its applicability to critical infrastructure protection and restoration. The language that the House of Representatives has agreed to include in the reauthorizing legislation should leave no doubt that the Defense Production Act may be used for critical infrastructure protection and restoration purposes.

Also, it is the intent of the House of Representatives that the administration refrain from interpreting the Defense Production Act as limiting the administration's ability to provide direct assistance to critical infrastructure owners and operators under Section 101 of the Defense Production Act.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I urge passage of the Senate bill. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the Senate bill, S. 1680, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

SYRIA ACCOUNTABILITY AND LEBANESE SOVEREIGNTY RESTORATION ACT OF 2003

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1828) to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1828

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Syria Accountability and Lebanese Sovereignty Restoration Act of 2003''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) On September 20, 2001, President George Bush stated at a joint session of Congress that ''[e]very nation, in every region, now has a decision to make . . . [e]ither you are with us, or you are with the terrorists . . . [f]rom this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime''.

(2) On June 24, 2002, President Bush stated ''Syria must choose the right side in the war on terror by closing terrorist camps and expelling terrorist organizations.

(3) United Nations Security Council Resolution 1373 (September 28, 2001) mandates that all states ''refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts'', take ''the necessary steps to prevent the commission of terrorist acts'', and ''deny safe haven to those who finance, plan, support, or commit terrorist acts''.

(4) The Government of Syria is currently prohibited by United States law from receiving United States assistance because it has repeatedly provided support for acts of international terrorism, as determined by the Secretary of State for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)) and other relevant provisions of law.

(5) Although the Department of State lists Syria as a state sponsor of terrorism and reports that Syria provides ''safe haven and support to several terrorist groups'', fewer United States sanctions apply with respect to Syria than with respect to any other country that is listed as a state sponsor of terrorism.

(6) Terrorist groups, including Hizballah, Hamas, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine—General Command, maintains offices, training camps, and other facilities on Syrian territory, and operate in areas of Lebanon occupied by the Syrian armed forces and receive supplies from Iran through Syria.

(7) United Nations Security Council Resolution 520 (September 17, 1982) calls for ''strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon through the Lebanese Army throughout Lebanon''.

(8) Approximately 20,000 Syrian troops and security personnel occupy much of the sovereign territory of Lebanon exerting undue influence upon its government and undermining its political independence.

(9) Since 1990 the Senate and House of Representatives have passed seven bills and resolutions which call for the withdrawal of Syrian armed forces from Lebanon.

(10) On March 3, 2003, Secretary of State Colin Powell declared that it is the objective of the United States to ''let Lebanon be ruled by the Lebanese people without the presence of [the Syrian] occupation army''.

(11) Large and increasing numbers of the Lebanese people from across the political spectrum in Lebanon have mounted peaceful and democratic calls for the withdrawal of the Syrian Army from Lebanese soil.

(12) Israel has withdrawn all of its armed forces from Lebanon in accordance with United Nations Security Council Resolution 425 (March 19, 1978), as certified by the United Nations Secretary General.

(13) Even in the face of this United Nations certification that acknowledged Israel's full compliance with Security Council Resolution 425, Syrian- and Iranian-supported Hizballah continues to attack Israeli outposts at Shebaa Farms, under the pretense that Shebaa Farms is territory from which Israel was required to withdraw by Security Counsel Resolution 425, and Syrian- and Iranian-supported Hizballah and other militant organizations continue to attack civilian targets in Israel.

(14) Syria will not allow Lebanon—a sovereign country—to fulfill its obligation in accordance with Security Council Resolution 425 to deploy its troops to southern Lebanon.

(15) As a result, the Israeli-Lebanese border and much of southern Lebanon is under the control of Hizballah, which continues to attack Israeli positions, allows Iranian Revolutionary Guards and other militant groups to operate freely in the area, and maintains thousands of rockets along Israel's northern border, destabilizing the entire region.

(16) On February 12, 2003, Director of Central Intelligence George Tenet stated the following with respect to the Syrian- and Iranian-supported Hizballah: ''[A]s an organization with capability and worldwide presence [it] is [al Qaeda's] equal if not a far more capable organization . . . [T]hey're a notch above in many respects, in terms of in their relationship with the Iranians and the training they receive, [which] puts them in a state-sponsored category with a potential for lethality that's quite great.''.

(17) In the State of the Union address on January 29, 2002, President Bush declared that the United States will ''work closely with our coalition to deny terrorists and their state sponsors the materials, technology, and expertise to make and deliver weapons of mass destruction''.

(18) The Government of Syria continues to develop and deploy short- and medium-range ballistic missiles.

(19) According to the December 2001 unclassified Central Intelligence Agency report entitled ''Foreign Missile Developments and the Ballistic Missile Threat through 2015'', ''Syria maintains a ballistic missile and rocket force of hundreds of FROG rockets, Scuds, and SS–21 SRBMs [and] Syria has developed [chemical weapons] warheads for its Scuds''.

(20) The Government of Syria if pursuing the development and production of biological and chemical weapons and has a nuclear research and development weapons and has a nuclear research and development program that is cause for concern.

(21) According to the Central Intelligence Agency's ''Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions'', released January 7, 2003: ''[Syria] already holds a stockpile of the nerve agent sarin but apparently is trying to develop more toxic and persistent nerve agents. Syria remains dependent on foreign sources for key elements of its [chemical weapons] program, including precursor chemicals and key production equipment. It is highly probable that Syria also is developing an offensive [biological weapons] capability.''.

(22) On May 6, 2002, the Under Secretary of State for Arms Control and International Security, John Bolton, stated: ''The United States also knows that Syria has long had a chemical warfare program. It has a stockpile of the nerve agent sarin and is engaged in research and development of the more toxic and persistent nerve agent VX. Syria, which has signed but not ratified the [Biological Weapons Convention], is pursuing the development of biological weapons and is able to produce at least small amounts of biological warfare agents.''.

(23) According to the Central Intelligence Agency's ''Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions'', released January 7, 2003: ''Russia and Syria have approved a draft cooperative program on cooperation on civil nuclear power. In principal, broader access to Russian expertise provides opportunities for Syria to expand its indigenous capabilities, should it decide to pursue nuclear weapons.''.

(24) Under the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483), which entered force on March 5, 1970, and to which Syria is a party, Syria has undertaken not to acquire or produce nuclear weapons and has accepted full scope safeguards of the International Atomic Energy Agency to detect diversions of nuclear materials from peaceful activities to the production of nuclear weapons or other nuclear explosive devices.

(25) Syria is not a party to the Chemical Weapons Conventions or the Biological Weapons Convention, which entered into force on April 29, 1997, and on March 26, 1975, respectively.

(26) Syrian President Bashar Assad promised Secretary of State Powell in February 2001 to end violations of Security Council Resolutions 661, which restricted the sale of oil and other commodities by Saddam Hussein's regime, except to the extent authorized by other relevant resolutions, but this pledge was never fulfilled.

(27) Syria's illegal imports and transshipments of Iraqi oil during Saddam Hussein's regime earned Syria $50,000,000 or more per month as Syria continued to sell its own Syrian oil at market prices.

(28) Syria's illegal imports and transshipments of Iraqi oil earned Saddam Hussein's regime $2,000,000 per day.

(29) The Government of Syria also utilized the railway network linking Mosul, Iraq, to Aleppo, Syria, to transfer a wide range of weaponry and weapon systems to Saddam Hussein's regime.

(30) On March 28, 2003, Secretary of Defense Donald Rumsfeld warned: ''[W]e have information that shipments of military supplies have been crossing the border from Syria into Iraq, including night-vision goggles . . . These deliveries pose a direct threat to the lives of coalition forces. We consider such trafficking as hostile acts, and will hold the Syrian government accountable for such shipments.''.

(31) According to Article 23(1) of the United Nations Charter, members of the United Nations are elected as nonpermanent members of the United Nations Security Council with ''due regard being specially paid, in the first instance to the contribution of members of the United Nations to the maintenance of international peace and security and to other purposes of the Organization''.

(32) Despite Article 23(1) of the United Nations Charter, Syria was elected on October 8, 2001, to a 2-year term as a nonpermanent member of the United Nations Security Council beginning January 1, 2002, and served as President of the Security Council during June 2002 and August 2003.

(33) On March 31, 2003, the Syrian Foreign Minister, Farouq al-Sharra, made the Syrian regime's intentions clear when he explicitly stated that ''Syria's interest is to see the invaders defeated in Iraq''.

(34) On April 13, 2003, Secretary of Defense Donald Rumsfeld charged that ''busloads'' of Syrian fighters entered Iraq with ''hundreds of thousands of dollars'' and leaflets offering rewards for dead American soldiers.

(35) On September 16, 2003, the Under Secretary of State for Arms Control and International Security, John Bolton, appeared before the Subcommittee on the Middle East and Central Asia of the Committee on International Relations of the House of Representatives, and underscored Syria's ''hostile actions'' toward coalition forces during Operation Iraqi Freedom. Under Secretary Bolton added that: ''Syria allowed military equipment to flow into Iraq on the eve of and during the war. Syria permitted volunteers to pass into Iraq to attack and kill our service members during the war, and is still doing so . . . [Syria's] behavior during Operation Iraqi Freedom underscores the importance of taking seriously reports and information on Syria's WMD capabilities.''.

(36) During his appearance before the Committee on International Relations of the House of Representatives on September 25, 2003, Ambassador L. Paul Bremer, III, Administrator of the Coalition Provisional Authority in Iraq, stated that out of the 278 third-country nationals who were captured by coalition forces in Iraq, the ''single largest group are Syrians''.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Government of Syria should immediately and unconditionally halt support for terrorism, permanently and openly declare its total renunciation of all forms of terrorism, and close all terrorist offices and facilities in Syria, including the offices of Hamas, Hizballah, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine—General Command;

(2) the Government of Syria should—

(A) immediately and unconditionally stop facilitating transit from Syria to Iraq of individuals, military equipment, and all lethal items, except as authorized by the Coalition Provisional Authority or a representative, internationally recognized Iraqi government;

(B) cease its support for ''volunteers'' and terrorists who are traveling from and through Syria into Iraq to launch attacks; and

(C) undertake concrete, verifiable steps to deter such behavior and control the use of territory under Syrian control;

(3) the Government of Syria should immediately declare its commitment to completely withdraw its armed forces, including military, paramilitary, and security forces, from Lebanon, and set a firm timetable for such withdrawal;

(4) the Government of Lebanon should deploy the Lebanese armed forces to all areas of Lebanon, including South Lebanon, in accordance with United Nations Security Council Resolution 520 (September 17, 1982), in order to assert the sovereignty of the Lebanese state over all of its territory, and should evict all terrorist and foreign forces from southern Lebanon, including Hizballah and the Iranian Revolutionary Guards;

(5) the Government of Syria should halt the development and deployment of medium- and long-range surface-to-surface missiles and cease the development and production of biological and chemical weapons;

(6) the Governments of Lebanon and Syria should enter into serious unconditional bilateral negotiations with the Government of Israel in order to realize a full and permanent peace;

(7) the United States should continue to provide humanitarian and educational assistance to the people of Lebanon only through appropriate private, nongovernmental organizations and appropriate international organizations, until such time as the Government of Lebanon asserts sovereignty and control over all of its territory and borders and achieves full political independence, as called for in United Nations Security Council Resolution 520; and

(8) as a violator of several key United Nations Security Council resolutions and as a nation that pursues policies which undermine international peace and security, Syria should not have been permitted to join the United Nations Security Council or serve as the Security Council's President, and should be removed from the Security Council.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States that—

(1) Syria will be held responsible for attacks committed by Hizballah and other terrorist groups with offices, training camps, or other facilities in Syria, or bases ion areas of Lebanon occupied by Syria.

(2) the United States shall impede Syria's ability to support acts of international terrorism and efforts to develop or acquire weapons of mass destruction;

(3) the Secretary of State will continue to list Syria as a state sponsor of terrorism until Syria ends its support for terrorism, including its support of Hizballah and other terrorist groups in Lebanon and its hosting of terrorist groups in Damascus, and comes into full compliance with United States law relating to terrorism and United Nations Security Council Resolution 1373 (September 28, 2001);

(4) efforts against Hizballah will be expanded given the recognition that Hizballah is equally or more capable than al Qaeda;

(5) the full restoration of Lebanon's sovereignty, political independence, and territorial integrity is in the national security interest of the United States;

(6) Syria is in violation of United Nations Security Council Resolution 520 (September 17, 1982) through its continued occupation of Lebanese territory and its encroachment upon Lebanon's political independence;

(7) Syria's obligation to withdraw from Lebanon is not conditioned upon progress in

the Israeli-Syrian or Israeli-Lebanese peace process but derives from Syria's obligation under Security Council Resolution 520;

(8) Syria's acquisition of weapons of mass destruction and ballistic missile programs threaten the security of the Middle East and the national security interests of the United States;

(9) Syria will be held accountable for any harm to Coalition armed forces or to any United States citizen in Iraq due to its facilitation of terrorist activities and its shipments of military supplies to Iraq; and

(10) the United States will not provide any assistance to Syria and will oppose multilateral assistance for Syria until Syria ends all support for terrorism, withdraws its armed forces from Lebanon, and halts the development and deployment of weapons of mass destruction and medium- and long-range surface-to-surface ballistic missiles.

SEC. 5. PENALTIES AND AUTHORIZATION.

(a) PENALTIES.—Until the President makes the determination that Syria meets all the requirements described in paragraphs (1) through (4) of subsection (d) and certifies such determination to Congress in accordance with such subsection—

(1) the President shall prohibit the export to Syria of any item, including the issuance of a license for the export of any item, on the United States Munitions List or Commerce Control List of dual-use items in the Export Administration Regulations (15 C.F.R. part 730 et seq.); and

(2) the President shall impose two or more of the following sanctions:

(A) Prohibit the export of products of the United States (other than food and medicine) to Syria.

(B) Prohibit United States businesses from investing or operating in Syria.

(C) Restrict Syrian diplomats in Washington, D.C., and at the United Nations in New York City, to travel only within a 25-mile radius of Washington, D.C., or the United Nations headquarters building, respectively.

(D) Prohibit aircraft of any air carrier owned or controlled by Syria to take off from, land in, or overfly the United States.

(E) Reduce United States diplomatic contacts with Syria (other than those contacts required to protect United States interests or carry out the purposes of this Act).

(F) Block transactions in any property in which the Government of Syria has any interest, by any person, or with respect to any property, subject to the jurisdiction of the United States.

(b) WAIVER.—The President may waive the application of paragraph (2) of subsection (a) for one or more 6-month periods if the President determines that it is in the vital national security interest of the United States to do so and transmits to Congress a report that contains the reasons therefor.

(c) AUTHORITY TO PROVIDE ASSISTANCE TO SYRIA.—If the President—

(1) makes the determination that Syria meets the requirements described in paragraphs (1) through (4) of subsection (d) and certifies such determination to Congress in accordance with such subsection;

(2) determines that substantial progress has been made both in negotiations aimed at achieving a peace agreement between Israel and Syria and in negotiations aimed at achieving a peace agreement between Israel and Lebanon; and

(3) determines that the Government of Syria is strictly respecting the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon through the Lebanese army throughout Lebanon, as required under paragraph (4) of United Nations Security Council Resolution 520 (1982), then the President is authorized to provide assistance to Syria under chapter 1 of Part I of the Foreign Assistance Act of 1961 (relating to development assistance).

(d) CERTIFICATION.—A certification under this subsection is a certification transmitted to the appropriate congressional committees of a determination made by the President that—

(1) the Government of Syria has ceased providing support for international terrorist groups and does not allow terrorist groups, such as Hamas, Hizballah, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command to maintain facilities in territory under Syrian control;

(2) the Government of Syria has withdrawn all Syrian military, intelligence, and other security personnel from Lebanon;

(3) the Government of Syria has ceased the development and deployment of medium- and long-range surface-to-surface ballistic missiles, is not pursuing or engaged in the research development, acquisition, production, transfer, or deployment of biological, chemical, or nuclear weapons, has provided credible assurances that such behavior will not be undertaken in the future, and has agreed to allow United Nations and other international observers to verify such actions and assurances; and

(4) the Government of Syria has ceased all support for, and facilitation of, all terrorist activities inside of Iraq, including preventing the use of territory under its control by any means whatsoever to support those engaged in terrorist activities inside of Iraq.

SEC. 6. REPORT.

(a) REPORT.—Not later than 6 months after the date of the enactment of this Act, and every 12 months thereafter until the conditions described in paragraphs (1) through (4) of section 5(d) are satisfied, the Secretary of State shall submit to the appropriate congressional committees a report on—

(1) Syria's progress toward meeting the conditions described in paragraphs (1) through (4) of section 5(d);

(2) connections, if any, between individual terrorists and terrorist groups which maintain offices, training camps, or other facilities on Syrian territory, or operate in areas of Lebanon occupied by the Syrian armed forces, and the attacks against the United States that occurred on September 11, 2001, and other terrorist attacks on the United States or its citizens, installations, or allies; and

(3) how the United States is increasing its efforts against Hizballah given the recognition that Hizballah is equally or more capable than al Qaeda.

(b) FORM.—The report submitted under subsection (a) shall be in unclassified form but may include a classified annex.

SEC. 7. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

In this Act, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that debate on the motion to suspend the rules and pass the bill, H.R. 1828, as amended, be extended to 60 minutes, equally divided.

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

There was no objection.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1828, as amended.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1828, as amended, a bill I introduced with my colleague the gentleman from New York (Mr. ENGEL), to hold Syria accountable for behavior and activities which threaten U.S. national security, our interests and our allies.

The Syrian regime has the blood of Americans on its hands, and we cannot, and we will not allow this to go unpunished. That is one of the primary reasons we are here today. And we would not have reached this point were it not for the commitment and unwavering support of a great American, our distinguished majority leader, the gentleman from Texas (Mr. DELAY), and we thank him for that support.

Mr. Speaker, following the deplorable terrorist attacks of September 11, 2001, President Bush clearly articulated what would be the guiding principles of U.S. foreign policy. He said: ''Every Nation in every region now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any Nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.''

The choice was clear, and Syria chose to be on the wrong side of history. Syria continues to harbor Hezballah, the Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, the PFLP–GC, and Hamas, including permitting the operation of offices and terrorist camps in Syrian territory and in Syrian-occupied Lebanon.

These and other Syrian-sponsored groups have perpetrated acts of terrorism against Americans, most notably the bombing of the U.S. Marine barracks in Syrian-occupied Lebanon in 1983, which killed 241 American Marines, and the attack on the Khobar Towers in 1996, where, with the assistance of Syria, the terrorists killed 19 American servicemen and injured scores of others.

The Syrian regime has continuously allowed Iranian transshipment of weapons to Hezballah and, in recent years, has also begun to supply Hezballah

militants with mortars, rocket-propelled grenade launchers and other weapons.

The Syrians vehemently defend, as well as support, protect and harbor, the leaders of Hezballah. For example, Sheik Nasrallah, a terrorist, who proclaimed in a speech broadcast on Hezballah's TV station in late April of this year, he said, ''Death to America was, is, and will stay our slogan.''

The actions that have earned the Syrian regime the pariah status as a state sponsor of terror have been further highlighted in Iraq, where Syria has been complicit against our forces in Iraq, as repeatedly articulated by the Syrian foreign minister, when he said, ''Syria's interest is to see the invaders defeated in Iraq.''

Syria has encouraged thousands of so-called ''irregular forces'' and other ''volunteer'' terrorists to cross the Syrian border into Iraq to battle our coalition forces. When U.S. military forces captured a large group of Syrians, they reportedly confiscated 70 suicide jackets, each filled with 22 pounds of military grade C4 explosives and mercury detonators. U.S. soldiers also reportedly found several hundred thousand dollars on a bus that came from Syria, together with leaflets suggesting that Iraqis would be rewarded if they killed Americans.

Ambassador Paul Bremer, the Administrator of the Coalition Provision Authority in Iraq, testified before our Committee on International Relations just a few weeks ago, and he said that the largest number of third-country detainees in U.S. custody in Iraq are from Syria. Ambassador Bremer underscored: ''And we believe that there are rat lines, as they call them, from Syria into Iraq, where both fighters and, in many cases, terrorists are still coming in.''

Despite the Syrian regime's efforts at manipulation, the terrorists they support remove any question that Syria is facilitating the movement of fighters into Iraq to kill our men and women in the Armed Forces. In September 14, 2003, an interview was printed with the Sunday Times World where a member of the militant Islamic group Martyrs of Islam, identifying himself only as Jamal, revealed that he and many others had trained at a camp in Syria during the buildup to the recent war in Iraq.

According to Jamal, while at the Syrian camp, he was trained to make bombs, set booby traps and fire various small arms, including rocket-propelled grenade launchers. Jamal said, ''Our entire group was trained in Syria. Other groups were trained there after us. We are here to kill American soldiers.'' He claimed that his 15-member cell had carried out about 60 attacks against American forces in 3 months.

Syria also continues to occupy Lebanon, in direct contravention of the United Nations Security Council resolutions. Through its illegal occupation of Lebanon, the Syrian regime has imposed its will on the Lebanese people through electoral intimidation, through political persecution, through the stifling of free speech, assassination of opposition leaders, and, last but not least, through brute military force.

The Syrian regime has all but eliminated Lebanon from the international political map, denying the Lebanese people their right to self-determination. It hijacked the democracy process in Lebanon, converting Lebanon into a proxy of the dictatorship in Damascus, a proxy in much the same way that the former Soviet Union used Eastern Europe to propagate its ''evil empire.''

The Syrian regime has even tried to extend its repression of the Lebanese people to the U.S., to the hallowed halls of Congress. For example, for his testimony during a Congressional roundtable that I held on September 17 as chair of the Subcommittee on the Middle East and Central Asia, General Michel Aoun, the former Prime Minister of Lebanon and one of the leading opposition figures in Lebanon, faces prosecution on charges of tarnishing Lebanon's ties with Syria. His statements in support of the Syria Accountability and Lebanese Sovereignty Restoration Act were viewed as an ''offense and he should be tried for it,'' said the authorities.

For all of the reasons I have articulated this afternoon, Mr. Speaker, it is imperative that we render our overwhelming support to H.R. 1828, as amended.

The Syria Accountability and Lebanese Sovereignty Restoration Act of 2003, as reported, establishes a clear set of policies with respect to Syria. It calls for the imposition of sanctions intended to deny Syria resources to pursue its threatening behavior and limit its diplomatic legitimacy should it persist in pursuing these activities. If the Syrian regime does not alter its behavior, it will suffer the consequences.

The sanctions are to be imposed unless the President certifies that Syria is not providing support for terrorists; has stopped all support for terrorist activities inside of Iraq; has withdrawn all military, intelligence and other security personnel from Lebanon; is not involved in the production, development, deployment, acquisition or transfer of weapons of mass destruction and long-range ballistic missiles; has provided credible assurances that such behavior will not be undertaken in the future; and has agreed to allow United Nations and other international observers to verify such actions and assurances.

The imposition of some, but not all, of the sanctions may be waived by the President for a 6-month period if he determines that it is in the vital national security of the United States to do so and transmits a report to Congress on the reasons substantiating such a determination.

Mr. Speaker, diplomacy with the Syrian regime has failed miserably. It is time to reinforce our words with concrete, tangible and punitive measures. This bill provides the President with the tools and the overwhelming Congressional support he needs to hold the regime in Damascus accountable for choosing to side with the terrorists and engaging in activities threatening the American people and U.S. national security interests.

Syria cannot be allowed to continue to act with impunity. The game is over.

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

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

Mr. Speaker, I rise in strong support of H.R. 1828.

Mr. Speaker, among the Members who deserve our praise for sponsoring this bill, I would like to single out the gentleman from New York (Mr. ENGEL), who first introduced this bill in the 107th Congress. I want to commend the gentlewoman from Florida (Ms. ROS-LEHTINEN) chair of the Subcommittee on the Middle East and Central Asia, and the gentleman from New York (Mr. ACKERMAN), the ranking member of the Subcommittee on the Middle East and Central Asia, for their invaluable work in bringing this legislation to the floor.

Mr. Speaker, no one in Damascus should be surprised by our action today.

□ 1700

One might even say that the Syrian Government is the moving spirit behind this action.

Syria, Mr. Speaker, is the leading regional force for destabilization and against peace. Syria is a charter member of the U.S. Government's list of state sponsors of terrorism. Syria hosts and provides both military and economic support to a wide array of vicious terrorist groups.

For too many years, inexplicably, our government has treated Syria better than it does other state sponsors of terrorism. We have been allowing more trade with Syria, and we have maintained normal diplomatic ties. It is time, Mr. Speaker, for this special treatment to end.

The Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 will closely align our Syria policy with our policy toward other state sponsors of terrorism.

Twenty years ago, Mr. Speaker, Syrian-sponsored terrorism was responsible for the worst pre-September 11 terrorist incident in American history: the murder of 241 U.S. Marines by a suicide bomber in Lebanon in October of 1983. I visited with those Marines just a few weeks before the tragedy. Now, Syria's irresponsible behavior is again resulting in more murders of American soldiers, this time in Iraq.

Six months ago, Mr. Speaker, I visited Syria and met with the president of that country. I told him that he had made a major miscalculation regarding Iraq. Completely misunderstanding media reports of Coalition difficulties

in the first days of the war due to a sand storm, Syria promptly aligned itself with Saddam Hussein, opening its borders to jihadists and suicide bombers, and opening the floodgates for arms and military equipment to flow into Iraq. To this very day, Mr. Speaker, Syria keeps its borders open, and suicide bombers and pro-Saddam thugs are allowed to cross into Iraq and attack our American soldiers in that country.

But it is not the only way that Syria is aiding terrorists in Iraq. This last weekend, Mr. Speaker, we learned that Syrian state-controlled banks are holding some $3 billion of Saddam Hussein's cash. Despite our diplomatic efforts, Syria is refusing to freeze those funds and to return them to pay part of the cost of rebuilding Iraq. Meanwhile, Saddam's ''bitter-enders,'' perhaps Saddam himself, are drawing on those funds to fuel their murderous attacks on American soldiers.

When I met with President Asad 6 months ago, I warned him that the Syria Accountability Act would soon be on its way to passage in the House and in the Senate unless Syria changed its ways in Iraq and throughout the region. President Asad understood me perfectly. I was not surprised to find that he was very familiar with the Syria Accountability Act.

Secretary of State Colin Powell visited Asad one week after my visit; and told him, as I had, what he needed to do to improve Syria's standing in the United States: he had to end support for terrorism in Iraq and elsewhere. He had to stop supporting Hezbollah and other terrorist groups in Lebanon. He had to close the terrorist offices in Damascus. He had to remove the 17,000 Syrian soldiers in Lebanon. He had to remove the thousands of Syrian military intelligence officers who effectively run Lebanon. He had to stop work on weapons of mass destruction. He had to free the many political prisoners in Syrian prisons, and he had to end vicious anti-U.S. incitement in Syria's media.

I repeated my warning in a press conference with Arab media immediately after my meeting with Asad. When I returned to Washington, I wrote the president of Syria, reviewing the contents of our meeting. I reminded him that congressional action was looming, but that he had the power to avert it.

Mr. Speaker, at this time I will introduce into the RECORD the text of my letter of last May to President Asad.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,

Washington, DC, May 23, 2003.

His Excellency, President BASHAR AL-ASAD,
Damascus, Syrian Arab Republic.

DEAR MR. PRESIDENT: Once again I would like to thank you for receiving me in your office recently. Our discussion was valuable, and I believe it could mark the beginning of a productive dialogue that benefits both our nations.

I have therefore been surprised and deeply dismayed by Syria's failure to take truly meaningful action on the issues we discussed in the weeks since my visit. Notwithstanding press reports that some of the offices of Palestinian terrorist organizations in Damascus may have been closed, I am deeply disappointed by your failure to confirm this definitively and to affirm that their closure is the result of a decision by the Syrian government, not by the terrorists. I was also disturbed by your failure to join the U.N. Security Council consensus in favor of UNSC Resolution 1483 ending sanctions on Iraq and by the Syrian state media's harsh and inaccurate accusations against the U.S. regarding that resolution.

Mr. President, closing the offices of Palestinian terrorist organizations is the most basic of steps you must take if we are to make a start toward improving U.S.-Syrian relations, as you and I discussed. But it is crucial not only that you actually close the offices and prevent these groups and their partisans from carrying out activities in Syria but that you also make clear, publicly and formally, that you are doing so. Only if such actions are executed in a transparent and definitive manner can Syria demonstrate to the world that it opposes the actions of these terrorist organizations. A stealthy closing of the offices, or a sham closing in which terrorist personnel continue to carry out their activities less publicly and from different locations—or a closing which you claim is strictly the result of the terrorists' decision, as you so far have done—will only leave the world skeptical of your real intentions and will prevent you from reaping any benefits in U.S.-Syrian bilateral relations.

I was pleased that, in our meeting, you said you oppose terrorism ''anywhere.'' Since the Palestinian groups with offices in Damascus have claimed credit for numerous terrorist attacks in Israel—and sometimes have issued these claims from Damascus itself—they surely have no business in Syria, and you should have no trouble making public declarations to that effect. As we agreed, there is no point in discussing semantics. Whether one calls them information offices or terrorist headquarters, it is imperative that they be closed and their cadre expelled—and that this decision be publicly announced and definitively implemented—if we hope to begin a new era in bilateral relations.

You will recall that we discussed the Syria Accountability Act. I told you at that time that, depending on your decisions and actions, Congressional action on that bill will be delayed, halted, or accelerated. I also told you that I would be looking for the earliest possible positive action on your part and in particular in the immediate aftermath of the Powell visit. Based on what I have seen and read thus far, such positive action from you has not been sufficiently forthcoming. Should that continue to be so, I will have no choice but to join with like-minded colleagues in the near future to accelerate action on the Syrian Accountability Act.

So that there be no misunderstanding, I think it is important that I review with you the content of our discussion and my reflections on it. As I indicated to you, Syria made many regrettable decisions in the months leading up to the Iraq war, during it, and in its immediate aftermath. These mistakes were reflected in both your statements and actions during this period. My impression during our meeting was that you understand this. In fact, it is crucial that your future performance fully reflect this understanding, that you expel any Iraqi officials and Saddam Hussein family members who took refuge in Syria, that you seal your border so as to prevent the smuggling of arms and other military equipment into Iraq as well as the infiltration of anti-U.S. personnel, and that you fully cooperate with the United States' Iraq policy in all other ways. Indeed, my overwhelming concern—and I believe that of all of my colleagues in the U.S. Congress—is that you cooperate to the fullest extent with ongoing United States efforts in Iraq. Based on Syria's absence from yesterday's UN Security Council vote, you clearly have not comprehended the urgency of this concern.

Beyond cooperation regarding Iraq, several steps are necessary in order to reverse the recent erosion of bilateral ties. Let me once again enumerate these steps:

(1) The offices of the Palestinian terrorist groups must be closed and their activities ended immediately, and this decision be publicly announced and definitively implemented, as discussed above.

(2) All military assistance to Hizballah, both directly and as a conduit for Iran, must be terminated.

(3) Hizballah must be removed from the Lebanese-Israeli border area as well as from the area of Shebaa Farms, and the Lebanese Armed Forces must be deployed throughout the length of the border. Hizballah also must cease its attacks on Israeli territory and personnel, including in the Shebaa Farms area.

(4) Hizballah must be disarmed, as every other Lebanese militia has been.

(5) Iranian Revolutionary Guard cadre must be expelled from Lebanon.

(6) All terrorist bases in Lebanon and Syria must be closed, and all other support for terrorism must end.

(7) Syrian military forces must be evacuated from Lebanon.

(8) All Israeli prisoners held by Hizballah or Syria must be released.

(9) Syria must take immediate steps to address the many serious human rights problems addressed in the U.S. State Department's recent human rights report. In particular, it must release the academicians, journalists, and members of the Syrian parliament currently in prison for crimes of speech and thought.

(10) Hostile anti-U.S. propaganda in state media must be terminated.

All of these steps are required urgently, but again I emphasize that an affirmative decision to close the offices of the Palestinian groups in Damascus must be announced and implemented definitively and immediately.

During our meeting, you asked me whether I expect you to undertake these actions ''for free.'' To reiterate, I am not asking anything for free. In English, there is a saying that virtue is its own reward. Indeed, a state that supports terrorist groups and violates the sovereignty of a neighboring nation cannot be fully accepted as member in good standing of the civilized world in the twenty-first century. But of course I understand that you were asking what the political pay-off would be for Syria. The reward, Mr. President, is immeasurable and of the greatest significance. It is the goodwill of the Congress, the Administration, and the American people. This goodwill is a priceless commodity, and it has long been lacking in our bilateral relations precisely because of Syria's failure to take the necessary actions I enumerated in our talk and have underscored here. From the establishment of goodwill all other benefits flow.

If you show clear indication that you are progressing in the direction I outlined—beginning with full cooperation regarding Iraq and the immediate and definitive closing of the offices of the Palestinian terrorist organizations and the cessation of their activities on Syrian or Lebanese soil—I will do everything I can to prevent Congressional consideration of the Syria Accountability Act. Let me add something else: Once it would be fully clear that Syria no longer belongs on the list of state-sponsors of terrorism, nothing would give me greater satisfaction than to advocate its removal from that list.

Absent such indication, however, I can only foresee the worst. I must again underscore the importance of your acting immediately. Time is running out.

You asked that I sound out the Israelis about their interest in pursuing negotiations regarding the Golan Heights and Syrian-Israeli peace. I did indeed raise this matter with Prime Minister Sharon during my visit to Israel. He assured me that he is ready to engage in negotiations, on an unconditional basis, at any time. I would be delighted to be of any further assistance to you on this matter.

Let me reiterate that I foresee the prospect of a new and positive era in U.S.-Syrian bilateral relations. The recent war in Iraq is a cataclysmic development that will usher in great changes in the region. A Middle East that is more politically liberal and increasingly friendly to the United States is on the horizon. This trend is typified by some of your bordering neighbors, such as Jordan, Israel, Turkey, and, soon no doubt, the new Iraq. It is my fervent wish that Syria be seen as fully in step with these regional trends. It is my firm conviction that Syria indeed must be fully in step with these trends if U.S.-Syrian relations are to improve and prosper rather than suffer still further damage. The path our relations follow will depend, Mr. President, on your vision, your leadership, and, most important, your willingness to take bold decisions along the lines we have discussed.

Sincerely,

TOM LANTOS,
Ranking Democratic Member.

Mr. Speaker, after 6 months of waiting, 6 months after Secretary Powell's visit, and 6 months after my own visit, Syria has done nothing to comply with our long-standing requirements. This conclusion is confirmed by the administration which has sensibly changed its position on the Syrian Accountability Act from one of opposition to its current stance, which I view as implicit support for our legislation. It seems, Mr. Speaker, everyone's patience has run out.

I wish that this legislation had not been necessary, but the Syrian regime's actions, or perhaps I should say inactions, have made it imperative. Despite warning after warning, the Syrian Government has refused to heed the dictates of common sense. In fact, it has regressed with its latest outrages resulting in more terrorism in Iraq. The door to good relations with the United States has been wide open to Syria, but the Syrian regime has contemptuously slammed it shut. Now it must pay the consequences.

Nevertheless, Mr. Speaker, as our legislation makes it clear, the United States remains ready and receptive to good relations with Syria, just as soon as the Syrian regime conforms to the norms of civilized conduct.

The whole Middle East is changing, Mr. Speaker. Syria cannot and will not be frozen in a past of supporting terrorism and suppressing its own people. I trust change in Syria will come peacefully. I know it will come soon.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield 1 minute to the gentleman from Texas (Mr. DELAY), the majority leader who is responsible for this legislation moving quickly through the House.

Mr. DELAY. Mr. Speaker, I want to thank the gentlewoman from Florida for yielding me this time and for her leadership on this issue. I also want to thank the gentleman from New York (Mr. ENGEL) for sponsoring this legislation and, as always, thank my friend, the gentleman from California (Mr. LANTOS), for his leadership and advocacy for peace and security in the Middle East. I should also, by the way, on behalf of the House thank my predecessor, Dick Armey, for initially proposing the Syrian Accountability Act in the last Congress before his retirement. It is a good bill, one that I am proud to sponsor and support; and it is a critical addition to America's diplomatic arsenal in the war on terror.

Mr. Speaker, Syria's hostility to the United States and our allies is no secret. Neither is its weapons of mass destruction program or its sponsorship of Hezbollah, Palestinian Islamic Jihad, and other terrorist networks. And least secret of all, Mr. Speaker, is Syria's active support of terrorists seeking safe passage into Iraq to kill Americans. According to Ambassador Bremer, of the 276 terrorists detained in Iraq since the end of major combat there, 123 are from Syria.

The current Syrian regime is not a friend, and it is not a misunderstood bystander. It is a government at war with the values of the civilized world and a violent threat to free nations and free men everywhere. It is a textbook example of a terrorist state and poses a clear and present danger to American soldiers, diplomats, and civilians in the Middle East.

President Bush made the terms of the war on terror very clear: ''You are either with us or you are with the terrorists.'' And since then, we have tried everything, and the President has tried everything. But despite every olive branch and carrot that we have offered, Syria has chosen to side with the terrorists. Therefore, we in the House have no choice but to begin identifying ways to change their leaders' minds, and this legislation will empower the President to pressure Syria in several ways from economic sanctions and travel restrictions to diplomatic isolation.

But, Mr. Speaker, this bill is about more than its substantive penalties. After all, international sanctions have been levied against Syria for years, and Syria's regime has only scoffed at them. But times have changed, and the heightened sanctions in this bill are just the beginning. Congress will be watching Syria's every move and responding accordingly. And by passing this bill today, we will start that process. We will send a very clear message to President Asad and his fellow travelers along the Axis of Evil. The United States will not tolerate terrorism, its perpetrators, or its sponsors; and our warnings are not to be ignored.

Mr. Speaker, I urge all of my colleagues to vote for this bill, send that message, and enlighten the Syrian regime as to America's resolve in the war on terror.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 6 minutes to the gentleman from New York (Mr. ENGEL), my good friend and the original author of this legislation, who has been indefatigable in pursuing this cause; and I am delighted to see it is coming to fruition this afternoon.

Mr. ENGEL. Mr. Speaker, I want to thank my friend, the gentleman from California (Mr. LANTOS), for yielding me this time and for his kind words.

Mr. Speaker, I rise to speak in favor of H.R. 1828, the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003. As the lead sponsor of the bill, I am very appreciative that this bipartisan bill, which I wrote in my office and introduced more than a year and a half ago, is today coming to the floor. I am pleased to have worked on this bill with our lead Republican sponsor, the chair of the Subcommittee on the Middle East, the gentlewoman from Florida (Ms. ROS-LEHTINEN), and it has been a delight to work with her on this bill.

Mr. Speaker, since the war in Iraq, it has become plain to ordinary Americans, Members of Congress across party lines, and officials in the administration what has been plain to me for many years, that Syria is among the most dangerous, destabilizing countries in the Middle East. In 1979, our U.S. State Department put forth a list of countries which support terrorism. Syria was a charter member of that list. She has been on that list unabated for 24 years; and yet she is currently the only country on this list with which we have normal diplomatic relations. I have never understood that, and it is time to tell Syria that the game is over.

As President Bush said on June 24, 2002, ''Syria must choose the right side in the war on terror by closing terrorist camps and expelling terrorist organizations.'' In fact, terrorist groups that have thrived under Syrian protection have taken hundreds of American lives. In 1983, Hezbollah killed 241 U.S. Marines in a terrorist attack near Beirut and killed more in the bombing of the U.S. embassy annex the following year.

Syria also plays host to a number of terrorist groups in its capital, Damascus, and terrorist camps throughout Syria and Syrian-occupied Lebanon. In fact, the leader of the Palestine Islamic Jihad, which just murdered 21 innocent people in a homicide bombing in the Israeli city of Haifa, lives in Damascus. Israel was correct and justified in its recent attack on the Palestine-Islamic Jihad training camp in Syria.

The threat of collusion between terrorist groups and the Government of Syria must be addressed directly, especially because of Syria's arsenal of weapons of mass destruction. Under

Secretary of State John Bolton testified last month before the Subcommittee on the Middle East that ''since the 1970s, Syria has pursued what is now one of the most advanced Arab state chemical weapons capabilities and is continuing to develop an offensive biological weapons capability.''

□ 1715

For a country with Syria's history with weapons of mass destruction, this is a cause for serious concern.

Even with all this damming evidence about the threat that Damascus poses some have suggested that we should not hold Syria accountable. The reasons they give have varied, but the most common is that Syria has somewhat helped the U.S. in our war on terror. Absolutely nonsense. Syria is both the arsonist and the fireman. She continues to help terrorism and then throws us crumbs and says look, I am putting it out. That shell game has got to stop.

Syria is two-faced, throwing the few small bones of information to American sources while continuing to aid the most violent terrorist groups in the Middle East. This is not an acceptable deal in the post-September 11 world.

Under this bill, unless Syria meets four key criteria, it will face several sanctions, both economic and commercial and military. First and foremost, Syria must end its support for terrorism. It must close the offices and end the operations of the Palestinian terror groups and stop the supplies to Hezbollah. And it must come into full compliance with Security Council Resolution 1373 which directs all countries to fight terror.

Secondly, Syria must withdraw its armed forces from Lebanon. Nothing would do more for peace and the promotion of democracy in the Middle East than a free and sovereign Lebanon. The U.N. long ago certified Israel's withdrawal, but the Syrian military occupation remains. It is time to let the Lebanese run Lebanon.

Thirdly, Syria must halt development and procurement of weapons of mass destruction and ballistic missiles. The Syrian force of hundreds of Scud missiles topped with unconventional warheads poses a serious danger to the Middle East.

Finally, Syria must take immediate steps to stop guerrillas from traveling to Syria to Iraq to attack and kill American troops.

Mr. Speaker, I am pleased to inform you that this bipartisan legislation has gathered 297 cosponsors in the House including a majority of Democrats and Republicans, and the bill received an overwhelming 33 to 2 vote in the Committee on International Relations. The Senate version of our bill tells a similar story with 76 cosponsors led by Senators BOXER and SANTORUM.

Finally, I would like to thank the chairman and the ranking member of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS), for moving the bill forward and for their support, as I mentioned before. I also thank the chair of the subcommittee, the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her hard work, and all 297 Members of the House who have cosponsored this important bill. I want to thank the gentleman from Texas (Mr. DELAY), the majority leader, for moving the bill forward quickly on the House floor, and the minority leader, the gentlewoman from California (Ms. PELOSI), the minority whip, the gentleman from Maryland (Mr. HOYER), and the majority whip, the gentleman from Missouri (Mr. BLUNT), for their cosponsorship of the bill.

I urge the House to pass this important legislation and send a clear message to Syria to end its destabilizing policies. I am also grateful that the administration recently lifted its opposition to the bill, and President Bush has indicated that he will sign this bill. Again, in the war against terrorism this is a good place to continue. I urge my colleagues to support this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the chief majority deputy whip, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I rise in favor of H.R. 1828 and want to commend the gentleman from New York (Mr. ENGLE) as well as the chairman of the Middle East Subcommittee on International Relations, the ranking member, the gentleman from California (Mr. LANTOS) as well as the gentleman from Illinois (Mr. HYDE), for pushing this bill forward because it comes at a very important time.

And it is true that the time has come to hold the Syrian Government accountable for its role in sponsoring the activities of terrorist organizations. Passage of this bill will send a message that the American people are fed up with the broken promises and unmet obligations of Bashar Assad and his government. Syria has a long-standing history of providing safe haven, refuge, and logistical support to a number of terrorist groups including Hezbollah and Hamas. When innocent people are blown up and killed in Jerusalem, they issue the press releases in Damascus. This must come to an end.

President Bush has been resolute as he leads our country and the world in the fight against the terrorists. Under the Bush doctrine, we cannot and will not allow there to be a gap between the state sponsors of terrorism and the terrorists themselves. Closing this gap in Syria is exactly what this bill does.

Mr. Speaker, not only must we pass this bill here today, we must also work to persuade some of our European and Arab state allies to take similar action.

Working to strengthen economic ties with a terrorist regime is unacceptable while American men and women are dying in Iraq fighting these same terrorists.

Mr. LANTOS. Mr. Speaker, I yield as much time as he may consume to the gentleman from Maryland (Mr. HOYER), the distinguished democratic whip who has been an indefatigable fighter for freedom and against terrorism throughout the globe.

Mr. HOYER. Mr. Speaker, I thank my friend, the distinguished ranking member of the Committee on International Relations, the gentleman from California (Mr. LANTOS).

Mr. Speaker, this is a very important piece of legislation. And I want to commend the gentleman from New York (Mr. ENGEL) for his leadership and sponsorship of this legislation. This bill is part and parcel of our Nation's continuing war on terrorism. And it is a necessary reminder to states that want to belong to the family of civilized nations while simultaneously sponsoring and providing safe harbor to terrorist organizations, you cannot have it both ways.

Syria has regularly appeared on the State Department list of state sponsors of terrorism. Let me recall the remarks of our President as he spoke to a joint session of Congress on September 20. He said, ''And we will pursue nations that provide aid or safe haven to terrorism. Every nation in every region now has a decision to make,'' our President said, ''either you are with us or you are with the terrorists.''

Now, when he said ''us,'' he did not simply mean America; he meant the civilized law-abiding nations of the world and peoples of the world. ''From this day forward,'' he went on, ''any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.'' Strong words but appropriate words.

Syria provides safe haven and support for terrorist groups operating in Israel and throughout the region, including, as has been mentioned, Hezbollah. I saw that, Mr. Speaker, with my own eyes when I led a congressional delegation to Israel just a few weeks ago. We traveled to the Israel-Syrian border in the Golan Heights where members of Hezbollah openly walk about on the Syrian side, have arms on the Syrian side, have missiles, and launch terrorist attacks from the Lebanese-Syrian side.

As far as I am concerned, Mr. Speaker, Syria's relationship with Hezbollah is reason enough to end economic relations with Damascus, as the President indicated we would do, but there are others as well. Damascus has failed to fulfill its agreement to withdraw its forces from the security zone in southern Lebanon. In recent years, Syria had become a major supply route for oil flowing out of Iraq and illegal arms shipments into Iraq. And Syria is believed to be pursuing both nuclear weapons and missile development. Syria, in fact, is subject to fewer sanctions, fewer sanctions than any other country designated by our government as a state sponsor of terrorism.

This bill would require the President to impose economic and diplomatic

penalties on Syria unless immediate and meaningful changes are made in its policies.

Left unchecked, I strongly believe Syria poses a grave risk to Israel, to the Middle East, and to our interests. It threatens regional stability and is ultimately a major U.S. national security concern. This bill seeks to reign in one of the major impediments to peace in the Middle East. And I urge my colleagues to support it.

The President was correct, you are either with the civilized law-abiding nations of the world or you are not. And if you are not, our relations with you should not be normal. In fact, they should impose sanctions and penalties for such conduct destabilizing and making less secure the region and the world.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to a new member of our Florida delegation, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in support of this important bipartisan legislation, the Syrian Accountability Act. It will authorize new sanctions against Syria until it meets certain conditions.

Although the Department of State lists Syria as a state sponsor of terrorism, fewer sanctions apply to this country than to any other nation on this list. We know that Syria provides a safe haven and support to several terrorist groups including Hezbollah, Hamas, and the Palestinian Islamic Jihad, to name only a few.

Secretary Rumsfeld has asserted that bus loads of Syrian fighters entered Iraq with thousands of dollars and leaflets offering rewards for dead American soldiers.

Syria deserves the same sanctions and loss of diplomatic relations as any other nation that sponsors terrorism overseas or against Americans. It is absolutely critical that this renegade nation be held accountable for its actions once and for all.

I urge my colleagues to support this bill which the gentlewoman from Florida (Ms. ROS-LEHTINEN) proudly sponsors.

Mr. LANTOS. Mr. Speaker, I yield whatever time she may consume to the distinguished democratic leader, the gentlewoman from California (Ms. PELOSI), my friend and colleague and neighbor, who has been a fighter against terrorism and for free societies through her entire life.

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman from California (Mr. LANTOS) for yielding and for his great leadership as the chair of the Human Rights Caucus and a fighter against terrorism and a person who understands better than any of us America's leadership role in the world.

I want to commend the gentleman from New York (Mr. ENGEL) for his leadership in bringing this important legislation to the floor and commend our colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for her usual extraordinary leadership on this issue. I also want to commend the gentleman from Illinois (Mr. HYDE), working with the gentleman from California (Mr. LANTOS), for what they have done to make this discussion possible today.

I am pleased to join nearly 300 of our colleagues in cosponsoring this important measure, which is an effort to encourage Syria to cease its support for terrorism and to end its occupation of Lebanon. Syria's assistance to terrorist organizations is well known, and the State Department continues to list Syria as a state sponsor of terrorism in violation of resolutions on that issue by the U.N. Security Council.

The Bekaa Valley in Lebanon, which Syria controls, provides a haven and a site of training facilities for Hezbollah, Hamas, and other terrorist groups. These activities could not occur without the assent of the Syrian government.

The people of Israel and the cause of peace in the Middle East have been the traditional targets of groups led by, and helped by, Syria. But today's attack on the U.S. convoy in Gaza is a reminder that the United States and our interests in the world are foremost on terrorist target lists. Dealing with the problem of terrorism is our top priority.

Rhetoric has thus far not been effective in encouraging the Syrian Government to cease its assistance to terrorists and to remove its forces from Lebanon.

This legislation provides another alternative. The imposition of sanctions that will hopefully convey a stronger message of our seriousness.

□ 1730

As proposed in the bill, sanctions are a flexible tool that the President may weigh against other interests of the United States in fashioning a response to whatever the Syrian Government may do with respect to the presence of terrorist organizations within the territory it controls.

The costs of terrorism are well known in our country and in the countries throughout the world. It behooves us to have a range of options to address the threat terrorism poses. H.R. 1828 adds to our options with respect to terrorism in the Middle East, and I urge its adoption and once again commend the gentleman from New York (Mr. ENGEL), the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Mr. HYDE), and the gentlewoman from Florida (Ms. ROS-LEHTINEN) on their leadership on this important matter.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in support of holding Syria accountable for aiding and abetting terrorists and for helping those who are killing Americans in Iraq, also to suggest to the Syrians that it is time for them to leave Lebanon.

Terrorism, we hear that word a lot. What is it? A terrorist is an individual or an organization or a nation that uses violence against noncombatants in order to achieve its goals. Syria needs not face this type of punitive legislation. First of all, let me note that before the Syrian Army went into Lebanon, the Lebanese were engaged in slaughter among themselves and that the Syrian troops played a positive role at that time. That has long since passed. They should be out of there by now.

But also the fact is that the Syrian Government fully understands that it is offering its country as a base of operations for organizations that target women and children in Israel. They are based there. They announce their attacks and the results of their attacks from there. There is no doubt that terrorists, people who are slaughtering innocent people, are there in their country; yet they refuse to change the policy that permits those terrorists to operate out of that country.

Now, when you talk to them about it, which I have, they always use what they perceive as the evils of Israel as an excuse. Well, I will tell you this, I am opposed to anyone who targets noncombatants to achieve their military or political ends. It is sinful. And today I wholeheartedly support this because what Syria does by providing safe haven to terrorists is an affront to civilization. Also, they are now engaged in helping those who are pulling the trigger in killing Americans as we do our job in Iraq. And I do not have to condemn all evil in the world in order to wholeheartedly condemn this evil. Today it is even more incumbent upon us to take a strong stand with Syria's wrong doing because every day our soldiers are being killed by people who are sneaking through Syria to get into Iraq. I would plead with Syria, please change your ways. You need not be our enemy. You need not have the policies you do.

Finally, let me note that while I wholeheartedly support this legislation condemning Syria's wrongdoing, I also condemn when other countries are engaged in wrongdoing in that part of the world. I would suggest that as a body we do not forcefully condemn Israel when it is apparent to us that Israel is engaged in wrongdoing. I believe that undermines our credibility with these Arab countries and these Arabs when we plead with them on issues like this. If we could be more balanced, I think we could be a greater force for the good and moral standards that we talk about today.

Mr. LANTOS. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from New York (Mr. ACKERMAN), who has been fighting for peace in this region for his entire congressional career.

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

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of the Syria Accountability Act, encourage the administration to use all of the tools at its disposal to enforce that accountability.

Mr. Speaker, today's debate over the Syria Accountability Act, is in my view, Congress's long overdue response to the Bush Administration's failure to match its tough talk with demonstrations of our resolve.

This spring, the Administration took sudden notice of the numerous and longstanding Syrian policies that are hostile to our national interests. The President dispatched the Secretary of State to loudly threaten serious consequences; there were the predictable rounds of feckless diplomacy; and then the Administration's attention wandered off. Syria's policies, of course, didn't change one bit.

We know that during combat operations in Iraq, there was credible evidence of arms and people moving from Syria into Iraq. And we know that Syria is directly responsible for providing safe passage and transit documentation to many of the terrorists now working to undermine our relief and reconstruction efforts in Iraq. The Bush administration's response? Zero.

We know that Syria's highly touted cooperation in battling Al-Qaeda has dried up. According to the State Department counterterrorism coordinator, Damascus has ''allowed Al-Qaeda personnel to come in and virtually settle in Syria with their knowledge and their support.'' The Bush Administration's response? Zero.

We have known for years that Damascus has actively opposed U.S. efforts to resolve the Israeli-Palestinian conflict through its patronage of Hezbollah.

Today, Hezbollah, is aggressively working to facilitate ever greater levels of Palestinian terrorism against Israel. And since Hezbollah can't get Iranian weapons through Iraqi airspace, Damascus is reported to be supplying Hezbollah with weapons from Syria's own depots. The Bush Administration's response? Zero.

On July 22, President Bush said ''Syria . . . continue[s] to harbor and assist terrorists. This behavior is completely unacceptable, and states that support terror will be held accountable.''

It's now mid-October. Secretary Powell went to Damascus in early May. Where's the accountability?

Moreover, when asked only weeks ago to testify about Syria's weapons of mass destruction, the Administration provided an elaborate listing of the numerous authorities they have under U.S. law, the powers provided by executive orders, and the manifold capabilities of the executive branch, all to counter Syria's proliferation efforts. But next to nothing was offered on how these tools are being used.

By now, two things should be indisputably clear: terrorism is the Assad regime's preferred strategic option in dealing with America, and bluster is the favored method of the Bush Administration in dealing with Syria.

Mr. Speaker, Congress can only provide the tools, and with this bill, we will be adding to the already considerable stockpile of authority the President has chosen not to use. What's lacking in our Syria policy is not legal authority. What's lacking is consistency, focus, and resolve.

I hope passage of this bill will prompt the Bush Administration to conduct the kind of serious policy review that has been unfortunately absent so far, that has allowed our policy to drift so badly, and that has brought this legislation to the floor of the House.

I strongly encourage Members to support the bill.

Mr. LANTOS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MATSUI), who has been unique in his support for constructive development in the region and who has been fighting tenuously against terrorism throughout the region and the world.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from the State of California (Mr. LANTOS) for his kind comments. Obviously, I want to thank the gentleman from New York (Mr. ENGEL) for his sponsorship of this and the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her wonderful sponsorship and lead on this in terms of the subcommittee Chair.

This act is one that has been overdue. I am very, very pleased that the President has not opposed this and has given us the liberty now to bring this before the floor.

This is a piece of legislation that should have been passed 25 years ago when we had the original State Department list on state-sponsored terrorism. Syria has been on this list now for 25 years. For 25 years they have been on this list as a state-sponsored terrorist country. They have had Hezbollah. They have had Hamas. They have had a number of terrorist groups that have had offices in Syria. They have had training bases in Syria, and they also have weapons of mass destruction that could get in the hands of these terrorists.

In addition, even recently Syria has allowed visas to be given to terrorist individuals who have gone into Iraq for the sole purpose of doing damage to the infrastructure in putting the lives of American men and women in jeopardy. This act would merely give the President the authority to take two actions out of a menu of about 15. They would be simple things like preventing many of the diplomats from going 25 miles outside of the U.N.

Let me conclude, if I may. It would perhaps impose trade sanctions on the Syrian Government. It is very, very simple kinds of sanctions for the kinds of terrorist activities the Syrian Government has been responsible for. I urge the adoption of this legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I rise in support of H.R. 1828, the Syrian Accountability Act. It is time for Syria, quite frankly, to make a choice. In Lebanon its troops have been there far too long. The sponsorship of terrorist activity against the State of Israel is no longer, and never was, acceptable. Finally, the porous borders between Iraq and Syria which terrorists move across is a constant threat to American troops.

As our President has said, There is no middle ground in the war on terrorism. It is simply not acceptable to cooperate in some areas as Syria occasionally has, and yet to cooperate with terrorists on the other hand as it constantly has done.

I am extraordinarily proud of the United States Congress for making this strong statement in a bipartisan fashion, and I hope the message will be understood and acted upon in Damascus.

Mr. LANTOS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I urge my colleagues to pass this bill. We have to show Syria that there are consequences for supporting terrorism and undermining peace in the region. It is amazing to me that Syria offered support to Iraq even as U.S. and Coalition forces were engaged in combat and subsequently has turned a blind eye to militants who slip across their borders into Iraq to kill American soldiers.

Syria has been on this terrorist list for such a long time, and yet we allow it to continue. We have imposed fewer sanctions than any other country that is a state-sponsor of terrorism. I suppose we sort of bought into this idea that somehow they were helping us over the years. But in the aftermath of the Iraq war, it has been quite clear that they have not been helping us, and whatever effort was out there supposedly to give that impression is simply not real.

The fact that they continue to be present in Lebanon, to harbor various terrorist organizations, the time has come to pass this bill. It is certainly long overdue, as so many of my colleagues have said on a bipartisan basis. Let us get it passed today.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY), a member of the Committee on International Relations.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman for yielding me time. Mr. Speaker, I would congratulate the gentlewoman and my good friend, the gentleman from New York (Mr. ENGEL), for their leadership here, and the ranking member of my committee, the gentleman from California (Mr. LANTOS), for his continued leadership on this issue.

Mr. Speaker, I rise in strong support of this bill, the Syrian Accountability and Lebanese Sovereignty Restoration Act. This legislation passed the House Committee on International Regulations by an overwhelming bipartisan vote. I want to thank the gentleman from Illinois (Mr. HYDE), as well, for bringing this bill to the floor. I thank the leadership for bringing this bill to the floor and before the committee and ensuring that we have the opportunity to let Syria know that the United States will not allow a free pass any longer.

Syria has been listed as a state-sponsor of terrorism since 1979. This is unacceptable for any country that wishes to be a responsible member of the

international community, especially a country currently serving as a member of the United Nations Security Council. Unacceptable.

Syria's role on the council make a mockery of the mission of the United Nations. Syria used its role recently on the Security Council to present the draft resolution condemning Israel's right to self-defense by destroying a terrorist training camp within Syria. Instead of drafting a resolution condemning Israel's justified attack, Syria should ensure that Israel will never need to attack a terrorist camp within Syria's borders again.

Syria must cease all support for terrorist groups and close down all terrorist training camps within her borders.

If their support for terrorism were not enough, Syria also has an arsenal of biological and chemical weapons and the missile capability to deliver those weapons to her neighbors. I hope our actions here today will show President Asad that our resolve is strong.

Mr. Speaker, President Asad must change his country's ways and begin to contribute to international peace and security rather than undermining it. It is time for Syria to take her place amongst the righteous nations of the world, as well as give Lebanon the chance to take her place as a righteous nation in the world. I urge all of my colleagues to support this important legislation.

Once again, I would like to thank the gentlewoman for yielding me time; the sponsor of this legislation, my good friend, the gentleman from New York (Mr. ENGEL). I thank him for his work on this. I thank the gentleman from California (Mr. LANTOS) for all he has done on committee by seeing that this bill gets to the floor today.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I will vote for the Syria Accountability Act today, but I will do so with some serious reservations. Permit me to take a moment to explain.

I will vote for the bill because I deplore the terrorist attacks inflicted on Israel and understand that a strong signal must be sent to the Syrian Government that it must aggressively confront and fight terror and terrorist organizations. It must close terrorist offices, expel terrorist leaders, close terrorist supply lines, and get out of Lebanon.

This resolution, however, has no monopoly on that message. I and many others who have been able to visit with President Asad in Damascus in recent years, and he has received us often, have delivered that message unequivocally but with only limited success.

Our Secretary of State has also been unwavering on the unacceptability of Syria's sheltering of terrorists. That message, however, has not been and should not be the sum total of our diplomacy. What this bill fails to grasp is the utility of engagement and the necessity of flexibility in our foreign policy.

Our experience suggests that Syria can sometimes be moved through engagement. In recent months, the fruits of engagement have included cooperation in the pursuit of al Qaeda, and a reduction in incidents along the northern Israeli border. Nor should we forget that at two points in the last decade, once in secret negotiations under the Netanyahu government, and then in the U.S.-Israel-Syria tripartite talks at Shepherdstown in early 2000, engagement brought an Israeli-Syrian settlement very, very close to realization.

Events in the Middle East move quickly. Diplomacy requires flexibility, but the directives in this bill at the high waiver standard move in the opposite direction. A law is a clumsy instrument with which to engage in the art of diplomacy. This bill is overly prescriptive, and it could make the complex work of our diplomats far more difficult.

□ 1745

A more sophisticated policy of incentives, as well as sanctions, carrots as well as sticks, is called for as our Nation attempts to engage in a worldwide war against terrorism.

We must solidify a network of nations to confront terrorism, not stake ourselves out as an isolated combatant. That struggle could be far more successful with Syria as a full-fledged partner. But if that is to happen, our diplomacy will have to be far more skilled and flexible than the formula prescribed by the Syria Accountability Act.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), the distinguished ranking member of the Committee on Appropriations Subcommittee on Foreign Operations, Export Financing and Related Programs.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, I thank the gentleman for yielding me the time, and I rise in support of this Syria Accountability and Lebanese Sovereignty Restoration Act, and I want to thank the gentleman from New York (Mr. ENGEL) for his long-standing leadership on this issue. He has been insisting that we hold Syria's feet to the fire for a very long time.

I also want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN), my good friend and colleague, for her leadership on this issue and, of course, the gentleman from California (Mr. LANTOS), our ranking member of the committee, for his leadership and strong voice.

It is time that Congress send a strong and clear message to Syria. We will no longer tolerate their support of terrorism. We will not allow them to further destabilize the Middle East, a region so crucial to the national security of the United States, and we will not risk undermining our efforts to secure peace and stability in Iraq and the region.

Syria had its chance and had the opportunity to reform its political environment and become a positive force in the region. Instead, it has remained as it was, a closed society and haven for terrorists. Many terrorist groups, including Hezbollah and Hamas, have offices and training camps in Syria or Syrian-occupied Lebanon. These groups remain heavily active, even after Secretary of State Powell met with President Assad earlier this year and urged him to shut them down.

These groups thwart efforts for peace in Israel by destabilizing the Israel-Lebanese border. They are the groups that might very well be sending terrorists over the Iraqi border to commit terrorist acts against our soldiers and the Iraqis brave enough to work with us to create a stable democratic country. Indeed, at a recent hearing of the House Subcommittee on the Middle East and Central Asia, the State Department confirmed that Syria is allowing ''volunteers'' and others to enter Iraq to attack and kill Americans.

Congress must send the message, it is time to end the terror, and H.R. 1828 is heavily supported on both sides of the aisle. It imposes a variety of penalties upon Syria until it ends its support of terrorism, withdraws its armed forces from Lebanon, halts development of weapons of mass destruction and ballistic missiles, and stops facilitating terrorism in Iraq.

It is necessary, appropriate, and in my judgment, long overdue.

I strongly support H.R. 1828.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 1 minute to the gentleman from Florida (Mr. WEXLER), a distinguished member of our committee, my good friend.

Mr. WEXLER. Mr. Speaker, I rise in strong support of the Syria Accountability Act because Syria is an epicenter of terror, and despite repeated warnings, Syria continues to develop weapons of mass destruction, occupy Lebanon, harbor Palestinian terrorists and support Hezbollah.

The very notion that fewer sanctions apply to Syria than any other country on the State Department's terrorist list is unconscionable. This is why I support sending an unequivocal message to Syria that its hostile action will be met with serious consequences.

For too long, America has kowtowed to Syria as it played a duplicitous game of providing Washington with limited intelligence while continuing to support terror. I hope that President Assad understands that no one in Washington is fooled anymore. The time for soft pedaling with Damascus has come to an end.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 1 minute to the gentleman from New York (Mr. NADLER), my distinguished colleague.

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

Mr. NADLER. Mr. Speaker, I rise today to strongly support the Syria Accountability Act. This legislation is long overdue.

Syria has funded and encouraged organized terrorism in the Middle East and around the world. Syria controls the Lebanon-Israeli border from the Lebanese side where kytusha rocket attacks are regularly launched against innocent Israeli citizens. Syria openly houses Hamas and Hezbollah training grounds, and its government and citizens knowingly fund their criminal activity.

Just today, terrorists operating in the West Bank murdered four U.S. citizens. Were they trained and funded by Syria? We should not have to wonder. If Syria provides aid and comfort to the terrorist enemy, it should not receive aid and comfort from the United States.

This legislation is modest in comparison to the recent actions the United States took against Iraq, and it is clear that Syria provides a lot more aid to terrorist organizations than Iraq ever did. This bill provides for economic sanctions against Syria for restrictions on diplomatic activity in the United States and, most importantly, calls for the withdrawal of Syrian troops from Lebanon.

I want to thank the gentleman from New York (Mr. ENGEL) for his strong leadership in championing this legislation. I give it my full support, and I look forward to the Saudi Arabia Accountability Act.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 1 minute to the gentleman from Florida (Mr. DEUTSCH), my good friend and distinguished colleague.

Mr. DEUTSCH. Mr. Speaker, I appreciate the ranking member's time, and also I want to congratulate the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairperson of the subcommittee, my friend and colleague from Florida, who really, with the gentleman from New York (Mr. ENGEL) as well, brought this to our attention, and, through fighting for several years, brought it to the floor of the House.

This bill I believe will pass today, but it is somewhat melancholy because at the same time, right after this debate is over, we are going to take up the supplemental bill which includes $20 billion of direct aid to Iraq, and when we talk about terrorism, all of these issues around the world are really intertwined. We know that Iraq sent several billion dollars, Saddam Hussein sent several billion dollars to Saudi Arabia that, at this moment in time, the United States Government still does not know where that money is, and in fact, there are many indications that money is directly supporting terrorism even while we speak and even while we stand here today.

Those issues tying into getting to the root of terrorism cannot stop anyone. They cannot stop at Syria. They cannot stop at Saudi Arabia. This legislation will go a long way in protecting the lives of Americans, but yet we need to go further.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to ask the Speaker how much time is remaining and if the gentleman from California has any other remaining speakers.

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from Florida (Ms. ROS-LEHTINEN) has 9 minutes remaining. The gentleman from California (Mr. LANTOS) has 4 minutes remaining.

Mr. LANTOS. Mr. Speaker, we have no additional requests for time, and we yield back the balance of our time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

It has been a delight for me to have worked with the gentleman from California (Mr. LANTOS) and the author of this legislation, the gentleman from New York (Mr. ENGEL), and so many others in our Committee on International Relations, and I would like to thank the gentleman from Illinois (Mr. HYDE) for his strong leadership as always.

As has been pointed out, Mr. Speaker, this bill, as reported, clearly outlines congressional views of steps that the Syrian regime must undertake: ending support for terrorism; stopping support and the facilitation of terrorist attacks on our coalition forces in Iraq; halt its weapons of mass destruction efforts; withdraw from Lebanon, all of these.

It establishes a U.S. policy that Syria will be held accountable for these activities. It prohibits the exports of military and dual-use items, and then provides the President with a choice of six sanctions, from which the President is to impose at least two. And these sanctions, for example, are to prohibit the export of products from the United States other than food and medicine; to prohibit United States businesses from investing or operating in Syria; to restrict the travel of Syrian diplomats in Washington and in the U.N. in New York City; to prohibit aircraft of any air carrier owned or controlled by Syria to take off from, land in or overfly the United States; to reduce United States diplomatic contacts with Syria other than those required under this Act, and this could mean suspension of diplomatic relations altogether or a reduction of diplomatic representation or other actions. It also would block transaction in any property in which the government of Syria has any interest, by any person or with respect to any property, subject to the jurisdiction of here in the United States.

As we can see, there is strong support for this bill. We have almost 300 cosponsors. One of my colleagues raised concerns about the flexibility issue, and I would like to underscore that we provide the President with ample discretion in choosing which sanctions to impose.

Secondly, for anyone who believes that the Syrian regime has assisted the U.S. in any way to eradicate terrorism, I would like to note that the statements made on Thursday of last week by the State Department spokesman and he said, ''Frankly, the Syrians have done so little with regard to terrorism that we do not have much to work with.'' He added, ''There's not too much grounds for argument that Syria's done anything that would mean that this bill was a bad idea.'' This is coming from the ultimate diplomatic agency.

Mr. Speaker, this is the end of the line for the Syrian regime. Enough is enough. They have made a mockery of requests by our Secretary of State and by our congressional colleagues. The blood of Americans is on their hands, and for this, they must be called to task. They must be punished, and I urge my colleagues to vote for H.R. 1828.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in support of H.R. 1828, the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003. I am proud to cosponsor this important legislation for the 2nd straight Congress, and I look forward to supporting it today on the floor of the House.

I want to begin, Mr. Speaker, by noting that I do not normally support sanctions legislation. In fact, I believe that all too often, Congress and U.S. administrations place unrealistic expectations on the ability of sanctions to destabilize reckless regimes. We naively believe that placing economic sanctions on countries that, more times than not, are not dependent upon U.S. dollars and tourists, will somehow result in countries complying with our demands.

The truth of the matter is, sanctions rarely accomplish what we intend for them to accomplish. We need not look any further than Iraq to see the effect that long-term economic sanctions have on a regime. But what they do accomplish, in this instance, is a shift in U.S. foreign policy toward Syria, a nation that has long supported the efforts of terrorist organizations to attack Israel and the Western world. It is for this reason that I come to the floor today in support of this legislation.

I have long said that one of the true threats to peace and security in the Middle East is not Baghdad, but instead Damascus. While the Bush administration has focused its efforts on disarming Iraq, Syria has continued to fund and harbor terrorist cells living and training within its borders. Until today, the United States government has remained largely silent.

Realize, we should not expect Syria to change its ways simply because we apply new economic sanctions. But in passing this legislation today, we are sending a clear and strong message to the Syrian government that the United States will no longer stand idly by while countries masking as our allies work against us.

I urge my colleagues to support this legislation.

Mr. RODRIGUEZ. Mr. Speaker, I rise today in support of the Syria Accountability Act. Syria has been on the State Department's list

of countries sponsoring terrorism since the list began in 1979, and recent intelligence reports have only confirmed what we have long thought to be true—that Syria remains an incubator of terrorism and instability in the Middle East and throughout the world.

Syria has refused to shut down the offices of the Islamic Jihad, has permitted weapons to flow freely to Hezbollah, and has allowed Hezbollah to expand terrorist training operations. These terrorists have attacked innocent men, women and children in Israel, and Syria's unwillingness to put a halt to this lawlessness threatens not only Israel but also stability and peace in the region.

In addition to the devastating effect of the Syrian government's willingness to crack down on known terrorist groups within its borders, Syria has allowed fighters seeking to harm American troops to cross its borders. As we ask more and more American service members to put themselves in harm's way in defense of our Nation, it is critical that we also take steps to protect them from known threats.

We must act now by sending a clear message to Syria that they must take a strong stand against terrorism, and I urge my colleagues to join me in supporting the Syria Accountability Act.

Mr. RAHALL. Mr. Speaker, the Syria Accountability Act comes to the House floor at a time when the situation in the Middle East is more volatile than ever: the United States' effort to gain control of the situation in Iraq; the breakdown of the Israeli and Palestinian peace negotiations; and the new tensions between Syria, Lebanon and Israel are all major concerns of U.S. Middle East policy.

The proposed legislation, H.R. 1828, could harm the United States' ability to influence various actors in the region and could seriously impair U.S. diplomatic efforts at a very critical time in the Middle East.

At this critical juncture in America's War on Terrorism we should work with Nations like Syria who are aiding our pursuit of the terrorists who attacked America on 9–11.

Since September 11th, 2001, Syria has quietly helped the United States by detaining suspected members of Osama bin Laden's organization. Our government should continue its diplomatic relations with Syria in order to capture these terrorists.

Syria supported the United States by voting in support of U.N. Resolution 1441 asking Iraq to comply with the United Nations and to allow inspectors back into the country.

During America's Operation Iraqi Freedom, Syria assisted the U.S. by supplying power to northern Iraq, thus calming the population, and undoubtedly saving American troops' lives.

In a most recent act of cooperation with the United States and at our request, Damascus has opened its financial and banking institutions allowing us to trace the accounts of the former Saddam Hussein regime.

Syria is currently designated by the U.S. State Department as a state-sponsor of terrorism and, therefore, is already ineligible for U.S. assistance and faces numerous, strict sanctions. This legislation would further restrict the already limited leverage we have with Syria.

Instead of singling out Syria for developing weapons of mass destruction and ballistic missiles, Congress should instead support United Nations resolutions (687, par. 14) pursuing the goal of declaring the whole Middle East a region free from all such weapons and delivery systems. This bill lacks credibility by ignoring Israel's own advanced pursuit of such weapons including nuclear arms.

Imposing unilateral sanctions on Syria would hurt American businesses. At a time when our country is facing increasing unemployment rates, Congress and the Administration should take action to foster economic growth and trade, including with countries in the Middle East, to foster an increase in American jobs.

European and Russian companies have already made contact with Syrian businesses hoping to move in as American companies are forced to leave after adoption of SAA.

This legislation attempts to adopt a simplistic approach to Lebanese-Syrian relations. Both Syria and Lebanon are sovereign countries capable of resolving their own differences without U.S. congressional meddling.

Now is not the time to limit American options as we seek to pursue a long-term comprehensive political solution to conflict in the Middle East. Therefore, I urge my colleagues to stand in opposition to H.R. 1828 as we must remain focused on the difficult issues of the Middle East already at hand.

Mr. PAUL. Mr. Speaker, I would like to express my strong opposition to this ill-conceived and ill-timed legislation. This bill will impose what is effectively a trade embargo against Syria and will force the severance of diplomatic and business ties between the United States and Syria. It will also significantly impede travel between the United States and Syria. Worse yet, the bill also provides essentially an open-ended authorization for the president to send U.S. taxpayer money to Syria should that country do what we are demanding in this bill.

This bill cites Syria's alleged support for Hamas, Hizballah, Palestine Islamic Jihad, the Popular Front for the Liberation of Palestine, and other terrorist groups as evidence that Syria is posing a threat to the United States. But none of these organizations targets the United States. Not since the Hizballah bombing of a U.S. Marine barracks in Lebanon in 1983 has any of these organizations attacked the United States. After that attack on our Marines, who were sent to Beirut to intervene in a conflict that had nothing to do with the United States, President Ronald Reagan wisely ordered their withdrawal from that volatile area. Despite what the interventionists constantly warn, the world did not come to an end back in 1983 when the president decided to withdraw from Beirut and leave the problems there to be worked out by those countries most closely involved.

What troubles me greatly about this bill is that although the named, admittedly bad, terrorist organizations do not target the United States at present, we are basically declaring our intention to pick a fight with them. We are declaring that we will take preemptive actions against organizations that apparently have no quarrel with us. Is this wise, particularly considering their capacity to carry out violent acts against those with whom they are in conflict? Is this not inviting trouble by stirring up a hornet's nest? Is there anything to be gained in this?

This bill imposes an embargo on Syria for, among other reasons, the Syrian government's inability to halt fighters crossing the Syrian border into Iraq. While I agree that any foreign fighters coming into Iraq to attack American troops is totally unacceptable, I wonder just how much control Syria has over its borders—particularly over the chaotic border with Iraq. If Syria has no control over its borders, is it valid to impose sanctions on the country for its inability to halt clandestine border crossings? I find it a bit ironic to be imposing a trade embargo on Syria for failing to control its borders when we do not have control of our own borders. Scores cross illegally into the United States each year—potentially including those who cross over with the intent to do us harm—yet very little is done to secure our own borders. Perhaps this is because our resources are too engaged guarding the borders of countless countries overseas. But there is no consistency in our policy. Look at the border between Pakistan and Afghanistan: while we continue to maintain friendly relations and deliver generous foreign aid to Pakistan, it is clear that Pakistan does not control its border with Afghanistan. In all likelihood, Osama bin Laden himself has crossed over the Afghan border into Pakistan. No one proposes an embargo on Pakistan. In all likelihood, Osama bin Laden himself has crossed over the Afghan border into Pakistan. On the contrary: the supplemental budget request we are taking up this week includes another $200 million in loan guarantees to Pakistan.

I am also concerned about the timing of this bill. As we continue to pursue Al-Qaeda—most of which escaped and continue to operate—it seems to me we need all the help we can get in tracking these criminals down and holding them to account for the attack on the United States. As the AP reported recently:

> So, too, are Syria's claims, supported by U.S. intelligence, that Damascus has provided the United States with valuable assistance in countering terror.
>
> The Syrians have in custody Mohammed Haydar Zammer, believed to have recruited some of the Sept. 11 hijackers, and several high-level Iraqis who were connected to the Saddam Hussein government have turned up in U.S. custody.

Numerous other press reports detail important assistance Syria has given the U.S. after 9/11. If Syria is providing assistance to the U.S. in tracking these people down—any assistance—passing this bill can only be considered an extremely positive and welcome development. Does anyone here care to guess how much assistance Syria will be providing us once this bill is passed? Can we afford to turn our back on Syria's assistance, even if it is not as complete as it could be?

That is the problem with this approach. Imposing sanctions and cutting off relations with a country is ineffective and counterproductive. It is only one-half step short of war and very often leads to war. This bill may well even completely eliminate any trade between the two countries. It will almost completely shut the door on diplomatic relations. It sends a strong message to Syria and the Syrian people: that we no longer wish to engage you. This cannot be in our best interest.

This bill may even go further than that. In a disturbing bit of déjà vu, the bill makes references to ''Syria's acquisition of weapons of mass destruction (WMD)'' and threatens to ''impede'' Syrian weapons ambitions. This was the justification for our intervention in Iraq, yet after more than a thousand inspectors have spent months and some 300 million dollars none have been found. Will this bill's unproven claims that Syria has WMD be later used to demand military action against that country?

Mr. Speaker: history is replete with examples of the futility of sanctions and embargoes

and travel bans. More than 40 years of embargo against Cuba have not produced the desired change there. Sadly, embargoes and sanctions most often hurt those least responsible. A trade embargo against Syria will hurt American businesses and will cost American jobs. It will make life more difficult for the average Syrian—with whom we have no quarrel. Making life painful for the population is not the best way to win over hearts and minds. I strongly urge my colleagues to reject this counterproductive bill.

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in strong support of H.R. 1828, the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003.

Mr. Speaker, the United States and our allies around the world have stood steadfast in holding accountable terrorist states, those who harbor or otherwise provide sanctuary for terrorist, or those who threaten the world with weapons of mass destruction. That's what the legislation before us today is all about.

The Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 does not advocate the use of force against Syria. Instead, it gives the President and the Secretary of State expanded authority to impose U.S. diplomatic and economic sanctions against Syria unless serious action is taken by Syria to rid itself of the cancer of terror and the policies by which terror manifests itself throughout the region and the world.

It's no secret that Syria hosts terrorist organizations including Hizballah, Hamas, and the Popular Front for the Liberation of Palestine, all of which maintain offices, training camps, and other facilities within Syrian borders and within areas of Lebanon currently occupied by Syria. This is a threat that simply cannot continue to be ignored.

This Act holds Syria accountable for its part in facilitating terrorism and in so doing, threatening the world. It requires Syria to withdraw from the nation of Lebanon, and to finally cease Syria's ongoing pursuit of weapons of mass destruction. It calls for sanctions against Syria including a prohibition on the export of defense and dual-use items. In addition, it also requires the President to impose two or more sanctions which may be waived in the interest of national security. These are: prohibiting the export of products of the U.S. other than food and medicine to Syria; prohibiting U.S. businesses from investing or operating in Syria; restricting the travel of Syrian diplomats to within a 25-mile radius of Washington, DC or the United Nations; reducing levels of U.S. diplomatic contracts with Syria; and blocking transactions in any property in which the Government of Syria has any interest.

Mr. Speaker, let us act today and hold accountable terrorist states by eliminating policies which advance terrorism. Let us pass the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003.

Mr. REYES. Mr. Speaker, I am proud to be a cosponsor of H.R. 1828, the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003, and am even prouder still to see it on the floor of the House of Representatives today.

This important piece of legislation gives the president the diplomatic tools necessary to hold Syria accountable for its support of terrorism, its weapons of mass destruction program and its occupation of Lebanon. Syria should not be allowed to support terrorist activity from groups, such as Hezbollah and the Palestinian Islamic Jihad, with continued impunity.

Passage of this bill will require that sanctions be imposed on Syria unless the president can certify that it has taken steps to end its support of terrorism, discontinue its weapons of mass destruction program, and end its occupation of Lebanon. Sanctions could include banning most U.S. exports to, and investment in, Syria; restricting the movement of Syrian diplomats here in the United States; barring Syrian aircraft from our airspace; and freezing Syrian assets in our country.

Mr. Speaker, I urge all my colleagues to support this important legislation, which will put appropriate pressure on a regime that continues to support groups that perpetrate heinous acts of terror against the people of democratic Israel and that further destabilizes an already volatile region.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in support of H.R. 1828, a resolution that calls for an end to Syria's support for terrorism and an end to its occupation of Lebanon.

In his 2003 State of the Union address, President Bush stated that the gravest danger facing the United States in the war on terrorism is the acquisition by other countries of weapons of mass destruction, and that we must confront this danger. A senior Administration official recently testified before the Committee on International Relations that Syria remains a security concern as a supporter of international terrorism and weapons of mass destruction proliferation.

I commend the Administration's efforts to reach a diplomatic solution with Syria. President Bush has consistently called on Syria to close its terrorist camps and to expel terrorist organizations. Secretary Powell has worked diligently with the Syrian government towards ending its occupation of Lebanon. Since 1990, the U.S. Congress has passed seven resolutions calling on the withdrawal of Syrian armed forces from Lebanon. Many members of Congress—including myself—have been to Syria and urged the Syrian government to work with the United States in the war against terrorism. And despite our diplomatic efforts, Syria has not fulfilled its pledge to work with us.

Mr. Speaker, we know that Syria continues to offer protection to terrorist groups such as Hizballah, Hamas and Palestinian Islamic Jihad. Recently, Syria conducted efforts to acquire technology that could be applied to a nuclear weapons program. Syria has also undermined coalition efforts to bring stability to Iraq by allowing volunteers to cross the border and fight our service members. And as we all know, Syria has ignored numerous United Nations resolutions calling on Syria to end its occupation of Lebanon, a sovereign nation.

H.R. 1828 would hold Syria accountable for the serious international security problems it has caused in the Middle East. This resolution would instruct the President to impose economic sanctions on Syria until the Department of State determines that Syria ceases to provide support to international terrorist groups, ceases the development and deployment of weapons, and withdraws all military forces from Lebanon.

Mr. Speaker, despite our many attempts to reach a diplomatic solution, Syria continues to obstruct our efforts in the war against terrorism. I support H.R. 1828 and encourage my colleagues in the House to vote in favor of this important resolution.

Mr. BLUMENAUER. Mr. Speaker, for far too long, Syria has been an exceedingly irresponsible partner in the troubled Middle East . By our actions over the last two years, the United States has already sent a strong message to Syria and has gotten some cooperation in anti-terrorist efforts.

The current downward spiral of violence is not working for the Palestinians and is not making Israel more secure. We should use our resources to get the parties to resume steps to reduce pressures, tensions and bloodshed.

Since I agree with the indictments of Syrian behavior contained in H.R. 1828 I would not be comfortable voting ''no.'' Yet, I agree with most independent commentators that passage at this time would not be helpful for our efforts to advance the peace. I choose to vote ''present.''

Mr. ISSA. Mr. Speaker, I want to take this opportunity to enter into the RECORD an opinion piece that I wrote about the future of our relationship with Syria. This piece was published in the San Francisco Chronicle on October 14, 2003.

I also want to join my colleagues today in expressing deep concern about the choices that Syria has made over the past year. This is a sad day for American diplomacy. The passage of this bill, after more than two years of debate, marks the refusal of Syria to accept our diplomatic overtures. Syria has had numerous opportunities to demonstrate that it intends to move away from the policies that keep it on the State Department's list of state sponsors of terror. It has consistently missed those opportunities, and now faces the specter of isolation.

Syria had the chance to play a key role in securing the release of Elhanan Tenebaum, Adi Avitan, Benny Avraham, and Omar Sawayid—Israeli soldiers kidnapped by Hezbollah. They refused, perpetuating a hostage situation that makes peace negotiations more difficult.

Syria had the chance to grant the United States use of its airspace for Operation Iraqi Freedom. They refused, thereby dramatically increasing the risk of mission failure for American pilots.

Syria had the chance to build good will toward the United States by staying out of the war in Iraq. They refused, allowing jihadis and military equipment to flow across their borders to kill American soldiers.

Syria had the chance to demonstrate its commitment to the peace process by supporting President Bush's Roadmap to Peace initiative. Secretary Powell specifically asked Syrian President Bashar al-Assad to close offices of Palestinian terrorist groups and to expel terrorist leaders operating out of Damascus. He refused, choosing instead to continue Syrian financial and logistical support for terrorist attacks against Israeli civilians.

Following the war in Iraq, Syria had the chance to build good will in the United Nations. They were repeatedly asked to support a constructive UN presence in Iraq. Instead, they opted to pursue a diplomatic agenda that drove divisions between the United States and other members of the UN Security Council.

Syria has had the chance to withdraw its troops and end its dominance of Lebanon. They refused, choosing to maintain their intimidating military and intelligence presence in Lebanon.

And finally, Syria has had the chance to rein in Hezbollah. I have personally asked senior Syrian government officials to disarm Hezbollah, arguing that Syria's interests are best served through peace negotiations. These requests have been consistently rejected. Syria continues to provide strategic, financial, and logistical support to Hezbollah in a misguided effort to keep the Lebanese conflict with Israel burning.

These issues are not imagined and they are not part of some secret Israeli agenda, as the Syrians believe. They are real problems that have driven a wedge between our two nations. I don't know if this bill will succeed in changing Syria's behavior—sanctions are rarely an effective long-term solution. But we cannot ignore the fact that Syria and the United States are moving in two very different directions. Diplomacy with Syria has failed. Syria has been given a choice and it has chosen poorly.

[From the San Francisco Chronicle, Oct. 14, 2003]

OPINION/EDITORIAL

(By Darrell Issa)

During a recent visit to Damascus, Syrian President Bashar al-Assad told me ''we want to be part of this world—we do not want to be isolated like North Korea.'' This statement demonstrated that the young Syrian president understands that Syria is heading down a path toward complete isolation.

Unfortunately, President Assad also appears to believe that he can postpone isolation indefinitely by straddling two very different paths. One is the path of cooperation. The Bush administration has noted that, following the Sept. 11 terrorist attacks, Syria provided us with valuable intelligence on al Qaeda that ultimately saved American lives. President Assad opened up his office to visiting American officials—something his father, the late Hafez Assad—was reluctant to do. He has talked about Syria becoming a member of the World Trade Organization and expressed interest in visiting the United States.

But Bashar Assad has also perpetuated Syrian policies that keep it on the State Department's list of state sponsors of terrorism. He has failed to fully shut down Palestinian terrorist offices that operate out of Damascus. During Operation Iraqi Freedom, he failed to stop the flow of jihadis and military equipment across the border that killed American soldiers.

The most troubling concern for America, however, is Syria's intention to support Hezbollah, an Iranian-backed terrorist organization that continues to fight a proxy war with Israel and provide assistance to other terrorist groups like Palestinian Islamic Jihad.

Deputy Secretary of State Richard Armitage has referred to Hezbollah as the ''A-team of terrorism.'' Hezbollah operatives are responsible for the murder of more than 250 American peacekeepers and diplomats in Beirut in the 1980s. They are suspected in carrying out two bombings in Argentina that killed over 100 civilians. Imad Mughniah, the suspected mastermind of numerous terrorist attacks against Americans, is a senior adviser in Hezbollah's organizational structure. There is evidence that Hezbollah operatives have infiltrated Iraq to join attacks against American soldiers. As senior Bush administration officials have stated repeatedly, Bashar Assad has a choice to make: Either cooperate and be rewarded or continue to support terrorism and risk total isolation.

Assad's strategy of trying to keep one foot on each path will not work much longer. He may be faced with isolation sooner than he thinks. The Syria Accountability Act, which could mandate isolation at the levels of Libya or Iran, is now poised to move quickly through Congress. Until recently, the Bush administration opposed the act, arguing that it is the president's constitutional responsibility to determine the nature of diplomatic relations with foreign countries. But as Syria consistently showed no sign of changing its dangerous policies, the White House changed its mind and has now given the act the green light.

The result for Syria will be devastating. Libya has learned the costs of total isolation as a result of supporting global terrorism. Only after a decade of international rejection has Libya begun to dig its way out of isolation. Bashar Assad has but a few days left to change direction: to put both feet on the path of cooperation and lead Syria into the community of nations.

Mr. DAVIS of Illinois. Mr. Speaker, I support H.R. 1828 as a part of my hope and commitment to finding a just, permanent, democratic, prompt, non-military conclusion to our occupation of Iraq and as part of my hope and commitment to doggedly pursue a roadmap to peace, security and justice for both the people of Israel and the people of Palestine.

There is no magic bullet, no simple solution to bringing an end to terrorism. What we do know is we cannot win alone, that we must find the means to enlist every nation as an ally. Our record, to date, in this regard can only be characterized as poor.

The President has reported that the territory of Syria has been, and is being, used as a base by certain terrorist organizations.

This bill gives the President additional diplomatic and economic leverage in the war on terror. Our goal is to deny sanctuary to terrorist who may be using the territory of Syria.

Our aim is to become partners with Syria in the war on terror, not to make Syria an enemy, not to punish the Syrian people.

We trust that these new options will offer constructive new possibilities and potential to American diplomacy and that these new powers will be used wisely and constructively.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1828, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, October 14, 2003, the Chair declares the House in the Committee of the Whole House on the State of the Union for a period of debate on the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004.

□ 1758

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 a period of debate on the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, with Mr. LATOURETTE in the chair.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY), or their designees, each will control 2½ hours.

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

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

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Chairman, before we get started, let me announce for the membership that we expect to begin the 5 hours of debate agreed to under the unanimous consent agreement on the fiscal year 2004 Supplemental Appropriations Act at this time, and we will continue through roughly 6:30 or 6:45 this evening. At that time, the committee will rise and the previous votes that were postponed will be called.

After the votes, we will continue with the general debate through ten o'clock this evening. At that time, the committee will rise.

Tomorrow morning, we will resume debate with any remaining time allocated under the unanimous consent agreement. Tomorrow there will also be one hour of debate on the rule and one additional hour of general debate on the supplemental before beginning the amendment process.

□ 1800

I am hopeful that with the assistance of our colleagues that we will be able to enter into a unanimous consent agreement to limit debate and amendments so that the House will have a full opportunity to dispose of the supplemental before adjourning on Friday.

Mr. Chairman, last week, the Committee on Appropriations ordered this legislation reported by a vote of 47 to 14. The bill recommended by the committee provides total discretionary supplemental appropriations of $86.9 billion for reconstruction activities in both Iraq and Afghanistan, as well as funding for our military presence in both countries. We have had hearings and briefings to better understand the President's request. We have scrubbed the request, and we have made some

improvements. I would say that a report of our subcommittees, who visited Iraq, were thoroughly vetted and we received really good information. We believe that the bill that we have written and provided to the House is a good bill.

The bill prioritizes funding for urgent needs for security, for power, drinking water, health care, and infrastructure. Included is $64.8 billion for our national defense, for our troops in the field, for those who are at risk in the battle. That is $64.8 billion for their needs, $18.6 billion for Iraq relief and reconstruction, and $1.2 billion for Afghanistan relief and reconstruction.

I want to make the point, Mr. Chairman, that when I say reconstruction, I am not talking about building something back that the United States destroyed. We are talking about helping the people of Iraq build an infrastructure that Saddam Hussein for several decades allowed to deteriorate to the point that many, many Iraqis did not have sanitary conditions, did not have electrical power, did not have things that normal people would expect to have for quality of life.

We have made a few changes to the President's request in our bill that we present today. I think we should highlight what those differences are, because I think most everyone has had an opportunity to read about the President's request. With regard to Iraq relief and reconstruction, there have been a number of questions about the Coalition Provisional Authority, or CPA, which is run by Ambassador Bremer. The CPA is in charge of the largest foreign assistance program since the Marshall Plan after World War II. Whether health care, electric power, water treatment, or democracy building, all of these activities are under the supervision of the Coalition Provisional Authority. These are not military items; they are civil issues and foreign assistance issues relating to the reconstruction of Iraq.

The bill provides a direct appropriation of $858 million to the CPA for their operating expenses; and that is instead of providing these funds in the U.S. Army Operation and Maintenance accounts, as had been requested. The amount of money does not change; it is just the location in the bill. And we believe that by doing it this way, that we have far better accountability for how this money will be spent. This gives us considerable transparency.

Our bill provides transfer authority of up to 1 percent of the funds, roughly $186 million, provided in the Iraq relief and reconstruction fund, for unanticipated expenses of the CPA. Again, this does not add anything to the bill; it just gives the CPA some flexibility in how they use some of the funds that are appropriated. We have not changed at all the reporting relationships of Ambassador Bremer to the President of the United States through the Secretary of Defense. We have prohibited funding to be administered by any official who is not answerable to Congress, and we believe that that strengthens our responsibilities under the Constitution to have accountability for appropriated funds.

The bill includes a prohibition on the use of any funds in this act to be used to pay Iraq's foreign debts. I know that was a concern of a lot of Members, and rightfully so. Let me repeat that. The bill includes a prohibition on the use of any U.S. funds in this act to be used to pay Iraq's foreign debts. All of the funds provided here are in direct grants. There is no loan authority provided.

A provision is also included to limit the use of noncompetitive contracts in the reconstruction and relief funds for Iraq. The provision preserves the prerogative of the President to waive the requirement for full and open competition in certain circumstances, but these circumstances are as presently outlined in applicable Federal procurement regulations. So the committee has made a strong statement that these contracts should be competitively bid. The provision requires the executive branch to provide notice and justification to Congress if and when the waiver authority is exercised.

Let me take a couple of minutes to say a few things that we did not fund.

We did not fund $50 million requested for buildings, equipment, and vehicles in support of Iraq's traffic police.

We did not include $300 million for the construction of two additional prisons at $50,000 per bed. We did provide $100 million for one prison.

We did not approve $153 million for improving solid waste management programs, including the procurement of 40 trash trucks at $50,000 each.

We did not include $4 million for a nation-wide numbering scheme, or $9 million for postal information architecture and ZIP codes, or $10 million to modernize the business practices of the Iraqi television and radio industry.

We did not agree to the $100 million to build seven new housing communities.

We did not agree to the $150 million to initiate a new $500 million to $700 million children's hospital in Basra. However, we channeled those funds to modernize current medical facilities in Iraq. We have funded $793 million for local and regional health clinics and hospital equipment throughout Iraq. And our rationale was that it would be far better to have the medical care facilities closer at hand for all Iraqi citizens rather than building one hospital that Iraqis from all over the country would have to find a way to get to if they needed the medical care of that hospital. So we think this is a wiser way to fund this.

We did not include the $200 million requested to create an American-Iraqi enterprise fund.

Now, with regard to Afghanistan relief and reconstruction, we included $375 million above the President's request with the intent of showing tangible improvement in the security and quality of life of most Afghans by summer of 2004. Included are funds above the request for schools and education, private sector development, and electrical power generation to assist the central government of Afghanistan, including elections and improved governance.

The mark also includes $245 million for peacekeeping in Liberia. This was not requested by the President. The Liberia deployment came later; but it was a necessary expense.

We have included the bulk of the President's request for national defense. There are some differences from the request, and they would include the following:

Our bill increases funds to purchase body armor, special armor plate inserts, for those who are on the battlefield. And we are tremendously disturbed that there are soldiers in Afghanistan and Iraq today without adequate body armor. That is just not acceptable. We have provided funding in the past in an earlier supplemental to buy this body armor. We are disturbed that it has not been distributed yet to the soldiers in the field and we make a strong statement in this bill on that issue.

We also increase funds for the clearing of unexploded ordnance, which is causing damage to a lot of our troops, and improved communications and replacement equipment. This equipment is being worn out as the deployment proceeds.

The mark also provides funding for the contracting of civilian security guards to replace Reservists and Guardsmen currently performing these duties at Army installations. The Army has indicated this provision would permit the demobilization of 7,000 to 10,000 Reserve component soldiers. Some of our National Guard and Reserves have actually spent more time in Iraq than some of the active duty forces.

In addition, the mark includes $563 million not requested by the administration for recovery and repairs to military facilities damaged by Hurricane Isabel.

Mr. Chairman, as I have said before in this Chamber, and I think this debate has pointed out, there are political and philosophical differences in this institution and in our country. That is why we have two parties. But there is a practical reality to the bill that is before the House today. This is not a partisan bill. No one on either side of the political spectrum has attempted to make it a partisan bill here in the House of Representatives. The reality is simple: we have 140,000 men and women of our military in Iraq and Afghanistan today. Whether you agree with that or not, we have to make sure they have the tools, equipment, and resources necessary to carry out their mission in as safe and secure a manner as possible. The bill provides funds for that purpose.

I want our troops home at the earliest possible time. We all want our troops home at the earliest possible time. That is not going to happen until some stability has been established in these countries. If we simply pull out now, all of their efforts and their losses would have been in vain, for naught. The bill provides money for that purpose. That is the reality of the situation we are in now. There is no turning back. We can debate at length the decisions that were made, but we must do the right thing and support the men and women who are carrying out our mission.

Some have questioned whether there was an imminent threat in Iraq. As I see it, there was a cumulative threat that was building for years with a tyrant who we know turned poison gas on his own people on at least two occasions. We know that a significant foreign policy goal of the United States, peace in the Middle East, will never be achieved with this cumulative threat looming over the region. It was past time for Saddam to go.

As for Afghanistan, unfortunately the imminent threat of al Qaeda training camps and terrorist activities became a reality readily apparent after the attacks of September 11. These terrorist threats, left undisrupted, became cumulative actions against our country. We witnessed this on February 26, 1993, when terrorists bombed the World Trade Center; and on June 25, 1996, when Khobar Towers, the home of American airmen, was bombed, killing 19 American airmen; then on August 7, 1998, when our embassies in Kenya and Tanzania were bombed; and then on October 12, 2000, when the USS *Cole*, the United States destroyer, was bombed, with the loss of 17 sailors and injuries to many others.

I would say the threat was imminent when these attacks occurred; but we responded with harsh words and a few cruise missiles, but not much more. Our actions in Iraq and Afghanistan not only address and respond to the threats and actions we have witnessed to date, but they will move us one step closer to achieving the goal of stability in this region. The funding in this bill supports that goal, supports our military, and will bring us one step closer to bringing our troops home.

Mr. Chairman, we will hear, I am sure today, that we are spending money that we do not have and that the bill should be paid for. And that would be really nice. I am one of those who believes that you pay as you go and you do not go into deficit. But we are dealing with an unusual situation; and what I say, Mr. Chairman, is that we are investing in the future of our children and our grandchildren. We are investing in future generations: investing to provide security for those future generations free from the fear of threat, free from the threat of terrorist attacks, and free from having airlines hijacked and flown into buildings housing Americans.

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We are making an investment, Mr. Chairman, in the security of our future, in the security of future generations, to do everything possible that we can to rid the world of the terrorist threat that has taken so many innocent lives in these items that I have just referred to. And so all in all, while I think that there will be some controversy, I believe the debate will be a very good, high-level debate. I am hopeful we can finish it within a couple of days. I am satisfied that when the roll is called that there will be a very substantial vote for this bill for the protection of our troops and for the ability to bring them home once they have stabilized the region and can do so safely.

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
TITLE I - NATIONAL SECURITY			
CHAPTER 1			
DEPARTMENT OF DEFENSE			
Military Personnel			
Military Personnel, Army (emergency)	12,858,870	12,188,870	-670,000
Military Personnel, Navy (emergency)	816,100	816,100	---
Military Personnel, Marine Corps (emergency)	753,190	753,190	---
Military Personnel, Air Force (emergency)	3,384,700	3,384,700	---
Total, Military Personnel	17,812,860	17,142,860	-670,000
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	24,190,464	24,355,664	+165,200
Operation and Maintenance, Navy (emergency)	2,106,258	1,934,058	-172,200
(Transfer out) (emergency)	(-80,000)	(-80,000)	---
Coast Guard Operations (by transfer) (emergency)	(80,000)	(80,000)	---
Operation and Maintenance, Marine Corps (emergency)	1,198,981	1,198,981	---
Operation and Maintenance, Air Force (emergency)	5,948,368	5,598,368	-350,000
Operation and Maintenance, Defense-Wide (emergency)	4,618,452	4,485,452	-133,000
Operation and Maintenance, Marine Corps Reserve (emergency)	16,000	16,000	---
Operation and Maintenance, Air Force Reserve (emergency)	53,000	53,000	---
Operation and Maintenance, Air National Guard (emergency)	214,000	214,000	---
Overseas Humanitarian, Disaster, and Civic Aid (emergency)	35,500	35,500	---
Iraq Freedom Fund (emergency)	1,988,600	1,988,600	---
Total, Operation and Maintenance	40,369,623	39,879,623	-490,000
Procurement			
Missile Procurement, Army (emergency)	6,200	---	-6,200
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	46,000	101,600	+55,600
Other Procurement, Army (emergency)	930,687	1,250,287	+319,600
Aircraft Procurement, Navy (emergency)	128,600	158,600	+30,000
Other Procurement, Navy (emergency)	76,357	76,357	---
Procurement, Marine Corps (emergency)	123,397	123,397	---
Aircraft Procurement, Air Force (emergency)	40,972	53,972	+13,000
Missile Procurement, Air Force (emergency)	20,450	20,450	---
Other Procurement, Air Force (emergency)	3,441,006	3,418,006	-23,000
Procurement, Defense-Wide (emergency)	435,635	418,635	-17,000
Total, Procurement	5,249,304	5,621,304	+372,000
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Navy (emergency)	34,000	34,000	---
Research, Development, Test and Evaluation, Air Force (emergency)	39,070	39,070	---
Research, Development, Test and Evaluation, Defense-Wide (emergency)	265,817	195,817	-70,000
Total, Research, Development, Test and Evaluation	338,887	268,887	-70,000

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
Revolving and Management Funds			
Defense Working Capital Funds (emergency)	600,000	600,000	---
National Defense Sealift Fund (emergency)	24,000	24,000	---
Total, Revolving and Management Funds	624,000	624,000	---
Other Department of Defense Programs			
Defense Health Program (emergency)	658,380	658,380	---
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	73,000	73,000	---
Total, Other Department of Defense Programs	731,380	731,380	---
Related Agencies			
Intelligence Community Management Account (emergency)	21,500	21,500	---
Transfer to Department of Energy	(3,000)	(3,000)	---
Transfer to Department of Justice	(15,500)	(15,500)	---
GENERAL PROVISIONS			
Transfer Authority (sec. 1101) (emergency)	(5,000,000)	(3,000,000)	(-2,000,000)
Storm Damage (sec. 1109) (emergency)	---	413,300	+413,300
Total, Chapter 1	65,147,554	64,702,854	-444,700
CHAPTER 2			
DEPARTMENT OF HOMELAND SECURITY			
United States Coast Guard			
Operating expenses (emergency)	---	23,183	+23,183
CHAPTER 3			
MILITARY CONSTRUCTION			
Military construction, Army (emergency)	119,900	185,100	+65,200
Military construction, Air Force (emergency)	292,550	292,550	---
Militay construction, Navy (emergency)	---	45,530	+45,530
Family housing operations and maintenance, Army (emergency)	---	8,151	+8,151
Family housing operation and maintenance, Navy and Marine Corps (emergency)	---	6,280	+6,280
Family housing operation and maintenance, Air Force (emergency)	---	6,981	+6,981
Total, Chapter 3	412,450	544,592	+132,142
Total, TITLE I	65,560,004	65,270,629	-289,375
TITLE II - IRAQ AND AFGHANISTAN RECONSTRUCTION AND INTERNATIONAL ASSISTANCE			
CHAPTER 1			
DEPARTMENT OF JUSTICE			
General Legal Activities (emergency)	---	15,000	+15,000

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
DEPARTMENT OF STATE AND RELATED AGENCY			
Administration of Foreign Affairs			
Diplomatic and Consular programs (emergency)	40,500	156,300	+115,800
Reappropriation	35,800	---	-35,800
Rescission (emergency)	---	-35,800	-35,800
Embassy Security, Construction and Maintenance (emergency)	60,500	43,900	-16,600
Emergencies in the Diplomatic and Consular service (emergency)	50,000	50,000	---
Total, Administration of Foreign Affairs	186,800	214,400	+27,600
International Organizations			
Contributions for International Peacekeeping Activities (emergency)	---	245,000	+245,000
RELATED AGENCY			
Broadcasting Board of Governors			
International Broadcasting Operations (emergency)	---	40,000	+40,000
Total, Chapter 1	186,800	514,400	+327,600
Emergency appropriations	(186,800)	(550,200)	(+363,400)
Emergency rescissions	---	(-35,800)	(-35,800)
CHAPTER 2			
BILATERAL ECONOMIC ASSISTANCE			
FUNDS APPROPRIATED TO THE PRESIDENT			
United States Agency for International Development			
Operating expenses of the United States Agency for International Development (emergency)	40,000	40,000	---
OTHER BILATERAL ECONOMIC ASSISTANCE			
FUNDS APPROPRIATED TO THE PRESIDENT			
Iraq relief and reconstruction fund (emergency)	20,304,000	18,649,000	-1,655,000
Operating Expenses of the Coalition Provisional Authority (emergency)	---	858,000	+858,000
Economic support fund (emergency)	422,000	872,000	+450,000
International disaster and famine assistance (emergency)	---	100,000	+100,000
United States Emergency Fund for Complex Foreign Crises (emergency)	100,000	---	-100,000
DEPARTMENT OF STATE			
International narcotics control and law enforcement (emergency)	120,000	170,000	+50,000
Nonproliferation, antiterrorism, demining and related programs (emergency)	35,000	35,000	---

FY 2004 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN (H.R. 3289)
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
MILITARY ASSISTANCE			
FUNDS APPROPRIATED TO THE PRESIDENT			
Foreign Military Financing Program (emergency)	222,000	297,000	+75,000
Peacekeeping operations (emergency)	50,000	50,000	---
Total, Chapter 2	21,293,000	21,071,000	-222,000
Total, TITLE II	21,479,800	21,585,400	+105,600
Emergency appropriations	(21,479,800)	(21,621,200)	(+141,400)
Emergency rescissions	---	(-35,800)	(-35,800)
GRAND TOTAL (net)	87,039,804	86,856,029	-183,775
Emergency appropriations	(87,039,804)	(86,891,829)	(-147,975)
Emergency rescissions	---	(-35,800)	(-35,800)
Transfer authority (emergency)	(5,000,000)	(3,000,000)	(-2,000,000)
(Transfer out) (emergency)	(-77,000)	(-77,000)	---
(By transfer) (emergency)	(95,500)	(95,500)	---

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

Mr. OBEY. Mr. Chairman, I yield myself 11 minutes. This is not a debate about 9/11. After 9/11, Chairman YOUNG and I pushed through the House a $40 billion appropriation to respond to the events that led to that sneak attack. Chairman YOUNG and I then led an effort to add billions of dollars to Homeland Security to protect our ports, secure air transportation and equip our local first responders, our firemen, our policemen to deal with a whole range of terrorist threats. We worked to add more than $2 billion in Homeland Security funds, even though the President threatened to veto those additional expenditures. Even the President of the United States has admitted publicly that there is no evidence that Iraq had anything to do with that sneak attack. So let us make that clear.

Secondly, let us also make clear that this should not be a debate about whether we should have attacked Iraq. Before the vote on that question, I asked a whole range of questions to try to determine whether the administration had real expectations and a real plan for dealing with the aftermath of the war. I wanted Saddam removed, but I wanted al Qaeda and Osama bin Laden removed even more. In the end, I voted to require the President to come back to Congress for another vote before attacking Iraq if he could not get the agreement of the United Nations so that we could take one last look at the evidence, one last look at the administration's planning for the aftermath before we pulled the trigger. But Congress gave the green light to attack unilaterally. The result, Saddam is gone, that is good, but now it appears that the administration sold the Congress on supporting a go-it-alone strategy, except for a British puppy, through the selective manipulation of intelligence.

This Congress was asked to do a rush job in providing $60 billion plus for the cost of going to war. We were asked to provide maximum flexibility in the use of that money, and Congress did. And now we find, with that maximum flexibility, that 40,000 troops were not supplied by the Pentagon with the correct body armor, American soldiers were killed and maimed by remotely detonated bombs because an insufficient number of electric jammers was supplied by the Pentagon, and there were days during the war when the troops only got one meal a day because of insufficient MREs.

We are now isolated from our allies, and we have been left holding the bag financially, militarily, and politically for occupying and reconstructing the country. We are told we do not have enough soldiers on the ground to even protect ammunition dumps from looting and theft. We are told that the military is stretched to the breaking point, creating opportunities for more mischief from countries like Iran and North Korea.

But that is all yesterday's argument. The time to think all of those things through was before we attacked, because once you are involved in a war, you are stuck with it for a while, and certainly you are stuck with the aftermath, as we are now. So at this point, I recognize the need and the obligation to support a reconstruction package. I agree that both reconstruction and additional military funding are needed to fix the situation. And I recognize that we cannot simply withdraw from something that we started, even though I was not in on the takeoff. But that does not mean that Congress must support any slap-dash request from the administration that is thrown on the table. The Founding Fathers gave us one overreaching power to affect major issues, the power of the purse. If we do not use that power constructively to make sure that actions of the executive branch are well-focused and well-thought-out, we are AWOL from our duty.

The fact is we still do not have a detailed accounting of how the dollars we previously appropriated for this action have been used. We still have no meaningful idea of what cost the administration expects to incur over the next 5 years, even though they surely have expectations about that and prepare 5-year plans for everything else under God's creation. We have yet to receive a realistic description of how our allies can be brought on board to help provide troops and funds to spread around the burden of reconstruction. We have no real idea about how the administration expects to deal with the overextension of our military and the disruption of troop rotation requirements because of that overextension. And we certainly do not know how we are going to pay for it, except to get out our kids' credit card and say, ''Charge it.''

There is no question in the aftermath of this administration and this Congress' decision to invade Iraq that we have now incurred certain obligations to the Iraqi people, but we have also obligations to our own people. That is why the important question here today is not whether this committee funding proposition, or an alternative, is better. The amendment that I will offer does not solve most of the dilemmas that I described or answer most of the questions that I have raised because only the administration has the power to do that. All the amendment that I will offer at some point says is: if you are going to spend $87 billion, then there is a better way to do it, a way which will be more effective on the ground and less damaging to our taxpayers.

The issue is not whether the administration's package should be cut or not because, frankly, I think the administration is still hiding from Congress its long-term expectations on the full cost of this war. But this Congress has an obligation to know what the whole picture is and what the whole bill will be before we write the check. And we have an obligation to know how it is going to be paid for. That is what the amendment that we will offer will try to do. That is all we can expect it to do at this point.

Let me take just a moment or two to describe what we will try to do with that amendment. We will try to reduce the committee package for reconstruction so that the total number for reconstruction is $14 billion rather than the $20 billion asked for by the administration. We will use that money in a number of ways. First of all, we would do it to provide a quality-of-life initiative for our troops. The first thing we would do under that heading is to recognize the fact that almost 80 percent of our troops today are in situations where they are forced to drink putrid water because the administration asked for sufficient funding only to deal with the water problems at one of the nine bases where American troops are stationed. So we provide the money to try to correct that problem for the rest of the troops.

Secondly, we would provide some of that money to provide predeployment health and dental screening for the Guard and Reserve forces who have to go into regular service so that they do not have to bear that cost themselves.

Thirdly, we extend postdeployment health coverage, (that is health coverage) for people who served and are now returning to their communities. We would extend that from the present 60 days to 6 months. And we would expand prepaid phone card services so it is easier for those troops to call home. And cover more R&R transportation costs.

We would also try to recognize what General Shinseki warned us about when he warned us not to follow a 12-division strategy if we only had a 10-division Army. And so what we will do is face up to, squarely and promptly, the need to increase the size of the Army by at least 20,000 people if we are going to be in a position to defend this country against other security problems that may develop anywhere from North Korea to Iran. And, secondly, we will try, by doing that, to relieve the pressure on the Guard and Reserve forces who have been forced to take up greater burdens than they expected when they first joined up.

Then we will provide additional funding to refurbish the equipment that has been used up in the Iraqi war. We know what the services indicated they needed in this fiscal year. The problem is the Pentagon civilian leadership did not ask for that full amount. We provide the full amount that the services asked for so that we do not have huge amounts of military equipment, tanks and Bradleys and other expensive equipment simply sitting in unusable condition because we have not sufficiently refurbished it.

Let me now turn to what we do with the $14 billion remaining in the redevelopment account. What we attempt

to do with that is to provide $7 billion of that, half of it roughly, a little less than $7 billion, in cash money, as the administration requested, so that they have enough money to deal with their immediate cash flow problems. Then we take the other six plus billion dollars and we put it in a special account in the World Bank to be matched on a two-to-one basis by foreign contributors. That is a way, in our view, that you can do two things. You can help to internationalize the question of who is going to pay for the long-term redevelopment costs of Iraq and at the same time we can protect the American taxpayer from the cronyism in the awarding of contracts that is bound to be there if those contracts are let by an agency that is responsive to the political appointees in the White House.

And then lastly and most importantly, in my view, we pay for it. What we simply say is that we should provide for a return to preexisting law of the levels of taxation for the very top bracket in this society, that top 1 percent that makes over $330,000 a year. What that would mean is that someone making $1 million, instead of getting a $130,000 tax cut, would get a tax cut of about $52,000. That would still be more than 10 times as much as taxpayers who are in the $200,000 to $500,000 bracket, and it would be considerably more than that if you compare what they get to the small tax cut of about $1,000 to people in the 50 to $75,000 bracket. So I would suggest that anyone who thinks that we are penalizing the top 1 percent, I would simply say that is certainly not the case. We are simply limiting the size of their tax cut to the size that will be provided to the next wealthiest Americans in the country. I daresay I think most of the people in that top 1 percent would say that if that is what is necessary to pay our bills rather than sending them on to our grandkids, they would be more than willing to participate.

Mr. Chairman, that is what we intend to try to accomplish as this debate moves forward.

Let me take one other moment to simply congratulate the chairman of the committee, because there is no question about it, he has made significant improvements in the administration proposal. Both parties wanted to eliminate some of the ''quaint'' items, to put it politely, that were inserted which would be red flags to any hard-working taxpayer in this country. And I appreciate the fact that we were able to work together to eliminate those provisions. But I think we have a long way to go to get the answers that we need from the administration in order to justify providing another $90 billion in taxpayers' money.

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

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

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of H.R. 3289 and I will be voting, however it comes out in final form, for this very much needed legislation and commend our President and commend, of course, Chairman YOUNG for the great job he has done on this.

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I firmly support the $66 billion appropriated in this bill which covers our military costs in Iraq. It is vitally important that we pass this. That is why I will support the bill no matter how it comes out at the end.

However, I will be opposing the $18.6 billion of reconstruction money in the bill as it is being presented to us today. Helping Iraq rebuild is certainly an important part of our winning in Iraq, but they should be based on loans, rather than based on gifts from the American people. Instead, we are being told today that this $18.6 billion reconstruction package must be in the form not of a loan that will be repaid to us when Iraq gets back on its feet but instead as a giveaway, as a grant.

The American people are already carrying a heavy burden for peace in the region and the Federal level of deficit spending is almost $400 billion. And Iraq someday very shortly is going to be one of the wealthiest countries of the world, if not the wealthiest, because they produce more oil and will be producing more oil than just about anybody. So we should be asking for a payback for this $18 billion.

But why are we being told it has to be a grant instead of a loan? Because Iraq supposedly already owes $120 billion to foreign banks. Give me a break. What is being said here? We have got to spend $20 billion in a grant form, a giveaway, to protect the loans, the billions of dollars of loans that German and French banks gave to Saddam Hussein? That makes no sense. I will be offering an amendment to make sure to secure wording which will suggest that this reconstruction package of $18.6 billion is in the form of a loan, not a gift.

If this is ruled not germane or out of order, I will immediately offer another amendment which will strike $18.6 billion from the bill, and specifically reconstruction funds, which means a vote ''yes'' on the Rohrabacher amendment is a vote for the loans because if my amendment passes, the administration will quickly come back with providing this $18.6 billion reconstruction program in the form of a loan, rather than as a giveaway and a gift to the people of Iraq.

So I would ask my colleagues to join me in supporting H.R. 3289 and voting for it in final passage no matter what happens to my amendment, but I would suggest that they support the Rohrabacher amendment which will guarantee that the reconstruction funds in this bill be paid back after a while when Iraq gets back on its feet. The American people carry too heavy a burden. Let us give them a break.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the ranking member of the Defense Subcommittee of the Committee on Appropriations.

Mr. MURTHA. Mr. Chairman, let me talk about a couple of different things. We have all talked about the shortages. I think we have taken care of most of the shortages. I am a little concerned about the jammers, although General Myers said he personally took an interest in them; but the inserts for the body armor, the tracks, and I have talked to the companies, I wanted to make sure that they were going all out. A couple of companies said 90 percent of their production was going to be getting this equipment out to the troops, and finally we are getting to the people in the field who are making the decisions rather than the bureaucrats.

But one of the things that worries me now is I have got a letter in my pocket from a young person, and here is what the young sergeant says: he said he is in the 307th MP Company. He has been on active duty since the summer of 2001: ''We have served proudly in peacekeeping in Bosnia, stateside on homeland defense, and finally as warfighters in Iraq, and I think we have done our job.'' This young man is in the 307th MP in the National Guard, and he wants to come home. He has been on active duty 2 out of 6 years that he has been in the National Guard. And one of the things I have talked about over the years is we cannot sustain these deployments. We need either more active-duty troops or we need to find a way to have foreign troops, Coalition forces, to replace our troops.

I know that I am starting to get letters from people saying that the Reserve and Guard are having such a difficult time sustaining themselves in the period of time that they are overseas, and I agree with that. I understand that. I met a couple of Reservists not long ago who had been in Bosnia; and one of their friends had been killed accidentally with a 50 caliber, and they were talking about how often they have been called up during this period of time. We can say they volunteered, but this is not the normal procedure. When we talk about a low-intensity war, we are talking about the type of war we are in now.

I have always said when somebody asks me how much money does the million military need, I have said it depends on the tempo of operations, and our tempo of operations and throughout the world where we have got 48 percent of the Army deployed, we have got 25 to 30 percent of the Guard and/or Reserve deployed, and what we have to look at is how do we replace these people. The other day the budget director of the Army said to a group at the AUS dinner, he said we are running out of gas. What he means is he does not have troops to replace the ones that are overseas. Some of the equipment needs to be reconstituted. We need to find a way to support this.

I am for the $87 billion. I think that is absolutely essential. There is no question in my mind that the reconstruction money is just as important as the military security money. I feel very strongly about that. If we want security, we have got to put people back to work. We have got between 50 and 60 percent unemployment. We have got all kinds of electricity problems. We have got water problems and everything else. And in order to provide a secure atmosphere, in order to get our people home, we have to reconstruct or spend money on reconstruction in Iraq itself.

I know that every time I go to the field, I get troops that complain; but that is the normal thing that we see with troops. But on the other hand, we have got Reserve and Guards that have been deployed for such a long period of time. And the employers are starting to write to me saying I cannot keep these guys on any longer, small business people. Very few of them get paid the difference. We have got bankers and people who are in the Reserve and Guard, and those folks are not getting any kind of extra pay. So we have got some real problems here in sustaining this force.

Hopefully, we will be able to get people from the Coalition force to replace our forces. Hopefully, in the near future we will have our people with all the equipment they need. We will get the security situation under control. We will Iraqitize. We will internationalize, and we will energize this operation.

So I fully support the presentation by the President. I feel very strongly about it. But on the other hand, we have got an awful lot of work to do before we get our troops home.

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. DUNCAN) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under debate the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motions to instruct postponed on Wednesday, October 8, and on one motion to suspend the rules previously postponed.

Votes will be taken in the following order:

Motion to instruct on H.R. 6, by the yeas and nays;

Motion to instruct on H.R. 1308, by the yeas and nays;

Motion to instruct on H.R. 1, by the yeas and nays;

And H.R. 1828, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining votes in this series will be 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 6.

The Clerk will designate the motion.

The Clerk designated the motion.

The Speaker pro tempore. The question is on the motion to instruct conferees offered by the gentlewoman from California (Mrs. CAPPS) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 229, nays 182, not voting 23, as follows:

[Roll No. 540]

YEAS—229

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burr
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Castle
Chabot
Clyburn
Conyers
Cooper
Costello
Cox
Crenshaw
Crowley
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Dunn
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gilchrest
Gillmor
Gordon
Goss
Green (WI)
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Hill
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Platts
Pombo
Portman
Price (NC)
Putnam
Quinn
Rahall
Ramstad
Rangel
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Walsh
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn
Young (FL)

NAYS—182

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Burgess
Burns
Burton (IN)
Buyer
Camp
Cannon
Cantor
Carson (OK)
Carter
Chocola
Coble
Cole
Collins
Cramer
Crane
Cubin
Culberson
Davis, Jo Ann
Deal (GA)
DeLay
DeMint
Dooley (CA)
Doolittle
Dreier
Duncan
Edwards
Emerson
English
Everett
Flake
Forbes
Franks (AZ)
Garrett (NJ)
Gerlach
Gibbons
Gingrey
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson, Sam
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCotter
McCrery
McInnis
McKeon
Mica
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Pomeroy
Porter
Pryce (OH)
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (MI)
Smith (TX)
Stenholm
Sullivan
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Visclosky
Vitter
Walden (OR)
Wamp
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—23

Bono
Calvert
Clay
Davis, Tom
Fletcher
Fossella
Gephardt
Hayworth
Jones (OH)
Kline
Kucinich
Marshall
McHugh
Mollohan
Neal (MA)
Nethercutt
Nunes
Radanovich
Saxton
Souder
Sweeney
Turner (OH)
Turner (TX)

□ 1902

Mr. REGULA and Mr. PETERSON of Pennsylvania changed their vote from ''yea'' to ''nay.''

Messrs. PETRI, FRELINGHUYSEN, BECERRA, GORDON, and PORTMAN, and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN). Pursuant to clause 8 of rule XX, the remainder of this series will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1308.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from New York (Mr. CROWLEY) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 203, nays 204, not voting 27, as follows:

[Roll No. 541]

YEAS—203

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—204

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

NOT VOTING—27

Bono
Calvert
Clay
Cole
Davis, Tom
Fletcher
Fossella
Gephardt
Hayworth
Hunter
Jones (OH)
Kelly
Kline
Kucinich
Marshall
McHugh
Mollohan
Neal (MA)
Nethercutt
Nunes
Radanovich
Saxton
Smith (NJ)
Souder
Sweeney
Turner (OH)
Turner (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1910

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. KELLY. Mr. Speaker, on rollcall No. 541 I was unavoidably detained. Had I been present, I would have voted "nay."

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 190, nays 218, not voting 26, as follows:

[Roll No. 542]

YEAS—190

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall

Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—218

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

NOT VOTING—26

Ballenger
Bono
Calvert
Clay
Davis, Tom
Fletcher
Fossella
Gephardt
Hayworth
Johnson (CT)
Jones (OH)
Kline
Kucinich
Marshall
McHugh
Mollohan
Neal (MA)
Nethercutt
Nunes
Radanovich
Saxton
Sensenbrenner
Souder
Sweeney
Turner (OH)
Turner (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1918

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SYRIA ACCOUNTABILITY AND LEBANESE SOVEREIGNTY RESTORATION ACT OF 2003

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and passing the bill, H.R. 1828, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1828, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 4, answered ''present'' 5, not voting 27, as follows:

[Roll No. 543]

YEAS—398

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
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
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
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
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
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Frank (MA)
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Green (WI)
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Hastings (FL)
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Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
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Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
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King (IA)
King (NY)
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Lipinski
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Lowey
Lucas (KY)
Lucas (OK)
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Majette
Manzullo
Markey
Matheson
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McCarthy (MO)
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Meek (FL)
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Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
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Pascrell
Pastor
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Price (NC)
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Rogers (AL)
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Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
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Sherwood
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Simmons
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Smith (MI)
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Udall (CO)
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Van Hollen
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Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

Abercrombie
Flake
Paul
Rahall

ANSWERED ''PRESENT''—5

Bereuter
Blumenauer
Dingell
Hinchey
Kaptur

NOT VOTING—27

Ballenger	Gutknecht	Musgrave
Bono	Hayworth	Neal (MA)
Calvert	Jones (OH)	Nunes
Clay	Kline	Radanovich
Davis, Tom	Kucinich	Saxton
Delahunt	Maloney	Souder
Fletcher	Marshall	Sweeney
Fossella	McHugh	Turner (OH)
Gephardt	Mollohan	Turner (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1926

Mr. ABERCROMBIE changed his vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to halt Syrian support for terrorism, end its occupation of Lebanon, and stop its development of weapons of mass destruction, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TANCREDO. Mr. Speaker, I regret that I was unavoidably detained and was not here for rollcall 519. The record should reflect that had I been present I would have voted no on rollcall number 519, final passage of the Water Resources Development Act.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1078.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, October 14, 2003, the Chair declares the House in the Committee of the Whole House on the State of the Union for a further period of debate on the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004.

□ 1928

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 a further period of debate on the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, with Mr. SHIMKUS (Chairman pro tempore) in the chair.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, 4 hours and 24 minutes remained in debate.

The gentleman from Florida (Mr. YOUNG) has 2 hours and 10 minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 2 hours and 14 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the very distinguished gentleman from Illinois (Mr. HYDE).

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

Mr. HYDE. Mr. Chairman, it is unfortunate that an issue as vital to our national security as the war in Iraq gets embedded in Presidential politics.

□ 1930

There is an irony that seeing the bumper stickers which say ''United We Stand,'' that is more a hope than an expectation. The reason we are at war in Iraq, regardless of all the lint-picking and mistakes and the misjudgments and all the discrepancies, boils down to its simplest terms. The strategic threat from a brutal aggressor that was a challenge to the region as well as to ourselves is a matter of record. And we can debate and argue over this point or that point, but Saddam Hussein was a threat to the region and to the United States, and somebody had to exercise leadership and it devolved upon our President and he has done so. However, I do not propose to talk about that aspect of this many-faceted discussion.

Mr. Chairman, I want to talk about the very difficult question of loan versus grant. I can say to the chairman how much I would like to vote for this to be a loan. It makes sense. It is the most defensible position one can take on this issue. But I have come to the conclusion that that would be a mistake and that we should make this a grant, and I will try to tell you my reasons.

There is a philosopher named Santayana who said something a long time ago, I have never been able to confirm that he said it, but that is the common opinion, those who do not read history are condemned to relive it.

World War I brought on the Treaty of Versailles. It was punitive. The reparations and the punishment that we leveled on Germany, however deserved, ended up in the creation of the Nazi Party.

Mr. Chairman, the punitive Versailles Treaty imposed upon Germany after World War I resulted in a country rife with poverty and the ground was sown for the Nazi Party, and ultimately in 1933 the election of Adolf Hitler and out of that, of course, came World War II.

Now, we learned that lesson because after World War II, instead of imposing punitive measures on the losers, we came up with the Marshall Plan, which was largely grant and not loans. And the result of the Marshall Plan was Europe was rebuilt, Europe flourished; and instead of being a cradle of dissention and war, it became a source of serenity and peace.

And so it would seem to me if we impose on Iraq, which already has $200 billion in debt, another how-many-billions more in debt and then demand that we be repaid, we are not purchasing freedom with that. We are purchasing another dissident country with people who have one more reason to hate us because we are imposing a burden on them.

Now, another reason it seems to me is the example we set. We are the leader of the free world whether we like it or not. History has imposed that on us. And if we loan money, other countries are going to loan and add to the debt and add to the misery that Iraq has already undergone. I think if we make a grant, other countries will follow our lead, there is going to be a donors' conference in Madrid later this month, and I think the example we set will result in other countries making a contribution.

Now, it is important for this reason: one way we can get our money back or at least have our burden lessened is by other countries contributing to the rebuilding of Iraq. They will not do that if we loan the money. They will do that. Other countries will follow our example; and if they do, they can pick up some of the burden that we are at this point perhaps going to have to assume.

Now, Ambassador Bremer has pointed out that creating a sovereign democratic prosperous Iraq is a real blow to the terrorists, and that is our aim. We cannot go to war and then turn on a dime and walk out. We will create a cesspool for terrorists and another problem area, and we are buying difficulty for the future.

Things are better in Iraq. The schools are open. The hospitals are open, a free press, utilities coming back on, infrastructure being repaired, a governing council, writing a constitution. There are some 30 countries standing with us. No, they are not in large numbers, but about 20,000, which is a sizable group, British, Polish, Spanish, Czechs and many others. And so we are in this war. It is a war that deserves our support. And I hope that this House will not burden Iraq which already has tremendous burdens and lots of debt with additional debt, but that we show the way for the rest of the world to make their contributions and truly have a united front.

Mr. OBEY. Mr. Chairman, I yield 7 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member on the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mrs. LOWEY. Mr. Chairman, it was 1 year ago that Congress voted to authorize the President to use force in Iraq. Many of us supported that resolution; others did not. And I have deep respect for the differences that still divide us.

Those of us who voted ''yes'' wanted to do this right. We realized that any action in Iraq would require adequate forces, rigorous planning, and a commitment to stay until the whole mission, the war and the peace, was accomplished. A year has gone by, and now we are all in the same boat. We have undertaken a project that if done well can change the face of the Middle East for the better. If done poorly, in my judgment it will pose a grave threat to our national security.

However, the requests made by the President and the Coalition Provisional Authority was shaped in part by a series of miscalculations, miscalculations about how the international community would react to a United States operation to rid Iraq of Saddam Hussein; miscalculations about how our troops and our best intentions would be received by much of the Iraqi public; miscalculations about what would be required to rebuild; miscalculations about how generous other nations would be with donations even as their policy input was rebutted; miscalculations about how long it would take to bring Iraqi oil revenues online; and, finally, miscalculations about how this massive undertaking would affect our Federal budget.

The Committee on Appropriations, led by our able and fair chairman, the gentleman from Florida (Mr. YOUNG), the gentleman from California (Mr. LEWIS), and the gentleman from Arizona (Mr. KOLBE), as well as the ranking member, the gentleman from Wisconsin (Mr. OBEY), and the gentleman from Pennsylvania (Mr. MURTHA), along with myself, reviewed the administration's request seriously and with close attention. Some necessary changes were made. Other adjustments may be made by the full House as they have been made in the Senate, and this is appropriate.

Congress is a co-equal branch of government and we have a responsibility to our constituents, our heroic armed forces, and our democracy to actively participate in this effort, not just rubber stamp the executive branch's request.

Despite deep reservations, I have decided to support this supplemental. First and foremost, I believe we have a responsibility to the people of the United States and to the people of Iraq to do our utmost to build a democratic and prosperous Iraq. This remains a fundamental part of our national security strategy. But we cannot do it haphazardly. We must be clear about our priorities and how much money and time it will take to achieve them. We need a plan, a coherent complete strategy that clearly lays out our obligations and shows how we plan to address them in the most efficient and effective way.

We need priorities. We need to know that our efforts in Iraq will not just be about building roads, bridges, and buildings. They will also be about building democracy.

We need assurances, assurances that United States taxpayer funds are being spent wisely through the use of competitive procurement procedures and strict auditing and oversight of ongoing projects.

We need diplomacy, sincere efforts by the administration to marshal other donor contributions on an ongoing basis and to get the support of the United Nations for the rebuilding effort.

This problem is a marked change from how the United States handled last year's diplomatic effort. I continue to be amazed at our inability to stick to our goal when I read that after a ridiculously brief period of diplomacy at the U.N., the U.S. is said to be ''frustrated and ready to give up.''

The problem as I see it is that we do not have a plan, priorities, safeguards or sustained diplomatic efforts. We have done what we could with the massive requests of broad parameters of how it would be spent. We asked repeatedly for more detailed information from the CPA and we got some information, removed some of the more problematic provisions, but serious concerns remain. Among them are the impact this borrowed $87 billion will have on our own budget and the priorities that will not be funded because of our responsibilities in Iraq.

Many of my colleagues have asked how we can fund school construction in Baghdad, but not in Briarcliff or Boston; how we have money for quality housing in Najaf but not in New York City or Newark; and how we can plan for fair elections in Mosul in northern Iraq but not in Miami in southern Florida.

I agree with them. I find it hard to agree that, with this weak economy, the climbing deficit and with the enormous need at home, that we are not engaged in any effort to review our fiscal policies, our tax and spending, as if we still enjoy surpluses as far as the eye can see.

That is why I also support the package drafted by our ranking member, the gentleman from Wisconsin (Mr. OBEY). The Obey package would provide for all emergency reconstruction needs, important military needs not addressed in the request, and increased donor participation by giving part of the United States funding in cash and part as a loan to the World Bank.

In my judgment this is realistic. If we are only anticipating $3 billion in direct contributions from allies around the world, we need to find other ways to leverage as much money as we can. And providing $7 billion to the World Bank would leverage up to $40 billion in World Bank funds for reconstruction. The Obey package also provides for detailed reporting and accountability and that is key.

However Members vote on this supplemental, we share the responsibilities for keeping our troops safe and following through on our commitment in Iraq. I believe we must finish the effort we began in Iraq for the people in my district as much as for the citizens in Karbala or Basra. But I also believe that we must be honest about what reconstructing Iraq and Afghanistan costs Americans, especially our military families.

□ 1945

We must be realistic about the tough choices this Nation faces.

I hope, Mr. Chairman, that as we move to conference that a sense of responsibility and realism governs our work. The stakes are very high.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume. Before I yield to my colleague from Michigan, let me just make a couple of comments.

First of all, I want to thank the gentlewoman from New York for her thoughtful statement. I have had the privilege these last 3 years to work with the gentlewoman from New York as the ranking member on the Subcommittee on Foreign Operations, Export Financing and Related Programs, and she and I have, she would be the first to concede, have not always agreed on every policy issue, but we have approached the legislation, the bill, each time, whether it has been the regular appropriation bill or the supplemental appropriation bill, we have approached it in the spirit of compromise, and we have approached it in the spirit of bipartisanship because we both believe very strongly that when it comes to our foreign policy, partisanship ends at the shores of this country. It has been truly a great joy to work with the gentlewoman from New York (Mrs. LOWEY), and I want to thank her publicly for that.

Mr. Chairman, I will also have more remarks of my own tomorrow when we get to the general debate under the rule for this bill.

Once more before I yield, I would also like to thank, though he is no longer here, the distinguished gentleman from Illinois (Mr. HYDE), the Chairman of the Committee on International Relations of the House of Representatives for his extremely cogent and thoughtful statement. There are few people in this body that have been such leaders for liberty, democracy and freedom around the world, that have been voices for those basic American values as has the gentleman from Illinois (Mr. HYDE). So when he speaks on an issue such as the funding for Iraq reconstruction and for our military in Iraq, he speaks, I think, with a voice of certainty and a voice of authority that it would do well for all of us to listen to.

Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Michigan (Mr. KNOLLENBERG), a member of the Committee on Appropriations.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong support of this supplemental appropriations bill and urge all my colleagues to support it.

I want to commend the gentleman from Arizona (Mr. KOLBE), the gentlewoman from New York (Mrs. LOWEY), obviously, we could go on commending a great number of people, but everybody's contributed to this bill, and I think it shows in that while we ensure the urgent priorities like drinking water, enhanced security and electrical infrastructure, these are all funded, the gentleman from Florida (Mr. YOUNG), the chairman, did look over this process, oversighted it, and he eliminated projects from the President's request that were simply not necessary in this bill, removing a total of almost $2 billion. The gentleman from Florida (Mr. YOUNG) does not get credit sometimes for the work he does, but I am very pleased to give him credit here this evening.

As chairman of the Subcommittee on Military Construction, I do want to make my colleagues aware that a portion of this bill falls under my subcommittee's jurisdiction. We have provided about $400 million to support military construction needs for Iraq and Afghanistan. Let me turn now to the need to support the supplemental as it is written.

A little over 2 years ago, this country was attacked by terrorists whose organizations had received safe harbor from tyrants. In the wake of those attacks, we made it a goal of this country to defeat the terrorists who are actively seeking to kill Americans so that our citizens could be safe and secure at home and abroad.

In Afghanistan, we removed from power a regime that had given safe haven to al Qaeda, and we routed the terrorist organization from its hiding places. The people of Kabul cheered its liberators, and that country is headed in the right direction, though much work still needs to be done.

In Iraq, we removed a danger to an entire region when we defeated the regime of Saddam Hussein, a regime that denied the international community time and time again. We no longer have the prospect of a country being led by an individual who had invaded two neighbors, used chemical and biological weapons on his own people, ran a political prison for children, harbored terrorists, rewarded the families of suicide bombers and pursued weapons of mass destruction when the chance arose. Again, the people cheered its liberators.

These are important steps in the war on terrorism. The United States and the world is safer because of our actions. We have not been left holding the bag, as some have suggested. We are there because as a world's leader, we exercised our leadership and took action against a menace that was Saddam Hussein's regime. We have nothing to apologize for.

Now, we face the harder part, the thankless part. Having made the world safer, in this moment we must ensure that it is safer in the future. We do not want these two countries to become terrorist havens again. That is why we must go about the task of rebuilding two countries torn down by decades of war and tyranny.

There is no folly in pursuing this course. There is great folly, however, in abandoning it before it is finished. It is not going to be easy, but it is going to get done, and that is why we are here today.

This supplemental is critical to supporting our troops and our mission. We all accept the responsibility to provide our soldiers with the weapons and equipment they need to secure Iraq, but we must also accept the responsibility to aid the new government of Iraq without placing an undue burden on it. Turning reconstruction funds included in this bill into loans does not serve our mission.

I encourage my colleagues to continue to ask those tough questions about the efforts in Iraq. That is our job, but let us stand up for our soldiers and our mission by passing this supplemental today.

Mr. MORAN of Virginia. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ), the leader of our caucus.

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

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, the question before us tonight and tomorrow is whether to give the President a blank check of nearly $87 billion or to fashion a bill that represents and promotes the best interests of our troops and the American people. I, for one, will not write the President a blank check for $18.6 billion in reconstruction funds of American taxpayers' money based on a reconstruction plan just sent to Congress, which rebuilds Iraq's electricity infrastructure, among other things, when ours is not functioning here at home; which modernizes Iraq's medical facilities and medical equipment, when millions of Americans here at home are living without health care; which pays for that which we did not damage and did not previously exist in Iraq; and which sends $18.6 billion in grants to a country that has the second largest oil reserve in the world valued at over $7 trillion.

I do not intend to add another $18.6 billion to this year's deficit, estimated at over $480 billion, and that is why we demand an Iraq package that will not bankrupt future generations, that is paid for.

This administration failed to present a financially responsible plan for reconstruction in Iraq. It failed in its responsibilities to our troops in Iraq. Was it responsible to send American troops into Iraq without adequate planning, with tens of thousands of our troops without border armor, without an exit strategy, without a realistic troop deployment and rotation schedule, without a plan to get them eventually back home? No, and that is why we support our troops and the Democratic proposal to improve the funds in this bill that go to protect them.

Our troops and the American people have paid the brunt of the cost in lives lost and resources spent. In our war on terror and our war in Iraq, they are looking for honest leadership and demand a realistic plan from this President.

So we must give our men and women in uniform the resources they need to do the job they have been given, and we must do all we can to return them to their families quickly and safely. It does not mean cutting and running, but it does mean protecting them while they are there and finding a plan to have them ultimately exit and to bring more people from the international community to bear in Iraq.

However, our troops should not be held hostage to an outright grant for Iraq's reconstruction, and I bristle when I hear already the beginnings of suggestions that question those who have a different view. We demand an opportunity to vote for the money for our troops and at the same time to limit the unbridled grant money to fund reconstruction in Iraq.

Mr. KOLBE. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise in support of this supplemental.

Mr. Chairman, I rise today in support of this supplemental appropriations legislation as a necessary component in our efforts to liberate the nation of Iraq and continue our successful fight against terrorism.

Mr. Chairman, over the past month, the American people have been bombarded by a very negative portrayal of our efforts in Iraq. However, as we have heard from so many of our colleagues who have recently visited Iraq, these media portrayals are far from the truth.

We are winning the war on terror, and we are setting people free. America is building a free Iraq, and this supplemental funding measure is part of America's exit strategy. A strategy that will see a new Iraq (founded on freedom and democracy) flourish in the Middle East.

Mr. Chairman, I am a fiscal conservative, and the thought on spending $87 billion on anything gives me pause. The concept of turning some of this funding into a loan appears to be a sound one, but one we will have time to discuss as this debate continues. However, this spending measure is an investment in the peace and stability of our world. We cannot put a price tag on peace, and we cannot turn our back on freedom.

Our own American history should be the book we study from. When President Harry Truman came to Congress with his Marshall Plan proposal, the price tag, for the times, was staggering indeed.

However, it was not the price tag that Congress finally looked at—it was the mission at hand that drove support for this plan. It was the rebuilding of the post World War II world, in an effort to restore peace to the planet, that drove Congress to support this measure.

Mr. Chairman, this Congress has a similar opportunity, to rebuild a nation that will represent freedom and democracy while bringing stability to a very tumultuous and dangerous part of the world.

We have a very unique opportunity in front of us. We have the opportunity to invest in freedom, and to set men free. Most importantly, we can take proactive steps necessary to stabilize a region that presents a great danger to our Nation, and the well-being of our people.

Mr. Chairman, we will be making history with this vote. We will be sending a message to terrorists that America has no intention of allowing the fight against terrorism to be fought on our streets and in our neighborhoods.

We will also be sending a message to the world that we are a nation of peace, and Iraqi liberation in the pursuit of freedom is a component of our democratic principles.

Congress has a responsibility to protect our people, and to promote freedom and democracy worldwide. This supplemental helps move these responsibilities forward, and it is our duty to approve this legislation.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN), a member of the committee.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Arizona (Mr. KOLBE) for yielding me the time.

Mr. Chairman, I rise in strong support of the supplemental package and urge its prompt adoption. In fact, the sooner we pass this legislation and provide material support for our troops and begin rebuilding the Iraqi economy savaged by decades of Saddam Hussein's corrupt rule, the sooner our dedicated service personnel will come home with their mission accomplished.

I have just returned from Iraq with a number of my colleagues as part of a fact-finding trip led by the gentleman from California (Mr. LEWIS), the chairman of the Subcommittee on Defense. We visited with our troops. These brave young men and women are proud of what they are doing and know that it is important to our national security. Of course, we mourn the loss of any American soldiers' lives, and we pray for the early recovery of our wounded. We are forever in their debt and reject the mindless notion of some that their sacrifice has been in vain.

Since my return, I have also been struck by the stark contrast between the reality of the success of our military and civilian missions in Iraq and the stubborn perception that we are failing there. It is not true.

I am also one who strongly objects to the notion held by some that our involvement in Iraq does not count for something. Our involvement does count. The world and our homeland are safer for Saddam's removal. There is a better life for the Iraqi people after 30 years of oppression and torture and killing. Our involvement there and the sacrifices of our soldiers count for something. The reality is encouraging.

Two hundred and forty hospitals are now operating, and 90 percent of the medical clinics are now reopened. A hundred primary schools and 22 universities have been rehabilitated and reopened this month. More than 55,000 Iraqi police officers are better trained and back to work, and they are being trained by the Coalition Provisional Authority in professional policing, including border security and human rights. Over 4,000 Iraqis are working side by side with coalition soldiers as part of the Civil Defense Corps, and the CPA is working to field 27 battalions of a new Iraqi Army.

Among the most hopeful signs, and we saw it firsthand, were the fact that 90 percent of the cities, towns and villages in Iraq are now governed by elected or appointed local councils, representing, indeed, diverse ethnic groups and religious groups from across the country. Clearly, there is hope growing in Iraq.

Thankfully, the Coalition Provisional Authority, working with military and civilian officials of more than 30 nations, have been working hard to improve the quality of life and deliver much-needed assistance, and now we debate the supplemental for Iraq and Afghanistan.

As we know, more than 60 percent of these funds will go to support the efforts of our young men and women in uniform, including extra combat pay, stronger physical protection, better-quality housing, and most importantly, enhanced intelligence gathering and the equipment that includes the latest technology to win the war on terrorism.

I am grateful, as all Members are, that we will now be providing, with these new funds, more money for body armor, radio jammers and reinforced Humvees. These are concrete steps to protect the well-being of our soldiers. The remaining funds will go towards creating conditions on the ground in Iraq that will enable our troops to succeed in their mission.

This supplemental is needed.

□ 2000

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR), a member of the Committee on Appropriations.

Mr. FARR. Mr. Chairman, I thank the gentleman for yielding me this time. This debate tonight is not about support of our troops. There is not a Member of Congress that does not support our troops. And it is not about national security. It is about one thing. It is about politics. And I say that for three reasons:

First of all, the timing. It was just a year ago that we were rushed to judgment to give the President the authority to unilaterally invade Iraq, at a time when the U.N. inspectors were saying give us more time; we have not found weapons of mass destruction. If they are there, give us more time to look for them, which had the support of the international community. But why was that vote passed a year ago today? Because it was on the eve of the November elections and the President wanted the vote before the November elections so he could use it in the campaigns.

We followed that vote last spring with a $78 billion supplemental request. That money does not run out until next April. In the defense appropriations bill, we put enough money in for the troops, so why now? Why have this vote now? Could it be the rush to judgment this year is to get it as far away from the next November elections? Because if we went to next spring, there may not be national support for this bill. I think today is a sure rush to judgment, and I do not think we need to do that. We need to prove to the world that we have a workable plan.

The second is capacity. Where is the building of Iraq capacity? Look at the number of idle people in Iraq, unpaid. Yet American contractors are rushing in on American salaries and American consultant fees who require protection of American troops in order to do the American work in Iraq. We ought to be spending that money on building the capacity for the Iraqis to do it, not for American corporations.

And lastly, the contracting. These are emergency appropriations. They are asking that we forego the regular corporate way of giving out contracts. There is no transparency. This is a gift of funds to American companies, not to Iraqi people.

This Emergency Appropriations bill can't be called the ''Iraq bailout bill'' when the contracts only go to businesses friendly to the partisan interests of the White House.

The money doesn't go to Iraq, it goes to K Street. It goes to American companies that pay U.S. consultant wages, not the wages earned by Iraqis.

Timing is not necessary, its political capacity building for Iraq is not planned. Contracts don't help earn friends but create animosity.

I have and will continue to vote against the wrong approach to winning peace in the Middle East.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD), a member of the Committee on Appropriations.

Mr. SHERWOOD. Mr. Chairman, I rise in strong support of this supplemental emergency appropriations bill. I too went to Iraq 3 weeks ago to see for myself, and I think we all need to go and see for ourselves the progress that is being made. I would like to give a few of my observations.

As we flew low over the country in our helicopter, I saw that there is more

water than I would have imagined and more agriculture. The other thing is that the farmers and the children out in the country always waved at the helicopter. That was the military helicopter with a machine gunner on each window. They did not know there were Congressmen in there, but the machine gunner waved back.

As we went through Iraq, the people waved at us. They stood; they smiled. I have a pretty good idea of body language, and 70 percent of the people in that country are delighted we are there.

Mr. Chairman, we found and deposed the greatest weapon of mass destruction that this world has known since Hitler and Stalin. Go to the burying fields at al-Hilla, with the mass graves, where they have buried hundreds of thousands of people who were marched into a pit and mowed down with a machine gun and covered over with a bulldozer, whether they were alive or dead, and you understand what went on in that country.

We talked to the doctors and the hospital administrators and the keepers of the graves and the operators of the power plant. These are people striving to get back on their feet, and they need our help. This will be one of the greatest things that we have done in our term in Congress, not only to support our troops but to support the putting back together of Iraq, putting it back together from the damages inflicted on it by Saddam Hussein, because the damage inflicted by our military on structures is very small.

This money in the supplemental will do more for the safety of our troops and the safety of our citizens than most anything we could do. It is hard to comment on some of the things that have been said tonight; they are so ridiculous. We are on a path with a good plan. It is being carried out by young men and women of intense bravery whom we can be very proud of and we need to support them.

Mr. OBEY. Mr. Chairman, I yield myself 10 seconds.

Two-run homer by Boston. They are ahead by three in the ninth.

Mr. Chairman, I yield 3½ minutes to the gentleman from Virginia (Mr. MORAN), a member of the Subcommittee on Defense of the Committee on Appropriations.

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend and leader, the gentleman from Wisconsin (Mr. OBEY). I wish he had not told me that, because now that is all I can think of.

But I am going to begin by quoting the dissenting views of the ranking member of the full Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), because it states the reason for voting for this supplemental better than anything that I have heard stated before. It says, ''The Bush administration is still incapable or unwilling to articulate a coherent and workable underlying strategy to accomplish our mission and bring our troops home. Since the power of the purse remains the only effective means that we in the Congress have to ensure the American people that such a strategy exists, and that it has a reasonable chance for success, support for these funds prior to evidence of such a strategy would be an abdication of responsibility.'' And it will be an abdication if this supplemental passes.

We had any number of hearings in the appropriation subcommittees before this bill went to the full committee. Administration witnesses time and again told us they could not comment on a time frame to transition to decision-making with Iraqi leaders, which was the original intent, to establish a democratic government. They had no idea how many troops would be required beyond next September. They could not guess as to what contributions in terms of military assistance or cash would be forthcoming from other nations. They had no idea how much additional Iraqi reconstruction money would be requested. And they had no idea how Iraqi deployment might affect long-term priorities within the defense budget.

Yet we are asked to support an $87 billion request. This entire venture has been a pattern of deception. We went into this war unilaterally and prematurely based upon that pattern of deception. If anyone should challenge me, I can give three instances. We were told we had to go to war immediately, with or without our allies, because of Saddam's connection to, and I quote our President, ''because of the terrorist attacks of September 11, 2001.'' President Bush has now admitted we had no evidence, and I am quoting again, ''no evidence of such a connection.''

Our Vice President said, and I am quoting, ''Saddam has reconstituted nuclear weapons.'' Now Mr. CHENEY admits, ''I did misspeak.''

Secretary Rumsfeld told us that ''we know where the weapons of mass destruction are. They are around Tikrit and Baghdad.'' They were not there.

I could go on and on, but the fact is that we have no reason to truly trust even that this money is going to be used for the purposes for which it is intended, to support our troops, to do the right thing, and then to get out of Iraq and protect our country from future threats. I ask the American people to look at the dissenting views of the leader of the Democrats on the Committee on Appropriations.

The fact is, Mr. Chairman, this supplemental, if it is granted, leaves 80 percent of our troops in Iraq without clean water. We provided over $60 billion for our troops, yet they could not find a few million dollars to provide all of our troops with Kevlar jackets. 46,000 of them went into battle without body armor. They could not protect the vehicles that they were driving for a few million dollars. They could not give them hand-held devices for remotely controlled explosive devices.

They did not do that because they knew they would use it as leverage to get this supplemental. Vote down this supplemental. Teach them that that is not the right way to conduct business.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas (Ms. GRANGER), another member of the Committee on Appropriations.

Ms. GRANGER. Mr. Chairman, I rise to express my strong support for this supplemental funding. Like some of the other speakers we have heard tonight, I returned from Iraq just 2 weeks ago. I was part of a congressional delegation, a bipartisan delegation, that came from all sorts of views. Some had strongly supported the resolution, some strongly spoke out against it, others were more cautious, and some questioned why now and how much. But I can say from that bipartisan congressional delegation, we came back and unanimously said, after seeing it, we truly understand, first of all, what is being done there and how well it is being done.

It is startling, startling, Mr. Chairman, the contrast in what we saw and what we hear here; what the American people hear and the people all over the world hear, because it is not at all what we saw.

First of all, it is startling because of Saddam Hussein's presence, his palaces, the gilding, the money that has been socked away, and then of course the mass graves that we have heard about today. The one we went to had 3,000 bodies that were discovered, the remains of men, women, and children as young as 2 years of age, shot in the back of the head and dumped in those mass graves. Some were not shot. Perhaps they ran out of ammunition, perhaps they got tired and they just threw them living into those graves.

Then, Mr. Chairman, we saw the citizens, citizens living in poverty and citizens who had lived in terror for years. And I object to the term rebuilding, because people think, when we say rebuilding, it is what we destroyed. That is not the situation at all. What we are doing is building, because we went to a country that was not without assets. In fact, the oil reserves were second only to Saudi Arabia. But we had a leader who would not put those assets back into his own country. Instead, he stole those assets and used them to buy guns, but he did not keep up the infrastructure of his country.

We visited, for instance, a power plant, unlike any I have ever seen, because it was held together by rope and hope and rust. The engines themselves, the plant itself was so badly in need of not repair, but in need of a new facility.

We went to a hospital, the largest in Baghdad. We went to a maternity ward, and I have never seen equipment like that in my lifetime, perhaps in old movies of World War I or World War II; but I saw terrible conditions, where the roof was leaking so much there was water on the floor. We went to a neonatal unit where a child died that day because we saw such terrible equipment. No backup. They had electricity

that was on 3 hours, off 3 hours. We saw a country where, with all those assets, they should have had a modern hospital; instead they had infant mortality as high as India. So I am absolutely in support of this.

We did have a stunning military victory, but we have not finished the job. We owe it to the men and women in that country, from our country and the Coalition forces that have lost their lives in Iraq, to keep our promise and to say we will let you finish the job.

The most telling comment was that of General Sanchez, when he said, ''We will not win this militarily. We will win it by winning the hearts and the minds of the Iraqi people.'' So we need to keep our promises and let them enjoy and understand some of what we have in this country: the freedom, the opportunity, the ability to pursue the happiness that they have not had. It is that possibility, the possibility of having that in that part of the world which will be a real victory, because they can understand what we enjoy and they can be a part of that.

So this supplemental has my very strong support. I went back to my district and told everyone, this is what you need to know, because it is not what you are hearing anyplace else.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I rise in support of the substitute to the bill that is before us that was offered by the gentleman from Wisconsin (Mr. OBEY) in the Committee on Appropriations. The Obey substitute was rejected then and will likely be ruled out of order tomorrow. That is unfortunate, because the Obey substitute offers a plan for fixing the chaos in post-war Iraq.

Mr. Chairman, the war on Iraq was a war of choice, not of necessity. The administration's two primary reasons for this war, Saddam Hussein's alleged weapons of mass destruction and his alleged links to al Qaeda, were both deliberately exaggerated to build support for that war. No weapons of mass destruction will be found, and the President himself has now downplayed the alleged link between Saddam Hussein and al Qaeda.

If the aftermath of the war were going well, Americans would probably overlook the deliberately misrepresented intelligence on Iraq's weapons and its ties to al Qaeda. Now, as Americans are killed almost every day, it is clear that winning the peace will be a long, difficult, and expensive process; and people are questioning how we got where we are today.

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The American people are learning that the President's insistence on a unilateral war means that we will pay for a unilateral peace. There is popular opposition to the President's request for so much money for Iraq. This year America will run the largest deficit in our history, over $475 billion, without even including this $87 billion request for Iraq. The $87 billion that we are debating today is money that would have been better used to create jobs and improve health care and education for Americans here at home. The Obey substitute is an excellent proposal that provides the body armor, the equipment and adequate pure drinking water that our troops need to finish their jobs and return home quickly and safely. The Obey substitute makes our troops safer. The Obey substitute insists on accountability and transparency for the expenditure of reconstruction dollars, and it encourages support from other nations, thereby reducing the burden on American taxpayers.

Mr. Chairman, I oppose the President's war on Iraq, but I support the Obey substitute because it makes better use of our limited resources.

Mr. KOLBE. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Green Bay, Wisconsin (Mr. GREEN). Few Members of this body have a greater appreciation or understanding of America's role in the world, for he himself was a former Peace Corps member.

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman both for yielding time and for his kind remarks.

Mr. Chairman, there is no doubt that this bill that we are debating tonight spends a lot of money. There is no doubt that the costs of war are high. There is no doubt that the costs of reconstruction are high. But I think the point we need to remember is that the costs of inaction, the costs of leaving Iraq behind are far greater and, more importantly, the costs of failing to give our troops what they need as quickly as possible, those costs are absolutely unacceptable.

Some here tonight will try to break the package apart and make a false distinction, a distinction between military assistance and reconstruction assistance. They claim they support one but not the other, and they will try to put strings on one and not the other. Mr. Chairman, that approach is wrong and what is more, it is dangerously wrong. The mission in Iraq from a military perspective will only end when freedom and democracy have begun to take root, when the economy is starting to move, when there is some semblance of hope restored into Iraq. Those goals collectively represent an antidote to terrorism.

The reconstruction dollars that we are talking about tonight, in my view, will help us achieve those goals and achieve them much more quickly. Therefore, the reconstruction dollars will bring about final victory to Iraq more quickly, they will bring our mission to a close and just as importantly, of course, to everyone back home, they will bring our troops back safe and sound. On the other hand, failing to approve reconstruction dollars or hamstringing our ability to use it will extend the mission. It will delay it. It will lengthen the time line. Worse yet, it will, in my view, weaken the mission. It will foster the fear that America will withdraw or walk away, a fear that is very real to everyday Iraqis, a fear that will only increase despair and steal hope from them at the very time when hope is just beginning to appear. It will make the mission of our troops all that much more dangerous.

Iraq has become, in my view, the central battle in the war against terrorism. We have received many reports of terrorists entering Iraq from countries throughout the region. We must remember that they are entering Iraq not because we are failing, but because we are winning, because we are succeeding. This is the time we must push on, we must build on that mission, we must give our diplomats, we must give our soldiers, we must give the leaders the tools and the resources they need to finish this job. To fail to give this money to our troops, to fail to give money to reconstruction that they are overseeing would strengthen the hands of those who want us to fail.

We must live up to our responsibilities. We must not abandon the Iraqis. We must not abandon our troops. I strongly support this supplemental. It is critically important, and it is important we get it done now.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Arkansas (Mr. BERRY), a member of the committee.

Mr. BERRY. I thank the distinguished ranking member from Wisconsin for yielding me this time, and I appreciate his leadership in this matter.

Mr. Chairman, there should be no doubt that we support the troops and support whatever resources they need. Clearly the Defense Department and the Secretary of Defense have done a terrible job preparing to go into this mission. Just yesterday, I saw on television where the administration says America is not being told the truth. I could not agree more. Just yesterday, I saw where the President now says that he is in charge. That is about the third boss in a week that we have had over this project. He says that debt for Iraq is bad, debt for America is good. The truth is Iraq can afford to pay this debt off more than we can. I can tell you this. The miscalculations, the poor planning, say anything we can dream up to try to make the American people think that this is a good idea, change stories every week and now we are asked to give this same administration that has engaged in this another $87 billion with no plan, no requirement for us to know how this money is going to be spent, and, clearly, they have not known how to spend it before now.

I can tell you this, Mr. Chairman. In the First Congressional District of Arkansas, if you spend a billion dollars, you do not have to wonder how it got spent. You can drive down the road and

see it. It takes us a long time to make a billion dollars in the First Congressional District of Arkansas. It has been referred to that they have got hospitals in Iraq that have leaky roofs, that they have hospitals in Iraq that do not have backup generators. Come to the First Congressional District of Arkansas, and I can show you the same thing. There is simply no reason to borrow this money from our children and our grandchildren and expect them to repay this debt when we have the ability. If we are going to do this, we should at the very least pay for it ourselves. But I have to tell you, I think the Iraqi people ought to pay for it or at least pay for part of it. I urge the defeat of this bill and the support of the Obey amendment.

Mr. KOLBE. Mr. Chairman, I am pleased to yield 3 minutes to the very distinguished gentleman from LeMoyne, Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, I think everyone that I know in this body agonizes over an additional $87 billion supplemental spending bill. No one is real happy about it. While we may disagree on some of the details, I hope that we can agree on two things. Number one, we are engaged in a conflict that we cannot afford to lose. Whatever it takes to win needs to be done. And, number two, more than ever, we need to display a unity of purpose and a common resolve in this body that we may not have seen since 9/11.

Our opponents believe that persistent acts of terrorism will eventually prevail. They saw internal strife that resulted in failure in Vietnam. They saw us leave Beirut after a truck bomb destroyed a Marine barracks. They saw us relocate troops after the Khobar Towers bombing in Saudi Arabia. And, unfortunately, they also see partisanship, and they see discord, and they see finger-pointing on the floor of this House at a time when this country cannot afford that. And so they see us as a Nation which can be divided. If we pull out, if we back down, if we give up, if we fail to see this through, every soldier that has died in Iraq will have died in vain, and we will have sent a clear signal to terrorists everywhere that we are an easy target. We will have shown that the U.S. no longer has the national resolve demonstrated at Valley Forge, at Gettysburg, at The Argonne, and on D-Day. When the stakes are high and when the task is daunting, and this is, commitment, perseverance and unity of purpose eventually prevail. I urge approval of the supplemental, and I hope that this can be accomplished with a spirit of bipartisan cooperation that displays a united front to the world.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to the proposal for $87 billion and in support of the Obey substitute. $87 billion translates into 1,720,000 jobs in this country. That is how big $87 billion is. This administration was unwilling to spend a few billion in our country this year to create jobs in America as unemployment—ticks up. Yet they are willing to spend $87 billion and add that to our deficit. This year this administration will have the largest deficit in modern history. This proposal is fiscally irresponsible. $87 billion is as much as we spend on all our foreign aid, plus $68 billion. It is more than we spend on all the countries of the world rolled together. It is as much as we spend in one year on our entire budget for housing, for veterans, for NASA, for transportation, for environment, all rolled into one. This is a lot of money. In fact, it is as much money as our States were in deficit earlier this year before they had to raise taxes, sales taxes, excise taxes to cut services.

This morning the Detroit News reports, Michigan has to cut $900 million from its State budget. They do not have the money. My own newspaper this morning, Lucas County, my home county, $10 million in deficit for this year. They are cutting services for first responders. And where are we from this administration to help us at the local level? And the Cleveland paper over the weekend, what does $87 billion mean? It means that the Mayor of Cleveland needs over $2 billion just to take care of the homeless in Cleveland, and she does not have the money to do it.

Mr. Chairman, this is a lot of money, and it averages $3,000 for each Iraqi citizen. Maybe we would be wiser just to give them the money. Three thousand dollars per citizen. I have in my hand here a picture of our soldiers handing out $20 bills in Iraq. I have never seen anything like this. Are we creating a modern version of the welfare state over in the Middle East? Pallets of $100 bills being sent over to Iraq, what is that all about?

Secretary Rumsfeld said, ''I don't know that there is much reconstruction to do.'' Why, then, is this the second time the administration has asked Congress for money to support this war? The administration cannot even agree on who is supposed to take the lead in Iraq. We were told it was Secretary Rumsfeld; then it switched to Mr. Bremer; and then General Abizaid and now Condoleezza Rice. It seems to me they are making it up as it goes along and attacks are increasing every day inside Iraq.

We need global allies to stabilize the situation. The administration continues to go it alone. Relations with our NATO allies have never been worse. The road map for peace in Israel and the Palestinian Authority has utterly broken down and the madrassas in Pakistan continue to churn out hate-filled youth every day.

I intend to vote ''no'' on this bill. It is not paid for. The administration has to develop a plan that stands a chance of succeeding by engaging both the Arab world and our allies. We need a plan before us that is fiscally responsible and diplomatically hopeful.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume just to respond to one thing that was said here.

Mr. Chairman, the gentlewoman from Ohio made note of the fact that we were actually handing out cash in Iraq and wondering what the heck that was for and how we could account for that. I think it is worth noting that a couple of years ago, when I visited Mozambique after the huge, horrendous floods there, we found that a very creative and innovative way of actually providing for relief from the flood, instead of going around and handing out pots and pans or aluminum or wood for rebuilding their house, to give them actually cash and they made decisions about how they would use it. We gave it to the woman of the household. It turned out to be a very creative and innovative way of handling immediate kinds of relief.

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Apparently what was creative and innovative in the previous administration is now a bad thing in this administration.

Mr. Chairman, I yield 3 minutes to the gentleman from Watertown, Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, we are hearing two sides of a story here. On one side we are hearing doom and gloom. On the other side from folks like myself who have had a chance to go over to Iraq, we are hearing a story that there is much more progress there than the press is reporting. There are much greater prospects there if we just take the time to finish the job and invest in this country.

And what I would like to do today to try to shed some more light on that is quote from an article that was e-mailed to me by a constituent, a Major Cepleche who is serving in Iraq. I am just going to quote an excerpt from the article, but I will include the whole article in the RECORD.

What it says is: ''Over 3 months after a formal declaration of an end to hostilities, the occupation is bogged down. Fanatical elements of the former . . . regime who, in their zeal to liberate their nation from the foreign occupiers . . . continue to commit almost-daily acts of sabotage against an already-ravaged infrastructure, and attack American troops.'' It also says that many complain of a lack of security, that in the wake of the budding disaster, some have called for more international participation in peacekeeping.

It goes on to say: ''. . . It's time to ask whether the people are better off now than they were a few months ago. Yes, a brutal dictator has been deposed, but at least the electricity and water supply were mostly working.'' It says: ''Many have criticized flawed intelligence for our failure,'' and finally says: ''Without this man that they told us was such a great threat to America,

how can they even claim that this war was justified?''

Mr. Chairman, this sounds like a lot of the things that are being said here today by some others talking tonight, but this was really a 1945 article that Reuters wrote about Germany during the time of America's reconstruction of Germany. We all know that Germany was a success. It was a success because America's troops were there to bring stability and security because we invested through the Marshall Plan in reconstructing Germany. If we think about Germany in the 50 years before 1945 that helped contribute to starting two world wars that caused millions of deaths, in the 50 years since then they have been a great friend, a supporter, and have brought prosperity and peace to the region.

We are well ahead of Germany in our reconstruction of Iraq in so many important variables such as naming a cabinet, such as reforming the currency and so many other things. Reforming Iraq, having a democratic government there and an open economy can transform that region; and that will not only be a great benefit to that region but a great benefit to our security here a home. Let us continue America's proud tradition of reforming as we did in Germany and Japan and continue on in Iraq; and I am confident that when we look back in a decade or two from now, we will be proud of the work that we are authorizing here today. I encourage support of the amendment.

[From Reuters, Aug. 12, 1945]

ADMINISTRATION IN CRISIS OVER BURGEONING QUAGMIRE

WASHINGTON.—President Truman, just a few months into his young presidency, is coming under increasing fire from some Congressional Republicans for what appears to be a deteriorating security situation in occupied Germany, with some calling for his removal from office.

Over three months after a formal declaration of an end to hostilities, the occupation is bogged down. Fanatical elements of the former Nazi regime who, in their zeal to liberate their nation from the foreign occupiers, call themselves members of the Werwolf (werewolves) continue to commit almost-daily acts of sabotage against Germany's already-ravaged infrastructure, and attack American troops. They have been laying road mines, poisoning food and water supplies, and setting various traps, often lethal, for the occupying forces.

It's not difficult to find antagonism and anti-Americanism among the population—many complain of the deprivation and lack of security. There are thousands of homeless refugees, and humanitarian efforts seem confused and inadequate.

In the wake of the budding disaster, some have called for more international participation in peacekeeping.

A Red Cross official said that, ''. . . the German people will be more comfortable if their conquerors weren't now their overlords. It makes it difficult to argue that this wasn't an imperialistic war when the occupying troops in the western sector are exclusively American, British and French.''

The administration, of course, claims that, given the chaos of the recent war, such a situation is to be expected, and that things will improve with time. As to the suggestion to internationalize the occupying forces, the administration had no official comment, but an unofficial one was a repetition of the quote from General McAuliffe, when asked to surrender in last winter's Battle of the Bulge—''Nuts.''

In an attempt to minimize the situation, a White House spokesman pointed out that the casualties were extremely light, and militarily inconsequential, particularly when compared to the loss rates prior to VE Day. Also, the attacks seem to be dying down with each passing month. But this statement was leaped upon by some as heartless, trivializing the deaths and injuries of young American men.

Many critics back in Washington seem now to be prescient with their previous warnings of just such an outcome a little over a year ago.

One congressman said that ''. . . It's time to ask whether the German people are better off now than they were a few months ago. Yes, a brutal dictator has been deposed, but at least the electricity and water supply were mostly working, and the trains running on time. After years of killing them and destroying their infrastructure with American bombs, it seems to me that the German people have suffered enough without the chaos that our occupation with its inadequate policing, is bringing.''

It's not clear how much support the Werwolf has among the populace, who may be afraid to speak their true minds, given the fearfully overwhelming ''Allied'' presence in the country. But it is possible that, like the guerrilla forces themselves, the people have been inspired by Propaganda Minister Josef Goebbels' pre-victory broadcasts, and those of Radio Werwolf.

''God has given up the protection of the people . . . Satan has taken command.'' Goebbels broadcast last spring. ''We Werwovles consider it our supreme duty to kill, to kill and to kill, employing every cunning and wile in the darkness of the night, crawling, groping through towns and villages, like wolves, noiselessly, mysteriously.''

While no new broadcasts of Goebbels' voice have been heard since early May, no one can be certain as to whether he is alive or dead, and continuing to help orchestrate the attacks and boost morale among the forces for German liberation. As long as his fate, and more importantly, that of the former leader Adolf Hitler himself, remains unresolved, the prospects for pacifying the brutally conquered country may be dim.

Although Grand-Admiral Donitz made a radio announcement of Hitler's brave death in battle to the beleaguered German people on the evening of May 1, some doubt the veracity of that statement, and there has been no evidence to support it, or any body identified as the former Fuehrer's. Rumors of his whereabouts continue to abound, including reported sightings as far away as South America, and many still believe that he is hiding with the ''Edelweiss'' organization, with thousands of Wehrmacht troops, in a mountain stronghold near the Swiss border.

Many have criticized flawed intelligence for our failure to find him, causing some, in the runup to next year's congressional elections, to call for an investigation.

A staffer of one prominent Senator said, ''For months, starting last fall, we were told by this administration that Hitler would make a last stand in a 'National Redoubt' in Bavaria. General Bradley diverted troops to the south and let the Russians take Berlin on the basis of this knowledge. But now we find out that there was no such place, and that Hitler was in Berlin all along. And now we're told that we can't even be sure of where he is, or whether he's alive or dead.''

For many, marching in the streets with signs of ''No Blood For Soviet Socialism,'' and ''It's All About The Coal,'' this merely confirmed that the administration had other agendas than its stated one, and that the war was unjustified and unjustifiable.

General Bradley's staff has protested that this is an unfair criticism—that the strategic decision made by General Eisenhower was driven by many factors, of which Hitler's whereabouts was a minor one, but this hasn't silenced the critics, some of whom have bravely called for President Truman's impeachment, despite the fact that most of these decisions were made even before he became president in April.

But some have taken the criticism further, and say that failure to get Hitler means a failed war itself.

''Sure, it's nice to have released all those people from the concentration camps, but we were told we were going to war against Hitler, even though he'd done nothing to us,'' argued one concerned anti-war Senator. ''Now they say that we have 'Victory in Europe,' but it seems to me that if they can't produce the man we supposedly went to war against, it's a pretty hollow victory. Without this man that they told us was such a great threat to America, how can even they claim that this war was justified?''

Mr. KOLBE. 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. KINGSTON) having assumed the chair, Mr. SHIMKUS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under further debate the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108–320) on the resolution (H. Res. 396) providing for consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, October 14, 2003, the Chair declares the House in the Committee of the Whole House on the State of the Union for further debate on the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan

for the fiscal year ending September 30, 2004.

□ 2035

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 further debate on the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, with Mr. SHIMKUS (Chairman pro tempore) in the chair.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, 3 hours and 27½ minutes remained in debate. The gentleman from Florida (Mr. YOUNG) has 1 hour and 36 minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 1 hour and 51½ minutes remaining.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. REYES).

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

Mr. Chairman, tomorrow we will vote on spending $86.9 billion of America's taxpayers' hard-earned money on our on-going military operations and reconstruction in Iraq and Afghanistan. This massive request for supplemental funds brings home, to the pocketbooks of every American taxpayer, the cost of this administration's foreign policy. This administration has gotten us into a situation in Iraq that is both dangerous to our troops and critically important to our worldwide leadership. This situation is now so serious that it is less important that we arrived at this point by serious miscalculations, perhaps manipulations and half truths, than to understand that for us in this country ''failure is not an option.''

As Commander in Chief, the President committed our soldiers to this war, and now we must provide them with all the resources and support that they need. Our soldiers represent the best that this country has to offer, and their sacrifices should never be taken lightly or taken for granted. But the administration is also asking us to support reconstructing Iraq to the tune of $18.6 billion, and this is only the beginning of what could be as much as $70 billion in investments.

Mr. Chairman, if it is our responsibility to provide these services to rebuild Iraq, why are we along the southwestern border constantly told that there is not enough money to develop these services here at home? What about the responsibility to our own citizens? This bill includes $4.3 billion to expand access to safe drinking water and improve sanitation while hundreds of thousands of our own people along our Nation's border do not have these services themselves.

This bill also includes $793 million for health care programs and upgrades to hospitals and clinics while cities like El Paso are in desperate need of these same services. And this bill includes $5.7 billion to rebuild Iraq's electrical power infrastructure while hundreds of thousands of our own citizens here at home do not have electricity. If we can find the funds to support these projects in Iraq, the American people demand that we find the funds for their needs here at home.

Mr. Chairman, I intend to support this supplemental request, but only, only because the safety of our brave men and women in uniform depends on it.

Mr. KOLBE. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON), a member of the Committee on Appropriations.

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

I want to say I certainly appreciate the concern of our friends across the aisle about spending on this bill and spending on all bills. I think it is a great day when Democrats are worried about fiscal responsibility. Having said that, I have one of my good Blue Dog friends there who is always concerned about it, but I am glad now we have some other people who are.

I wanted to point out one of the arguments that we are hearing is we should be spending that money domestically. And this chart shows what our budget calls for in Medicare spending under the Republican budget, which is traditionally passed without a single Democrat vote.

Medicare takes care of our elderly population. Essentially everybody over the age of 65 is on Medicare; and under a Republican budget, as we can see, from the year 2004 on, it is going up. And yet this is happening without a single Democrat vote of support. Education, which again is one of those bills that is important to another population, the young population in our society, and again under Republican leadership and a Republican budget, it has gone up every year 12 percent. So when people are saying do not vote for this, that we ought to be spending it domestically, we are doing that.

What happens if we do not spend this money? What happens if we do like Howard Dean says and pull out? He said that yesterday. Tomorrow he will say something else. I cannot remember who was for the war today, Wesley Clark or Howard Dean. It switches back and forth on a regular basis. But the reality is what happens if we do pull out and stop right now? Will there be safety and security in the Middle East? We have to ask ourselves a very serious question: Will there be safety and security not just in Iraq but in the Middle East? If we pull out, will there be safety and security in the United States of America? What kind of signal does that send to the terrorist networks across the globe?

This is where the money goes. It supports our troops. I have the honor of representing the Third Infantry Division. We have had nearly 18,000 constituents from the first district of Georgia who have been in Iraq. They need the support. This bill gives them that additional support. Last week I had the opportunity to go to Walter Reed and say thanks to a number of our troops, brave men who were wounded who are now in hospital beds who will be going through physical therapy and suffering from wounds perhaps the rest of their lives. Every single one of them was very gung-ho on the mission, very proud that he had served, and had no regrets. Obviously, everybody regrets getting hurt, but no regrets making the decision to go that they did. This bill gives our troops $60 billion in support. They need it.

In addition, this bill supports the people of Iraq. It gives us an opportunity to have another democracy in the Middle East that we can work with along with Turkey, along with Israel. Another democracy in the Middle East. Can my colleagues think of that being in the grasp of the hands of this Congress and this government at this time and this generation, and how would our future generations look at us if we turned our backs and cut and run at this point? Mr. Chairman, we have got to finish the job. We cannot abandon them.

If we do not do this important construction, what will happen? We have got an example already. Some of this money goes to Afghanistan. Let us think about what happened in Afghanistan. The United States pulled out in 1989. We closed down our embassy, and I went with the gentleman from Arizona (Chairman KOLBE) to Afghanistan about 3 years ago, and one of the things we heard over and over again in Afghanistan is, We are glad you are here, but are you here to stay? Because we have had this invasion from the Russians, we have had this internal civil war, we have had the groups like the Taliban and al Qaeda come in here and corrupt our government. Will America commit to Afghanistan for the long term? And the answer is yes. We also have to commit to Iraq for the long term.

Think about this: we are spending $200 million on health care in Iraq. Saddam Hussein only spent $13 million. That is support. Think about this: there are 150 newspapers that are already up and operating in Iraq, extremely important for an emerging democracy.

Think about this: electricity in 70 to 80 percent of the towns, water in 70 to 80 percent of the towns, and police forces and governing local municipalities springing up all over the place. These are positive developments, and we cannot abandon that right now. This construction money, a little over $18 billion, though, is not enough. We need to do it in a grant form. Why do we need to do that as opposed to a loan? Number one, there is not a lending authority to give the money to;

but, number two, it is going to take not 18 to $20 billion to rebuild Iraq. It is going to take about $150 billion. We do not want to foot that bill. We believe the United States of America, being a leader in the world as a benevolent Nation, needs to step forward and set an example for all our friends who are in the U.N. or who are in NATO or wherever they may be to step forward and pull out their checkbooks.

□ 2045

Because this is not an Iraq problem. This is not a United States problem. This is not a Western problem. This is a global problem, because we have learned if you turn your back, like we did in Afghanistan, sit back and wait, another 9/11-type sneak attack will happen. But if we stay committed, we will have a great nation that we will have played a part in, and, for future generations, we can all look back proudly.

Vote yes for the supplemental.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, this is a very, very emotional issue. I come to the well with mixed emotions, simply because we are asked to do two things here: We are asked to stand up and support our troops, and, at the same time, we are asked to stand up and support our taxpayers.

I want to answer the first question quite frankly and straightforward, that I will vote for this supplemental based on the needs of our soldiers who are not into this political debate, but simply need equipment and support to do the job that our country sent them to do.

This bill provides $65 billion out of the $87 billion and provides needed funding for our troops. Part of this money is designed to go and purchase body armor to protect our soldiers. Part of this money is going to support continued payment of per diem for travel for family members.

I have just come from my district, and I realize the hardships being placed upon family members. There is an increase in the monthly rate of imminent danger pay in this budget from $150 to $225, and also for family separation.

Now, with that out of the way, it still remains a fundamental question that we must stand up for the taxpayer as well, and that is the convoluted position we are in. How do we stand up for our troops and support them in their needs for battle, to do the job that we sent them there to do? How can we not vote for these precious items that will protect their lives, including equipment to defuse ordinances away from land mines to save their lives? At the same time, we must speak up properly and effectively as good stewards of the taxpayers' money for the $20 billion going for the reconstruction?

Many of us pleaded and worked hard to get this debate broken down along two lines, because, yes, we must stand up for our troops. But we are Congressmen and women. We are elected to do one essential thing, more than any other, and that is make the decisions to determine how the taxpayers' money is spent.

I am here to tell you that this $20 billion added on for the infrastructure rebuilding of Iraq is not good stewardship of the taxpayers' money.

Mr. KOLBE. Mr. Chairman, I am very pleased to yield 3 minutes to the distinguished gentleman from Concord, North Carolina (Mr. HAYES).

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

Mr. Chairman, this is not an either/or budget, this is a both/and; both supporting the troops, and supporting Americans at home.

Just one year ago this month, the House of Representatives found itself debating the authorization on the use of force against the regime of Saddam Hussein in Iraq. At that time, Iraqi people were living under a tyrant, a brutal dictator who murdered, gassed and tortured his own people.

Saddam's reign of terror displaced some 700,000 people throughout Iraq, destroyed more than 2,000 Kurdish villages and killed thousands of Iraqis. This regime had more forced disappearance cases than any other country in the world. Iraqis were not free to practice their religion or express their political beliefs. Citizens lived in constant fear of a dictator whose image covered the Iraqi landscape. Saddam Hussein's regime was not a government of benevolence, it was a reign of unconscionable terror.

Today Iraq is a vastly different place. Children are attending school. Girls are taking karate classes. The Iraqi National Symphony has performed again after years of absence. Oil flow is back up to 72 percent of its prewar level. Markets are flourishing and a new Iraqi police force is being trained.

I would like to share a few thoughts about the hope currently present in the society written by Major Michael Fenzel of the 173rd Airborne Division.

''When you see soldiers on the street patrolling with the new Iraqi police officers, you know there is great hope. When you have seen the stark difference between the empty and frightened streets of early April and the bustling markets of today, you feel the hope. The well-publicized incidents of violence are spasms of resistance to a concept so compelling it cannot be denied, freedom. The attacks themselves are generated by a small bands of militants and hired guns at the behest of 'return party' chieftains and terrorist financiers. And when you have the chance to see the steely determination of American and coalition soldiers serving here through the heat of each day, you cannot help knowing that hope has already defeated tyranny.''

We do, however, still have many challenges ahead of us. We continue to hear reports of American servicemen giving their lives to help restore the peace in Iraq and the Middle East. Patience is required, but the cause is just, and even though the challenge is great, success is essential and achievable.

Today we are at a crossroads. We have the opportunity to continue our commitment to the Iraqi and Afghani people in restoring freedom, liberty, and dignity to their lives. We also have a responsibility to further support our men and women currently serving in Iraq and Afghanistan.

While there remain many domestic matters that are a top priority, we must send a signal today that we are committed to helping build a safe, secure and democratic government in Iraq and Afghanistan. Stability in Iraq and Afghanistan is directly related to America's security at home and abroad. Failing to establish a safe and secure Iraq will allow the region to continue as an incubator and supplier for terrorists.

Winston Churchill said, ''The price of greatness is responsibility.'' My friends, today we have the responsibility to do what is right, what is just, and what will help foster a safe and stable environment in the Middle East. I encourage my colleagues to vote for this Iraqi supplemental.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. I thank the gentleman for yielding me time.

Mr. Chairman, I do not know how I am going to vote on this. Two weeks ago, I visited Walter Reed Hospital, and I met young soldiers who had double amputations, severe burns and head injuries that will be with them for life. Sending those soldiers into the field without adequate body armor, without armored Humvees, was inexcusable, if not criminal. We must act to protect those soldiers right now.

But, I say to my friends, I have yet to hear the supporters of this supplemental say how they will pay for it. I will tell you right now, you can possibly get my vote if you will answer that question. I have only 2 minutes, less now, but I would yield at least 30 seconds to anyone who is supporting this bill if they will tell us how you want the American people to pay for it, when we are closing veterans hospitals, when we are $600 billion in deficit every year, when our schools are falling apart, and we cannot rebuild our roads.

I yield 30 seconds to anyone who supports this bill to tell me how to pay for it.

Mr. Chairman, that is the problem. That is the problem. We want to make lots of promises, but we do not have leadership in the administration or in this body that will tell the American people the hard truth; what programs we have to cut, what taxes we have to raise, whether we will borrow from Social Security or whether we will pass the debt on to our children. That is the problem.

I am really sorry. We must support those troops. But they are fighting for

a democracy that owes it to its people to be honest with them, honest about the tough choices we must make. But we are not living up to that bargain, and it is a darn shame, because those kids deserve better.

Mr. KOLBE. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Highland Village, Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, in the last week in August of this year I was privileged to go with several of my colleagues to the country of Iraq. One of the things that sticks with me from that trip was the quote from General James Conway of the First Marine Expeditionary Force. He described to us what is going on in Iraq today as a ''vivid success story.''

The American soldiers who fought in Iraq did so with skill, determination and bravery in the face of grave dangers. Their conquest of Iraq was rapid, overwhelming, and the victory was obtained with relatively limited civilian casualties or damage to Iraq's infrastructure.

All Americans can be proud of the performance of our Armed Forces in Iraq, and we can unite in honoring of the memory of those courageous soldiers who made the ultimate sacrifice to protect their fellow Americans.

Having overthrown Saddam's regime, we must now secure the peace. It is absolutely critical to the United States' national security that we help Iraq become a stable, free nation that does not support terrorism or pose a danger to its neighbors. A secure and free Iraq is in our country's national security interests, as it is in the world's security interests.

The road ahead is difficult, and every lost American life is a tragedy, but our troops' incredible sacrifices are helping to secure a safer future for our children, our grandchildren and, indeed, the children of the world.

It is also important to understand that the coalition forces in Iraq are making significant progress. Coalition forces have conducted over 190 raids in the past several months, capturing over 1,000 terrorists and enemy fighters. They have secured or destroyed over 8,000 tons of ammunition since major combat operations ended.

A new Iraqi police force and army are being trained and equipped right now. Additionally, Iraqis are gathering behind the new Governing Council that will have significant authority and will begin the process of drafting a new constitution for the Iraqi people.

Finally, the coalition is making significant progress in rebuilding Iraq's infrastructure, its public health services and its economy.

This much is certain: American troops will stay in Iraq as long as it takes to get the job done, and not a day longer.

On September 7, President Bush announced in a televised address to the Nation that he would submit to Congress a request for $87 billion to cover the ongoing military, intelligence and rebuilding operations in Iraq, Afghanistan and elsewhere. $67 billion is allocated for military purposes and $20 billion is allocated for reconstruction.

This request will provide resources to the Iraqi and Afghan people so they will be able to rebuild their own nations which have suffered through decades of oppression and mismanagement, and, with that, a return to secure states. These funds would also restore basic services, such as electricity and water. Without those basic services, that can be an extremely radicalizing issue. They will build new schools, roads and medical clinics. Supporting reconstruction is essential to the stability of Afghanistan and Iraq and, therefore, to our own security.

I believe it is clear that we must support the Iraq supplemental. Congress has been diligent in its oversight efforts in analyzing the supplemental request. Both Houses of Congress have broken down, line-by-line, this request, and they have debated the importance of each item. Having completed this process, we must now determine how best to use those funds.

I would be most in favor of providing this assistance by means of loans. However, I recognize there are technical difficulties in administering funds in the way of a loan at this time and, therefore, as Congress exercises its oversight authority on the supplemental, we are obligated to provide assistance by means of a grant.

We should continue to stress that other countries be called upon for debt forgiveness and we must, we must, ensure that no taxpayer money, no American taxpayer money, will ever go to repay Iraq's foreign debt.

To that end, President Bush addressed the United Nations General Assembly on September 23 on the topics of terrorism, the future of Iraq and Afghanistan, and acting to meet the humanitarian crises throughout the world.

He stated that America is working with our friends and allies on a new U.N. Security Council resolution that would expand the U.N.'s role in Iraq to assist the development of a constitution, in the training of civil servants and the conducting of free and fair elections.

The resolution invites the Governing Council to submit its program and timetable for assuming additional responsibility in the months ahead, until Iraq is through the process of writing a constitution and holding elections. It also examines a role for the United Nations Secretary General and the special representative that is broader than their current roles.

The President believes that the aid should be global, and I completely agree. Leading the way, the United States should support the $20 billion Iraq supplemental and look forward to many nations participating in the reconstruction efforts of Iraq in the future. The end result will be a new and prosperous democracy in Iraq and, ultimately, a safer world for our children and grandchildren.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Georgia (Ms. MAJETTE).

□ 2100

Ms. MAJETTE. Mr. Chairman, I rise to oppose the $87 billion supplemental appropriation in its current form. It is with deep regret that I do so. I cannot vote for the request because it does not give the troops and the American people what they need.

We want a bill that more fully supports our troops and their families. Accordingly, I support the Obey substitute. We want a bill that honestly assesses what the military costs will be and protects the quality of life for all of the men and women who are serving so valiantly.

For example, the administration's request contains only $15 million for water purification equipment. This will leave approximately 80 percent of the troops in Iraq without clean water. Our men and women deserve better. The Obey substitute addresses that issue.

We want a detailed accounting of the money that has been spent so far before handing out new money.

I look at this the way I treat my teenage sons. If I give them $20 on Monday and then on Tuesday they come to me and ask me for $30, I want to know what happened to the money I gave them on Monday.

We want a bill that will enable us to share the burdens and responsibilities of reconstruction with other nations and the people of Iraq and eliminate the back-scratching, good-old-boy, business-as-usual approach that this administration loves to use.

It has become clearer and clearer every day that the administration has no postwar plan for Iraq.

There is no exit strategy, only furloughs. America's men and women want to know when our husbands and wives and sons and daughters and partners and loved ones will come home.

We do need to finish what we started, but we cannot operate in the dark forever.

We want a bill that meets the obligation of shared sacrifice, one that puts equity and fairness in the equation. The men and women who wear the uniforms of the United States Armed Forces and their families are making sacrifices. Their level of sacrifice goes far beyond this administration's level of planning.

We want a bill that tells us how we are going to pay for the cost of freedom, and this bill does not.

As a Member of Congress, I have a constitutional obligation and responsibility to require that those conditions be met and that the administration be held accountable. Until the American people are presented with a bill that meets the requirements of accountability, transparency, and fiscal responsibility, I will vote ''no'' on the $87 billion supplemental request.

Mr. KOLBE. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Phoenix, Arizona (Mr. SHADEGG), my friend and colleague.

Mr. SHADEGG. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in strong support of this supplemental and in opposition to any effort to turn it into a loan.

On January 20, 1961, President John F. Kennedy in his inaugural address said these words: ''Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and the success of liberty. This much we pledge, and more.''

I would urge my colleagues that John F. Kennedy's words were true and right then, and they are true and right today; and they should guide this debate. When he spoke those words, we were engaged in a struggle with worldwide communism. Today, make no mistake about it: we are engaged in every bit as serious a struggle with those who would seek to destroy us: worldwide terrorism. And we must step up to the plate and finish this job.

Now, I know there is a debate of some whether we should have begun this war or not. But whether one supported the war from the outset or opposed it, and however one feels about those issues today, we have an obligation to finish what we have started. National defense is indeed the first obligation of our government; and as has been said on the floor here tonight, failure is simply not an option. It is critically important that we establish a stable, free, and democrat Iraq; and we cannot do that without this supplemental.

Now, some would divide it. Some would say, well, I will support the military side of these funds, but I will not support the funds for reconstruction. As also was said here earlier tonight, not only is that a dangerous distinction; it is a distinction which could cripple us.

I was in Iraq in August of this year. I spent 3 days in three different cities in that country; and I heard firsthand from our troops on the ground and their commanders that the reconstruction of Iraq, that the money to help the people of Iraq is critically important to our mission there and that without it, we cannot succeed. But, more importantly, our colleague, the gentleman from Georgia (Mr. MARSHALL), a Democrat, said it more eloquently in a debate we had here on the floor earlier this year when he said that he was in Vietnam when there was an effort by the locals to kill our troops, and he said, the best ally we can have in any war of that type are the locals, the people there. And he said, it is absolutely essential for our troops in Iraq today to have the support of the Iraqi people. So that when an improvised explosive device is planted by our enemies there, the terrorists who seek to kill us and to oppose us there get help from the local public.

Now, some also would say we should make this a loan, and I strongly oppose that idea. The reality is to make this a loan would send the exact wrong message. America must prove today that we are a strong and stable ally and that having committed to the people of Iraq to get rid of Saddam Hussein, we will remain until there is a strong and stable nation there. To make this into a loan now would prove what the world has said, and that is that we went there solely for our own purposes.

But there is a more important reason not to make it a loan. We will go to a donors conference in Spain in just a few days. If the United States is not willing to grant its funds without requesting repayment, no nation in the world will grant their funds, and we will burden the Iraqi economy and it will fail.

We have learned this history in the past. At the end of World War I, we failed to rebuild Europe and we paid the price for it. At the end of World War II, we agreed to rebuild Europe, and we had a long and stable ally. At the end of the struggle in Afghanistan to throw the Soviets out, we abandoned the people of Afghanistan. This lesson repeats itself through history.

I urge my colleagues, we owe it to the Iraqi people, we owe it to our friends in the Muslim world, we owe it to our grandchildren and their grandchildren to oppose terrorism in this world by proving that we are a strong and stable ally, that we are not there for just our interests. We are there to help the people of Iraq and the people of the Middle East, and we will not leave and we will not fall short of our commitment until a stable and strong government has been established in Iraq with a free and democratic people. And then the world will understand that America keeps its word.

Mr. Chairman, I urge my colleagues to support the supplemental and to strongly oppose any amendment to make it a loan.

Mr. OBEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I cannot help but respond to some of the previous speaker's comments. The previous speaker quoted accurately President Kennedy who said that we would ''pay any price and bear any burden in the defense of freedom.'' That is a wonderful phrase. But my question is, what do you mean by ''we,'' ''we'' will bear any burden?

I want to know who is bearing any burden in this society for this effort right now, except for the troops and their families. How much of a burden are the politicians in this Chamber bearing? They are not facing up to the tough choices that are necessary to finance this war. How much of a burden are we asking the most well-off and privileged people in this society to pay, when the majority party and the White House insist on guaranteeing that, despite the need to pay for the war, they will still, that top 1 percent of earners will still get on average a $130,000 tax cut, rather than the $52,000 that they would get under the Obey amendment, those who make $1 million a year I am talking about?

If we are going to quote John Kennedy, let us live up to the spirit of Kennedy's remarks and support shared sacrifice for everyone, not just those who are serving in the military.

Mr. KOLBE. Mr. Chairman, I am pleased to yield 4½ minutes to the gentleman from Marietta, Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I rise in strong support of this emergency appropriation to pay for this ongoing war in Iraq.

The gentleman that spoke before me talked about taking exception to some of the comments that were made, and I want to do the same thing. As I sat here and listened and continue to listen to the debate, over and over again I hear this phrase, Mr. President, what is our exit strategy? Mr. President, what is our exit strategy? To me, exit strategy is nothing more than a euphemism for cut and run.

I do not think we need to remind the Florida Marlins last night that if they had an exit strategy at the end of the seventh inning, they would not have won that ball game. You do not pull your team off in the third quarter or the seventh or eighth inning of a ball game, no matter how far you are ahead. You are not thinking about an exit strategy; you are thinking about the determination and the will to win. That is really what we are talking about here in making this emergency appropriation to continue until victory is ours.

I am strongly in support of both parts of this bill. The $66 billion for our troops, giving them the resources necessary to succeed in the war on terror and protect them from terrorist attacks, including, as an example, armored Humvees to better protect our forces, lifesaving body armor, equipment, weapons, ammunition, better housing for our troops, yes, and to continue the increased monthly rate of imminent danger pay and family separation allowances that this bill calls for. And then $18.6 billion for the continued relief and reconstruction of Iraq. I do not think that this is any less important. As my colleague, the gentleman from Georgia, said earlier in his remarks, this is an investment in democracy, security and law enforcement, justice, public safety, and a civil society, infrastructure, water resources, electrical generation, distribution infrastructure, roads and bridges, health care; and, yes, Mr. Chairman, it is important, as the distinguished chairman of the Committee on Foreign Relations, the gentleman from Illinois (Mr. HYDE), mentioned at the outset of this discussion, this needs to be a grant and not a loan; and he gave us a good history lesson, as did the gentleman from Minnesota (Mr. KENNEDY).

A loan with possible interest fees risks serious harm to America's image

in the Middle East and Iraq. Heavy debt repayments could become a destabilizing political issue in postwar Iraq and could easily be exploited by anti-American factions. It is likely that the Iraqi people will view the loan as a way for the profiteering American invaders to make money off of Iraq. A loan burden also would likely stifle any significant economic development in Iraq. With the added burden of interest payments to the United States, the Government of Iraq will be limited in its ability to invest in its new market-based economy.

Mr. Chairman, we cannot expect the Iraqi people to pick themselves up off of the ground if we have got a boot at the back of their neck. It is very important that this be a grant and not a loan. We cannot expect other countries that are debtor nations, some which are owed $8 billion and $10 billion from Iraq, and we can say that, well, that debt was with Saddam Hussein. Well, it was not Saddam Hussein who signed a personal note to secure that debt; it was the country of Iraq.

So I just want to say in closing, Mr. Chairman, that the people in the eleventh district of Georgia that I represent are very supportive of not only the ongoing military effort, and that will continue until we win the battle and then we will talk about an exit strategy, but they are also in favor of reconstructing the country of Iraq. I am fully supportive of this emergency appropriation, and I urge all of my colleagues to support it.

□ 2115

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I rise tonight to talk about the brave men and women who are fighting in Iraq at this very moment, the hundreds who lost their lives and the thousands who have been wounded. Despite the fact that Congress appropriated $310 million in April, nearly one-third of the troops in Iraq have not been issued vests that are strong enough to stop bullets from assault rifles, nor have they been issued hydration systems to protect them from the searing heat of the desert.

In fact, many families have resorted to sending protective bulletproof vests and Camelbak hydration systems to their sons and daughters stationed in Iraq. No family should be paying extra to keep their loved ones safe. The Federal Government has this responsibility. After all, who sent these young people to war in the first place? Certainly not their families.

In August of this year, Mr. Chairman, I stayed in Bethesda Naval Hospital where I visited with wounded men and women and their families who have never in their lives expected to be harmed the way they were and who will never again experience the world in the same way as a result of this war.

We do not talk about the impact of this war. In fact, we do not talk about the impact of any war on the wounded and their loved ones. I met with individuals who had lost limbs, their sight, their hearing, parts of their beautiful faces, and we are not providing the best equipment available.

It is pretty simple: If we are willing to spend another $65 billion to keep our troops in danger, then we must care enough to bring them home, bring them home safely, bring them home soon, and support them after the war.

Since I see no real commitment to doing this from the administration, and I see no real reason for being in Iraq in the first place, I will be voting no on the supplemental.

Mr. KOLBE. Mr. Chairman, would you give us the amount of time remaining on debate.

The CHAIRMAN pro tempore (Mr. BASS). The gentleman from Arizona (Mr. KOLBE) has 1 hour 13½ minutes.

The gentlewoman from New York (Mrs. LOWEY) has 1 hour and 39½ minutes remaining.

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

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I rise tonight in very strong opposition to this $87 billion installment payment on the war in Iraq. Like all of my colleagues, I support our troops. And I must remind my colleagues that I am the daughter of a career military officer, and, as such, I could do nothing less.

My heart and my prayers go out to our troops and their families. I want to see them safe at home. I want to see them reunited with their families as soon as possible. In the meantime, I want them to have the health benefits that they deserve, the bulletproof vests that they need, and the basic supplies that they have been denied.

I want to know that our wounded and that our veterans receive proper treatment and proper respect. But we do not protect our troops, and the Congress will not have done its job if we blindly sign this $87 billion check. We have not had an accounting of how the last $78 billion was spent. And we still do not have anything close to sufficient proof that the allegations raised by the administration that Iraq posed an imminent threat to the United States was real.

We do not have an exit strategy that leads the Iraqi people to control their own government, their own resources, and their own obligations that leads us out of this quagmire. We have none of this. We did not have to go down this path. We could have pursued containment and inspections, multilateralism and saved hundreds of American lives and potentially hundreds of billions of dollars.

We have urgent, unmet needs here at home. We have schools here that need to be constructed and reconstructed, housing that needs to be built, and jobs that need to be created.

Mr. Chairman, 44 million Americans have no health insurance. We had choices before we went to this war, and we have choices now. We should not appropriate another cent without a clear vision of how and when the United Nations will assume real authority over the political and economic transition in Iraq and how and when American troops will come home.

As Dr. Martin Luther King said, even though this is not his birthday month we must remember what he said throughout the war, he said, In the wasteland of war, the expenditure of resources knows no restraint.''

Now, we owe it to our children and grandchildren not to mortgage their future. I will vote no on this bill.

Mr. KOLBE. Mr. Chairman, I continue to reserve my time.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Chairman, today I rise also in strong support of our men and women who currently serve us with their uniforms that they so proudly wear in Iraq and Afghanistan, but I also have serious concerns about the President's supplemental request.

The administration's $87 billion request fails to outline what I believe is a concrete plan for our soldiers' and our country's involvement in Iraq. We currently have, as you know, over 40,000 troops in Iraq who lack protective body plates and about 46 percent of the spare parts the Army needs, but this bill has no plan to address these urgent needs. We also have about 37,000 noncitizen soldiers, many of whom come from our districts who serve in our military, including about 3,000 noncitizens who are serving right now in Iraq. These soldiers deserve to be granted citizenship since they are protecting and defending our country. But this bill has no outline or plan for expediting their citizenship.

This past weekend, Members, another one of my constituents, Private First Class Jose Casanova was killed in Iraq. He deserves a better plan. He deserves a guarantee that he is going to be taken care of and his family will be taken care of.

The Iraq supplemental outlines a $21 billion reconstruction plan for Iraq, but we need reconstruction here at home. I say that because in the county that I represent, Los Angeles County, we are faced with over an $800 million deficit that we will have to somehow pay for in the next 2 years. The deficit has caused the closures of 11 clinics, health clinics that will now deprive hundreds, if not thousands, hundreds of thousands of people without medical help and treatment in our districts. But this bill has no plan for reconstruction to restore those health clinics in our districts.

Mr. Chairman, that is why I rise today to say that I am strongly against

this appropriation and urge my colleagues to follow suit.

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

Mr. Chairman, I want to respond to one thing that was said by the gentlewoman from California (Ms. SOLIS) when she said that there was no money in this bill that would protect our soldiers in Iraq. I am sure she just may not be aware, has not had time to examine the bill or the report carefully enough, but let me just remind my colleagues that, as contained in the report here, I am reading from the report, and this is the language that the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from California (Mr. LEWIS), the ranking member and the chairman of the defense subcommittees, who have three-fourths of the dollars put into this bill, and that is the language of their report, they say, The committee recommends significant increases in this bill to purchase protective body armor, improve portable radio frequency jammers, spare parts, and other critical items.''

Moreover, the committee directs the Department, and, in particular, the Army, to fully fund requirements identified under the Soldier Enhancement Program, the Centralized Funding and Fielding Activity, and other accounts designed to expeditiously field new equipment to soldiers.

The committee directs the Department to use funds approved in this measure to increase the availability of modern hydration systems to soldiers in the Iraq theater.

So, Mr. Chairman, it is simply not accurate to say that there is not money in this legislation which would enhance the protection and the quality of life of our soldiers who are serving us so well in Iraq. There is money in there, there is a significant amount of money in there. And the defense subcommittee has shown that it is very aware of the problems that have existed there and have addressed it with the legislation that we have before us this evening.

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

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the very distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise today to join many of my colleagues, patriots all, who are refusing to be rubber stamps for President Bush's failed policy in Iraq, who say ''no'' to an $87 billion blank check for an ongoing war and occupation with no end in sight and no plan to get there.

I support our troops, and I am proud of their professionalism, dedication, skill and sacrifice. But because Americans awaken nearly every day to hear the name of another dead soldier, because I have met with our brave patriot soldiers who are now recovering from devastating wounds at Walter Reed, and because more than a billion is being borrowed every week to finance this war of choice, I feel an obligation to demand accountability before another cent is authorized at this time.

I, for one, will not be an enabler to an administration that clearly cannot be trusted with our treasure, our lives, and those of the Iraqi people.

The most galling part of this debate is that the Bush administration and Republican leaders are blackmailing Members of Congress to vote for this blank check with the threat of being accused of not supporting our troops. Yet it is they who are guilty of tragically disregarding troop safety and comfort and betraying our veterans.

I, personally, have talked to mothers and relatives who are sending their soldiers huge packages every week that include items like sunscreen and insect repellant, shampoo, and sanitary napkins because the administration did not make plans to provide these items. Worse, over 40,000 of our soldiers were sent to war without modern body armor, without quality boots, without jammers that block the signals between bombs and detonators. Fully 46 percent of the spare parts needed by the Army are not available.

Now, some will say that is why we need more money, but General Myers said it is not lack of money that they do not have flak jackets. He says it is lack of capacity to manufacture these vests. I say it is lack of priorities. Newly released information today says that the money is not needed until May or June. I say vote no.

Mr. KOLBE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Chairman, I was unable to speak when my colleague from Washington State asked a question about how we pay. Even I will follow up with this question. How did we pay for the Marshall Plan after World War II when we obviously were in debt in paying for the world effort? How did we come up with the dollars to enact the Marshall Plan? Well, we borrowed against future resources. And that is exactly what we will do today. And we will do that in the passage of this legislation.

The gentleman from Illinois (Mr. HYDE) spoke earlier on this debate and he mentioned Santayana, those who failed to learn from history are doomed to repeat it. He recited World War I and the reparations moving us into World War II, and I think it is very credible debate.

And a part of the discussion to say if we continue to load down Iraq with massive foreign debts and debts to us, it is a credible debating position to say we may be doing World War I provisions in reconstruction this war, and not the successful application of the history defined by World War II.

And I would like to be on the side of doing the job right and bringing the needed money, not holding additional debt over the Iraqi people, and allowing them transition to a vibrant, democratic institution and economy.

I wish every Member of the floor of the House had a chance to go to Iraq before this debate. I was one of the fortunate folks that was available to visit.

□ 2130

And I do think a lot of the opinions would be changed. I think you do see the applications of some success. I had questions like everybody else, and I wanted to talk to my colleagues and friends. I have classmates over there. I wanted to talk to the Iraqi people. I wanted to see the economy. I wanted to see if there was a vibrant middle class trying to emerge, if there was entrepreneurial spirit starting to develop, and you can see that on the sides of the street. You can see individual vendors selling gasoline. You can see small shops developing. They have traffic jams. One of the biggest problems in Baghdad now is traffic, and a traffic problem says things are moving in the right direction.

But there are great challenges. I am not going to be a person that says the media is doing wrong by highlighting the sacrifices that our men and women are making every day. Because as a veteran, as someone who has, again, classmates serving over there, the world needs to know and our citizens need to know when our friends and our neighbors and our constituents are paying the ultimate price for freedom; and they are doing it every day, and we need to continue to tell that story. But there is more to the story.

Let us tell that story, but let us also tell the additional aspects of the story and what is occurring in there and in the great opportunities we have.

The field commanders who briefed us, the major military aspects of the campaign are over. Battalions are not maneuvering, divisions are not maneuvering. We do not have tanks rolling. What we do have are security breaches and terrorist attacks. So how do you win against that? How do you affect the change? How do you continue to win the hearts and the minds of the Iraqi people? The Iraqi people are asking for a minimum standard of living and basic security issues addressed. And when you are comparing what we have in the United States versus what the Iraqi people have, you are comparing apples to oranges. And that is why I would encourage all of my colleagues to make a trip, visit our troops, check with the Iraqi people and talk to them personally because I think a lot of opinions would be changed.

The field commanders want to continue to move forward on the minimum standard of living issues and the basic infrastructure needs to continue to show the good faith that the United States is there, committed to help transform over 30 years of a totalitarian regime to a thriving democratic

institution with free market principles which has the opportunity of changing the whole face of the Middle East. And they are asking for it. Our field commanders say this is the best way that they can finish and win this war and is the quickest way we can get our troops home. And I think this debate is about delivering to the folks that are asking for that need.

Let me finish by relaying my discussions with four soldiers from Illinois who serve in the 101th Air Assault Division out of Fort Campbell, Kentucky. This is at a dinner in Mosul. I asked each one of them, I am going to be asked what to relate back to the floor of the House and what to relate back to citizens back in Illinois. If I am going to take back one thing from each one of you, what do you want me to tell? One sergeant, E–5, Hispanic American from Chicago, said, the Iraqi people are not getting the same care as us. I have made a friend who is an Iraqi driver. He has been injured. The care he is receiving does not equate to what an injured soldier would receive.

That spoke volumes to me. What that spoke to me was that this sergeant E–5 had made a friend and was concerned about the health and welfare of an Iraqi citizen.

The second, a female, African American, E–5, said, the family is important for us to maintain our strength in serving here in Iraq. So tell the families out there to stay supportive of the troops. So this is my ability to do that to the families and I think the larger family, and the larger family is here. And I think we need to do that here on the floor.

The third one who is a Reservist lieutenant colonel from southern Illinois said, America must be patient. We are a very impatient country. We want things done now. And he says, this is going to take time.

The last one, another lieutenant colonel, active duty, said, tell the people in America that we are willing to pay the price. We are willing to pay the price for freedom in Iraq.

So I will just end, those four comments spoke volumes to me. So as I close, Mr. Chairman, I think that sounds like good advice. I think we need to continue to care for the Iraqis. And I think we need to stress the importance of staying united especially on the issues that when we cross the ocean boundaries and we have soldiers deployed in harm's way, we have to stay united.

I think we need to be patient, but everybody wants to push this rapidly. We all want to go rapidly, but you do not want to go so rapidly that things fall down like a house of cards.

We have the best military in the world, and they are doing incredible work under tough conditions. And they are willing to pay the price for freedom in Iraq and for freedom in the United States of America. Let us support them. We can really do no less.

Mrs. LOWEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise tonight to express my strong opposition to this $87 billion appropriations request.

While all of us believe that we must provide enough money to ensure that our troops are safe, the Congressional Research Service has calculated that if the Army continues to use resources at the current pace, it can fund military personnel requirements in Iraq, Afghanistan and elsewhere throughout the end of May 2004, even if we do not appropriate one more dime for Iraq. And operational and maintenance funding should last through March 2004. There is no justification for this $87 billion supplemental appropriations bill, and I will not support it under any circumstances.

After months of misleading the American people, this administration cannot account for the $79 billion that has already been provided by Congress.

Mr. Chairman, this President has mismanaged this costly and unnecessary war. They cannot account for American taxpayers' money already spent, and this administration has been caught with misleading and untruthful actions, and they are now being revealed. And now the President has the audacity to be angry with the media because they report to us on the continuous killing and maiming of our soldiers.

Mr. Chairman, we need the truth about what is going on. Our soldiers are being picked off one by one. The President made this big flashy and costly announcement that the war was over. What a terrible miscalculation; 183 soldiers have been killed since that announcement, more than during the war.

We do not need to give this administration 87 billion more of the taxpayers' dollars. We do need an exit strategy. It seems so easy for some of my colleagues to get up and talk about we cannot afford to cut and run.

Mr. Chairman, we are talking about risking the lives of America's young people in Iraq. And someone has got our soldiers signing form letters talking about how well things are going. That too has been revealed. Yes, we do need an exit strategy. And we also need a domestic agenda for America. We need to create jobs, repair our roads and highways, and build schools and health clinics. I do not begrudge the Iraqi children and families education and health care; but Mr. Rumsfeld, Mr. Wolfowitz, Mr. Powell, and Ms. Rice told the American people the Iraqi infrastructure could be rebuilt with Iraqi oil revenue. Well, we find that is not true.

I am tired of the lies and spinning by this administration. We must deny this administration the ability to borrow more money, create more debt, weaken our economy, and continue to cause the loss of lives of our precious young people.

Mr. KOLBE. Mr. Chairman, I yield 4½ minutes to the distinguished gentleman from Huntington Beach, California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of H.R. 3289. And what we are doing in Iraq is a noble endeavor. It is in our interest to stand tall and, yes, even to fight and to promote freedom throughout the world. It is especially important for us to promote freedom in those dictatorships that threaten our country or are run by tyrants who hate our country.

Our military has done a magnificent job, and we need to give them what they say they need to do their job and to come home safely. Thus, there should not be any debate on the $66 billion that is being requested. They say they need it. Their lives are in danger. We must step forward. They have stepped forward for us.

Our President is taking care of business. He has made the tough decisions to do what is necessary to secure our country and to make sure that we are safe in the years ahead. I wish that was the case in the past administration. I think many of the challenges we face today were left to us by jobs that should have been done in the past.

Saddam Hussein hated America for what it did to kick him out of Kuwait over 10 years ago. And when I just said the previous administrations, I hope you just do not think I mean Democrats, because George Bush's father, George Bush, Sr., did not do the job right and left us with Saddam Hussein in power.

So let us reflect that we did not do the job then, but let us just not place blame and say that means we should not be doing it today. No. The mistakes of the past should mean that we need to make sure we do what is right today so that America is safe in the future and that our children 10 years down the road will not have to face this same kind of problem because we cut and run, because we nit-picked our President at a time when he made the decision that should have been done 10 years ago.

Saddam Hussein was a man who hated us. He hated us. He was an enemy to the United States of America. He was a murderer to his own people. He pillaged and destroyed his own economy, and that economy should have been very prosperous; but instead he pillaged and stole from it. And now that country is very poor and needs our help.

America is safer. The people of Iraq are better off because of America's courage, our commitment, and, yes, our leadership.

I support this bill, $66 billion in the supplemental that will help rebuild our military or bolster them at this pivotal moment. I will be voting for this bill, for the supplemental, H.R. 3289, even if my amendments are not made in order. But I have some serious problems with that part of the bill that provides $18.6 billion in reconstruction for Iraq, and

it has taken the form, as the administration is giving us, as a grant, a gift, a giveaway to the people of Iraq.

Now, let me note Iraq is probably in essence one of the richest countries in the world. They have the third largest oil reserves now that we know. And, in fact, in the future we may find they are the most plentiful in oil of any country in the world. Why should we be borrowing money when we are in debt by $400 billion a year, almost $500 billion in deficit spending right now, why should we borrow and then give a grant to the Iraqis, which when they get back on their feet they will not have to repay, but our children will then have to repay? That is ridiculous. That is an absolute absurdity.

And I will present an amendment tomorrow that makes the reconstruction effort belong to the Iraqi Government, or the Iraqi people, of $18.6 billion. And if I am ruled out of order, I will offer another amendment to cut that funding from the budget.

If that is ruled out of order, I will offer another amendment which will just cut from the budget $18.6 billion in the reconstruction part of the bill. And believe me, if we vote for that, within a few days the administration will come back with a loan package because the Senate will probably vote for that anyway.

Let us keep faith with the American people in the long run. Let us make sure that everybody does their part, not just the American people having to bear this burden by themselves. And I would ask my Democratic colleagues as well as my Republican colleagues to please join me on the Rohrabacher amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2½ minutes to the gentleman from North Carolina (Mr. PRICE), a distinguished member of the Committee on Appropriations.

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

□ 2145

Mr. PRICE of North Carolina. Mr. Chairman, our Nation faces a tremendous challenge in Iraq and Afghanistan, with troops in the field and the threat looming of a reversion to tyranny or chaos. Because we cannot walk away from the need to sustain our troops and to stabilize these countries, I voted to report this bill from the Committee on Appropriations. But the Bush administration's Iraq policy has been marred by appalling failures of planning and execution and something close to a diplomatic meltdown with long-time allies. We must correct this course. The first step that this House must demand is an accounting of funds thus far expended, a more detailed justification for the present request, and an honest estimate of costs yet to come.

I am pleased that the Committee on Appropriations improved the President's request in significant ways, providing critical new equipment for troops, including body armor and communications equipment, and eliminating funding for questionable and overpriced projects such as prison construction.

The committee adopted additional provisions offered by the gentleman from Maryland (Mr. HOYER) that would require the administration to provide detailed justification to Congress on the use of appropriated funds in Iraq and Afghanistan; would require an analysis of the impact of military operations on our troops and overall military readiness; and would mandate open and competitive bidding for rebuilding contracts.

Despite these improvements, much still needs to be done. The administration must explain to Congress and American taxpayers how the $87 billion, every penny of it borrowed, is to be paid for. It is neither fair nor fiscally prudent to leave in place, much less to extend, massive tax cuts for the wealthiest 1 percent of Americans, cuts that have helped produce unprecedented annual deficits and that mock the very idea of shared sacrifice. We also need to secure greater international cooperation in the reconstruction effort in Iraq. These ideas were incorporated in amendments offered in committee and defeated along party lines, but we must and we will press them further during floor debate.

Success in Iraq and the means by which we achieve it are fundamental to the United States' overall foreign policy strategy. This effort affects our relations with nearly every nation around the world, and should, therefore, not be divorced from those charged with developing and maintaining these relationships, the Department of State. While the Department of Defense adeptly demonstrated its prowess in securing a military victory in Iraq, it is not designed for the art of nation-building nor is it sensitive to the requirements of diplomacy around the world.

For this reason I plan to introduce legislation along with the gentlewoman from Connecticut (Ms. DELAURO) to establish an Iraq Reconstruction Coordinator within the Department of State. It is now time to place experts in diplomacy and nation-building in charge of the reconstruction, and to allow the military to operate within its area of strength: security. This will help the United States build a true multinational coalition to support reconstruction, and bring our efforts in Iraq in line with other foreign policy objectives. I urge my colleagues on both sides of the aisle to support this legislation, so that our Nation can move beyond the quagmire that confronts us.

Mr. Chairman, there is too much at stake to turn away from Iraq before the job is done. But there is also too much at stake to continue along the same self-defeating course. Congress must reassert itself as a coordinate branch of government, calling this administration to account and getting our policy in Iraq and the entire Middle East on a more positive and promising course.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Kennedyville, Maryland (Mr. GILCHREST) who is from the Eastern Shore, and over there common sense is the rule of the day. So I am anxious to hear what he has to say.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Arizona for yielding me the time.

The gentleman from Arizona will remember about 12 years ago we traveled to southeast Asia, and one of the countries we visited was Cambodia, and we talked to a number of people in Phnom Penh, the capital of Cambodia, only a very short period of time after Pohl Pot and the Khmer Rouge had ravaged the country. And we were discussing the issues with these former members of the Khmer Rouge who were forced to be the members of Khmer Rouge, and they were stricken with utter fear. They asked us the question, where were you when we needed you. If my colleagues will remember their history, it was the Vietnamese who went in and relieved the burden of that suppression from the Cambodians.

Today, we are relieving the burden of fear and oppression for the Iraqis from a regime that has the psychology of serial killers.

I recently went to Iraq with the delegation of eight Members. Four Members on this delegation voted against the resolution to give the President the authority to use force, and they were going to vote against this $87 billion package because they felt that we had not planned the war appropriately and did not plan for reconstruction and did not allow the State Department and other agencies in the Federal Government not associated with the military more access to the reconstruction in Iraq. Four of the eight Members were going to vote against this $87 billion. They are now voting for the $87 billion, the $60-some billion for our troops and the $20 billion to further reconstruct and bring democracy to the Iraqi people and here is why.

What we found out when we went to Iraq was that the planning to reconstruct Iraq was almost entirely done a year ago. In the last September-October time frame, this government looked at what was going to be needed, and they began putting that together. Right now, there are 11,000 construction projects underway.

To mention just a few, 1,600 schools were completely rebuilt and refurbished with the children with uniforms, with desks, with chalk boards, with books, materials ready for the school to be productive. The power plants are being rebuilt so there is now more electricity in Iraq than there was before the war; 150,000 tons of wheat have been harvested in Iraq as a result of the irrigation projects that were put in place last spring as a result of the Agriculture Department being involved in this productivity.

What we have seen was a total integration of the military, the State Department, the Agency for International Development, the private sector, a

whole range of organizations that are in Iraq today bringing prosperity, bringing support and security for our troops, making Iraq an example for the rest of the Middle East.

Mr. Chairman, I would like to close with this comment, and there are a lot more positive stories that can be told. The situation in Iraq and the United States and the rest of the world, we are facing a fork in the road. If we take the wrong turn, we will allow Iraq, and subsequently the rest of the Middle East, to decay into radical religious oblivion and suppression. If we take the right turn, there will be a new renaissance of science, technology and human expression never before seen in the Middle East.

I urge my colleagues to vote for the full supplemental.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I want to thank the gentlewoman for yielding me the time.

I rise in favor of the Obey substitute and in opposition to the President's $87 billion appropriation request for Iraq. I am not in opposition because it has been proposed by the Commander in Chief. I am not in opposition because I do not think that we should not help rebuild Iraq. We tore it down; therefore, we should help to build it back.

I am not in opposition because some major companies are going to make a lot of money. Bechtel and Halliburton should be able to make money. Some people call it profiteering, but since it was supposedly for Iraq, then local Iraqi businesses and contractors should also be able to make money. Small businesses, minority-owned businesses, women-owned businesses and others should be able to provide services and make some of the money.

I am, however, opposed because all of the spending that will result from this $86.9 billion appropriation will be added to the public debt, the debt that would not be necessary if we were operating with rational tax and trade policies.

I unequivocally support our troops, and I would love to vote for this supplemental to help rebuild Iraq, but I also would love to vote for health care for the millions who are uninsured. I would love to vote for affordable housing for millions who live in squalor. I would love to vote for the thousands and millions of poor children who need Head Start and cannot get it. I would love to vote for the thousands of young men and women in central city communities all over America who cannot find jobs and stand on the corners hollering crack and blow, pills and thrills and end up in prison for practically all of their lives.

So, Mr. Chairman, I support our soldiers, but I cannot vote a $27 billion blank check to rebuild Iraq and nothing to rebuild the south and west sides of Chicago, Maywood, Ford Heights and other disadvantaged communities all over America. We need a more balanced approach to priority spending.

I support the Obey substitute and oppose the President's request.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the gentlewoman from New York for yielding me the time.

I rise today to voice my concern over the President's $87 billion supplemental request and the failure to plan for postconflict peacekeeping and reconstruction in Iraq. In short, the administration has failed the American people here at home and the brave men and women who are serving overseas.

In the months leading up to the war, we were repeatedly told that this war would be swift; that the loss of American life would be minimal; and that the costs of the war would not impose a burden on the American taxpayer because Iraq had sufficient reserve to finance its own reconstruction. Deputy Secretary of Defense Paul Wolfowitz said, There is a lot of money to pay for this that that does not have to come from U.S. taxpayers. We are dealing with a country that can really finance its own reconstruction and relatively soon.

Now, we are faced with the chilling reality that the opposite is true. Over 320 Americans lives have been lost, and guerrilla war has escalated because the administration failed to admit the scope of the challenge we have on our hands, and of course, costs are skyrocketing.

If we approve this supplemental, the United States cost of war to date will reach $141 billion. Some say it could reach $237 billion, some $418 billion, but the most glaring truth is that we cannot afford to lose and that our window to win the peace is quickly shutting.

We not only have a moral obligation to help rebuild Iraq, but it is in our best national interest to facilitate the transition to a stable democratic and economically self-sufficient Iraq. We should have had a plan in place 6 months ago. We should have had a clear exit strategy. We should have had coalition partners lined up and ready to go. We should have prepared our troops for the tasks we are now asking them to face, and now we have to make up for lost time.

Our first priority should be to get our troops the resources they need to complete their missions swiftly, transfer power to Iraqis and return home.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes and 10 seconds to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Chairman, 2 months ago, I had an occasion to give a commencement speech in the rural part of my District. And after the speech, a woman walked up to me; she had tears in her eyes, and I assumed that she was crying about the graduation of her child that day, but she walked up to me and she looked at me and she said, Mr. DAVIS, I have a husband who serves in the Army National Guard. He has been in Iraq for 2 months now, has been in the Middle East for about a year, and every morning I get up and I turn my television on CNN, and I see that another American life has been lost, and for a span of a few seconds my heart jumps up into my throat, and I wonder until I see the name.

When I spoke to that lady, Mr. Chairman, I could not talk with her about the geopolitics of our commitment in Iraq. I could not talk with her about whether or not it was right or wrong for us to engage this conflict because I do not think that she terribly cared. She, like so many other Americans, though, was searching for a solution to this conflict.

I would like to be able to say to her that if her family and her husband are asked to sacrifice, that the sacrifice is not just limited to the middle ranks of this country. I would like to be able to say, as the ranking member of this committee said earlier, that if some are asked to pay any price or bear any burden that that will include some of the wealthiest Americans whose taxes have been cut in the last several months.

I will vote against this supplemental as it currently stands for a very simple reason. It is unfair to ask families like that of the woman that I encountered in Perry County, Alabama, to sacrifice, when we cannot even ask families who are earning over $300,000 to forego a tax cut that most of them never really sought.

This is a time when we have to decide the direction of our foreign policy, but our foreign policy has to be consistent with our values. Our values, and it ought to be the values of the Bush administration as well, do not dictate that we ask sacrifice of only some people. They dictate that we ask sacrifice of those who can most afford to pay it, and I urge my colleagues to vote against this resolution unless the administration can provide a means to pay for it.

□ 2200

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. DELAHUNT), a member of the Committee on International Relations.

Mr. DELAHUNT. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I do want to associate myself with the remarks, the very eloquent remarks of the gentleman that preceded me, the gentleman from Alabama (Mr. DAVIS). I think he caught something when he spoke about our values.

But let me speak just for a minute about an issue that was raised by the gentleman from California (Mr. ROHRABACHER). We are told this must be grants, not loans. But as others have indicated, just a few months ago it was Deputy Secretary of Defense Paul

Wolfowitz who was telling us, telling the American people, that Iraq could finance its own reconstruction. I guess my question is: What happened? What has happened to change that particular dynamic?

I look forward to supporting the amendment of my friend, the gentleman from California, tomorrow. I would again want to congratulate the gentleman from California for indicating that this is not a partisan issue. It is not about Clinton, and it is not about Bush One and President Reagan; but when the gentleman served in the White House, this government supported Saddam Hussein and we provided billions of dollars worth of loan guarantees to Saddam Hussein. Now we are talking about grants, about gifts; and we are asked not to question these numbers. But our own appointed Iraqi governing council tells us that they can do it much cheaper.

Just recently, there was a report in The Washington Post that said clearly and unequivocally, by a prominent member of that committee, and that sentiment is shared by those 25 members, that we can do it for 10 times less. For every billion dollars you spend, they say we will spend $100 million. We cannot in good conscience support this request.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2½ minutes to the distinguished gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Chairman, we have already appropriated about $65 billion for Iraq, and now the President is asking for $87 billion more. The President wants to do this at a time when he is seeking to increase the copayment for veterans on their prescription drugs from $7 to $15 a prescription. The President wants $87 billion for Iraq when he wants to impose a $250 annual enrollment fee so that veterans can participate in veterans health care. They are excluding priority 8 veterans and saying you cannot even enroll in VA health care now because we do not have enough money. Yet he wants $87 billion more for Iraq. The President has threatened to veto a bill if we get rid of the disabled veterans tax, but he wants $87 billion for Iraq.

This administration has given gold-plated, unbid contracts to the President's and the Vice President's friends at Halliburton, and now he wants $87 billion more. The President wants to build schools in Iraq, but he will not ask his wealthy contributors to reduce their tax cuts so that we can pay for those schools. No, the President wants to build schools in Iraq, and he wants to give the bill to America's children to pay for those schools.

We are being told we must support this in order to support our troops. But the truth is we sent young Americans into battle, and some of them have lost their lives and been seriously injured without having protective vests. I got a letter from a young West Point graduate in Baghdad saying, ''Congressman, my men are wondering why they have the cheap vests. Shame. Shame.''

Mr. Chairman, I resent the fact that the President and the leadership in this House are using our troops as leverage. They are using our troops as hostages in order to extract $87 billion out of this Congress for Iraq. I support our troops. We all support our troops. That is not the issue. The issue is whether or not we are going to support the misguided policies of this administration. I will vote ''no'' on this unwise request.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I want to agree with my colleague, the gentleman from Ohio (Mr. STRICKLAND). I say that it is time to support our troops. We can best support our troops by bringing them home, by having the U.N. become involved. Bring the U.N. in and get the U.S. out. Support our troops; bring them home.

If we support $87 billion on the next installment of our involvement in Iraq, what we are doing is supporting the continuation of the presence of American troops in Iraq. Make no mistake about it, this is only the second of many installments. There have been projections that the American presence there could cost now at least $245 billion. There are other projections that say it could be many hundreds of billions of dollars more.

I presented for the consideration of Members of this House a plan that would get the U.N. in and the U.S. out, and the features of this plan are as follows:

Number one, we go to the U.N. with a resolution that would permit the United Nations to handle all of the oil assets of Iraq, without any privatization, to handle that on behalf of the Iraqi people; number two, to handle all the contracts in Iraq without any sweetheart deals on behalf of certain select contractors; number three, to have the U.N. handle the cause of new governance in Iraq. It is time for the United States to rejoin the world community. In doing that, we can rotate U.N. troops in and U.S. troops out.

It is time for us to rejoin the world community in the cause of stabilizing Iraq. You know and I know that the longer our troops are there, the more of them will not come back alive. The longer our troops are there, the deepening of the American involvement in Iraq will continue. This is the time for us to take a stand. Vote ''no'' on the $87 billion. Vote to bring our troops home. Vote to get the U.N. in and the U.S. out. Vote ''no'' on the $87 billion.

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

Before moving for the committee to rise, I would like to take just a few moments. Mr. Chairman, I think this has been an instructive and helpful debate here tonight. But as I have listened to many of the speakers, I am reminded of my own visit to Iraq just about 8 weeks ago. In several different places, security officers who were accompanying us, troops that were out there in the field that we talked to at the mess hall, people that we talked to in different places, over and over again the message I heard from those soldiers was the same; and they said, please go back and tell the American people that it is not what is being reported.

They are also seeing CNN over there. It is not what is being reported on the news; it is much better than what they hear on the news; there are councils that are being elected; there are businesses that are being opened; there are people who are beginning to see livelihoods come back; people have the opportunity to speak out on the streets and speak out against the United States and speak out against the Coalition and speak out against their own governing council. That is something they never had the opportunity to do for all those years under Saddam Hussein.

So the message that I heard from our soldiers was please go back and tell them that this is a war worth fighting.

The question has been raised here tonight as to how it is going to be paid for. We have heard that over and over again. It is a legitimate question. But I would suggest to my colleagues that this is going to be paid for in the same way that we paid for World War I, the same way we paid for World War II, and for Korea and for Vietnam and for the first Gulf War, and for all the other conflicts that we have been involved with all these years. The money is borrowed. It is with the full faith and credit of the American people who believe in liberty, who believe in democracy, who believe in freedom for themselves and for peoples around the world that we undertake this burden of debt in order that others around the world may be free.

I would note that the percentage of debt that we are incurring is a fraction of what we incurred in past wars. Yes, it is a lot of money. But can anybody doubt, can anybody doubt that this fight against terrorism is any less important than the struggle we fought against in World War I, or the struggle we had against Fascism and Nazism and against Japanese imperialism in World War II? Is it any less important than what we fought against in Korea in the 1950s? I would say, no, Mr. Chairman, it is not less important. This is just as important. This war on terrorism is a defining moment for the United States and for the American people, and we have no choice but that we must win.

And let me close with this thought, because many have said, yes, I support our troops in the field, but I really do not think we should be spending this money on the reconstruction. I asked that question very specifically of General Abizaid when he appeared before our subcommittee, the CentCom commander, and General Abizaid said,

''Make no mistake about it, you cannot separate what we are spending on reconstruction from what we spend on our military. Every dollar we spend on the reconstruction is just as important to the safety and the security of our troops in Iraq as the money that is spent on ammunition, that is spent on flak vests, that is spent on armor for our vehicles.'' It is just as important. We must win this war by winning the war of reconstruction, by winning the civilian part of this war.

Mr. Chairman, we will have more opportunity to discuss these matters again tomorrow as we go into general debate on the bill and then as we proceed with amendments, and I hope the debate will be an enlightening one and one that will help Members come to a good decision about what America should be doing in this region. There is no doubt in my mind what the right course of action for this body and for the United States is.

Mr. TIAHRT. Mr. Chairman, 3 weeks ago, I had to opportunity to travel to Iraq with Chairman LEWIS and several of my fellow members of the House Defense Appropriations Subcommittee.

While in Iraq, I had the opportunity to not only talk to our men and women in uniform, but also members of the Iraqi Governing Council and local citizens about the situation they are facing. Quite frankly, things are much better than what I had heard on the evening news and read in the newspapers.

Most of the national media accounts of the situation in Iraq paint a picture of a country in rubble with unwelcome American troops being attacked and killed by the Iraqi people. After spending time there, I can attest that reality is quite different than what is being reported by many in the media. Republicans and Democrats who have been to Iraq have said the same. The Iraqi people appreciate the job we are doing, and enjoy the improvements in infrastructure and security the United States is providing.

Despite what the American people are constantly told, all of the hospitals in Iraq are open, the markets are open, and the electricity is on in most places. The roads and bridges in Baghdad are actually quite good, and, with a few exceptions, the only damaged structures are government buildings, Saddam's palaces and military sites.

There is no question about the need to improve and update the country's utility, agricultural and financial infrastructure. However, this need is not due to the U.S. military action against Iraq. It is because of 30 years of neglect under Saddam Hussein.

Saddam basically spent the Iraqi oil revenue on three things: (1) his military; (2) transportation infrastructure so he could travel on good roads; and (3) approximately 85 palaces throughout the country. All of this while his regime executed, according to estimates, as many as 1.5 million Iraqis.

For these and other reasons, the vast majority of Iraqi citizens are glad they have been liberated.

One of our generals told me a story about two Iraqi children telling some U.S. troops about a terrorist ambush site. The children showed our troops where some artillery shells had been strung together with a device that could be detonated remotely. These kids helped the Americans because these same troops helped rebuild their playgrounds and their schools, got the electricity running again and were providing a way of life they had not know before. These children did not want to lose that, so they helped our soldiers, the ones who have helped provide this new life.

This visit convinced me that Congress should support President Bush's FY 2004 Supplemental request for the war on terrorism.

The first $68.1 billion of this $86.7 billion supplemental appropriations bill will go directly to our military to replace and refurbish equipment, provide additional armored vehicles and replenish supplies.

That leaves approximately $18.6 billion—which I believe should be grants, not loans—to help rebuild Iraq. As we prepare to ask the other nations of the world to forgive Iraqi debt and contribute to the reconstruction cost, the United States must lead by example. We can either be seen as liberators and allies or conquerors and opportunists.

It is also important to keep in mind that as we help the Iraqi people, we are ensuring the safety of our young men and women in uniform and building a more secure future for our children and grandchildren at the same time.

I urge my colleagues to support the bill.

Mrs. BORDALLO. Mr. Chairman, despite the most advanced technology and the best of intentions, our operations in Iraq, followed by widespread looting and sabotage, degraded that country's antiquated infrastructure and left the people fearful and helpless. The people of Guam know how hard it is to recover from liberation. Hagåtña, the capital of Guam was destroyed during World War II and has yet to fully recover. From this experience I can tell you that reconstruction is the hardest of tasks and every bit of assistance helps. If we do not follow through on our commitment to reconstruct Iraq we will have won the battle but lost the war. So I rise today in support of the Iraq Supplemental with sympathy for the people of Iraq whose liberation has left their country in chaos.

I believe a people suffering under a tyrant can be restored by democracy. I believe a Soviet style economy can be revived with a healthy dose of American capitalism. I believe that a nation that has been isolated from the international community can, in partnership with the United States, step up and regain its rightful place in the world. The Iraq supplemental before us today will work to further these aims. Iraq is a test of our beliefs, just as it is a test of the ideology of those arrayed against us.

At the same time our service men and women are not the world's policemen. They have accomplished their combat mission and should be relieved by an international peace/keeping force and Iraqis. Our Army has traditionally steered clear of law enforcement duties, which are better left to those with the special training and suitable equipment. We did not seek that role for them in Somalia, Haiti or Kosovo, nor should we seek it now.

It is an example of the best of the American people when we help another. Yet it is only human nature to express concern that similar attention is not being paid to needs here at home. Each of us in this Chamber can list the unmet needs of our constituents such as concurrent receipt for veterans or healthcare for our seniors. The debate on the Iraq supplemental should not be a proxy for our failure to address these issues. Rather, we should commit ourselves to fixing these issues in the coming days. The Fiscal Year 2004 appropriations bills are not yet passed and we have time to make amends. We should come together in the same bipartisan manner that we have gathered to consider this Iraq supplemental and work to meet the needs of our Nation.

Mr. WEXLER. Mr. Chairman, I rise today to express—in no uncertain terms—that I will not support President Bush's $87 billion request. I will not grant him another blank check. President Bush has lost my trust and that of the majority of my constituents. He has lost the trust of many of our allies and he has damaged America's credibility in the eyes of the world.

Mr. Chairman, this President has taken us to war on false pretenses—unilaterally—and with unnecessary impulse and haste. He has exaggerated claims of the imminent threat posed by the former Iraqi regime. He has fabricated an Al Qaeda-Iraq link. He has ignored American intelligence reports that Saddam Hussein did not have a massive arsenal of WMD. He has failed to make America safer or lessen the terrorist threat. He has misled Congress about the cost of this war, and he has neglected to provide us with a detailed accounting of expenditures in Iraq.

The President's $87 billion request is an irresponsible diversion of funds that should be allocated for education, veterans, prescription drugs, homeland security and healthcare. It is unconscionable that the burden of this expenditure will fall on the backs of those who can least afford it. The President has talked about sacrifice and responsibility, and I challenge him to be responsible and sacrifice a portion of his ill-conceived tax cut to pay for continued operations in Iraq.

Mr. Chairman, this Administration has demonstrated staggering negligence in failing to plan for post war Iraq, which has directly contributed to the continued loss of American lives and growing cost of operations on the ground. As an elected official I cannot—and will not—entrust President Bush with an additional $87 billion.

Mr. CONYERS. Mr. Chairman, I rise today to express my concern regarding the $87 billion supplemental appropriation that President Bush requested on September 7, 2003. I want to make clear that I will support the 130,000 thousand United States troops currently stationed in Iraq and that I am committed to exiting Iraq in an appropriate manner. As a Korean War veteran, I always will insist that our servicemen and women have whatever they need to protect themselves and execute their missions. I will vote for the sums they need once President Bush accounts for what has already been spent. However, we must prevent wasted or padded expenditures and war profiteering and ensure that our troops get critical equipment and support, which the administration has failed to provide them.

The $87 billion requested for military operations and reconstruction of Iraq and Afghanistan is troubling on many fronts. It is troubling that $20 billion of that $87 billion would be spent on Iraq's reconstruction when billions are needed domestically at home. It is troubling that on March 27, 2003 Deputy Defense Secretary Paul Wolfowitz told a House defense subcommittee that ''We are dealing with

a country that can finance its own reconstruction.'' Furthermore, Secretary Donald Rumsfeld in a Senate Appropriations Committee hearing on the same day said, ''I don't believe that the United States has the responsibility for reconstruction, in a sense * * * funds can come from various sources I mentioned—frozen assets, oil revenues and a variety of other things, including Oil for Food, which has a very substantial number of billions of dollars in it.'' If Iraq can pay for its own reconstruction, why is the administration returning to Congress with a $20 billion request for reconstruction in Iraq?

I am concerned that the money the administration has requested may only be the tip of the iceberg in regards to total monies that the United States will spend in Iraq. On December 31, 2002, the New York Times reported, ''The Administration's top budget official estimated today that the cost of the war with Iraq could be in the range of 50 to 60 billion dollars.'' Lest we forget, last year Congress appropriated $79 billion for the war effort in Iraq, almost $10–20 billion more than the administration initially estimated.

Based on these concerns I am only prepared to vote ''yes'' for the $87 billion request if the following conditions are met:

(1) The President specifies to Congress how the money will be spent and how its prudent distribution will be assured.

The President is asking for $87 billion to stabilize Iraq, a second installment for Iraq's reconstruction that has no geographical, time, or force limitations. It has cost the lives of American men and women that were bravely performing their military duties in Iraq. The President and his advisors have not been reliable or trustworthy in handling their gravest responsibility: sending American soldiers in harm's way. As Members of Congress we must stand up to the President on behalf of the American people. Even if Congress is unfairly labeled ''non-patriotic'' or ''non-supportive'' of our troops, we must require the President to clearly outline how he plans to spend American tax dollars in Iraq. It is not reasonable for the President to present us with a request that includes: $33,000 each for pickup trucks required for the effort; $360,000 for 600 radios and telephones; $800 million to train 1,500 Iraqi police officers at $530,000 per police officer; and $100 million to place five Iraqi families in a witness protection program at $200,000 per person.

It is important that the American public be aware that $87 billion equates to $300 for every man, woman and child in the United States. When we are spending monies of this magnitude, we must have the courage to challenge policies until they are clear in purpose and direction.

(2) The President provides sure-fire strategy for exiting Iraq.

I, along with many others, believe that for the President to go to war in Iraq without international support and without an exit strategy was a fatal flaw. Given those tragic failures thus far, I am in ''shock and awe'' that the President has failed to fully explain how he plans to secure Iraq, achieve Iraqi self governance and share the burden of rebuilding the industries and society of Iraq. How can we be expected to endorse blank checks with no idea as to the overall plan for Iraq.

(3) The President exercises diplomatic leadership in convincing other nations to join us in the effort in Iraq.

Even now, with the benefit of hindsight, the President has not learned from his diplomatic failures. The United States refuses to relinquish appropriate levels of authority to the United Nations, and this refusal has significant diminished prospects for gaining international aid and support in Iraq. Two weeks ago, the United Nations greeted President Bush and his resolution coolly, finding that the resolution did not go far enough in the role it assigned to the U.N. and its timetable to transfer power to the Iraqi transitional government. Many international leaders, including United Nations Secretary General Kofi Annan, supported an accelerated timetable for the turnover of power to Iraqi leaders. However, the U.S. balked at their request. Secretary of State Colin Powell told the 25 Member U.S.-appointed Governing Council in what has been characterized as ''very direct terms'' that the U.S. intends to resist the request that a U.S. backed Security Council Resolution place Iraq's political future in the hands of the U.N. Based on the President's unpersuasive speech and the U.S.'s weak resolution, it is expected that when donor countries meet in Madrid later this month, financial support will not be forthcoming.

(4) That these funds will not divert the necessary resources from being used for priorities in the war on terrorism, such as homeland security in the U.S., the pursuit of Al Qaeda leaders and cells throughout the world.

Though Mr. Bush has depicted the war in Iraq as the ''central front'' in the war on terrorism, it is important to note that the Iraq supplemental request is more than double the President's request for homeland security in fiscal year 2004. If these monies were utilized for the true war on terrorism, then: Port Security could be increased, the anti-missile system for commercial airliners could be put in place, and stricter security over unscreened air cargo could be implemented. Moreover, adequate training and equipment for emergency response personnel could be provided, and public health officials would have the resources to identify and treat people attacked by weapons of mass destruction. In my opinion, it is unacceptable for the U.S. to allocate billions to a war of choice in Iraq while we fail to allocate funds to secure America's borders from a myriad of dangers.

Similarly, the primary objective in our war abroad against terrorism must remain the destruction of Al Qaeda and to capture its leadership. The war in Iraq has already diverted many key resources including, Special Forces, Intelligence personnel and specialized equipment from the search for bin Laden in Afghanistan and Pakistan. It was bin Laden and his Al Qaeda agents, not Saddam, who carried out the 9/11 disaster, despite discredited efforts by Vice President CHENEY and others to suggest the contrary. Iraq is not the heart of the war on terrorism, despite President Bush's claims to the contrary. We must keep our priorities straight.

(5) The President and Congress commits to a willingness to allocate funds to desperately needed programs vital to U.S. citizens.

It should be known that the $20 billion reconstruction includes $9 million for a zip code system, $20 million for a month long business course at $10,000 per pupil and $53 million for state of the art landfills. We should not forget that charity begins at home. How can we rebuild Iraq, if we refuse to acknowledge the social ills in the U.S.? Within our borders, we are faced with a troubled economy, scores of hungry children, millions of uninsured, deteriorating infrastructures, and devastating homelessness. The American public should know that $87 billion would:

1. Finance the educational needs of all 50 states.

2. Provide health care for the elderly and those without health insurance.

3. Provide incentives to Corporate America to generate jobs and bring unemployment levels back to where they were in December 2000.

In conclusion, I would like to vote for this legislation because I want to support our troops in Iraq. I want to believe that these funds would provide our citizens with better protection from terrorism. I want to believe that the Administration has a plan and not just a price tag to protect our soldiers and to return Iraq to its citizens. However, at present, I remain unconvinced and cannot vote for the President's $87 billion supplemental until the above concerns are resolved.

Ms. LOFGREN. Mr. Chairman, one year ago, Congress considered whether to authorize the President to use the armed forces of the United States to attack Iraq. The President asked us to pass a resolution that gave him unprecedented war powers at a time when he had yet to make the case for war. I voted against the resolution.

Today the President asks us to pass an enormous spending bill to fund the ongoing war in Iraq and the continuing reconstruction of both Iraq and Afghanistan. Yet, everyday, American lives are lost while the President fails to garner broad international support and create a coherent exit strategy for a war that is less about self-defense and more about the President's obsession with Iraq. All along, our economy continues to remain on the ropes.

Therefore, like my previous vote on authorizing the use of our armed forces in Iraq, I cannot support this supplemental bill to give the President a huge blank check to continue the occupation of Iraq and risk the lives of our troops. As Members of Congress, this is our opportunity to tell the President what our constituents are telling us—we won't spend another penny in Iraq until our President gives the American people a plan on how he intends to win the war, minimize costs, and most importantly, bring home our troops as safely and as quickly as possible.

As we were debating whether or not to grant authority to the President to go to war in Iraq, I asked some serious questions that this Administration continues to have difficulty answering. Was the United States acting in self-defense against an imminent threat in Iraq? Did the United States have to pursue near unilateral action in Iraq without strong international support? And most importantly, what is our exit strategy?

The President and his Administration repeatedly told us Iraq posed an imminent threat of safety to America. But where are those nuclear weapons?

Before the war, the Administration also told us there was strong, credible evidence to link Saddam Hussein to September 11th. Yet, the President himself now admits there is no evidence that Saddam Hussein was involved with September 11th.

We were told Iraq had thousands of weapons of mass destruction that could easily be

used against friends, our allies and the United States. But where are they?

Worse yet, we were never told about an exit strategy and still don't have one today.

Instead the President spent his time playing ''Top Gun'' by landing on an aircraft carrier to declare the major conflict in Iraq over. Yet, more courageous men and women have died in these last few months than before that dubious, made-for-political-campaign-commercial event.

And now the President comes to us asking for enormous amounts of money to continue what is supposedly no longer a major conflict.

Even if we agree to send money to Iraq, we shouldn't send it to contractors that are ripping off the American taxpayer. Why should the American taxpayer pay $15 million to Halliburton to repair a power plant when the Iraqi people can do it, and did, for $80,000?

More importantly, we've already appropriated over $70 billion for the war in Iraq and related efforts, virtually every penny the President asked for to win this war and protect our troops. So why does the Army lack Kevlar protective plates for 40,000 of our troops in Iraq? Why do we continue to hear stories about parents sending their children better protective gear, basic supplies, and food and water at their own cost? Why does the Defense Department refuse to pay travel costs for soldiers returning from battle for a brief, two-week visit with loved ones? The President has given us no assurances that his new funding request will not be mismanaged and, instead be used in strong support of our troops.

There is no question that we need to allocate whatever funds are necessary to support our troops in the field.

But there is only one real opportunity for the Congress to have a say in the course of war or foreign affairs and that is when the President comes to us and asks us to appropriate the taxpayer's money for war.

That time is now and this Congress must insist that the President deliver his exit plan and detail how he plains to get equipment, food and water to our troops.

If this appropriation is defeated today, the President will be with us tomorrow delivering the exit plan that he should have provided to the American people one year ago.

As I said during the debate over the war with Iraq, we are at our best when we are first among allies standing tall for the free world. Let us be at our best when we deal with Iraq, but always dedicate ourselves first and foremost to the freedom and prosperity of our great United States.

Mr. MATHESON. Mr. Chairman, resolving the current instability in the region is in the long-term best interests of all Americans—failure in Iraq would lead to irreparable consequences.

This emergency spending bill raises a host of critical concerns that must be addressed.

More than 138,000 American troops are currently in Iraq and I believe that they absolutely must be adequately provided for and able to return home to their families as soon as possible.

Today, I am offering an amendment to this bill so that Congress receives a detailed description of purpose for all projects over $1 million. My amendment also calls for a comprehensive survey of security and infrastructure needs, including progress reports on previous projects. Finally, my amendment asks for necessary estimates on additional funding required and troop levels projections.

We cannot maintain our efforts in Iraq and Afghanistan without a clear understanding of our longer term needs. We must know how many troops will be needed and how much this entire operation will cost, including contingency plans, and decide how our nation will pay for the entire cost of the operation.

Mr. KLECZKA. Mr. Chairman, the Administration rushed into this war before they understood the consequences. Nearly half a year prior to seeking out a United Nations mandate and two months before Congress even considered the resolution authorizing force, the war plans were already set. In fact, a recent Washington Times article tells of a secret report to the Joint Chiefs indicating that post-war planning had been insufficient. The administration clearly did not consider the enormous costs and effort that would be involved after the Iraqi army was defeated. Congress already appropriated $78 billion earlier this year. Now we are going to appropriate another $87 billion and undoubtedly there will be more requests to come. The taxpayers will have to pay billions to repair what we destroyed in the first place.

There was not sufficient justification to start this war to begin with. To try to bolster their case for war, the administration had asserted that Iraq was an urgent threat to our national security and that we were at risk of an Iraqi surprise attack by weapons of mass destruction. But they offered no substantiation of these allegations, speaking only of hunches, probabilities, and suspicions. The administration also made dubious claims that there were ties between the 9/11 terrorists and Saddam. But in the months following the invasion, our intelligence community can still find no link between the Iraqi regime and the plot that led to those deadly terrorist attacks. No weapons of mass destruction have been found, despite intensive efforts and an attack on the U.S. was not imminent. President Bush could not prove his case for the war then, and he can't now!

The notion that we have a ''coalition of the willing'' is also something of a farce. Our major partner in this effort, Britain, has committed only $908 million to the rebuilding efforts over the next two and a half years, and has 12,000 troops in Iraq, far less than the 130,000 we have on duty there. For Pakistan, Jordan, and other unnamed lesser members of this coalition, this bill gives them $1.3 billion—including $200 million in loan guarantees—to reward them for what amounts to little more than verbal support.

The appropriations committee showed some common sense by rejecting such dubious provisions as the President's requests for $2 million for garbage trucks, $153 million for ''solid waste management programs,'' and $9 million to institute a ZIP code system in Iraq. I still have questions about the bill's funding of $10 million to fund 100 prison construction consultants at $100,000 each, over $150 million for ''private sector development'' like computer literacy and English classes, and money to establish museums and memorials. While pouring billions into Iraq, critical needs are going unmet here at home.

This measure would provide $793 million to modernize and obtain equipment for Iraq's health care facilities. While the President plans to spend hundreds of millions to provide better medical care in Iraq, health care costs in Milwaukee have skyrocketed, forcing more and more families to go without treatment. Last year 41,000 people in Milwaukee County and over 450,000 in Wisconsin went without health insurance. Nationwide, 43.6 million Americans currently have no health insurance, an increase of over 2 million since last year. There is a health emergency right here in this country. We should be investing federal funds to help struggling families here receive quality, comprehensive healthcare.

This supplemental contains $90 million for education in Iraq. While the President boosts spending to help Iraqi children learn, in Milwaukee less than three-fourths of eighth graders are proficient in the skills necessary to advance to the ninth grade and many teachers are forced to teach in overcrowded classrooms. The Administration has under-funded its own education policy by $8 billion, leaving thousands of children in Milwaukee and throughout the nation left behind.

This bill would also provide $950 million for recruiting, training, and equipping an Iraqi police force. An additional $509 million would be used for ''public safety facilities and services.'' While providing money to create Iraqi civil service jobs and pay their wages, here at home the Administration is trying to contract out thousands of good-paying federal government jobs.

With the total price tag of the supplemental at $87 billion, its passage will directly increase the projected deficit this year to a new record-setting height of over $500 billion. Instead of driving us further into debt, this bill should have been paid for. We could have delayed for one year the tax cut for the wealthiest one percent of Americans, which over ten years would raise the full cost of the proposal before us today. But the Republican leadership did not allow my colleague to offer his substitute proposition which would have paid for the package in this manner.

Mr. Chairman, I did not vote to start this war and I cannot vote to fix up a country we destroyed. We have pressing needs here at home that are going unmet as planeloads of U.S. currency are being shipped to Iraq, raising the federal deficit. The President recently signed into law the $369 billion appropriation for the Department of Defense. Some of these funds should be used to provide for the cost of our troops in Iraq. The funds in this supplemental are apparently not so imperative since the Congressional Research Service indicates that the Army's available military personnel funding as well as operation and maintenance funding should last into the spring of next year.

The administration's policy in Iraq has been a failure. Defeat of this measure would spur the President to come up with a workable exit strategy, one that would put a stop to the almost daily killing of our American troops. I urge my colleagues to vote ''no'' on this bill.

Mr. BALLENGER. Mr. Chairman, without a doubt, this period in history will record that the United States was committed to spreading democracy and freedom throughout the world. Building and guiding new democracies is one of the most difficult, yet important tasks, that the United States—as a leader of the free world—can undertake. With this debate today on the Iraq supplemental spending package, we seek to recommit ourselves to providing for those in the midst of that most important mission, our armed and foreign services.

Deciding to wage war is not a decision that is made lightly or for political expediency. It involves the sweat and sacrifice of America's most courageous patriots, our armed forces. When someone joins the military and takes the yoke of freedom upon their shoulders, they deserve the maximum support we can muster. Mr. Chairman, that is why I have come to the well of this House, to make sure they are provided for.

I support President Bush and believe that we should pass this supplemental as soon as possible. There should be no doubt about United States intentions: We stand behind our troops and their mission to bring democracy and freedom to Iraq.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today to express my support for the President's supplemental request for operations in Iraq. Just over one year ago this body voted to authorize the use of military force to confront the grave and growing global threat posed by Saddam Hussein's Ba'athist regime. We convene one year later having achieved many successes toward that objective, but face new trials worthy of our continued sacrifice to protect the safety and security of the entire global community.

I realize public opinion among Americans is fiercely divided when it comes to Iraq. Criticism is not a bad thing for our country during a time of war as long as it's constructive and does not undermine our ability to defeat the enemy. As it stands, opponents of the war and detractors of President Bush are too easily fortified by a mainstream press quick to underscore bad news and seemingly ambivalent toward the many positive developments occurring each day in Iraq.

Several of my colleagues here in the 108th Congress have shared stories of the remarkable progress they have observed during recent trips to the Middle East. Electrical grids are being restored, public schools are open, the banking system is operating, thousands of reconstruction projects are underway and thousands more have already been completed. Most of all, the Iraqi people are free—and with the elimination of Saddam Hussein's rule—the world has taken a giant step in winning the war on terror.

87 Billion dollars is a massive sum. As a conservative, I'm a strong supporter of fiscal responsibility and accountability. But I believe this supplemental is a wise and necessary investment, critical to our continued efforts to secure peace and future prosperity for the Iraqi people.

The President's request covers two major expenses—troop support and reconstruction. $67 billion alone will be directed to the operational costs of our military forces: providing for essential equipment and provisions necessary for the safety and strength of U.S. troops. What American could shrink back from that commitment?

The remaining 20 billion dollars will undoubtedly be the source of much debate here today. Some believe that American dollars designated for reconstruction should come in the form of a grant. Others argue it should be made as a loan, payable once Iraq rehabilitates its commerce and economy. We should all agree that the United States cannot withdraw from a crippled Iraq and expect a stable government and economy to take hold.

Reconstructing Iraq is a top priority for the Bush administration and should win the appropriate support of this Congress. By agreeing to this supplemental, the United States military will have the resources necessary to rebuild infrastructure and restore social order, creating a politically secure and economically sound Iraq. Accomplishing this goal is the most significant factor that will bring our troops home for good.

During his address to a joint session of Congress last July, British Prime Minister Tony Blair concluded with a prophetic statement we should all consider as questions and challenges arise in the aftermath of war in Iraq; ''Destiny put us in this place in history, in this moment in time, and the task is ours to do. If our spirit is right and our courage strong, the world will be with us.''

I ask my colleagues to join me in acting in support of our President, our armed forces, the good people of Iraq, and the united freedom of all by voting in favor of this supplemental.

Mr. KOLBE. Mr. Chairman, could I ask for an accounting of the time before I move that we rise so that we can be ready for tomorrow?

The CHAIRMAN pro tempore (Mr. BASS). The gentleman from Arizona (Mr. KOLBE) has 53 minutes remaining, the gentleman from Wisconsin (Mr. OBEY) has 1 hour and 16 minutes remaining.

Mr. KOLBE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. MUSGRAVE) having assumed the chair, Mr. BASS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under further debate the subject of a bill making emergency supplemental appropriations for defense and the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, had come to no resolution thereon.

□ 2215

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. MUSGRAVE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BOEHLERT) is recognized for 5 minutes.

(Mr. BOEHLERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

(Mr. MARIO DIAZ-BALART of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. RYAN) is recognized for 5 minutes.

(Mr. RYAN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO ALTAMONTE SPRINGS PATRIOTS BABE RUTH SOFTBALL CHAMPIONSHIP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FEENEY) is recognized for 5 minutes.

Mr. FEENEY. Madam Speaker, I rise today to commend the Altamonte Springs Patriots for winning the Babe Ruth World Series Championship for Age 16 and Under. These twelve young women along with their coaches and parents should be extraordinarily proud.

The Patriots embody teamwork. They attend schools throughout Orange and Seminole counties in Central Florida including Lake Brantly, Lake Mary, Seminole, Orangewood Christian, Central Florida Christian Academy, and RBR Academy. Many have played together since age 10. At age 12, they competed in little league softball and made it to the Florida State Tournament.

On their journey to win the Babe Ruth World Series Championship, the Patriots won 19 of their final 20 games. The team raised $6,000 to finance their World Series trip to Louisville. In the championship game, Anna-Maria Jordan pitched seven innings, allowing only two runs while Natalie Ruff led the offense with a fourth inning two-run single.

On behalf of the people of the 24th District of Florida, I would like to congratulate the following champions for their outstanding triumph: Lauren Bennett, Jennifer Garaffa, Nicole Hall, Arielle Jenkins, Anna-Maria Jordan,

Gloria Jordan, Alexandra Lofton, Natalie Ruff, Jessie Sadlowsky, Ashley Tabor, Danielle Valentino, and Andrea Wain, Mark Valentino, Manager, Gary Wain, Coach, Mark Ruff, Coach, David Phillips, Coach.

I wish the Altamonte Springs Patriots continued academic and athletic success.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. KENNEDY) is recognized for 5 minutes.

(Mr. KENNEDY of Minnesota addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes.

(Mr. HINOJOSA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

QUESTIONS REGARDING VESTS FOR THE TROOPS IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Madam Speaker, I rise tonight to talk about something that has been in the news lately. I first became aware of this problem in May when I received a letter from a young soldier in Baghdad, one of my constituents, a young man who attended West Point, a young man who loves the military and loves being in the Army. He wrote me a letter and he said, Congressman, I am so proud to be in the Army. And then later on in his letter, he said, I'm angry because there are two kinds of protective vests that are being issued over here. One of the vests is capable of stopping fragments. The other vest is capable of stopping bullets. I'm wondering why my men do not have access to the best vests, those that can stop bullets. It is called the Interceptor vest. It is made of Kevlar. It has areas where ceramic inserts can be placed. And these Interceptor vests have been credited with saving nearly 30 lives in Afghanistan. Yet, Madam Speaker, it is almost beyond belief that although we had months to prepare for this conflict, months during which we knew that there was a high probability that we would be going to war, we put our young soldiers into harm's way without protecting them with the best vests, bulletproof vests, available to us.

There is a story that has been reported in the press of how one young soldier was on patrol, and he was shot by the enemy four times, twice in the chest and twice in his arms, and he survived. He survived because, although he did not have one of these Interceptor vests to wear, before he went on patrol one of his buddies took off his vest and gave it to him. It was only because he had this Interceptor vest on that he survived being shot in the chest.

But tonight, as we are here in Washington, DC, and those of us who are Members of this Chamber feel safe and secure within the confines of this House Chamber, there are young Americans who are in Baghdad and Tikrit and other parts of Iraq, some 44,000, we believe, who do not have the Interceptor vest. They have Vietnam-era flak jackets basically, jackets that are incapable of stopping the bullets. I wrote Secretary Rumsfeld, and I asked him some questions which I think I and the American people deserve to have answered. Why were our soldiers not provided with these vests at the very beginning of this war? We had plenty of time to prepare to have these vests manufactured. Why were they sent into harm's way? How many American soldiers have lost their lives? How many have been terribly wounded and injured because of the insensitivity or incompetence or outright shameful behavior of those who decided that for some reason our soldiers did not need or did not deserve this kind of protection? I think the Secretary should answer that question to this Congress and to the American people. It is just almost beyond belief with all the billions of dollars available to the Pentagon that this most basic protection for our soldiers, the vests, the body armor they wear, would not be given to them. General Meyers said, well, it's not a question of money, it's a question of production. We're trying to get as many of these vests produced as possible. In fact, the Pentagon has even enlisted three additional companies to produce these vests. Well, it is about time.

Back in Ohio we have an old saying, it does no good to close the barn door after the horse has left the barn. Why were these protective devices not available before our soldiers were sent into battle? General Abizaid, testifying before a Senate committee, said he did not have an answer to that question. He said, I cannot answer why we went into conflict with an insufficient supply of these vests.

Somebody ought to take responsibility. The President frequently talks about the need for personal responsibility. Who was responsible at the Pentagon, in our defense establishment, for this gross oversight? I think the Secretary owes the American people an answer, and I hope he responds to my letter in an expeditious and prompt manner.

AFFORDABLE PRESCRIPTION DRUGS FOR SENIORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Madam Speaker, I have come to the well of this House many times in the evening and in the day to talk about the high cost of prescription drugs and how much Americans pay for drugs relative to the rest of the industrialized world. I believe it is a crime, and I believe it is shame on us. I always say it is not shame on the pharmaceutical companies, it is shame on us, because the FDA and the Justice Department work for us. I have been regularly vocal and very critical of our FDA and what they have done in terms of, quote, protecting the public health. I have repeatedly said that a drug you

cannot afford is neither safe nor effective.

Tonight, Madam Speaker, I come to the floor of the House to offer some congratulations, because if you are going to hand out the thorns, I think once in a while you have to hand out the roses. First, I would like to congratulate the people at the FDA because today there was a conference held in Bethesda, and they were participants in that conference. What they talked about was new technologies to make our drug supply safer, so that whether you buy your drugs from Manhattan or Munich, you will be able to get safe drugs. I want to talk about a couple of those technologies and the FDA was there to talk about it. One of them is this tamperproof, counterfeit-proof technology. This packaging is made by a little company out in California called Flex Products. They also make the dye that goes on our $20 bills that make it almost impossible, although they and I think the Federal Treasury says that this is impossible to counterfeit, the same technology is now available for pharmaceutical companies. And I am told that seven of the largest pharmaceutical companies are already employing this technology.

Let me also talk about another technology. This is the first time I have ever talked about it here on the floor of the House. This is made by a family-owned feed and seed company in Minneapolis, Minnesota, a little company called Cargill. These are microscopic markers. They are edible and they are so small that you cannot even see one. But we now have the ability to apply this to every drug. In fact, we can even apply this to the products that go into the drugs, so that we can know that that drug is in fact what is said that it is very simply. That was also on display today at that conference.

But, Madam Speaker, what I really want to do is say a special thank you to some of the senior groups that have stepped up. I want to single out one in particular, the TREA Senior Citizens League, who is made up of just some of the most wonderful people, and their board is here tonight. I want to show an ad that they ran earlier this year. They were one of the few senior citizens groups that used real money, contributed by their seniors, and they ran this half-page ad encouraging Congress, and I want to make sure that we can put at least the text of this into the CONGRESSIONAL RECORD. I want to thank them, and I want to thank George Smith, their chairman, who serves on their board. What a wonderful board it is. These are people who volunteer. They do not get paid large retainers. All that they do is work on behalf of their members and on behalf of seniors everywhere. When they saw what was happening to the cost of prescription drugs, they stepped up, and they made a difference. I want to thank them. And I want to thank our former colleague Dave Funderburk. Congressman and Dr. Funderburk was a valuable Member of the Congress. He and his wife Betty have just been super people. They help steer the Senior Citizens League through some of the choppy waters and explain how things happen. It is groups like that that are making a difference. They are stepping up and saying there is something wrong, we need to do something about it. We need to fix it. They have run ads. They have informed their members. They represent 1.2 million members around the country. They are the second largest senior citizens group in the country. I have to take my hat off to them because, as I say, they stepped up, they helped run ads, they used real money, they did not take it from some other special interest group and they are making a difference.

We are going to have to vote here in the next couple of weeks perhaps on a prescription drug bill. We are going to have to ask ourselves some simple questions. One of those questions is why is it that Americans pay so much more than consumers around the rest of the industrialized world? The second question is, what are we going to do about it? I hope you will be able to give us good answers because I think we are going to get a chance to vote on that.

The House has done the right thing. We are waiting on the other body. We hope that we will have a conference committee. People like the TREA Senior Citizens League are watching. They are paying attention. Their members are watching. They are paying attention. They are making a difference. They are counting on us to do the same.

TREA SENIOR CITIZENS LEAGUE AD

Congress: Senior citizens need you to vote ''Aye'' on H.R. 2427, prescription drug importation legislation.

This week, Congress will have the opportunity to help seniors by voting ''aye'' on H.R. 2447, legislation to allow America's seniors ''market'' access to lower priced medicines.

The bill would mean seniors would pay a more reasonable price for their prescriptions, and would mean that many seniors wouldn't have to choose between their medications, and rent and food.

The pharmaceutical industry, however, doesn't want this critical legislation to pass. Some are more concerned about making the best possible profit, rather than making a profit while still allowing seniors to have access to safe, affordable medicines. This is wrong.

Vote for our seniors—not for special interests.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DECLINING MEDICARE REIMBURSEMENTS FOR PHYSICIANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Madam Speaker, I rise again today, this week, to continue the discussion regarding the declining Medicare reimbursements for physicians. Effective January 1, 2004, physicians and other providers paid pursuant to the Medicare physician fee schedule face at least a 4.2 percent cut in reimbursements.

For nearly 40 years, Medicare has provided necessary health care to those millions of patients across the country, some 40-something million this year. Another steep cut in reimbursement rates is now forcing many physicians who care for Medicare patients to make difficult choices. The scheduled January 1 cut in the reimbursement rate is just one of a string of Medicare payment reductions for physicians. Due to problems in the formula used to set Medicare payments for physicians, this 4.2 percent cut taken with the 5.4 percent decline in 2002 contributes to successive pay cuts reaching more than 10 percent.

To illustrate the Medicare payment history for surgical services, let us take a look at this chart comparing the Medicare economic index to physician payment update. The Center for Medicare and Medicaid Services, CMS, uses this Medicare economic index, or MEI, as a proxy for inflation in the cost of operating a medical practice. The largest component of the MEI is change in hourly earning for the general economy. A proxy for physicians' own time is in this index.

Additionally, the MEI accounts for office expenses, medical materials and supplies, professional liability insurance, now that is a good one, professional liability insurance, and we know what is happening to that, medical equipment expenses and other benefits and various professional expenses.

□ 2230

Here the yellow line shows a steadily increasing MEI, up about 2 to 4 percent every year starting in 1996. Every year extending out to the present time, a 2 to 4 percent increase.

Now look at the red line. The red line charts an annual Medicare payment update for physicians resembling some sort of a roller coaster starting in 1996 and 1997 with surgical payments slightly under the MEI, and then in 1998 we have a tremendous drop. Look at this drop in 1998, which rebounds the next year, the only year, I point out, that the MEI and the increase in payments are actually matched. Then we have a slight increase in physician payments until we start a disaster downward trend of payment cuts before congressional intervention in 2003.

When I look at this chart, it is clear to me that Medicare is not funded appropriately to ensure access to America's elderly and disabled patients. Without doctors' high levels of participation, the Medicare program would not have been able to serve millions of patients over these last 4 decades.

Madam Speaker, I would like to read and include in the RECORD a letter I received just 2 days ago. Madam Speaker,

the letter is from two doctors who practice in my home State of Georgia: ''Dear Representative GINGREY, although we continue to see Medicare patients in our practice, we are no longer accepting new Medicare patients. Further cuts in payments to physicians treating Medicare patients will undoubtedly result in a mass exodus of medical providers and secondarily limit access to medical care for the Medicare recipients. We have already noticed that many Medicare patients are having difficulties getting routine care. Despite the fact that we are physiatrists treating musculoskeletal problems, we find ourselves ordering routine care to working-up medical problems that their internists or primary care providers no longer have time to address. Unfortunately, we do not have the time to address these other issues either.

''Please help this situation by averting additional Medicare pay cuts. The courtesy of a response is appreciated.

''Sincerely, Amy M. Long, M.D. and Daryl L. Figa, M.D.''

Madam Speaker, the courtesy of a response has been requested. What is our answer? Will we abandon those doctors who treat our most needy? Madam Speaker, we must stop, we must stop the 4.2 percent Medicare physician payment cut. Help our doctors help those who need their care the most. Madam Speaker, we must not forget doctors are the linchpin of the Medicare program.

ORTHOREHAB,
Lawrenceville, GA, October 13, 2003.

Hon. PHILIP GINGREY,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GINGREY: Although we continue to see Medicare patients in our practice, we are no longer accepting new Medicare patients for treatment. Further cuts in payments to physicians treating Medicare patients will undoubtly result in a mass exodus of medical providers and secondarily, limit access to medical care for the Medicare recipients.

We have already noticed that many Medicare patients are having difficulties getting routine care. Despite the fact that we are physiatrists treating musculoskeletal problems, we find ourselves ordering routine care to working-up medical problems that their internists or primary care providers no longer have time to address. Unfortunately, we do not have the time to address these other issues either.

Please help this situation by averting additional Medicare pay cuts.

The courtesy of a response is appreciated.

Sincerely,

AMY M. LANG, MD.
DARYL L. FIGA, MD.

The SPEAKER pro tempore (Mrs. MUSGRAVE). Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KUCINICH) is recognized for 5 minutes.

(Mr. KUCINICH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2004

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. ROHRABACHER) is recognized for one half the time until midnight as the designee of the majority leader.

Mr. ROHRABACHER. Madam Speaker, today we have heard a great debate on H.R. 3289, the supplemental concerning Iraq and Afghanistan. This $87 billion supplemental is the largest supplemental in American history, and we should look at it very closely; and we should be considering all portions of this supplemental.

I support the supplemental basically, and I will be voting for it even if my perfecting amendments are rejected. However, I have several suggestions that I will be making tomorrow that I believe are vital to the well-being of the American people.

So tonight I thought I would speak a little bit about the supplemental and about several of the changes that need to be made in order to ensure that the interests of the American people are being met.

First of all, of the $87 billion we are being asked for in this supplemental, $66 billion of it is for our military. And this portion of the supplemental I support. And I will have to suggest that, even as we have heard today, if someone is complaining that there was a lack of body armor, one does not suggest that the way to solve that is not to give them the money that they believe is necessary to complete their mission in Iraq. In fact, being someone who respects our Armed Forces and their leaders and respects the job and the courage it takes to do this job and knowing that I am not an expert on military matters, I would lean towards granting the requests from our military when they claim they need a certain amount of money in order to get their job done and to come home safely.

Certainly, a great deal of our defense resources have been expended in Afghanistan and Iraq; and many of these resources need to be replaced, whether it is fuel or ammunition, whether it is repairing equipment or whatever. We are going to need to spend a certain amount of money just to bring ourselves up to the point where we are not vulnerable because of the commitments that we have made overseas in these last 2 years. If we do not do this, if we do not pay heed to what our military says they need in order to finish their mission successfully and come home safely, either they will not succeed in their mission, more people will be killed, or we will be left vulnerable in years ahead. This makes no sense. So I will give the benefit of the doubt to the military, to Mr. Rumsfeld to try to do his best job and get this operation over in Iraq and bring our troops home safely.

But, fundamentally, many people are talking about and challenging whether or not our military should have been in Iraq in the first place. Let me note that taking care of Saddam Hussein was necessary for America's security, and we should applaud our President for making the tough decisions and taking the heat and putting up with all the backbiting and nit-picking that he has had to go through in order to make sure that our operation, the democratic offensive there in Iraq, to make sure it kept going and was successful. The President has his detractors, and I am not saying he has not made mistakes, but by and large this has been a great President, a historic President who stepped up to the plate and did what was necessary and met the challenge of his day. And let us note that almost very few of the people who are now attacking our President and are attacking the supplemental would advocate that we permit Saddam Hussein to get back into power, and earlier we even heard the proposals that we give this to the United Nations so that Saddam Hussein will not come back into power. Unless we are going to provide leadership, the United Nations is useless, as we know. It is a debating society, and unless America provides the leadership, it will do nothing. So we can be very proud that our President said, I am going to take care of America's security.

Saddam Hussein was a monster. He is a monster. And he was a monstrous threat when he was in power. He was a mass murderer to his own people. He was a torturer, and he was not only a scourge to his own people in his right, but he was a threat when he was in power to the United States of America. He was a threat to our safety because Saddam Hussein hated America, hated every one of us, and would have done us harm had he had the chance because America humiliated him by driving his forces out of Kuwait a decade ago. There is no getting around it.

He had a blood grudge against us. What that means in that part of the world with a man who murders hundreds of thousands of his own people, that means he would not think twice if he had the opportunity to kill Americans in great numbers; and I am very pleased that our President took this tyrant out, eliminated this threat to America, and promoted democracy in Iraq at the same time.

Unfortunately, the reason we had to do that now was because a decade ago President Bush One did not do his job. He did not finish the job he set out to do, and now we have been paying for it. Let us make sure that the decisions we make now with this supplemental and other decisions that we will be making ensure that we will not have to go back to that region. Let us finish the job,

get it done right. Let us not shortchange our people when they ask for their needs in the military, but let us make sure we get the job done so we do not have to go back again.

How do we do that? First and foremost, yes, we back our military because Saddam Hussein was one of the most powerful military forces in that part of the world. In fact, he was the most powerful military force in that part of the world. So we had to use that tool to get him out. But succeeding also requires having the people of Iraq on our side. We need to help them build a democratic society. And I was in the forefront along with the gentleman from California (Mr. COX) in passing the Iraq Liberation Act 5 years ago, and I might note that the State Department under the last administration and under this administration until after September 11 did not expend the funds that were given to them in order to help the people of Iraq provide the democratic alternative to Saddam Hussein that they needed. That was a failure for the last 5 years of our government.

We need now to work with the people of Iraq and build their democratic institutions, and we are succeeding in that. And, yes, there are people who will kill an American soldier, and we are drawing in the al Qaeda and the terrorists from around the world to attack Americans there. But overwhelmingly the people of Iraq are very gleeful that Saddam Hussein is gone and grateful to America for this. And I suggest that in years ahead that once the situation is stabilized and Iraq becomes part of the family of nations, the civilized family of nations, instead of headed by a rogue general like Saddam Hussein, that we will find that the people of Iraq are our best friends. They will be so grateful to us that they will stand beside us in the challenges that we face in the future, and they will tell us how grateful they are and the suffering that they went through under Saddam Hussein.

And already our stand in the Middle East has done so much to increase our prestige. Already, for example, in Iran we see changes, movement for change in Iran, one of the most hardened anti-Western of Islamic societies, and we see that throughout the Islamic world that there is a possibility now because of America's increase in prestige that we can actually step in and do some good and we can be proud that with only a minor loss of civilian life we actually achieved our goal of eliminating Saddam Hussein's monstrous regime.

In fact, more civilians would be dead, Iraqi civilians would be dead today, had we left Saddam Hussein in power and he killed the number of civilians that he was killing, that his rate of massacre of his own people would have continued unabated by American troops. Also, there were limited casualties on our side; and, yes, there are still a few casualties. Every day we hear about that. It is a tragedy. It is part of the price we are paying, but it does not reflect the Iraqi people, but instead is the last gasp of a tyrant and of a dictator of a monstrous regime that we have driven into oblivion and put on the ash heap of history.

So our soldiers can be proud, and we are proud of them. They are risking their lives, and we are going to make sure they can do their job. So I want to make it very clear that I support those elements in the bill that will assist our military in that job; and as I say, America is safer because of what we have done. America will always be safer when we are championing the cause of liberty and justice.

All too long in the Cold War, we found ourselves supporting dictators and tyrants, and there has been talk about what we did for Saddam Hussein himself at a time when he was in a conflict with Iranians. And, yes, people did help. I might add that the guaranteed loans that my friend referred to earlier happened in 1989 after Ronald Reagan had left the White House. I know that because it was my first year here, and one of the first things I did on the floor of this House was to pass out leaflets to Members as they came in through that door asking them not to vote for the loan guarantees to Saddam Hussein. These were loan guarantees that were going to permit him to buy American grain, which meant we were paying for his food while he used his money to pay for his army. It was a horrible mistake. It was a horrible thing to do. Anytime we give credit to dictators, it is wrong. When we helped support people like Samosa and these other dictators around the world, it was wrong. What we need to do now to be secure is to promote freedom.

Mr. DELAHUNT. Madam Speaker, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Madam Speaker, I thank the gentleman for yielding. And I know he did serve in the course of the Reagan Presidency. I do believe, however, that one of the gravest mistakes that was made during the course of the 1980s right up until 1990 was this unholy, if you will, relationship that was formed with Saddam Hussein.

□ 2245

As the gentleman knows, it is the current Secretary of Defense, Mr. Rumsfeld, who was the special envoy to Saddam Hussein.

In 1982, and I have this discussion because I think it is important that the American people pay attention, because we all have to learn from errors that were made in the past. In 1982, Saddam Hussein was removed from the terrorist list. In 1986, the United States installed an embassy in Baghdad, and, over the course of time, right up until the invasion by Saddam Hussein in Kuwait, but particularly during the Iraq-Iran war, we were providing intelligence, we were selling, or we allowed to be sold, dual-use technology, and I have a long list and I would commend my friend to go to a Congressional Research Service publication dated June 22, 1992.

Mr. ROHRABACHER. If I could reclaim my time, let me just note that at times during World War II, we were known to send weapons to Joseph Stalin in order to fight Adolph Hitler, and during the Cold War we at times backed dictators like Samoza and some nefarious characters. And, I might add, we did not start winning the Cold War until Ronald Reagan said, and let me stress this, when he came to power he said, We are not just against communism anymore, we are for democracy. That is a very important part of how we won the Cold War.

During that time period, Iran was considered a terrible threat, engaged with terrorist activities, murdering Americans, et cetera. We all remember that. I will admit probably the Reagan Administration, trying to balance off that Iranian threat, did some of these things that the gentleman is referring to.

Mr. DELAHUNT. If the gentleman will yield for a moment, I want to be clear. It was after the Iran-Iraq war had concluded, and it was not President Reagan, but it was President Bush that denied this Congress by threat of veto to impose sanctions on Iraq for the atrocities that were committed in Halabja, the gassing of some 5,000 Kurdish Iraqis by Saddam Hussein.

The lesson, I would respectfully submit, that we should learn is that we have got to be careful with whom we lie and forge an alliance.

Mr. ROHRABACHER. That is absolutely correct, and I am very proud that in the United States history we have been pragmatic at times, but all of our pragmatism has been balanced with a love of liberty and justice. And there have been debates on this floor, unlike in other countries where they are backing dictators, that it does not make the debate on the floor. And we can be very proud of our country, that we did save the world from the Nazis and the Japanese militarists.

I am very proud of my father's generation. My father has passed away now. He was in the Pacific war. So many of these people did so much back in those days. The Japanese militarists and Nazis would have dominated this planet without them stepping forward.

I am also very proud of what we did during the Cold War. It was a very perilous moment for humankind. We stepped forward. It was Americans that stepped into the breach. I might add, our allies nitpicked and backbit us every moment, the French and Germans, every time we tried to make a stand against the communists during that time period.

But, today, who would have guessed after the Cold War that we would face a new major threat, a massive threat? On September 11, that threat became evident to all of us. That threat, where terrorists overseas, in a faraway country, their little tyranny, the Taliban

tyranny in Afghanistan, was able to be used as a base of operations, their country was used as a base of operations to slaughter 3,000 Americans in the worst terrorist attack in the history of our country. This was the greatest slaughter of American civilians in the history of our country.

This brought us to the reality of another great threat that we face. I would like to say that I believe President Bush has stepped up to this challenge. In Afghanistan, I think we did a terrific job. This bill does put another $1.5 billion in for reconstruction, which I believe should have happened immediately after the Taliban were thrown out, so we have not been exactly quick on this. We should have been quicker, no doubt.

But we have got the terrorists on the run. Their home base has been eliminated. The Taliban regime, the ones that are not dead are running, along with bin Laden and their gang, looking over their shoulders. Otherwise, we would have had very many more terrorist acts in the United States.

We arrested this guy in Thailand. He is the one who conducted the bombing of this discotheque in Indonesia, murdering a couple of hundred people, mostly surfers, one from my district, a guy named Webby Webster, who went down there to go surfing.

These terrorists, radical Islamists, hate America's way of life. We must do our best to reach out to the Muslim world, to the moderate Muslims, to those people who would believe in democracy and want to be part of the Western family of nations. We must do so, and we must start right here in Iraq. This is the best place to turn around the entire Muslim world. Congress is being asked now.

So I am supporting what we have done. But there is something in this bill which I find myself in opposition to, and I think the American people need to pay attention, and I would like to call this to the attention of my colleagues. I believe it is a vitally important issue which will be decided tomorrow.

Of this $87 billion supplemental, Congress is being asked to approve $18.6 billion of it as a reconstruction package for Iraq. This American aid will be used, to some degree, to rebuild what was damaged or destroyed in our military operations, but, to a greater degree, it will be used to upgrade, refurbish and to make operational an Iraqi infrastructure that was neglected and allowed to degenerate under decades of Saddam Hussein's tyrannical dictatorship.

The reconstruction package includes billions of dollars to be taken from the pockets of the American people to upgrade and refurbish Iraq's electric and water systems, as well as repairing and upgrading Iraq's oil industry, among many other projects, I might add.

Well, these costly improvements, for example, there are clinics, and there are cranes that we are going to buy, and airports and things that will help Iraq in the future prosper, these costly improvements are necessary just to keep that society functioning, because it is so low at this point. But it will also lay the foundation for the future, a future of stability, and, yes, we can predict a future of prosperity in Iraq.

Should we help now? The answer is yes. We bought onto that role when we sent our troops into that country. The administration is asking, again, for $66 billion for our military operations in Iraq and Afghanistan. I have no problem with that, because we do need to finish the job and see our troops come home safely. Again, I will not second-guess or undercut our military about what form the military spending will take.

The question facing us, however, is what form the $18.6 billion reconstruction program will take. Should it be in the form of a grant, a giveaway, something that will never be repaid, or should it be in the form of loans and investments in Iraq?

Iraq's infrastructure challenges can be fixed and paid for by Iraqi consumers and producers through the sale of oil and through fees on the purchase of electricity and water and oil and gas. So the Iraqi people can pay for these things over a 20-year period, just as any similar effort to upgrade or refurbish systems in our country, whatever systems they are, you have the capital costs, and they are made part of the bill that the consumer pays, and then that is paid off over a 20-year period.

Well, why can that same thing not work for the Iraqi people, especially when considering the Iraqi people in the future may be very prosperous?

Our level of Federal Government deficit spending this year will be at least $400 billion. How can we borrow, which is being proposed to us, that we take $18 billion and give it as loans? We are borrowing that because we are in deficit. How can we borrow $18.6 billion and give it to the people of Iraq? We are being told we want to give it to them because we cannot expect them to accept more debt.

Well, our people will have to pay it back. Our people, in time, will have to pay back that debt. What we are doing is borrowing money to give to the people of Iraq so that our children can pay back that debt.

Well, the Iraqi people should pay that back. Iraq has the third largest oil reserves in the world. That is what we know today. They are just behind Saudi Arabia and Canada. But, guess what? Once a full and honest assessment is made, we may find that Iraq is the world's number one oil producer. That is it. It may end up that 10 years from now Iraq is the biggest oil producer in the world.

Iraq today has 112 billion barrels of proven oil reserves, but only 10 percent of the country has been explored. Only 17 percent of the country's 80 oil fields have been developed. We are talking about what may well be the richest country in the world.

The only reason it is poor today is because it has been exploited and its people have been beaten down and its economy robbed by this monster, Saddam Hussein. But if they are potentially one of the richest countries in the world, why must we give away our limited resources, and give it away just as a grant, as a giveaway, never to be repaid? Why must our people pay for everything and never expect to get paid back? Why must the American people have to shell out another $18.6 billion, to be taken from their pockets or to be taken from the money needed to run our schools or our hospitals or our transportation systems? Why? Why must we bear the burden, the whole burden?

The answer we are being given by global planners over at the State Department suggests they are not watching out for the interests of the American people when they propose this plan, but, instead, they are watching out for what is best for the world. Well, who is supposed to watch out for the American people, if our government does not watch out for them?

Unfortunately, the motive behind the strategy we have been presented of grants instead of loans does not appear to be based on a humanitarian concern for the long-suffering people of Iraq. That might be a little understandable, if the planners over at the State Department were basing it on that, because their hearts were touched. No, that would be admirable. It might be wrong-headed, but it would be admirable. It might be, for example, misguided charity.

But, no, this is not a rational benevolence. That is not the driving force behind this $18.6 billion. The Americans are being told that we must give that as a gift, rather than expect any payback. Of course, the country we are giving it to is potentially a very, very wealthy country.

No, what is motivating this demand, and we have heard it in the debate tonight, that it be a gift instead of a loan, this $18 billion reconstruction plan, is concern for the powerful international banking and financial interests. They are the driving force behind the demand that Americans give the gift of $18 billion for Iraqi reconstruction, rather than loan it to them. What is happening here is that a loan would increase the level of debt in Iraq.

□ 2300

We are told that Iraq already owes about $120 billion in foreign debt; and if we add another $18.6 billion to that, it just might be the straw that breaks the camel's back. And on this floor tonight we have heard that argued: oh, this is what happened to Germany in World War I, and this is what leads to further conflict, in that we put this debt, we give them such a burden of debt that the society breaks down; and then they say, nobody is going to get paid back

because the economy will fail, along with any hopes of recovery or any hopes of stability because of too much debt on Iraq. Well, that is what we are being told. All I have to say is, that is total, absolute nonsense. That is limiting our options and building a straw man and destroying a straw man.

The American people have already carried a far too heavy burden. They have carried the load, the full load for peace and stability for almost the entire planet. Now we are being asked to cough up another $18.6 billion, never to be repaid back. And why are we being asked? We have to give it away? Why is that? Because if we make it a loan, then it might threaten the viability of the loans that huge German, French, and Belgian banks have made to Saddam Hussein's regime. That is it. Got it?

Now, do we know why everybody is saying the American people should not be paid back? Because if we make it a loan, those $120 billion that were loaned to Saddam Hussein might, in some way, be put in jeopardy. We are asking the American people to put out $20 billion to protect loans made by international bankers in Germany and France to Saddam Hussein's dictatorship? No. And Saddam Hussein, of course, was given credit lines by people like the Saudis and others in the Persian Gulf; and when he got these loans and this credit that we are talking about, he did not build bridges; he did not feed babies. He bought sophisticated weapons and opulent palaces that were complete with jacuzzis and torture chambers. That is what he did with those loans. The people of Iraq never benefited from those loans. He let his own country's infrastructure rot even though these loans were providing him billions of dollars along with Iraq's oil money.

Now the American people are told we must donate $18.6 billion because to loan it, coupled with Saddam Hussein's debt, it would be too heavy a burden for the Iraqi people to climb out from under, and it would hurt the pillars of international finance.

Well, the solution, I might add, again, there is another solution. We are not just talking about either a loan in and of itself and not changing anything else, or a gift. No, if we make a loan, it has to be coupled with a change in policy. The solution is not another $18.6 billion to be taken from the hides of the American people. The solution is a repudiation of the Iraqi dictator's $120 billion debt.

The Europeans, who loaned Saddam Hussein billions which he used for weapons and palaces, should try to find Saddam Hussein and collect from him if they want their money back. We are not the world's repo man or collection officer. The American position on the debt left by Saddam Hussein should be based on the principle that no people who rid themselves of a tyrant should be expected to pay the debts incurred by that dictator. Any financial institution or country that loans money or provides credit to a gangster regime like that of Saddam Hussein's should do so at their own risk, and they should certainly not expect America's taxpayers to guarantee their amoral transactions.

Now, we have heard on this floor that none of this money is going to go to repay those loans. Yes, none of that money in particular. But by not making this a loan, by never getting it back, by just giving away $20 billion which our children will have to repay, because we are borrowing that, what that means is we are doing that in order to secure those loans so those big German and French and Saudi moneyed interests get paid the loans they made to Saddam Hussein.

In summary, the insistence that we give, rather than loan, Iraq this $18.6 billion is really aimed at protecting these financial institutions that back Saddam Hussein's bloody regime. The debt left by Saddam Hussein's dictatorship should be repudiated. It should be wiped away. We have heard earlier today talk about the Marshall Plan. We have heard about, oh, we have to pass this as a gift, because other donor countries will not help in the weeks ahead.

Well, first of all, look at the Marshall Plan argument. What did we do to make sure that Germany was able to prosper? The first thing we said in the Marshall Plan was that the German Government is not going to be responsible for the debts of the Hitler regime. Now, the reparations, yes. That is when the Nazis did things and that government had to pay reparations, but not the debts, not the people who just loaned money to the Hitler regime. All of those debts were forgiven.

So here we have the Marshall Plan argument, and it just does not work here.

The institutions, the institutions and the governments that hold the debt from Saddam's regime cannot be permitted to profit from these loans to this gangster. And when we go to that conference and we are asking, the President is saying, oh, we have to make it a grant instead of a loan because these other people then will not donate when we go to the donors conference. Look, my colleagues just noted, I worked in the White House for 7 years. This is ridiculous.

First of all, how much money are we expecting to get from those people? I will guesstimate that it will be a very small amount. If there is $10 billion, I will be shocked, and shocked if the $10 billion is ever donated. But there is nothing that we can do at that donors conference; there is no amount of money that they can give that will be more beneficial to the economy of the Iraqi people than the repudiation of the debt that Saddam Hussein accumulated to those very same countries' banks.

Mr. DELAHUNT. Madam Speaker, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Madam Speaker, I think that is an excellent point that the gentleman makes, because we have heard a lot about the donors conference, and the gentleman uses a figure of $10 billion, which I would suggest is optimistic.

Mr. ROHRABACHER. Really high.

Mr. DELAHUNT. If he is unaware, he should know that the European Commission, which is the executive arm of the European Union, has already made its commitment. Now, obviously, individual countries will be asked to come and contribute. But does the gentleman know the figure that the European Union's executive arm, the European Commission, has made?

Mr. ROHRABACHER. No. What is that?

Mr. DELAHUNT. Madam Speaker, $230 million. So again, I do not think that we are going to realistically expect that a figure of $10 billion, which has been circulated about, is realistic. And I cannot agree with the gentleman more. Not only have we carried the burden of military presence in Iraq, but at this point in time, to just simply give the money away, without having it collateralized with future oil revenue, it just simply is unfair to the American taxpayer and to the American people. I thank the gentleman for yielding.

Mr. ROHRABACHER. Madam Speaker, I think the gentleman's information puts to bed the idea that we have to spend $18.6 billion and give it as a gift in order to make sure that the Europeans at this donors conference cough up the money. Well, there is very little chance that they will. But again, no matter how much money they give, in no way would it be as beneficial as if we had a policy that the debt owed or the debt accumulated by Saddam Hussein and spent by Saddam Hussein is no longer the responsibility of the Iraqi people. That would free the Iraqi people from a burden that will bend them over and break their economy.

□ 2310

Mr. DELAHUNT. Madam Speaker, if the gentleman would yield for just a moment. I seek information. But what has gone unremarked during the course of this debate is that the American taxpayer has already, through our government, negotiated a loan to the government of Turkey for $8.5 billion. That is not part of this supplemental.

Now, we are loaning American dollars, hard earned American dollars, to Turkey for $8.5 billion. We are taking dollars from Americans and loaning them to Turkey and, of course, American taxpayers will be asked to pay the interest on that $8.5 million.

Mr. ROHRABACHER. Madam Speaker, reclaiming my time, we will be paying the interest on that for 20 years and then our children, our young children today will have to pay those debts off in the future.

Again, this comes back to a basic argument we will have on the floor tomorrow, and this is one of the center

core debates we will have tomorrow, about fiscal responsibility and what is going on.

I support the President's war efforts. I have been a point person on them. No one can doubt that in this body. I support the Iraqi war efforts, supported what we did in Afghanistan. I am proud of our President. But we must stand up for fiscal responsibility, especially when it comes to this part of the package I think it is one-eighth of the package or something, one-sixth of the package, which deals specifically with Iraqi reconstruction. Should it be a loan? Should we expect that when Iraq gets back on its feet, starts producing its oil, which it may be the word's biggest oil producer in years to come, should we expect them to pay it back as we continue to prosper or should our children pay for that money because we had to borrow, make a greater debt to get the money there in the first place?

Well, let me tell you what happened in the past when we followed the same course. We pressured the democratic governments that replaced the communist dictatorships in Russia and Eastern Europe to pay their debts of oppressors of the preceding communist regimes. What did that do when we forced them to pay for that? What happened was a decade of chaos, a decade of uncertainty, a decade where there was very little growth, and there was actual decline instead of what we could have had in Eastern Europe and Russia which could have been an era of progress, of freeing, of uplifting. But instead we wanted those people to pay for the debts.

Well, all of this was done. Why? Here we were risking the democratic development of Russia itself and bringing us out of the Cold War and into a new world in order to protect powerful financial interests who had done business with these bloody dictatorships. Mainly, yes, huge European banks who had loaned money to Russia and to Eastern European countries. And we risked instability and we risked the whole future of development of the post-Cold War world in order to make sure that their loans to the dictatorships were honored. We cannot do that now. We cannot base our policy on keeping the loans to Saddam Hussein's loans viable for these nutty financiers from Saudi Arabia and from French and German banks.

We are here to do right by the people of Iraq. And we can do that. What is right is for us to let them wipe the slate clean. Let them repudiate these debts. As I say, no amount of money is going to be donated at this conference that will make up, that could be anywhere as beneficial as just repudiating the Saddam Hussein debt.

And let us renew, let us start anew, let them start anew as well. Let us offer money for reconstruction as a loan. If they can or cannot repay it in the future if something happens, we have not lost anything if we put it as a loan. Because if we give it as a grant, we are certainly not going to get anything back.

Now, tomorrow I am going to offer two amendments on the Iraqi reconstruction. And my first amendment will suggest that the $18.6 billion in Iraqi reconstruction, that part of the supplemental should be made only as a loan. Now, it may well be ruled out of order. It may be said that it is not germane because you cannot legislate on an appropriations bill. And we are talking about an appropriations bill.

If my amendment there is ruled out of order, I will then offer another amendment. And that amendment will be to cut the $18.6 billion in reconstruction money from that bill. And I can assure my Democratic colleagues and my Republican colleagues, my friends on both sides of the aisle, that if we stand up and do what is right and insist that they not spend the money unless it is a loan, I can guarantee them the next day the administration will be here, will be here with a loan proposal.

And, so, the vote on the Rohrabacher amendment tomorrow, and that is not a cutting amendment but it is an insistence that it be a loan instead of a give-away, the people of the United States need to know how we are voting, they need to contact their Member of Congress to say to vote for the Rohrabacher amendment making it a loan, and cutting it if it is not. Because it will come back within a few days as a loan.

And I would hope that my colleagues on the other side of the aisle will be able to support that. We can stand by the people of Iraq, but we do not have to stand on the face of the American taxpayer to do it.

IRAQ WATCH

The SPEAKER pro tempore (Mrs. MUSGRAVE). Under the Speaker's announced policy of January 7, 2003, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for the remaining time until midnight as the designee of the minority leader.

Mr. DELAHUNT. Madam Speaker, before the gentleman from California (Mr. ROHRABACHER) leaves, I want to convey to him my own confidence that there will be many Democrats, his colleagues on this side of the aisle, that will support the common sense amendment, the Rohrabacher amendment, rather than a give-away of American tax dollars.

There has to be an insistence that the funding provided in terms of the reconstruction phase is money that will be paid back with interest to the American people. Because he might be unaware, but this supplemental that is before us now, this $87 billion is not $87 billion. That is the principal. $87 billion. And it has been calculated by respected authorities, it will cost each year the American taxpayer some $4 billion in interest. So add that on, add that on to the $87 billion that we will be voting on tomorrow.

Now, the ranking member of the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), has done some work. Just that $4 billion, not the $87 billion that represents the principal, that means that, as I said, on a permanent basis we will be spending over $4 billion a year just to cover the interest payments that this supplemental will be required of us and future generations.

Mr. ROHRABACHER. Madam Speaker, would the gentleman yield for a moment? I appreciate the expressions of support. And if we can help improve this even a little bit by that portion of the bill dealing with reconstruction, I think that it will at least make these a little bit better.

I would hope that those people who are listening or reading this in the newspaper would be calling their Congressman and let the people know that the Rohrabacher amendment is something that we know is in the deep interest of the American people and that we need to stand up for the American people sometimes.

□ 2320

Mr. DELAHUNT. Madam Speaker, I think it is so important to understand that it has bipartisan support, and that we are working here tonight in a bipartisan fashion to represent the best interests of the American people.

The American people, as the gentleman has enumerated during the course of his remarks these past 45 minutes, are a generous people. But there comes a point in time, particularly as we look at a $500 billion deficit, that we have to say, enough is enough. Because generations of Americans will find that their economy will suffer because we know that the deficit and the debt becomes a drag on the economy. If there should be a recovery that is sustained, I fear that it will be short term.

I thank the gentleman and look forward to working with him tomorrow.

That $4 billion a year, just on the interest payments, to put it in perspective, it is more than we currently spend each year on research for Alzheimer's disease, autism, breast cancer, ovarian cancer, prostate cancer, diabetes, Parkinson's disease, Lou Gehrig's disease, multiple sclerosis, and all forms of kidney diseases combined. Combined.

Where are our priorities? Where are our interests? What about those Americans that suffer from these dreadful, in some cases deadly, diseases?

Madam Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Madam Speaker, I think it is appropriate that the gentleman points out the neglect of the needs that are right here at home and the fact that the President frequently talks about forcing Congress to restrain spending, but yet he is so willing to ask us to spend so much in Iraq. And the gentleman mentioned all of these

dreaded diseases, and that is appropriate; but I also think it is appropriate for American people to understand that when the VA/HUD appropriations bill was dealt with in this Chamber just a couple of weeks ago, that when we passed that bill, VA health care was underfunded by $1.8 billion.

Now, think of that. Compare underfunding VA health care by $1.8 billion because the President and the leadership of this House says, well, we just simply cannot afford to provide this level of health care for our veterans, less than $2 billion. And yet they are so willing to come to this Chamber and to ask us to spend $87 billion in addition to the $65 billion that we have already appropriated for Iraq. That just seems incongruous to me that we would have that kind of leadership.

Now, this past week I was in my home town of Portsmouth, Ohio, and I was there with the National Commanders of the AMVETS at an AMVETS meeting hall; and I was talking with many of those veterans, and I want to state that they were upset. They talk about the underfunding of VA health care; they talk about the fact that the administration is trying to increase the cost of prescription drugs for their medicines; that the President has asked that they pay a $250 annual enrollment fee to participate in the VA health care system; that many veterans, some of them combat decorated veterans who are being totally excluded from VA health care because they are being considered higher income and they can earn as little as $24,000 a year and be considered higher income.

And yet we nickel and dime the veteran and are so willing to ask for huge sums of money to build roads and bridges and schools and hospitals and prisons and medical clinics and to establish phone systems and cell phone capability in Iraq, and we are shortchanging the American people.

We are especially shortchanging our veterans. That just simply does not make sense to me.

Mr. DELAHUNT. Madam Speaker, I want to concur with my friend from Ohio (Mr. STRICKLAND). I think the most egregious aspect of this war supplemental submission is the fact that American veterans have been left out. The gentleman indicated that not only are deductibles being raised, not only are co-payments being insisted upon for prescription drugs, but that a substantial number of veterans are now so-called priority 8 veterans, which means that they make over $24,000 a year and are denied access to the veterans health care system. That is unconscionable.

Mr. STRICKLAND. Madam Speaker, it puzzles me. I do not understand why the President and the leadership in this House do not just solve this problem. It is so easy for them to ask for $87 billion for Iraq; it should be a no-brainer, quite frankly. They should decide tomorrow that they are going to add this $1.8 billion. If we had an additional $1.8 billion in the VA budget, we would not have to increase co-payments on drugs. We would not have to impose an enrollment fee. We would not have to exclude priority 8 veterans from care. We would not have to do any of these things if we had sufficient funding for VA health care.

How can those who are so willing to boast of their support for our military be so callous, so unfeeling when it comes to the men and the women who have fought our past wars, who have borne the battle and who are now in need? It just puzzles me that why is it so easy to ask for $87 billion on top of the $65 billion that has already been appropriated, and yet they nickel and dime the veterans and refuse to add the $1.8 billion.

I want to state, and the gentleman is aware of this, I am sure, the veterans groups in this country know what is going on. The DAV, the Paralyzed Veterans, the American Legion, the Vietnam Vets, the AMVETS, all of these vets. I have met with them. I am on the Committee on Veterans' Affairs. They have been before our committee. Every last one of these veterans organizations are asking that we restore $1.8 billion.

It is unconscionable, it is unconscionable that those of us who serve in this House would refuse to do what needs to be done for veterans health care and be so willing to just go into the pockets of the American taxpayer and take out $87 billion and use it for Iraq. It just does not make sense to me.

Mr. DELAHUNT. If we could just juxtapose these two pictures. As these young men and women get on an American naval vessel and go to war, the bands are playing, there is confetti, there are waves, there is our flag, there is our political leadership applauding them; and yet when they return and assume that honored title ''veteran,'' we disrespect them, dishonor them; and we have broken our promises to them again and again and again.

The most dishonored, disrespected group who deserves our ultimate gratitude in this country is the American veteran. And as the gentleman has so well put it, we are ignoring them. I do not know if anyone who has this information could vote for this supplemental, including this gift to Iraq, and not insist that the American veterans' health needs be met.

□ 2330

My colleague mentioned earlier about deductibles. I know the gentleman knows because of his service on the Committee on Veterans Affairs, and because of his work with veterans all over this country, that there is a long waiting list to get an appointment in veterans health care centers, whether it be primary care or even veterans hospitals.

Mr. STRICKLAND. Madam Speaker, if the gentleman would yield, it is not only veterans who are being neglected, but those who support this $87 billion supplemental and the President, this administration, they are trying to say to us, if you oppose this, then you are not supporting our troops, and I say balderdash. There is absolutely no truth to that.

The fact is that right now, right now this very night, as my colleague and I are standing here in this chamber of the House of Representatives, there are young soldiers in Iraq who are in danger because they do not have adequate protective vests. It is estimated that about 44,000 American soldiers this very moment are in Iraq, and they have Vietnam-era vests that cannot protect them from bullets. Why is that? It is because this Pentagon, this administration did not make it a priority.

Mr. DELAHUNT. The civilian leadership.

Mr. STRICKLAND. The civilian leadership, not the military. It is the civilian leadership, and we had months to prepare for this war. There were months during which we knew that war was likely to occur before the actual conflict started.

General Myers has said recently, wait a minute, this is not a matter of money, this is a matter of production. We just cannot simply get these vests produced rapidly enough, and so our soldiers will not receive these until December, but he is saying that after they were exposed. If the public had not achieved knowledge that these soldiers were being unprotected, they would not be trying to get these vests made for the soldiers. It was only after they were exposed.

In May, I received a letter from a young soldier saying that I and all of my men have the vests that will not stop bullets, and we have had stories of moms and dads taking money out of their own pockets and buying these protective equipment and sending them to Iraq and young soldiers literally duct taping them to their bodies because they do not have the proper vests to hold these ceramic inserts. That is quite shameful.

I do not want anyone in this administration lecturing me about my concern for our troops. I would spend the last dollar available to this government to protect our soldiers, but I will not support a policy that is flawed.

I see we have been joined by the gentleman from Washington State (Mr. INSLEE) as well.

Mr. DELAHUNT. Another member of the Iraq Watch. We are usually led by the gentleman from Pennsylvania (Mr. HOEFFEL), but I am sure something has come up so we have a truncated version tonight, but I want to welcome the gentleman from Washington (Mr. INSLEE).

Before I yield to him, I want my colleague to know that yesterday I met with families of a detachment of the Massachusetts National Guard who explained to me the concern that they

have for their husbands and their sons and daughters because of exactly what my colleague is saying. One mother went out and bought a Kevlar body armor piece for $900. I would think that anyone hearing us tonight is just simply incredulous that this is the case, and then had to pay, had to pay to have it shipped through the post office some $500, and my colleague is right. Do not ever tell anyone in this House that we do not support the troops.

Mr. STRICKLAND. Madam Speaker, if my friend would yield for a moment, we all support the troops. There is not a Member of this chamber that does not care about the young Americans, and some of them are middle-aged because they are reservists and National Guard. They are moms and dads and people who are serving us this very night, not only in Iraq but in Afghanistan and in other dangerous places around this world. We honor them. We love them for their service to this great country, but what we are talking about here is a policy that is flawed, and we are talking about the need to bring some common sense and sanity to the way we support our troops and the way we spend the American tax dollar.

Mr. DELAHUNT. When they come home, to honor them and to respect them and provide them with adequate health care coverage, and they are not receiving it now.

Let me suggest, those that speak of patriotism and indulge in rhetoric about America, they are not serving America, and they, in my opinion, are unpatriotic until they come before this House with the appropriate resources to fully fund veterans health care in America.

Mr. INSLEE. Madam Speaker, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Washington.

Mr. INSLEE. Madam Speaker, I appreciate that segue and why I came to the floor tonight to talk about the sad fact that we, and I am from the State of Washington, are hearing story after story after story about how our troops are not getting the tools they need to do the job and how their families are not receiving the benefits they need to keep the home fires burning while particularly these reservists and Guard men and women are in these extended duties, and that is what I wanted to focus on.

Every Member of Congress I think has heard from mothers and fathers of troops. I met with a group of reservists, wives and mothers and fathers and husbands last weekend, and the story I heard about was of a mother who is a nurse who had to go out and herself buy medicine for the troops that her son, who is a medic in the Army, the Army simply was not providing. She had to actually ship over medicine disguised as brownies or food or something to her troops to get this kind of stuff to them. We heard story after story of that.

In a grander scale, on a macro scale, as the gentleman from Massachusetts (Mr. DELAHUNT) indicated, we need to have a significant restructuring to provide the health care and benefits. We are going to have to improve or we are not going to have a reserve force. We are not going to have a meaningful National Guard force because the families that I have been talking to are going to be making some different career decisions if we do not start to cut the mustard.

Now, as a result of that, I offered an amendment today in the Committee on Rules to significantly improve the health care situation for reservists so that they could buy into TRICARE or Uncle Sam would essentially continue their employer-paid programs for at least 6 months after their deployment. This would be a significant benefit to families in the reserve because they will say at least we are going to be able to continue our existing level of coverage for the whole family during these extended family deployments. It is not just a year anymore. It is 18 months for a lot of these folks because they changed the rules on what is an in-country deployment.

This is a Democrat offering this amendment. We are going to hear a lot of people suggesting we are not supporting the troops because we are raising issues about this policy, but this amendment was not allowed for a vote on the floor here. I offered an amendment that would allow us to vote on this floor to give reservists better health care, and the Republican majority would not allow even a vote on this effort to improve reservists' health care, and I think that is a failure not only for the families which have a big dog in this hunt but in our military security force structure. We are going to have to do these kinds of things or we are just going to have people leaving the reserves and the National Guard in significant numbers.

The second issue, I will be joining the gentleman from Michigan (Mr. STUPAK) who will be offering an amendment to take a little bit of money out of the Iraq reconstruction fund and put it where it belongs, which is a pay increase for these folks fighting this battle, and this is appropriate given the extraordinary nature of this extended deployment, and it should have been done in the first instance. I hope the majority party will join us in improving the lot of our soldiers on the line.

The third issue, and I just want to mention this briefly before I yield, there is a huge irresponsibility in this plan that the President has presented. The irresponsibility is while these soldiers are risking all in Iraq, who are sacrificing their time, their limbs, their lives, the President of the United States has not asked folks to sacrifice a little bit to pay for this war and instead wants people on Social Security, essentially in the trust fund, to pay because every single last dollar of this money he is taking out of the Social Security trust fund to pay for this war, instead of asking for a small sacrifice to perhaps delay or defer the tax cuts for people earning over $300,000.

□ 2340

Now, is that too much sacrifice to ask, people earning $300,000, when our kids and our husbands and our wives are serving in Iraq?

Mr. STRICKLAND. Madam Speaker, if my friend would yield, the President talks about the fact that we are not going to cut and run, that we are going to stand strong and that we are going to sacrifice to pursue this war on terror. The only people sacrificing, with due respect to the President, the only people sacrificing are the soldiers in Iraq and the loved ones back here at home, and the children in our country who are being given the bill to pay for all of this. Those are the people who are sacrificing.

The President is not sacrificing. I am not sacrificing. No Member of this House of Representatives is sacrificing. No Senator is sacrificing. We are continuing to draw our salaries and enjoying whatever benefits are coming to us. We are not sacrificing, but we are using Social Security trust fund monies. We are increasing the debt. And that debt has to be paid sometime in the future, and the children in this country are being given this huge burden.

Now, the President says he wants to build schools in Iraq. I care about children everywhere, but if we are going to build schools in Iraq, let us pay for those schools now. He wants to build schools in Iraq, and he wants to give the bill to America's kids.

He wants to build hospitals in Iraq, and he wants America's children to pay for it sometime in the future. They want to build two big prisons in Iraq, two 4,000-bed prisons. They are asking for $410 million to build these two prisons, and we could build those two prisons in this country for an estimated $113 million.

So with all due respect to the President, when he talks about our willingness to sacrifice, he is not asking anyone to sacrifice except the kids, the old people who depend upon Social Security, and the soldiers and their families. He is not asking Members of Congress to sacrifice. He is not asking his rich wealthy friends to sacrifice.

Mr. DELAHUNT. And, Madam Speaker, he is certainly not asking the lobbyists on K Street to sacrifice. He is certainly not asking a select group of businesses in this country to sacrifice.

I found it particularly interesting that back on September 30, in an article in The Washington Post, it was announced that a group of businessmen, linked by their close ties to President Bush, his family and his administration, had set up a consulting firm to advise companies that want to do business in Iraq, including those seeking pieces of taxpayer-financed reconstruction projects.

I am sure my colleagues are aware, but I guess this firm is headed by Joe

Albaugh, who happened to be Mr. Bush's campaign manager back in the year 2000 and served as the head of the Federal Emergency Management Agency until last March. So one can only imagine that the $87 billion is not going to create jobs for Americans.

And I think our friend, the gentleman from California (Mr. ROHRABACHER), made a very good point. It is not even going to create jobs for Iraqis. It is going to create jobs that will benefit a very select few in our country.

Mr. STRICKLAND. Madam Speaker, if my friend will yield once again, the gentleman from California (Mr. ROHRABACHER), who is a Republican and a strong supporter of the President usually, is going to offer an amendment tomorrow to have at least a large portion of this $87 billion given in loans instead of grants. Now, the President says, oh, we cannot do that because we cannot put this great debt burden on the Iraqi people.

Mr. DELAHUNT. But we can put it on the American people.

Mr. STRICKLAND. But the President is putting it on America's children. I mean it is a puzzle to me. This is strange thinking, that we are willing to pile debt upon America's kids and we are not willing to expect Iraq, with these huge oil reserves, to bear some of the burden.

And, remember, Deputy Secretary of Defense Wolfowitz told the Senate in March of this year that Iraq was such a wealthy country that they would be able to finance, in most part, their entire reconstruction. He said that in March.

Mr. DELAHUNT. What has happened since March? Maybe one of my colleagues can inform us.

Mr. INSLEE. Well, Madam Speaker, what has happened is that many misstatements have been laid bare to the American people, and that is why the American people are demanding Congress ask the questions we are constitutionally obligated to ask about this program. And we will not be dissuaded by those who will simply try to demagogue this issue by saying that we are not supporting the troops. We are the ones who want to improve the troops' pay grades; we are the ones who want to make sure that, in fact, this gets paid.

I want to make one point also. This debate tomorrow is not going to be about whether or not we continue to fulfill a responsibility in Iraq, because there is bipartisan consensus that we have some responsibility in Iraq; and anybody who says otherwise, well, that is just a red herring. But what we are saying is, let us not repeat the errors that a Democratic President made in the 1960s of deciding to try to fight a war on the cheap and saying we can have both guns and butter and create these enormous deficits.

Now, it is the same as what happened in the 1960s here. This is going to create enormous deficits. There is a little difference, though. At least in the 1960s it was our butter. Now it is going to be the Iraqis' butter that Americans are going into debt to pay. Now, maybe some of that has to happen by the vicissitudes of fate we find ourselves in, but we should not repeat the mistake of the 1960s that ended up with a horrendous deficit going through the roof in the 1970s.

Mr. STRICKLAND. Madam speaker, if my colleague will yield, someone said that this is not a debate about guns and butter; it is a debate between our butter and their butter. And there is some truth to that. But on a very serious note, I said something in the Chamber earlier this evening, and I want to repeat it.

I deeply resent, I deeply resent those who would use our troops as leverage, those who would use our troops as hostages in order to extract from this Congress an agreement to spend $87 billion in Iraq. All of us support our troops, but this President and this leadership will not allow us to have separate votes on the money to support our troops and the money to build Iraq and money that could and probably will be used in a non-bid contracting-kind of environment.

But it really offends me to imply that because we do not want to just give the President $87 billion to spend basically as he wants to spend it, that somehow we are not being supportive of our troops. I find that a painful thing to have to cope with.

Mr. DELAHUNT. And, Madam Speaker, I think that is very important to understand. And for those that may be listening to us at this late hour, the vote tomorrow, or maybe early on Friday morning, will be on the entire package. Many of us have pressed the administration and the Republican leadership to allow separate votes. But as the gentleman from Ohio indicates, they refuse to do it because they know that, yes, the body would support the needs of American troops; and, therefore, they feel that the other monies, the monies that are going to be going to large multinational corporations to rebuild Iraq would be very much at risk.

□ 2350

That is a ploy, a stratagem that I daresay is again unconscionable. And for anybody to suggest that a vote against the $87 billion is a vote against supporting the troops is misleading the American people. We have had enough of misleading the American people. Let us really tell it as it is.

Mr. INSLEE. The way it is is that those of us who are raising questions about this proposal, I will not call it a plan because it does not rise to the dignity of a plan. It is not a Marshall Plan. It is not even a partial plan. We do not have a schedule, we do not have a schematic, we do not have a plan. It is the beginning of a proposal of an idea maybe, but that is why we are here asking these questions. But what those of us who are asking these questions, the one thing we do know is this. The amount the administration has proposed for military expenditures is actually inadequate for the job at hand. We are the ones who are saying that what has been proposed is not enough to fulfill this responsibility. It is not enough because it does not take care of the health care of Reservists, it is not enough because it does not take care of the health care of National Guards, it does not provide some of the basics to the service personnel. It is billions of dollars short on what it is going to take to rebuild the tracked vehicles that get essentially destroyed in the sands of the Mideast. There are billions of dollars we are going to have to spend that are not in that figure that should be ultimately. There is not a method of paying for the interest on the debt they want to rack up to do this.

In a whole host of ways, we are the ones who are saying we actually need to beef up the amount needed for the military expenditure in this mission. So we will not hear or suffer those who would attack our willingness to invest in the military part of this operation.

Mr. DELAHUNT. Let us remind our colleagues tomorrow during the course of the debate and the American people here tonight that there exists in Iraq a so-called governing council that Mr. Bremer himself in consultation with the White House and the leadership in the administration selected. There are 25 of them. They were handpicked by Mr. Bremer. These individuals came to Washington 3 or 4 weeks ago to say, cede us more authority or things are unraveling and, furthermore, you are spending money that you should not be spending. You are wasting American taxpayers' dollars.

Let me just give you one example. There was a cement factory somewhere in Iraq. The American estimates for rebuilding that cement factory and bringing it up to Western standards was $15 million. And somebody in the military, not in the civilian leadership of the Department of Defense, but in the military said, I am going to make a decision and let the Iraqis build it. It is now up and running. The cost went from $15 million down to $80,000. $80,000. And they want a blank check. No, no, no, Madam Speaker, no blank checks anymore. No.

Mr. INSLEE. If the gentleman will yield, I would like to just address how large this blank check is. I mean, it is a large figure. It sounds big. But in reference, it is, for instance, compared to the Marshall Plan, it is 10 times per capita benefit going to the Iraqi folks than went to the German folks. Ten times per capita. This is an enormous sum of money. Speaking as one who has supported foreign aid, even though it is sometimes controversial, there are many circumstances where we ought to support foreign aid. But this is 50 times larger per capita foreign aid to the country of Iraq than the next largest

developing nation. Fifty times per capita. This is an extraordinary amount of money for one country.

Frankly, this is not the only country that presents us problems. Yemen is a potential terrorist site. The Sudan is a potential terrorist site. Somalia is a potential terrorist site. Afghanistan, we are doing lip service to and frankly it is too little in my opinion for Afghanistan given what is going on there with the Taliban perhaps restructuring. Indonesia, throughout that part of the world. We have lots of places where we need to keep stable governments.

Mr. STRICKLAND. If the gentleman will yield, we are talking about the $87 billion that is currently under consideration. We ought not to forget, we have already appropriated for Iraq about $65 billion. And, mark my word, this administration is going to come back here next year and they are going to ask for another $50 billion or more. This $87 billion is just part of what they are asking for. And every dollar of that $87 billion is going to come out of Social Security and Medicare trust fund moneys. It is going to be added to our debt. Our children are going to be responsible for paying it off. And in the meantime we are nickel and diming our veterans as we said earlier. All they need is $1.8 billion to increase their health care budget to bring it up to where we can take care of the veterans in a reasonable, defensible manner. They are not willing to spend an additional $1.8 billion on our veterans. Think about that. Hear that, people. They are not willing to spend 1.8 billion additional dollars on our veterans, and they are asking for $87 billion for Iraq. It in my judgment it is shameful. Shameful. And this is one of the things we ought to be talking about tomorrow when this bill comes to the floor for our consideration.

Mr. INSLEE. The gentleman just provoked a thought. You think about who is really paying for this in financial terms. The soldiers are paying for it with their lives. But in financial terms, it is our young who are going to be saddled with this debt, billions of dollars of debt, and it is our older folks, including veterans, who are not going to get their health care because this President wanted to send this money to Iraq and did not pay for it. So we are hurting the two most sort of vulnerable groups in our neighborhoods, in our communities, because this plan is not a responsible plan that fulfills our mission in Iraq and our responsibilities to our future kids and our current elders. For that reason, we ought to be asking serious questions.

Mr. STRICKLAND. Could I just say in closing before I turn it over to our good leader here this evening, I am not sacrificing for this war. The President has not asked Ted Strickland to sacrifice a thing. I am getting my full salary, my full benefits. No one in this Chamber is sacrificing. And you know the President is not sacrificing. Who is sacrificing? His wealthy contributors are not sacrificing. Halliburton is not sacrificing. The Vice President is not sacrificing. You know who is sacrificing? Our soldiers are sacrificing. Their loved ones back here who worry that they do not have protective armor so that when they are out on patrol they are not as protected as possible. They are sacrificing. And the children of this country who are being given a huge debt to pay off at some time in the future, they are the ones that are sacrificing. I do not want to hear the President talking about us being willing to sacrifice. The sacrifice ought to be shared sacrifice. We all should be sacrificing, including the wealthy among us.

Mr. DELAHUNT. Like we did in World War II and in subsequent wars that this country has had to fight. Speaking of wars, much has been talked about the war on terrorism earlier during the course of the debate but I think it is important to remember and remind the American people that after Vice President CHENEY made the statement on national TV that there possibly were some links between Saddam Hussein and September 11, the President finally came forward and stated unequivocally that there was no evidence whatsoever in supporting that link. I would also urge Democrats to seriously consider supporting the Rohrabacher amendment, a good, conservative Republican from the State of California, because he is right. It ought to be a loan, not a giveaway. Because America and America's future is riding on this. Because once we establish that as a precedent, and the gentleman from Ohio is right, they will be coming back looking for more and more and more money right out of the pockets of the American taxpayer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. JONES of Ohio (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

Mr. MARSHALL (at the request of Ms. PELOSI) for today on account of illness.

Mr. MCHUGH (at the request of Mr. DELAY) for today on account of traveling on a congressional fact-finding trip to Iraq.

Mr. SAXTON (at the request of Mr. DELAY) for today on account of traveling on a congressional fact-finding trip to Iraq.

Mr. HAYWORTH (at the request of Mr. DELAY) for today on account of attending to family business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STRICKLAND) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. HINOJOSA, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

(The following Members (at the request of Mr. ROHRABACHER) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today, October 16 and 17.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. FEENEY, for 5 minutes, today and October 16.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. KENNEDY of Minnesota, for 5 minutes, today and October 16.

Mr. GINGREY, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 14, 2003 he presented to the President of the United States, for his approval, the following bill.

H.R. 2152. To amend the Immigration and Nationality Act to extend for an additional 5 years the special immigrant religious worker program.

ADJOURNMENT

Mr. DELAHUNT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until tomorrow, Thursday, October 16, 2003, at 10 a.m.

NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, October 15, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: A Notice of Proposed Rulemaking (NPR) for proposed amendments to the Procedural Rules of the Office of Compliance was published in The Congressional Record dated September 4, 2003. The period for submission of comments announced in that NPR ended on October 6, 2003.

A Notice of Proposed Rulemaking—Extension of Period for Comment was published in The Congressional Record dated October 2, 2003. That Notice extended the period for submission of comments announced in the NPR to and including October 20, 2003.

The Board of Directors of the Office of Compliance will hold a hearing regarding the comments which have been submitted during the comment period. The hearing will be open to the public. The hearing will take place on Tuesday, December 2, 2003, at 10:00 a.m. in room SD–342 of the Dirksen Office Building. Individuals or organizations who have submitted written comments during the comment period may supplement those comments by an oral presentation at the hearing. Individuals or organizations who have timely submitted comments during the comment period which ends on October 20, 2003, and who wish to make an oral presentation at the hearing, must submit a written request to William W. Thompson II, Executive Director, Office of Compliance, 110 2nd Street, S.E., Washington, D.C. on or before Friday, November 14, 2003. Oral presentations are limited to 20 minutes per commenter, unless extended by the Board.

We request that this Notice of Hearing be published in the Congressional Record. Any inquiries regarding this Notice should be addressed to the Office of Compliance at the above address, or by telephone: 202–724–9250, TTY 202–426–1665.

Sincerely,

SUSAN S. ROBFOGEL,
Chair.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4752. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — Part 1778 — Emergency and Imminent Community Water Assistance Grants — received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4753. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4754. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-162, ''Freeze of Within-Grade Salary Increase Repeal Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4755. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-161, ''Domestic Violence Protection Orders Technical Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4756. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-160, ''Board of Veterinary Examiners Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4757. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-159, ''Food Regulation Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4758. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-158, ''American College of Cariology Foundation Real Property Tax Exemption Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4759. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-157, ''Tax Abatement for New Residential Developments Definition Clarification Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4760. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-156, ''Revised Closing or a Portion of a Public Alley in Square 209, S.O. 02-1019, Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4761. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-155, ''Cooperative Purchasing Agreements Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4762. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-180, ''Suspension of Purchase Authority in the District of Columbia Government Purchase Card Program Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4763. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-168, ''Presidential Primary Petition Waiver and Democratic State Committee Elections Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4764. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-178, ''Veterans of Foreign Wars Real Property Tax Exemption and Equitable Real Property Tax Relief Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4765. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-167, ''Health Care Privatization Rulemaking Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4766. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-179, ''Office of Property Management Reform Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4767. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-177, ''Retail Incentive Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4768. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-166, ''Unified Communications Center Lease Agreement Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4769. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-176, ''Eastern Market Temporary Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4770. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-165, ''Comprehensive Housing Strategy Temporary Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4771. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-175, ''Department of Insurance and Securities Regulation Merger Review Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4772. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-164, ''Make a Difference Amendment Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4773. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-163, ''Superior Court of the District of Columbia Master Jury List Project Clarification Act of 2003,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4774. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Audit of the Public Service Commission Agency Fund for Fiscal Year 2002,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

4775. A letter from the Secretary, Department of Transportation, transmitting the Department's Strategic Plan for Fiscal Years 2003 through 2008; to the Committee on Government Reform.

4776. A letter from the Acting Administrator, Environmental Protection Agency, transmitting the Agency's FY 2003-2008 Strategic Plan, as required by the Government Performance and Results Act of 1993 (GPRA); to the Committee on Government Reform.

4777. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled ''Comparative Analysis of Actual Cash Collections to Revised Revenue Estimates Through the 2nd Quarter of Fiscal Year 2003''; to the Committee on Government Reform.

4778. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Proposed Revenue Procedure Regarding Home-Care Service Procedures — received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4779. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Michael and Nancy B. McNamara v. Commissioner 236 F. 3d 410 (8th Cir. 2000), rem'g, McNamara v Commissioner. T.C. Memo 1999-333; [T.C. Dkt. Nos. 7537-98 (McNamara)]; Hennen v. Commissioner, T.C. Memo 1999-306 [T.C. Dkt. Nos. 7535-98 (Hennen)]; Bot v Commissioner, T.C. Memo 1999-256 [T.C. Dkt. Nos. 7970-98 (Bot)] received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4780. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Disallowance of Certain Entertainment, Etc., Expenses (Rev. Rul. 2003-109) received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4781. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Evidence Requirements for Assignment of Social Security Numbers (SSNs); Assignment of SSNs for Nonwork Purposes [Regulation No. 22] (RIN: 0960-AF05) received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4782. A letter from the Chair, Office of Compliance, transmitting a Notice of Hearing for publication in the Congressional

Record; jointly to the Committees on Education and the Workforce and House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO: Committee on Resources. H.R. 1899. A bill to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation, and for other purposes (Rept. 108–313). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on International Relations. H.R. 1828. A bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes; with an amendment (Rept. 108–314). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1702. A bill to designate the Federal building which is to be constructed at 799 First Avenue in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building'' (Rept. 108–315). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2134. A bill to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; with an amendment (Rept. 108–316). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3118. A bill to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia (Rept. 108–317). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 3140. A bill to provide for availability of contact lens prescriptions to patients, and for other purposes; with an amendment (Rept. 108–318). Referred to the Committee of the Whole House on the State of the Union

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3198. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes (Rept. 108–319). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 396. Resolution Providing for consideration of H.R. 3289, emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108–320). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ACEVEDO-VILA:

H.R. 3290. A bill to amend the Food Stamp Act of 1977 to increase the amount payable to the Commonwealth of Puerto Rico to provide nutrition assistance under such Act; to the Committee on Agriculture.

By Mr. ACEVEDO-VILA:

H.R. 3291. A bill to amend title XXI of the Social Security Act to provide for the allocation of allotment under the State Children's Health Insurance Program (SCHIP) to territories in the same manner as for States; to the Committee on Energy and Commerce.

By Mr. BECERRA (for himself, Ms. ROS-LEHTINEN, Mr. RODRIGUEZ, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ORTIZ, Mr. MARIO DIAZ-BALART of Florida, Mr. ACEVEDO-VILA, Mr. BACA, Mr. CARDOZA, Mr. CLYBURN, Mr. GONZALEZ, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. HONDA, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mr. MATSUI, Mr. MENENDEZ, Mrs. NAPOLITANO, Mr. PASTOR, Mr. REYES, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Ms. SOLIS, Ms. VELAZQUEZ, and Mr. WU):

H.R. 3292. A bill to establish the Commission to Establish a National Museum of the American Latino to develop a plan of action for the establishment and maintenance of the National Museum of the American Latino in Washington, D.C., and for other purposes; to the Committee on Resources, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE:

H.R. 3293. A bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the Medicaid and State children's health insurance programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DREIER (for himself, Mr. BACHUS, Mrs. BIGGERT, Mr. HINOJOSA, Mr. KANJORSKI, Mrs. KELLY, Mr. OXLEY, Mr. POMEROY, and Mr. SCOTT of Georgia):

H.R. 3294. A bill to require the Secretary of the Treasury to establish a pilot national public service multimedia campaign to enhance the state of financial literacy in the United States; to the Committee on Financial Services.

By Mr. ENGLISH:

H.R. 3295. A bill to provide for additional benefits under the Temporary Extended Unemployment Compensation Act of 2002, to extend the Federal unemployment benefits system, and for other purposes; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 3296. A bill to amend various provisions of the Consumer Credit Protection Act to provide relief for victims of identity theft, and for other purposes; to the Committee on Financial Services.

By Mr. ISRAEL:

H.R. 3297. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish recall authority regarding drugs, to increase criminal penalties for the sale or trade of prescription drugs knowingly caused to be adulterated or misbranded, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JANKLOW (for himself and Mr. BISHOP of Utah):

H.R. 3298. A bill to provide relief to mobilized military reservists from certain Federal agricultural loan obligations; to the Committee on Agriculture.

By Mr. LARSON of Connecticut:

H.R. 3299. A bill to provide for prescription drugs at reduced prices to Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATOURETTE (for himself, Mr. KUCINICH, Mr. BROWN of Ohio, Mr. REGULA, Mr. OXLEY, Mr. RYAN of Ohio, Mr. PORTMAN, Mr. GILLMOR, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. NEY, Mr. HOBSON, Mr. STRICKLAND, Ms. PRYCE of Ohio, Mr. BOEHNER, Mr. CHABOT, Mr. TIBERI, and Mr. TURNER of Ohio):

H.R. 3300. A bill to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the ''Walter F. Ehrnfelt, Jr. Post Office Building''; to the Committee on Government Reform.

By Ms. NORTON:

H.R. 3301. A bill to amend the Elementary and Secondary Education Act of 1965 to encourage the implementation or expansion of pre-kindergarten programs for students 4 years of age or younger; to the Committee on Education and the Workforce.

By Mr. TANCREDO:

H.R. 3302. A bill to establish a deficit reduction account in the Treasury of the United States, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself and Mr. BEAUPREZ):

H.R. 3303. A bill to facilitate acquisition by the Secretary of the Interior of certain mineral rights, and for other purposes; to the Committee on Resources.

By Mr. UPTON:

H.R. 3304. A bill to amend the Department of Education Organization Act to establish an Assistant Secretary for Community and Junior Colleges; to the Committee on Education and the Workforce.

By Mr. EHLERS (for himself and Mr. HOLT):

H. Con. Res. 301. Concurrent resolution supporting the goals and ideals of the World Year of Physics; to the Committee on Science.

By Mr. WEXLER (for himself, Mr. CHABOT, Mr. ROHRABACHER, and Mr. BROWN of Ohio):

H. Con. Res. 302. Concurrent resolution expressing the sense of Congress welcoming President Chen Shui-bian of Taiwan to the United States on October 31, 2003; to the Committee on International Relations.

By Mr. BOOZMAN:

H. Res. 397. A resolution honoring the life and legacy of Bernice Young Jones; to the Committee on Government Reform.

By Ms. HOOLEY of Oregon:

H. Res. 398. A resolution providing for consideration of the bill (H.R. 1652) to provide extended unemployment benefits to displaced workers, and to make other improvements in the unemployment insurance system; to the Committee on Rules.

By Mr. KENNEDY of Minnesota:

H. Res. 399. A resolution honoring the life and legacy of Melvin Jones and recognizing the contributions of Lions Clubs International; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. ALEXANDER.
H.R. 84: Mr. OWENS.
H.R. 235: Mr. BISHOP of Utah.
H.R. 299: Mr. FOSSELLA.
H.R. 313: Mr. DAVIS of Alabama.
H.R. 331: Ms. HOOLEY of Oregon.
H.R. 333: Mr. VAN HOLLEN.
H.R. 369: Mr. VAN HOLLEN and Mr. WYNN.
H.R. 391: Mr. CRANE.
H.R. 401: Mr. CRANE and Mr. KING of New York.
H.R. 404: Mr. FROST.
H.R. 486: Mr. BAKER, Mrs. MILLER of Michigan, Mr. MCCOTTER, Mr. GOODE, Mr. CRANE, and Mr. LUCAS of Kentucky.
H.R. 665: Mr. PETERSON of Minnesota.
H.R. 715: Mr. JEFFERSON and Mr. LEWIS of California.
H.R. 742: Mrs. MCCARTHY of New York, Mrs. JONES of Ohio, Mr. THOMPSON of California, Ms. WOOLSEY, and Mr. FORD.
H.R. 767: Mr. SHAW.
H.R. 798: Ms. HOOLEY of Oregon.
H.R. 819: Mr. BERMAN and Ms. MILLENDER-MCDONALD.
H.R. 834: Mr. TURNER of Ohio.
H.R. 857: Mrs. KELLY.
H.R. 873: Ms. BALDWIN.
H.R. 882: Mr. SNYDER and Mr. STRICKLAND.
H.R. 931: Mr. HAYWORTH.
H.R. 935: Mrs. DAVIS of California.
H.R. 936: Mrs. LOWEY.
H.R. 970: Mr. GREEN of Texas, Mr. STRICKLAND, Mr. OWENS, Mrs. NAPOLITANO, Mr. TIERNEY, Ms. LOFGREN, and Ms. BERKLEY.
H.R. 1097: Mr. BELL.
H.R. 1105: Mr. DAVIS of Tennessee and Mr. KIND.
H.R. 1210: Mr. FILNER.
H.R. 1214: Mr. THOMPSON of Mississippi, Mr. MOLLOHAN, and Ms. SCHAKOWSKY.
H.R. 1267: Ms. BALDWIN.
H.R. 1292: Mr. ROHRABACHER.
H.R. 1295: Mr. WELDON of Pennsylvania and Ms. SCHAKOWSKY.
H.R. 1345: Mr. CONYERS.
H.R. 1359: Mr. LEVIN.
H.R. 1372: Mr. CARDOZA.
H.R. 1385: Mrs. NAPOLITANO, Mr. RADANOVICH, Mr. BURR, Mr. SERRANO, Mr. BECERRA, and Mr. CAPUANO.
H.R. 1406: Mr. HALL and Mr. GRIJALVA.
H.R. 1429: Mr. MICHAUD.
H.R. 1483: Mr. SHAYS.
H.R. 1498: Mr. CANTOR.
H.R. 1530: Mr. GUTKNECHT.
H.R. 1555: Mr. BELL, Mr. BROWN of Ohio, Mr. CASE, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. EMANUEL, Mr. FARR, Mr. GREEN of Texas, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. LAMPSON, Ms. LEE, Mrs. MALONEY, Mr. NADLER, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. STRICKLAND, and Mr. TANNER.
H.R. 1556: Mr. BELL, Mr. DAVIS of Illinois, Mr. GREEN of Texas, Mr. KUCINICH, and Mr. RYAN of Ohio.
H.R. 1557: Mr. LEVIN and Mr. HOLT.
H.R. 1558: Mr. MCDERMOTT and Mr. LEVIN.
H.R. 1622: Mr. SABO.
H.R. 1657: Mr. GOODE.
H.R. 1676: Mr. PLATTS and Mr. ANDREWS.
H.R. 1684: Mr. DELAHUNT, Mr. LANGEVIN, Mr. GREEN of Texas, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mr. SHIMKUS, Mr. GONZALEZ, Mr. OWENS, and Mr. MEEK of Florida.
H.R. 1688: Mr. LANTOS, Mr. BOSWELL, and Ms. SCHAKOWSKY.
H.R. 1709: Ms. SCHAKOWSKY.
H.R. 1713: Mr. KIND.
H.R. 1717: Mr. ABERCROMBIE.
H.R. 1731: Mr. BACHUS.
H.R. 1787: Mr. HOLDEN, Ms. CORRINE BROWN of Florida, Mr. SCOTT of Georgia, and Mr. RUPPERSBERGER.
H.R. 1819: Mr. HAYES, Mrs. MYRICK, Mrs. WILSON of New Mexico, Mr. ROGERS of Kentucky, Mr. YOUNG of Florida, and Mr. WATT.
H.R. 1824: Mr. MARKEY, Mr. WALSH, Mr. LIPINSKI, Mr. GILCHREST, Mr. GONZALEZ, Mrs. JOHNSON of Connecticut, Mr. BURR, and Mr. CONYERS.
H.R. 1828: Mr. CRANE and Mr. VISCLOSKY.
H.R. 1863: Mr. OBERSTAR.
H.R. 1910: Mr. VAN HOLLEN and Mr. RYAN of Ohio.
H.R. 1940: Mr. STENHOLM.
H.R. 1943: Mrs. BIGGERT.
H.R. 1956: Ms. LOFGREN.
H.R. 1998: Mr. HALL and Mr. FERGUSON.
H.R. 2011: Mrs. JONES of Ohio.
H.R. 2020: Mrs. JO ANN DAVIS of Virginia.
H.R. 2022: Mr. SMITH of New Jersey.
H.R. 2038: Mr. SABO and Mr. GEPHARDT.
H.R. 2154: Mr. GOODE.
H.R. 2184: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS, Mr. BAIRD, Mr. BELL, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CONYERS, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. EDWARDS, Mr. EVANS, Mr. FARR, Mr. FATTAH, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Ms. KILPATRICK, Mr. KIND, Ms. MCCARTHY of Missouri, Mr. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. NADLER, Mr. OLVER, Mr. OWENS, Mr. PASCRELL, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SHERMAN, Mr. STRICKLAND, Mr. UDALL of New Mexico, Ms. VELAZQUEZ, Ms. WATERS, and Ms. WATSON.
H.R. 2207: Mr. GREEN of Texas.
H.R. 2208: Mr. LEWIS of Georgia.
H.R. 2256: Mr. STARK and Mr. CUMMINGS.
H.R. 2318: Mr. JOHN, Mr. TANNER, Mr. HASTINGS of Florida, Mr. WELDON of Pennsylvania, and Mr. WEINER.
H.R. 2323: Mr. BARTLETT of Maryland and Mr. JEFFERSON.
H.R. 2344: Mr. COBLE.
H.R. 2382: Mr. INSLEE.
H.R. 2426: Mr. SMITH of Washington.
H.R. 2455: Mrs. MCCARTHY of New York, and Mr. FROST.
H.R. 2490: Mr. MORAN of Virginia.
H.R. 2494: Mr. NETHERCUTT.
H.R. 2527: Mr. BISHOP of New York.
H.R. 2539: Ms. CARSON of Indiana, Mr. MCNULTY, Mr. HILL, and Ms. WOOLSEY.
H.R. 2567: Mr. SABO.
H.R. 2615: Mr. ABERCROMBIE.
H.R. 2626: Ms. BALDWIN.
H.R. 2628: Mr. DAVIS of Illinois and Ms. NORTON.
H.R. 2635: Mrs. MUSGRAVE and Mr. ISTOOK.
H.R. 2702: Ms. SCHAKOWSKY.
H.R. 2705: Mr. RAHALL, Mr. MARKEY, Mr. OLVER, Mr. GUTIERREZ, Mr. ETHERIDGE, and Mr. MEEKS of New York.
H.R. 2728: Mr. BEAUPREZ, Mr. SHIMKUS, and Mr. DEMINT.
H.R. 2729: Mr. BEAUPREZ, Mr. SHIMKUS, and Mr. DEMINT.
H.R. 2730: Mr. BEAUPREZ, Mr. SHIMKUS, and Mr. DEMINT.
H.R. 2731: Mr. BEAUPREZ and Mr. DEMINT.
H.R. 2768: Mr. JONES of North Carolina, Mr. INSLEE, Mr. PETRI, and Mr. OSBORNE.
H.R. 2801: Mr. HOYER.
H.R. 2808: Mr. RODRIGUEZ.
H.R. 2832: Ms. WOOLSEY, Mr. SANDERS, Ms. CORRINE BROWN of Florida, and Ms. SLAUGHTER.
H.R. 2849: Mr. GOODE, Mr. FRANK of Massachusetts, and Mr. SMITH of New Jersey.
H.R. 2856: Mr. SNYDER.
H.R. 2857: Mr. ANDREWS and Mrs. JOHNSON of Connecticut.
H.R. 2880: Mr. WEXLER, Ms. WOOLSEY, and Mr. LEWIS of Georgia.
H.R. 2908: Mr. RUPPERSBERGER, Mr. MILLER of North Carolina, and Ms. SLAUGHTER.
H.R. 2963: Mrs. CAPPS.
H.R. 2966: Mrs. CUBIN and Mr. MCKEON.
H.R. 2986: Mr. PETERSON of Minnesota and Mr. BACHUS.
H.R. 2999: Mrs. JO ANN DAVIS of Virginia, Mr. ROGERS of Alabama, Mr. KINGSTON, Mr. CRANE, Ms. BORDALLO, and Mr. KING of New York.
H.R. 3002: Mr. KINGSTON, Mr. TERRY, Mr. BISHOP of Utah, and Mr. CALVERT.
H.R. 3005: Mr. ABERCROMBIE, Mr. BELL, Mr. BISHOP of New York, Ms. CORRINE BROWN of Florida, Ms. CARSON of Indiana, Mr. CONYERS, Ms. DELAURO, Mr. EVANS, Mr. FROST, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. HINCHEY, Mr. HINOJOSA, Mr. HONDA, Mr. JACKSON of Illinois, Mrs. JONES of Ohio, Mr. KLECZKA, Mrs. MCCARTHY of New York, Mr. NADLER, Mr. OWENS, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. WATSON, Mr. WAXMAN, and Ms. WOOLSEY.
H.R. 3019: Mr. VAN HOLLEN, Mr. MARKEY, and Mr. GILCHREST.
H.R. 3029: Mr. FROST.
H.R. 3051: Ms. MCCARTHY of Missouri, Mr. ACEVEDO-VILA, Mr. MARKEY, Mr. CARDOZA, Mr. LAMPSON, Ms. MCCOLLUM, and Mr. INSLEE.
H.R. 3058: Mr. CARSON of Oklahoma, Mr. MORAN of Kansas, and Mr. MOLLOHAN.
H.R. 3099: Mr. MICHAUD and Mrs. DAVIS of California.
H.R. 3103: Mr. LAHOOD, Mr. HINCHEY, and Mr. KINGSTON.
H.R. 3109: Mr. TERRY, Mr. TOOMEY, Mr. POMBO, and Mr. BONILLA.
H.R. 3119: Mr. KIRK, Mrs. CUBIN, Mr. HOLDEN, Mr. HAYES, Mr. COBLE, Mr. SIMMONS, Mr. OTTER, Mr. DEFAZIO, Mr. BOOZMAN, Mr. HONDA, and Mr. DUNCAN.
H.R. 3125: Mr. BACHUS, Mr. PUTNAM, and Mr. CRANE.
H.R. 3133: Ms. SOLIS.
H.R. 3171: Mr. PASTOR.
H.R. 3180: Mr. RUSH.
H.R. 3184: Mr. GORDON and Mr. JANKLOW.
H.R. 3195: Mr. CROWLEY.
H.R. 3199: Mr. FROST and Mr. ALEXANDER.
H.R. 3200: Mr. JOHNSON of Illinois.
H.R. 3225: Mr. SANDLIN.
H.R. 3226: Mr. FRANK of Massachusetts.
H.R. 3228: Ms. CORRINE BROWN of Florida, Ms. SCHAKOWSKY, Mr. GUTIERREZ, Ms. LEE, Mr. KILDEE, and Mr. NEY.
H.R. 3232: Mr. ABERCROMBIE.
H.R. 3237: Ms. DELAURO, Mr. GONZALEZ, Ms. MCCOLLUM, Ms. ESHOO, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. TOWNS, Mr. SHERMAN, Mr. PALLONE, Mr. HASTINGS of Florida, and Mr. HOEFFEL.
H.R. 3243: Mr. TOWNS.
H.R. 3244: Mr. MCNULTY, Mr. MATSUI, Mr. CONYERS, Mr. MCGOVERN, Mr. FROST, Mr. BLUMENAUER, Mr. MARKEY, Ms. NORTON, Ms. MILLENDER-MCDONALD, Mr. LANGEVIN, Mr. FRANK of Massachusetts, Ms. SLAUGHTER, Mr. GREEN of Texas, Mr. MEEHAN, Mr. SCOTT of Georgia, Mr. MICHAUD, and Mr. WEXLER.
H.R. 3247: Mr. OTTER, Mr. SHIMKUS, Mr. ACEVEDO-VILA, Mr. RADANOVICH, Mr. SIMPSON, and Mr. GREEN of Wisconsin.
H.R. 3251: Mr. HINCHEY, Mr. DEUTSCH, Mr. GRIJALVA, Mr. CASE, Mr. FROST, Mr. BROWN of Ohio, Ms. NORTON, Mr. LANTOS, Ms. MILLENDER-MCDONALD, Mr. FARR, Mr. FILNER, and Mr. WEXLER.
H.R. 3257: Mr. BROWN of Ohio.
H.R. 3271: Mr. DOOLEY of California, Mr. MORAN of Virginia, Mr. TOWNS, and Ms. MILLENDER-MCDONALD.
H.R. 3275: Mr. MCDERMOTT, Mr. MARKEY, Ms. LEE, and Mr. EVANS.

H.J. Res. 22: Mr. EHLERS.

H.J. Res. 56: Mr. KELLER.

H.J. Res. 62: Mr. WILSON of South Carolina and Mr. CANTOR.

H. Con. Res. 39: Mr. WEXLER.

H. Con. Res. 56: Mr. PETERSON of Minnesota and Mr. QUINN.

H. Con. Res. 98: Mr. HALL.

H. Con. Res. 106: Mr. MCCOTTER, Ms. SCHAKOWSKY, Mr. PALLONE, and Mr. EMANUEL.

H. Con. Res. 126: Mr. GIBBONS.

H. Con. Res. 197: Mr. ANDREWS, Mr. SHAYS, Mr. CALVERT, Mr. SHIMKUS, Mr. LANGEVIN, and Mr. LAMPSON.

H. Con. Res. 247: Mr. GOODE, Mr. LATOURETTE, Mr. KIND, Mr. COSTELLO, Mr. DEUTSCH, Mr. VAN HOLLEN, Mr. FOLEY, Mr. NUNES, Mr. ROGERS of Alabama, Mrs. MYRICK, Mr. STENHOLM, and Mr. MCNULTY.

H. Con. Res. 254: Mr. WALSH.

H. Con. Res. 264: Mr. EMANUEL.

H. Con. Res. 275: Mr. ALLEN.

H. Con. Res. 280: Mr. LOBIONDO, Mr. CARSON of Oklahoma, Mr. LUCAS of Kentucky, Mr. COSTELLO, Mr. BLUMENAUER, Mr. DEMINT, Mr. LATOURETTE, and Mrs. KELLEY.

H. Con. Res. 285: Mr. JOHNSON of Illinois, Mr. NORWOOD, Mr. EDWARDS, Mr. HAYES, Mr. SIMMONS, and Mr. HOEKSTRA.

H. Con. Res. 291: Mr. CRENSHAW, Mr. PUTNAM, Mr. LOBIONDO, and Mr. GILLMOR.

H. Con. Res. 38: Ms. BALDWIN.

H. Con. Res. 42: Mr. WYNN, Mr. TOWNS, Mr. GOODE, Mr. KIND, Mr. STENHOLM, and Mr. BEREUTER.

H. Res. 291: Mr. GEORGE MILLER of California, Mr. NADLER, Mr. THOMPSON of Mississippi, Ms. WATSON, Mr. HINCHEY, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. SERRANO, and Mr. RUSH.

H. Con. Res. 320: Ms. ESHOO and Ms. LORETTA SANCHEZ of California.

H. Res. 348: Mr. GRIJALVA, Mr. HOLT, and Ms. SCHAKOWSKY.

H. Res. 363: Mr. BELL.

H. Res. 385: Mr. MORAN of Virginia, Mrs. TAUSCHER, Mr. CASE, Mr. FROST, Mr. HASTINGS of Florida, Mr. MOORE, and Mr. BEREUTER.

H. Res. 386: Ms. WATERS, Mr. PAYNE, and Mr. SCOTT of Georgia.

H. Res. 387: Mr. BACHUS, Mr. BAIRD, Ms. BALDWIN, Mr. BERRY, Mr. BURTON of Indiana, Mr. CARDIN, Mr. FRANK of Massachusetts, Mr. HALL, Mr. HILL, Mr. HOUGHTON, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Mr. JOHN, Mr. KANJORSKI, Mr. KLECZKA, Mr. LAMPSON, Mr. LARSON of Connecticut, Mr. LINDER, Mr. MCGOVERN, Mr. MCINTYRE, Mr. GEORGE MILLER of California, Mr. OSBORNE, Mr. PASCRELL, Mr. PASTOR, Mr. ROHRABACHER, Mr. ROSS, Mr. SWEENEY, Ms. WATERS, and Ms. PELOSI.

H. Res. 388: Mr. MORAN of Kansas, Mr. WILSON of South Carolina, Mr. BRADY of Pennsylvania, and Mr. WEXLER.

H. Res. 391: Mr. DAVIS of Illinois, Mr. EVANS, Mr. SHIMKUS, Mr. WELLER, Ms. SCHAKOWSKY, Mr. EMANUEL, and Mr. KIRK.

H. Res. 393: Mr. HYDE, Ms. PRYCE of Ohio, and Mrs. CAPITO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1078: Mr. TANCREDO.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3289

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 1: At the end of title II of the bill, add the following new section:

SEC. ____. It is the sense of Congress that the President should establish and implement a plan of action to achieve security, relief, rehabilitation, and reconstruction in Iraq. Such a plan should articulate the United States interests involved, define United States objectives, and provide a strategy for achieving the objectives, including a listing of each Federal department and agency involved in achieving the objectives and a detailed description of the responsibilities of each such department and agency related thereto.

H.R. 3289

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

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

(1) the construction, refurbishment, maintenance, or operation of any educational facility that discriminates on the basis of religion, national origin, race, color, or gender;

(2) the construction, refurbishment, maintenance, or operation of any educational facility that segregates students on the basis of any of the criteria described in paragraph (1);

(3) the payment of the salary of any educational administrator or teacher who demonstrates, encourages, or condones disparate treatment of students on the basis of any of the criteria described in paragraph (1); or

(4) the purchase of any educational material, or establishment of any educational curriculum, that promotes anti-Semitic, anti-western, or anti-democratic values or beliefs.

H.R. 3289

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 3: At the end of title II, add the following new section:

SEC. ____. (a) Amounts appropriated by this Act or by Public Law 108–11 for relief and reconstruction in Iraq shall be used, to the greatest extent possible, to acquire—

(1) unmanufactured articles, materials, and supplies mined or produced in the United States;

(2) manufactured articles, materials, and supplies that have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States; and

(3) services performed by United States labor.

(b) Not later than 60 days after the date of the enactment of this Act, and every 60 days thereafter until amounts referred to in subsection (a) are expended, the head of each department or agency of the Federal Government which expends such amounts shall prepare and submit to Congress a report containing the following with respect to the expenditure of such amounts:

(1) A list of all contracts awarded during the period covered by the report.

(2) For each such contract, the origin of unmanufactured articles, materials, and supplies to be used under the contract.

(3) For each such contract, the origin of articles, materials, and supplies used in manufactured articles, materials, and supplies to be used under the contract.

(4) For each such contract, the source of the labor performing the work under the contract.

H.R. 3289

OFFERED BY: MR. STEARNS

AMENDMENT NO. 4: At the end of title II of the bill, add the following:

SEC. ____. (a) FINDINGS.—Congress finds the following:

(1) The United states has contributed thousands of troops in support of Operation Iraqi Freedom.

(2) The American taxpayer has incurred the majority of costs associated with Operation Iraqi Freedom.

(3) A number of countries to which Iraq is heavily indebted refused to provide assistance to liberate the Iraqi people.

(4) The American taxpayer will not tolerate allowing a reconstructed Iraq to first repay those same countries that refused to help its oppressed population.

(5) The American taxpayer deserves some measure of repayment for United States servicemen and women having risked and sacrificed their lives for the people of Iraq.

(6) A reconstructed Iraqi economy, holding the second largest oil reserve in the world, can provide substantial revenue in the future.

(b) SENSE OF CONGRESS.—It is the sense of Congress that amounts made available in this Act under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' should be in the form of loans subject to repayment to the United States Government by a future sovereign government in Iraq.

H.R. 3289

OFFERED BY: MR. SHADEGG

AMENDMENT NO. 5: Page 28, line 5, after the dollar amount insert ''(reduced by $245,000,000)''.

Page 30, line 1, after the dollar amount insert ''(increased by $245,000,000)''.

H.R. 3289

OFFERED BY: MR. SHADEGG

AMENDMENT NO. 6: Page 28, line 5, after the dollar amount insert ''(reduced by $245,000,000)''.

Page 30, line 1, after the dollar amount insert ''(increased by $345,000,000)''.

Page 35, line 10, after the dollar amount insert ''(reduced by $100,000,000)''.

H.R. 3289

OFFERED BY: MR. RAMSTAD

AMENDMENT NO. 7: Page 2, line 9, insert after the dollar amount the following: ''(increased by 98,000,000)''.

Page 30, lines 1 and 4, insert after the dollar amount the following: ''(reduced by 98,000,000)''.

H.R. 3289

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used for the participation of Iraq in the Organization of Petroleum Exporting Countries (OPEC).

H.R. 3289

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 9: On page 20, Line 22, under the heading ''Iraq Relief and Reconstruction Fund'', strike ''$18,649,000,000'' and insert ''$1,864,900,000''

H.R. 3289

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 10: At the end of title II, insert the following new section:

SEC. 22___. FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS.

(a) PAYMENTS TO STATE AND LOCAL GOVERNMENTS.—There is authorized to be appropriated and is appropriated for making payments under this section to States and local governments, to coordinate budget-related actions by such governments with Federal Government efforts to stimulate economic recovery, an amount equal to at least the total amount appropriated under this Act

and under the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11) under the heading ''Iraq Relief and Reconstruction Fund''. Such amounts shall be in addition to, and not in lieu of, other amounts appropriated for payments to States and local governments.

(b) PAYMENTS.—

(1) FISCAL YEAR 2003.—From the amount appropriated under subsection (a) for fiscal year 2003, the Secretary of the Treasury shall, not later than the later of the date that is 45 days after the date of enactment of this Act or the date that a State provides the certification required by subsection (e) for fiscal year 2003, pay each State the amount determined for the State for fiscal year 2003 under subsection (c).

(2) FISCAL YEAR 2004.—From the amount appropriated under subsection (a) for fiscal year 2004, the Secretary of the Treasury shall, not later than the later of October 1, 2003, or the date that a State provides the certification required by subsection (e) for fiscal year 2004, pay each State the amount determined for the State for fiscal year 2004 under subsection (c).

(c) PAYMENTS BASED ON POPULATION.—

(1) IN GENERAL.—Subject to paragraph (2), the amount appropriated under subsection (a) for each of fiscal years 2003 and 2004 shall be used to pay each State an amount equal to the relative population proportion amount described in paragraph (3) for such fiscal year.

(2) MINIMUM PAYMENT.—

(A) IN GENERAL.—No State shall receive a payment under this section for a fiscal year that is less than—

(i) in the case of 1 of the 50 States or the District of Columbia, ½ of 1 percent of the amount appropriated for such fiscal year under subsection (a); and

(ii) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, or American Samoa, 1/10 of 1 percent of the amount appropriated for such fiscal year under subsection (a).

(B) PRO RATA ADJUSTMENTS.—The Secretary of the Treasury shall adjust on a pro rata basis the amount of the payments to States determined under this section without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

(3) RELATIVE POPULATION PROPORTION AMOUNT.—The relative population proportion amount described in this paragraph is the product of—

(A) the amount described in subsection (a) for a fiscal year; and

(B) the relative State population proportion (as defined in paragraph (4)).

(4) RELATIVE STATE POPULATION PROPORTION DEFINED.—For purposes of paragraph (3)(B), the term ''relative State population proportion'' means, with respect to a State, the amount equal to the quotient of—

(A) the population of the State (as reported in the most recent decennial census); and

(B) the total population of all States (as reported in the most recent decennial census).

(d) USE OF PAYMENT.—A State shall use the funds provided under a payment made under this section for a fiscal year only for—

(1) ordinary and necessary maintenance and operating expenses for—

(A) primary, secondary, or higher education, including school building renovation;

(B) public safety;

(C) public health, including hospitals and public health laboratories;

(D) social services for the disadvantaged or aged;

(E) roads, transportation, and water infrastructure; and

(F) housing;

(2) ordinary and necessary capital expenditures authorized by law; and.

(3) costs to the State of complying with any Federal intergovernmental mandate (as defined in section 421(5) of the Congressional Budget Act of 1974) to the extent that the mandate applies to the State, and the Federal Government has not provided funds to cover the costs.

(e) CERTIFICATION.—In order to receive a payment under this section for a fiscal year, the State shall provide the Secretary of the Treasury with a certification that the State's proposed uses of the funds are consistent with subsection (d).

(f) DEFINITION OF STATE.—In this section, the term ''State'' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(g) WAGE RATES.—All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part with assistance received under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (commonly known as the Davis-Bacon Act; 40 U.S.C. 276a et seq.).

(h) AVAILABILITY TO LOCAL GOVERNMENTS.—Not less than one-third of the amount appropriated pursuant to subsection (a) shall be made available to local governments under the applicable laws of a given State.

H.R. 3289

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 11: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) PROVISION OF FUNDS FOR SECURITY AND STABILIZATION OF IRAQ THROUGH PARTIAL SUSPENSION OF REDUCTIONS IN HIGHEST INCOME TAX RATE.—The table contained in paragraph (2) of section 1(i) of the Internal Revenue Code of 1986 (relating to reductions in rates after June 30, 2001) is amended to read as follows:

''In the case of taxable years beginning during calendar year:	**The corresponding percentages shall be substituted for the following percentages:**			
	28%	**31%**	**36%**	**39.6%**
2001	27.5%	30.5%	35.5%	39.1%
2002	27.0%	30.0%	35.0%	38.6%
2003 and 2004	25.0%	28.0%	33.0%	35.0%
2005 and thereafter	25.0%	28.0%	33.0%	38.2%''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2004.

(c) APPLICATION OF EGTRRA SUNSET TO THIS SECTION.—The amendment made by this section shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 to the same extent and in the same manner as the provision of such Act to which such amendment relates.

H.R. 3289

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC. 3007. (a) None of the funds made available in this Act may be obligated or expended for weapons inspection until the President certifies to the Congress that inspectors from the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), or any other entity representing the United Nations, have been invited to participate in the inspection process and to share any information gathered therein with inspectors from the Iraq Survey Group or any other entity representing the United States or the United States-led coalition in Iraq.

(b) The President shall transmit to the Congress a report on the cost savings that have resulted from the participation described in subsection (a) of inspectors from UNMOVIC or any other entity representing the United Nations.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 13: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount to hire 1,300 additional customs inspectors on the United States borders, $125,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 14: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for domestic hospital construction repair and upgrades, $295,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 15: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for bioterrorism preparedness grants for United States border hospitals and other first responder healthcare providers, $1,200,000,000: *Provided*, That such amount is designated by

the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 16: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for medical supplies and equipment for the veterans hospital at Quezon City, $2,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 17: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount to fully fund the Federal portion of the Individuals with Disabilities Education Act (IDEA), $10,000,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 18: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount to increase the service of Head Start, a Federal program that provides comprehensive early childhood development services to low-income children, $1,000,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 19: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount to remedy overcrowded or dilapidated classrooms, and crumbling schools, $6,800,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 20: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount to repair, rehabilitate, and produce electric generation and distribution infrastructure, $5,600,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 21: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for the Secure Electric Network for Travelers Rapid Inspections (SENTRI) program in the Bureau of Customs and Border Protection to improve border security and efficiency, $5,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 22: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for Department of Veterans Affairs medical programs, $1,800,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 23: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for health care and benefits for Filipino World War II veterans pursuant to the applicable provisions of H.R. 2297 and H.R. 2357 of the 108th Congress, as passed by the House of Representatives, $19,131,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. FILNER

AMENDMENT NO. 24: After the appropriating clause (preceding title I), insert the following:

TITLE IA—DOMESTIC EMERGENCIES

SEC. 101. For an additional amount for programs to assist America's first reponders, the police officers, firefighters, and paramedics of the United States, $290,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

H.R. 3289

OFFERED BY: MR. LANTOS

AMENDMENT NO. 25: At the end of the bill (before the short title), insert the following:

SEC. 3007. None of the funds made available in this Act under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' may be provided except in the form of loans repayable to the United States Government, where permitted by law.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 26: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available in this Act may be obligated or expended until Government personnel policies have been implemented to ensure that no members of the Armed Forces or Government employees are being required to be stationed in Iraq continuously for a period greater than six months.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 27: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available in this Act may be obligated or expended until the President has submitted to Congress a report setting forth in detail the strategy and projected timetable for withdrawing United States forces from Iraq.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following:

SEC. 3207. It is the sense of the Congress that this Act should be approved by the Congress by means of a bifurcated vote of Congress subject to the following conditions:

(1) Two separate votes should be taken in Congress—

(A) the first to address funding specifically designated for the support of military functions; and

(B) the second to address funding specifically designated for the reconstruction of Iraq.

(2) Following the enactment of this Act, a United Nations resolution should be prepared and approved by the Security Council which includes—

(A) an identification of those allies which will assist the United States in its efforts toward the democratization and reconstruction of Iraq;

(B) the total number and phasing of troops to be deployed in these efforts;

(C) an explanation of the extent of burden-sharing that can be expected from allies; and

(D) an exit plan that accounts for the return of members of the Armed Services to the United States.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available in this Act may be used until after the date on which a special counsel is appointed to investigate the identity of those within the Administration who are responsibile for the unauthorized and illegal release of classified information relating to the identity of Valerie Plame or to Ambassador Joe Wilson.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 30: Page 49, strike line 1 and all that follows through line 7.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 31: Page 30, line 1, after the dollar amount insert ''(reduced by $300,000,000)''.

Page 33, lines 19 and 20, after each dollar amount insert ''(increased by $300,000,000)''.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 32: Page 30, line 5, after the dollar amount insert ''(reduced by $300,000,000)''.

Page 30, line 10, after the dollar amount insert ''(increased by $300,000,000)''.

H.R. 3289

OFFERED BY: MR. PENCE

AMENDMENT NO. 33: In the item relating to ''OTHER BILATERAL ECONOMIC ASSISTANCE—IRAQ RELIEF AND RECONSTRUCTION FUND—(INCLUDING TRANSFERS OF FUNDS)'', add at the end before the period the following: '': *Provided further*, That 50 percent of the total amount of funds appropriated under this heading shall be withheld from obligation and expenditure until (1) the initial 50 percent of funds appropriated under this heading have been obligated giving priority consideration to the emergency purposes of security, electric sector infrastructure, oil infrastructure, public works, water resources,

transportation and telecommunication infrastructures, and other emergency needs, (2) the President prepares and transmits to the Committees on Appropriations of the House of Representatives and the Senate a report in writing that describes the programs, projects, and activities that are or have been financed by such initial funds and includes a detailed analysis of the extent to which such programs, projects, and activities are or have been successful, and (3) the President determines and certifies to Congress that a democratically elected government in Iraq has been established: *Provided further*, That the remaining 50 percent of the total amount of funds appropriated under this heading shall be made available in the form of loans subject to repayment to the United States Government, on terms and conditions determined by the President''.

H.R. 3289

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available in this Act may be obligated or expended until all Reserve and National Guard personnel are paid in full.

H.R. 3289

OFFERED BY: MR. EMANUEL

AMENDMENT NO. 35: At the end of the bill (before the short title), insert the following new section:

SEC. ____. (a) NEW OFFENSE.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following: ''

''§ 1037. War profiteering and fraud relating to military action, relief, and reconstruction efforts in Iraq

''(a) Whoever, in any matter involving a contract or the provision of goods or services, directly or indirectly, in connection with the war, military action, or relief or reconstruction activities in Iraq, knowingly and willfully—

''(1) executes or attempts to execute a scheme or artifice to defraud the United States or Iraq;

''(2) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

''(3) makes any materially false, fictitious, or fraudulent statements or representations, or makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; or

''(4) materially overvalues any good or service with the specific intent to excessively profit from the war, military action, or relief or reconstruction activities in Iraq;

shall be fined not more than $1,000,000 or imprisoned not more than 20 years, or both. In lieu of a fine otherwise authorized by this section, a defendant who derives profits or other proceeds from an offense under this section may be fined not more than twice the gross profits or other proceeds.

''(b) EXTRATERRITORIAL JURISDICTION.—There is Federal jurisdiction over an offense under this section regardless of whether the acts constituting the offense occur in the United States.

''(c) VENUE.—A prosecution for an offense under this section may be brought—

''(1) as authorized by chapter 211 of this title;

''(2) in any district where any act in furtherance of the offense took place; or

''(3) in any district where any party to the contract or provider of goods or services is located.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following new item:

''1037. War profiteering and fraud relating to military action, relief, and reconstruction efforts in Iraq.''

(b) FORFEITURE.—Section 981(a)(1)(C) of title 18, United States Code, is amended by inserting after ''1032,'' the following: ''1037,''.

(c) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting before '', section 1111'' the following: '', section 1037 (relating to war profiteering and fraud relating to military action, relief, and reconstruction efforts in Iraq)''.

H.R. 3289

OFFERED BY: MR. EMANUEL

AMENDMENT NO. 36: At the end of title II, insert the following new section:

SEC. 22___. FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS.

(a) PAYMENTS TO STATE AND LOCAL GOVERNMENTS.—There is authorized to be appropriated and is appropriated for making payments under this section to States and local governments, to coordinate budget-related actions by such governments with Federal Government efforts to stimulate economic recovery, an amount equal to at least the total amount appropriated under this Act and under the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11) under the heading ''Iraq Relief and Reconstruction Fund''. Such amounts shall be in addition to, and not in lieu of, other amounts appropriated for payments to States and local governments.

(b) PAYMENTS.—

(1) FISCAL YEAR 2003.—From the amount appropriated under subsection (a) for fiscal year 2003, the Secretary of the Treasury shall, not later than the later of the date that is 45 days after the date of enactment of this Act or the date that a State provides the certification required by subsection (e) for fiscal year 2003, pay each State the amount determined for the State for fiscal year 2003 under subsection (c).

(2) FISCAL YEAR 2004.—From the amount appropriated under subsection (a) for fiscal year 2004, the Secretary of the Treasury shall, not later than the later of October 1, 2003, or the date that a State provides the certification required by subsection (e) for fiscal year 2004, pay each State the amount determined for the State for fiscal year 2004 under subsection (c).

(c) PAYMENTS BASED ON POPULATION.—

(1) IN GENERAL.—Subject to paragraph (2), the amount appropriated under subsection (a) for each of fiscal years 2003 and 2004 shall be used to pay each State an amount equal to the relative population proportion amount described in paragraph (3) for such fiscal year.

(2) MINIMUM PAYMENT.—

(A) IN GENERAL.—No State shall receive a payment under this section for a fiscal year that is less than—

(i) in the case of 1 of the 50 States or the District of Columbia, ½ of 1 percent of the amount appropriated for such fiscal year under subsection (a); and

(ii) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, or American Samoa, 1/10 of 1 percent of the amount appropriated for such fiscal year under subsection (a).

(B) PRO RATA ADJUSTMENTS.—The Secretary of the Treasury shall adjust on a pro rata basis the amount of the payments to States determined under this section without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

(3) RELATIVE POPULATION PROPORTION AMOUNT.—The relative population proportion amount described in this paragraph is the product of—

(A) the amount described in subsection (a) for a fiscal year; and

(B) the relative State population proportion (as defined in paragraph (4)).

(4) RELATIVE STATE POPULATION PROPORTION DEFINED.—For purposes of paragraph (3)(B), the term ''relative State population proportion'' means, with respect to a State, the amount equal to the quotient of—

(A) the population of the State (as reported in the most recent decennial census); and

(B) the total population of all States (as reported in the most recent decennial census).

(d) USE OF PAYMENT.—A State shall use the funds provided under a payment made under this section for a fiscal year only for—

(1) ordinary and necessary maintenance and operating expenses for—

(A) primary, secondary, or higher education, including school building renovation;

(B) public safety;

(C) public health, including hospitals and public health laboratories;

(D) social services for the disadvantaged or aged;

(E) roads, transportation, and water infrastructure; and

(F) housing;

(2) ordinary and necessary capital expenditures authorized by law; and.

(3) costs to the State of complying with any Federal intergovernmental mandate (as defined in section 421(5) of the Congressional Budget Act of 1974) to the extent that the mandate applies to the State, and the Federal Government has not provided funds to cover the costs.

(e) CERTIFICATION.—In order to receive a payment under this section for a fiscal year, the State shall provide the Secretary of the Treasury with a certification that the State's proposed uses of the funds are consistent with subsection (d).

(f) DEFINITION OF STATE.—In this section, the term ''State'' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(g) WAGE RATES.—All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part with assistance received under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (commonly known as the Davis-Bacon Act; 40 U.S.C. 276a et seq.).

(h) AVAILABILITY TO LOCAL GOVERNMENTS.—Not less than one-third of the amount appropriated pursuant to subsection (a) shall be made available to local governments under the applicable laws of a given State.

H.R. 3289

OFFERED BY: MR. KENNEDY OF MINNESOTA

AMENDMENT NO. 37: Page 19, after line 20, insert the following new section:

SEC. ____. The Secretary of Defense shall reimburse air fare costs incurred by members of the Armed Forces in connection with travel within the United States while such members are on leave from deployment overseas in support of Operation Iraqi Freedom and Operation Enduring Freedom.

H.R. 3289

OFFERED BY: MR. GRAVES

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following:

TITLE III—GENERAL PROVISIONS

SEC. 3007.

(a) ASSISTANCE AVAILABLE.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall use not more than $10,000,000 of funds of the Commodity Credit Corporation to make emergency financial assistance available to producers on a farm that have incurred qualifying losses for the 2003 crop of an agricultural commodity due to damaging weather conditions, as determined by the Secretary.

(b) USE OF FORMER ADMINISTRATIVE AUTHORITY.—Except as provided in subsection (c), the Secretary shall make assistance available under subsection (a) in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for quantity and quality losses as were used in administering that section.

(c) PAYMENT RATE.—The payment rate for a crop for assistance provided under subsection (a) to the producers on a farm shall be calculated as follows:

(1) If the producers obtained a policy or plan of insurance, including a catastrophic risk protection plan, for the crop under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 50 percent of the applicable price for the crop.

(2) If a policy or plan of insurance, including a catastrophic risk protection plan, for the crop was not available to the producers under the Federal Crop Insurance Act, 50 percent of the applicable price for the crop.

(3) If the producers did not obtain a policy or plan of insurance, including a catastrophic risk protection plan, available for the crop under the Federal Crop Insurance Act, 45 percent of the applicable price for the crop.

(d) PAYMENT LIMITATION.—

(1) LIMITATION.—Assistance provided under subsection (a) to a producer for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(2) OTHER PAYMENTS.—In applying the limitation in paragraph (1), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(e) INELIGIBILITY FOR ASSISTANCE.—The producers on a farm shall not be eligible for assistance under subsection (a) with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act for the crop incurring the losses; and

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 for the crop incurring the losses.

(f) ASSISTANCE FOR PARTICULARLY HARD-HIT AREA.—The Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to make a grant to the State of Missouri, subject to the condition that the State, acting through the Missouri Department of Agriculture, use the grant funds to provide assistance to agricultural producers with farming operations in the following counties in Missouri: Andrew, Atchison, Buchanan, Caldwell, Carroll, Chariton, Cooper, Clay, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Howard, Jackson, Linn, Livingston, Mercer, Nodaway, Platte, Putnam, Schulyer, Sullivan, and Worth.

(g) EMERGENCY DESIGNATION.—The amounts referred to in subsections (a) and (f) are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. STEVENS].

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our heavenly Father, the fountain of all wisdom, understanding, and strength, You execute judgment and there is none like You.

Lord, thank You for providing refuge for the oppressed and for those who know Your name. Strengthen us with the defense of Your right hand. Give us this day a knowledge of You that we may gain true understanding. Multiply our years with abundant living, enabling us to find real peace and joy.

Lord, You know what is best for us, so please guide our lives. Look at the needs of our Senators and do for them what they cannot accomplish by human efforts alone. Give them wisdom and courage for these challenging days. Conform our will to the unfolding of Your loving providence. We pray this in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Republican whip is recognized.

SCHEDULE

Mr. MCCONNELL. This morning, there will be a period of morning business for 60 minutes. Following that period, the Senate will resume consideration of the supplemental appropriations for Iraq and Afghanistan.

Under a previous order, upon returning to the bill at approximately 10:40 this morning, the Senate will proceed to two back-to-back rollcall votes. The first vote will be in relation to the Corzine amendment numbered 1811 relating to military reservist retirement pay. That vote will be followed by a vote in relation to the Reid amendment numbered 1844 relating to end strength.

The votes in relation to the Corzine and Reed amendments will be the first votes of today. The Senate will recess from 12:30 to 2:15 so the Republicans may hold their weekly policy luncheon. Following the recess, the Senate will resume consideration of the appropriations supplemental. Amendments will be offered and debated throughout the day. Yesterday, we made substantial progress on the bill and I appreciate Members agreeing to time agreements on their amendments so we could schedule votes and move forward.

Senators should again expect rollcall votes throughout the day and into the evening in relation to the supplemental appropriations bill. As the leader has indicated, we are going to finish this bill this week and that will require late nights with votes included. All Senators should be aware of that in scheduling their evenings tonight and tomorrow night.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. The Senator from Pennsylvania has asked to speak this morning. The Senator from Maryland is here. I ask unanimous consent that the first 3 minutes of the time be charged to the Republicans. I ask that the Senator from Pennsylvania be recognized for 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized for 3 minutes.

DR. GUION S. BLUFORD, JR.

Mr. SANTORUM. Mr. President, I rise to welcome to the Senate Dr. Guy Bluford and his wife Linda who are here today. This year marks the 20th anniversary of Dr. Bluford's first flight into space, the first African American in space. He is a native Philadelphian, of which I am very proud. I am equally as proud that he is also a fellow Penn State graduate.

He has distinguished this country in his 29 years of service in the U.S. Air Force. I will enter into the RECORD his long list of accomplishments in the Air Force, and I ask unanimous consent to have this printed following my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit No. 1.)

Mr. SANTORUM. He has won numerous medals and commendations. His first flight in space was on August 30, 1983. He became the first African American to fly in space. Subsequent to that, he went on three missions in space in the shuttle and logged over 688 hours in space. In 1997, he was inducted into the International Space Hall of Fame. Since his retirement, he has continued to excel in private enterprise since 1997 and is now president of the Aerospace Technology Group.

As I mentioned, one of his greatest accomplishments is graduating from Penn State University, my alma mater. He has an aerospace engineering degree from Penn State. He has a master's degree of science, Ph.D. degree in aerospace engineering from the Air Force Institute of Technology, and an MBA degree from the University of Houston. His education is phenomenal. His accomplishments in the military and space and now in the private sector are something of which to take note.

We recognize today his great contribution to this country. The example he sets is as a terrific role model for young people of all ethnic and racial backgrounds. He is a man who has accomplished a tremendous amount in

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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his life and obviously has a lot more to contribute. He and his wife Linda are here today, and we will have a reception for them starting at 10 a.m. in one of the reception rooms behind me. I invite my colleagues to stop by and meet Dr. Bluford and his wife Linda.

I thank him for his tremendous service. I know my colleagues join me in recognizing his great accomplishments and great service to this country.

EXHIBIT NO. 1

GUION S. BLUFORD, JR. PH.D

Dr. Guion S. Bluford, Jr., President, The Aerospace Technology Group (ATG), an aerospace technology and business consulting organization specializing in aviation and space related technology development, analysis, and marketing related activities. Prior to joining ATG, Dr. Bluford was Vice President of Microgravity R&D and Operations for the Northrop Grumman Corporation and was responsible for all corporate microgravity research and technical development activities in support of NASA's Human Exploration and Development of Space (HEDS) Enterprise. He also served as the Program Manager of the NASA Glenn Research Center's Microgravity Research, Development, and Operations Contract (MRDOC). Headquartered in Cleveland Ohio, Dr. Bluford was responsible for the design, development, integration, and operational support of the NASA Fluids and Combustion Facility and associated space flight experiment hardware for the International Space Station. Prior to joining Northrop Grumman, he was Vice President of the Aerospace Sector of Federal Data Corporation (FDC) and was responsible for all NASA business. He has also been the Vice President of the Engineering Services Division of NYMA Inc and Program Manager of the NASA Lewis Research Center's Scientific Engineering, Technical and Administrative Related Services (SETAR) contract.

Prior to his service with Northrop Grumman, FDC, and NYMA, Inc., Dr. Bluford was a NASA mission specialist and payload commander astronaut on four Space Shuttle missions. He was selected in the first class of space shuttle astronauts in 1978 and was the first African American to fly in space in 1983 aboard Space Shuttle Challenger. In addition, he flew on a Spacelab flight as payload commander in 1985, a Department of Defense Strategic Defense Initiative Office flight in 1991, and a classified Department of Defense flight in 1992. He has logged over 688 hours in space.

Dr. Bluford served 29 years in the United States Air Force as an Air Force tactical fighter pilot in Vietnam, instructor pilot, staff development engineer, Branch Chief of the Aerodynamics and Airframe Branch of the Air Force Flight Dynamics Laboratory and NASA Astronaut. He has over 5200 hours of jet flight time in ten different aircraft.

Dr. Bluford received a Bachelor of Science degree in Aerospace Engineering from Penn State University and Masters of Science and Ph.D degrees in Aerospace Engineering from the Air Force Institute of Technology, and a Master of Business Administration degree from the University of Houston, Clear Lake, Texas.

Dr. Bluford serves on the Board of Directors of the U.S. Space Foundation, ENSCO Inc, and the Board of Trustees of The Aerospace Corporation. He has been a member of the National Research Council's Aeronautics and Space Engineering Board (ASEB) and the Board of Directors of the American Institute of Aeronautics and Astronautics (AIAA). He is currently serving on the Board of Directors of the NASA Alumni League, Western Reserve Historical Society of Cleveland, the Great Lakes Science Center, and the National Inventors Hall of Fame Foundation.

He has been awarded the Department of Defense's Superior Service and three Meritorious Service Medals; the Air Force's Legion of Merit, Meritorious Service, Commendation, and ten Air Medals; NASA's Distinguished Service, Exceptional Service and four Space Flight Medals: the State of Pennsylvania's Distinguished Service Medal and thirteen honorary doctorate degrees. An AIAA Fellow, he was inducted into the International Space Hall of Fame in 1997.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transmission of morning business up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the second 30 minutes under the control of the Senator from Texas, Mrs. HUTCHISON, or her designee.

Mr. REID. I yield 10 minutes to the Senator from Maryland, to be followed by 10 minutes to the Senator from Oregon, followed by 10 minutes to the Senator from Louisiana, Ms. LANDRIEU.

The PRESIDENT pro tempore. The Senator from Maryland is recognized for 10 minutes.

IRAQ

Ms. MIKULSKI. Mr. President, I will state some of my principles as we debate the supplemental appropriations on Iraq.

One year ago, America was on the brink of war. Congress debated then whether America should go it alone to confront Saddam Hussein or get international support to bring the world with us. This week, Congress takes up a nearly similar debate: Do we go it alone or do we find a way to share the burden and the cost of the war?

Who should pay for the occupation and reconstruction of Iraq? According to the Bush administration, the answer is the American taxpayer, to the tune of $87 billion.

I agree that as we consider this debate, we should have four principles to guide our thinking. First, there must be international burden sharing. If the stability of Iraq is in the world's interest, then the world should help pay for the reconstruction. The administration must be more aggressive in the pursuit of reconstruction funds from other countries and other international institutions.

Second, wherever possible, American aid should be loans, not giveaways. Iraq has the world's second largest oil reserves. These oil fields are capable of pumping out millions of barrels a day. That should translate into billions of dollars. Those profits should help with the reconstruction.

Third, we must always be clear that we support our troops. These are ordinary men and women called to do extraordinary and dangerous and difficult missions. They put their lives at risk to serve our country. Our troops need the equipment, the gear, the backup. And their families need financial support. Military families, with loved ones are in Iraq, need financial support to make ends meet and the health care they should get.

Third, the administration must lay out its plan to end the occupation of Iraq. There was a plan for the war. Now we need a plan for the peace. The American people deserve full disclosure: a real assessment of where we are going, how long we will be there. Iraq must not turn into a quagmire. We cannot pour in our funds and send more troops with no end in sight.

Last year, when we debated about the war, I said if it is important enough to the world to go, the world should go with us. I voted to go to the U.N. to have international legitimacy and international burden sharing, to share the dangers along with our troops as well as to share the cost of rebuilding Iraq.

During the debate I said: What is going to happen to our troops? And I asked it in classified situations and other briefings we received. I wanted to know if our troops were going to be greeted with a landmine or with a parade. Well, now we know the answer to that.

Our troops need all the support they can get. I believe we need more troops, but I do not think we need more American troops; they should come from other countries.

I believe there is money that needs to be spent in Iraq but not only our money. I think there needs to be international money. We had a coalition of the willing. Now we need a coalition of the wallet. Let them step to the plate to share the financial responsibility to create stability and a democracy in Iraq.

You bet I am behind our troops. And we want to vote to make sure they have the help and the assistance they need, not only the right gear. We understand they do not even have the proper body armor they need.

We also want to support their families here at home. They come back for 2 weeks for a breather, but their families' hearts are broken as the men and women go back to the war. We need to support those families financially, and we need to support those things in terms of health care.

When it comes to burden sharing, we now know the other countries are not stepping up. They are tepid. They were timid about the war, and they are tepid about reconstruction. Only 61 countries have committed to helping. They have committed $1.5 billion to the reconstruction of Iraq, according to Ambassador Bremer's testimony. That is not enough.

But we were also assured by Secretary Rumsfeld that we could get the money for reconstruction from Iraqi oil. Well, let's get it. I support the kind of thinking that Senator DORGAN has presented, which is to replace the $20 billion in grants for Iraqi reconstruction with loans, and to also create a framework for other nations to participate in those loans.

On a bipartisan basis, Senator KAY BAILEY HUTCHISON is working on an amendment to make $10 billion in American aid work via a loan through the World Bank, a $10 billion loan through the World Bank, with other nations contributing to the World Bank's Iraq reconstruction trust fund. That is the kind of thinking we need, and we need to work on a bipartisan basis. America needs to know we are trying to work on a bipartisan basis. But I repeat: We need loans, not giveaways.

Now, there are others who say: Oh, my gosh, Iraq is shackled with debt.

That debt was created by an illegitimate government in Iraq. And who is the money owed to? Well, the money is owed to Russia, to Saudi Arabia, to France. Why can't they forgive the debt? Make that their share. Just forgive the debt. Rather than giving more money, let France forgive the debt. Let Russia forgive the debt. Let Saudi Arabia forgive the debt. Let Iraq start with a clean slate and pay back America for what it is doing.

My constituents in Maryland are very patriotic, and they will do whatever is necessary to defend this Nation. But they have families and children to educate, mothers and fathers who are grappling with the health care costs of being older, retirement plans to do, and homes to buy. It is not fair to ask the American taxpayer to share the full burden of fighting this war.

While we are worried about Russia's debt, what about our debt? If we are worried about Iraq being too burdened with debt, what about our debt?

Now we need a debt of gratitude for what we are doing around the world. I think the way it can be repaid is to forgive the Iraqi debt. Let them start with a clean slate just as they are starting with a clean government, and move on.

When you look at the way they are spending money on reconstruction, they have money for schools, they have money for tech centers, they have money for job training and job centers, water and sewer grants—all of what we need in our own communities.

We know the people in Iraq have suffered. They have suffered under Saddam Hussein. They are now suffering under what looks like an internal civil war going on now among the different tribes.

I know the children need health care, the communities need electricity, and they need to have an economy to get back on their feet. But, my gosh, I sure wish some of this money was also being spent here at home.

The request for Iraq includes 250 tech centers with 20 laptop computers each, and computer training. They are going to build seven communities, with 3,500 units of affordable housing. And—guess what—we are going to build a primary school, two secondary schools, a health clinic, a place of worship, and a market in each community.

Yet at the same time, HOPE VI and other programs to revitalize American cities have been zeroed out. Technical centers to get our kids ready for the new century is sharply reduced. Infrastructure that we desperately need to protect public health and the environment, such as water and sewer grants, is so spartan and skimpy in my own VA–HUD bill.

So we have to look at where we are spending our money, and we have to look at where we are creating debt. If we are creating debt to improve our economy, to get our jobs going, I think we know that a little borrowing today might create jobs tomorrow. But now we are doing massive borrowing to rebuild Iraq, while others tell us they cannot afford to send troops and they cannot afford to spend money. I am saying we are beginning to not be able to afford this war in Iraq.

So I hope we can work on some solutions to have Iraq emerge as a democracy and bring our troops back home. We have to concentrate on how we can have our national honor abroad but restore our national Treasury.

I look forward to working on a bipartisan basis with my colleagues. We have to get down to business and get strategy on how we are getting out of Iraq, and also how we are getting out of debt.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Oregon is recognized for 10 minutes.

INTERNET TAX FREEDOM ACT

Mr. WYDEN. Mr. President, the Senate knows, 5 years ago I was the sponsor in the Senate of the Internet Tax Freedom Act. This is law that was designed to ensure that the Internet be free of discriminatory taxes on Internet commerce and a variety of Internet activities. And it was designed to encourage the growth of the Internet.

The law has unquestionably worked. There is absolutely no evidence of anyone who has been harmed by the inability to discriminate against electronic commerce.

For many months now, Senators of both political parties have been working together to try to ensure the law that expires shortly would be reauthorized, and Senators have been working on a cooperative and bipartisan basis to go forward and reauthorize this law that has worked.

I had been under the impression that we were just about ready to bring this bill to the floor, but in the last few days a proposal that I find truly alarming has been brought forward by some of the State and local officials. I come to the floor this morning to make sure the Senate is actually familiar with the language that is being brought forward.

Mr. President, I ask unanimous consent that this legislation I am going to discuss be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NON-TEXAS MARKUP

MORATORIUM ON INTERNET TAXES

Pub. L. 105–277, div. C, title XI, Oct. 21, 1998, 112 Stat. 2681–719, provided that:

SEC. 1101. MORATORIUM.

(a) MORATORIUM.—No State or political subdivision thereof shall impose any of the following taxes:

(1) taxes on Internet access.

(2) multiple or discriminatory taxes on electronic commerce.

(b) PRESERVATION OF STATE AND LOCAL TAXING AUTHORITY.—

(1) IN GENERAL.—Except as provided in this section, nothing in this title shall be construed to modify, impair, or supersede, or authorize the modification, impairment, or superseding of, any State or local law pertaining to taxation that is otherwise permissible by or under the Constitution of the United States other Federal law [and in effect] on the date of enactment of this Act (Oct. 21, 1998).

(2) SPECIAL RULES.—If charges for Internet access are aggregated with and not separately stated from charges that are subject to taxation, then the charges for Internet access may be subject to taxation unless the Internet access service provider can reasonably identify Internet access charges not subject to taxation from its books and records kept in the regular course of business for other purposes

(c) LIABILITIES AND PENDING CASES.—Nothing in this title affects liability for taxes accrued and enforced before the date of enactment of this Act, nor does this title affect ongoing litigation relating to such taxes.

[(d) DEFINITION OF GENERALLY IMPOSED AND ACTUALLY ENFORCED.—For purposes of this section, a tax has been generally imposed and actually enforced prior to October 1, 1998, if, before that date, the tax was authorized by statute and either—

[(1) a provider of Internet access services had a reasonable opportunity to know by virtue of a rule or other public proclamation made by the appropriate administrative agency of the State or political subdivision thereof, that such agency has interpreted and applied such tax to Internet access services; or

[(2) a State or political subdivision thereof generally collected such tax on charges for Internet access.]

(e) EXCEPTION TO MORATORIUM.—

(1) IN GENERAL.—Subsection (a) shall also not apply in the case of any person or entity who knowingly and with knowledge of the character of the material, in interstate or foreign commerce by means of the World Wide Web, makes any communication for commercial purposes that is available to any minor and that includes any material that is harmful to minors unless such person or entity has restricted access by minors to material that is harmful to minors—

(A) by requiring use a credit card, debit account, adult access code, or adult personal identification number;

(B) by accepting a digital certificate that verifies age; or

(C) by any other reasonable measures that are feasible under available technology.

(2) SCOPE OF EXCEPTION.—For purposes of paragraph (1), a person shall not be considered to (be) making a communication for commercial purposes of material to the extent that the person is—

(A) a telecommunications carrier engaged in the provision of a telecommunications service;

(B) a person engaged in the business of providing an Internet access service;

(C) a person engaged in the business of providing an Internet information location tool; or

(D) similarly engaged in the transmission, storage retrieval, hosting, formatting, or translation (or any combination thereof) of a communication made by another person, without selection or alteration of the communication.

(3) DEFINITIONS.—In this subsection:

(A) BY MEANS OF THE WORLD WIDE WEB.—The term ''by means of the World Wide Web'' means by placement of material in a computer server-based file archive so that it is publicly accessible, over the Internet, using hypertext transfer protocol, file transfer protocol, or other similar protocols.

(B) COMMERCIAL PURPOSES; ENGAGED IN THE BUSINESS.—

(i) COMMERCIAL PURPOSES.—A person shall be considered to make a communication for commercial purposes only if such person is engaged in the business of making such communications.

(ii) ENGAGED IN THE BUSINESS.—The term ''engaged in the business'' means that the person who makes a communication, or offers to make a communication, by means of the World Wide Web, that includes any material that is harmful to minors, devotes time, attention, or labor to such activities, as a regular course of such person's trade or business, with the objective of earning a profit as a result of such activities (although it is not necessary that the person make a profit or that the making or offering to make such communications be the person's sole or principal business or source of income). A person may be considered to be engaged in the business of making, by means of the World Wide Web, communications for commercial purposes that include material that is harmful to minors, only if the person knowingly causes the material that is harmful to minors to be posted on the World Wide Web or knowingly solicits such material to be posted on the World Wide Web.

(C) INTERNET.—The term ''Internet'' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected world-wide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.

(D) INTERNET ACCESS SERVICE.—The term ''Internet access service'' means a service that enables users to access content, information, electronic mail, or other services offered over the Internet and may also include access to proprietary content, information, and other services as part of a package of services offered to consumers. Such term does not include telecommunications services, except to the extent such services are used to provide Internet access.

(E) INTERNET INFORMATION LOCATION TOOL.—The term ''Internet information location tool'' means a service that refers or links users to an online location on the World Wide Web. Such term includes directories, indices, references, pointers, and hypertext links.

(F) MATERIAL THAT IS HARMFUL TO MINORS.—The term ''material that is harmful to minors'' means any communication, picture, image, graphic image file, article, recording, writing, or other matter of any kind that is obscene or that—

(i) the average person, applying contemporary community standards, would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest;

(ii) depicts, describes, or represents, in a manner patently offensive with respect to minors, an actual or simulated sexual act or sexual contact, an actual or simulated normal or perverted sexual act, or a lewd exhibition of the genitals or post-pubescent female breast; and

(iii) taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

(G) MINOR.—The term ''minor'' means any person under 17 years of age.

(H) TELECOMMUNICATIONS CARRIER; TELECOMMUNICATIONS SERVICE.—The terms ''telecommunications carrier'' and ''telecommunications service'' have the meanings given such terms in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(f) ADDITIONAL EXCEPTION TO MORATORIUM.—

(1) IN GENERAL.—Subsection (a) shall also not apply with respect to an Internet access provider, unless, at the time of entering into an agreement with a customer for the provision of Internet access services, such provider offers such customer (either for a fee or at no charge) screening software that is designed to permit the customer to limit access to material on the Internet that is harmful to minors.

(2) DEFINITIONS.—In this subsection:

(A) INTERNET ACCESS PROVIDER.—The term ''Internet access provider'' means a person engaged in the business of providing a computer and communications facility through which a customer may obtain access to the Internet, but does not include a common carrier to the extent that it provides only telecommunications services.

(B) INTERNET ACCESS SERVICES.—The term ''Internet access services'' means the provision of computer and communications services through which a customer using a computer and modem or other communications device may obtain access to the Internet, but does not include telecommunications service provided by a common carrier.

(C) SCREENING SOFTWARE.—The term ''screening software'' means software that is designed to permit a person to limit access to material on the Internet that is harmful to minors.

(3) APPLICABILITY.—Paragraph (1) shall apply to agreements for the provision of Internet access services entered into on or after the date that is 6 months after the date of enactment of this Act (Oct. 21, 1998).

SEC. 1105. [''SEC. 1104.] DEFINITIONS.

For the purposes of this title:

(1) BIT TAX.—The term ''bit tax'' means any tax on electronic commerce expressly imposed on or measured by the volume of digital information transmitted electronically, or the volume of digital information per unit of time transmitted electronically, but does not include taxes imposed on the provision of telecommunications services.

(2) DISCRIMINATORY TAX.—The term ''discriminatory tax'' means

(A) any tax imposed by a State or political subdivision thereof on electronic commerce that—

(i) is not generally imposed and legally collectible by such State or such political subdivision on transactions involving similar property, goods, services, or information accomplished through other means;

(ii) is not generally imposed and legally collectible at the same rate by such State or such political subdivision on transactions involving similar property, goods, services, or information accomplished through other means, unless the rate is lower as part of a phase-out of the tax over not more than a 5-year period;

(iii) imposes an obligation to collect or pay the tax on a different person or entity than in the case of transactions involving similar property, goods, services, or information accomplished through other means;

(iv) establishes a classification of Internet access service providers or online service providers for purposes of establishing a higher tax rate to be imposed on such providers than the tax rate generally applied to providers of similar information services delivered through other means; or

(B) any tax imposed by a State or political subdivision thereof, if—

(i) [except with respect to a tax (on Internet access) that was generally imposed and actually enforced prior to October 1, 1998,] the sole ability to access a site on a remote seller's out-of-State computer server is considered a factor in determining a remote seller's tax collection obligation; or

(ii) a provider of Internet access service or online services is deemed to be the agent of a remote seller for determining tax collection obligations solely as a result of

(I) the display of a remote seller's information or content on the out-of-State computer server of a provider of Internet access service or online services; or

(II) the processing of orders through the out-of-State computer server of a provider of Internet access service or online services.

(3) ELECTRONIC COMMERCE.—The term ''electronic commerce'' means any transaction conducted over the Internet or through Internet access, comprising the sale, lease, license, offer, or delivery of property, goods, services, or information, whether or not for consideration, and includes the provision of Internet access.

(4) INTERNET.—The term ''Internet'' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected world-wide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.

(5) INTERNET ACCESS.—The term ''Internet access—

(A) [The term ''Internet access] means a service that enables users to access content, information, electronic mail, or other services offered over the Internet, and may also include access to proprietary content, information, and other services as part of a package of services offered to users, [such term does not include telecommunications services, except to the extent such services are used to provide Internet access.]

(B) The term ''Internet access'' as described in subsection (A) above is a service directly employed by its purchaser, regardless of the medium by which such service is provided. The term ''Internet access'' does not include the provision of television programs, games, books, music, motion pictures, newspapers, magazines, software, telecommunications services, voice communication, financial services, research services, information services, or other such products or services, or products or services that are available for purchase in any form other than over the Internet. Nothing in this title shall be construed to modify, impair, or supersede, or authorize the modification, impairment, or superseding of, any State or local law pertaining to taxation that is otherwise permissible by or under the Constitution of the United States or other Federal

law as of the date of original enactment of this Act (Oct. 21, 1998).

(6) MULTIPLE TAX.—

(A) IN GENERAL.—The term ''multiple tax'' means any tax that is imposed by one State or political subdivision thereof on the same or essentially the same electronic commerce that is also subject to another tax imposed by another State or political subdivision thereof (whether or not at the same rate or on the same basis, without a credit (for example, a resale exemption certificate) for taxes paid in other jurisdictions.

(B) EXCEPTION.—Such term shall not include a sale or use tax imposed by a State and 1 or more political subdivisions thereof on the same electronic commerce or a tax on persons engaged in electronic commerce which also may have been subject to a sales or use tax thereon.

(C) SALES OR USE TAX.—For purposes of subparagraph (B), the term ''sales or use tax'' means a tax that is imposed on or incident to the sale, purchase, storage, consumption, distribution, or other use of tangible personal property or services as may be defined by laws imposing such tax and which is measured by the amount of the sales price or other charge for such property or service.

(7) STATE.—The term ''State'' means any of the several States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

(8) TAX.—

(A) IN GENERAL.—The term ''tax'' means—

(i) any charge imposed by any governmental entity for the purpose of generating revenues for governmental purposes, and is not a fee imposed for a specific privilege, service, or benefit conferred; or

(ii) the imposition on a seller of an obligation to collect and to remit to a governmental entity any sales or use tax imposed on a buyer by a governmental entity.

(B) EXCEPTION.—Such term does not include any franchise fee or similar fee imposed by a State or local franchising fee or similar fee imposed by a State or local franchising authority, pursuant to section 622 or 653 of the Communications Act of 1934 (47 U.S.C. 542, 573), or any other fee related to obligations or telecommunications carriers under the Communications Act of 1934 (47 U.S.C. 151 et seq.).

(9) TELECOMMUNICATIONS SERVICE.—The term ''telecommunications service'' has the meaning given such term in section 3(46) of the Communications Act of 1934 (47 U.S.C. 153(46)) and includes communications services (as defined in section 4251 of the Internal Revenue Code of 1986 (26 U.S.C. 4251)).

(10) TAX ON INTERNET ACCESS.—The term ''tax on Internet access'' means [a tax on Internet access, including] the enforcement or application of any new or preexisting tax on the sale or use of Internet access [services unless such tax was generally imposed and actually enforced prior to October 1, 1998].

Mr. WYDEN. Mr. President, what some State and local officials now seek to do is to change the definition of ''Internet access,'' which, under current law, cannot be taxed. In doing so, what it would do is give States and localities explicit permission to tax what Internet users do once they get on line. That would mean you could have games, music, magazines, newspapers, information services, financial services, research services, or other products of services, in effect, facing a barrage of new taxes.

The phrase ''you've got mail'' would be replaced with ''you owe taxes.'' That is what this proposal would mean to 142 million Americans with household Internet access. Under this proposal, the consumer could be taxed every time they send an e-mail, every time they read their local newspaper online or check the score of a football game.

Those who are making this proposal are not going to come out publicly and talk about their ideas for taxing e-mail. There isn't a headline in the language that I have put into the CONGRESSIONAL RECORD today that says: Watch out, our plan is going to tax e-mail. But there is no question that a clear reading of this legislative language will mean just that. Consumers could be taxed every time they check a bank statement online. They could be taxed for paying their bills online. They could be taxed each time they check the sports scores online or listen to the weather on streaming radio. Every time a consumer turns to Google research service, they could be taxed for each key stroke. If that happened, no question, some in my office would just go bankrupt.

As the Chair knows, being so instrumental in working with me and members of the Senate Commerce Committee, this law has worked. It has been a bipartisan law based on the simple proposition that you would treat activity online just as you treat activity online. Some made dire predictions about the law originally that States and localities would be denied the opportunity to gain revenue for essential services. It has been clear that they have been proven incorrect. Internet commerce is now just a small part of our economy. In fact, what we have seen is a merger of what I call bricks and clicks, traditional commerce with Internet commerce. We have not seen problems under current law.

But by redefining the definition of Internet access, as the proposal does that I have put into the CONGRESSIONAL RECORD today, in effect you give a green light to State and local authorities all across the country to tax services that are integral to Internet access, including e-mail.

I believe this proposal would make wider the digital divide in this country. I think the new taxes would restrict growth in the Internet. The American consumer needs to know exactly what some of these taxing authorities are really up to. What they really want is either to stop the ban on Internet access taxes from becoming permanent or they are looking for statutory language which would stick consumers with hundreds of millions of dollars in new taxes each year.

In my view, either option would be unacceptable to a majority of Senators. I hope, as the negotiations originally proceeded in the Commerce Committee and now in the Finance Committee, that there would be an effort to make the ban on discriminatory taxes on Internet commerce permanent and, in particular, let us ensure that the hard hit American consumer is protected from unfair tax schemes such as those I have outlined this morning.

I yield the floor.

The PRESIDENT pro tempore. Who yields time? The Senator from Texas.

Mrs. HUTCHISON. Mr. President, it is my understanding that our side took 3 minutes early. So how much time is remaining on the other side?

The PRESIDENT pro tempore. The majority has 26 minutes 58 seconds. The minority has 13 minutes 34 seconds.

Mrs. HUTCHISON. Mr. President, I will proceed. If a Member of the other side comes, I will be happy to yield to them under their time. But I will start with the majority time.

The PRESIDENT pro tempore. Without objection, the Senator from Texas is recognized.

SCHOOL FOR IRAQ'S CHILDREN

Mrs. HUTCHISON. Mr. President, one of the biggest successes in Iraq in the past month has been the first day of school for millions of Iraqi children. America's service men and women worked with local partners to refurbish the schools that were destroyed under Saddam Hussein's regime so these children could experience the freedom that comes with learning. One example of this progress involves soldiers from the 1st Armored Division's 1st Squadron, 1st Cavalry Regiment, who did an immense amount to improve the quality of life for Iraqi children. Led by Squadron Commander LTC Charles Williams, the soldiers focused their efforts on 25 schools around the rim of Baghdad. The schools had been neglected by the former regime.

They were in a sad state when 1AD forces arrived in Baghdad several months ago. The desks were in pieces. The blackboards were broken. There were no doors on the rooms and there were no ceiling fans. There was very poor lighting or no lighting at all. The squadron took charge. Their engineers came forward. American contractors and local Iraqi contractors worked together to repair the schools.

Over the past few months the schools underwent a dramatic change: Walls were painted. Electrical wiring and plumbing were fixed. Glass was replaced. Security bars were installed in windows and school supplies were issued.

I have some pictures that show better than any words could some of the progress that is being made. This is a picture of Mahmoud Al-Jabouri, a former Iraqi Army general who worked with the 1st Squadron, 1st Cavalry Regiment, 1st Armored Division in repairing the schools in Baghdad. He is giving a speech for the first day of classes at Dufaf Al-Neil primary school. The progress our troops have been making in working with Iraqi citizens enabled this school to open. It was a joint effort. We can see the children at the opening day of the school with our soldiers and the former Iraqi general.

Look at the excitement on the Iraqi faces as soldiers from the 1st Squadron,

1st Cavalry Regiment helped an Iraqi schoolgirl cut the ribbon at a ceremony celebrating the first day of school. These children are so excited, as they see their world opening up. Iraqi children at Dufaf Al-Neil school hold up the markers they received along with other gifts from soldiers of the 1st Cavalry Regiment. Everyone can see that these school supplies have opened a new world for these children. Their liberation cannot be overemphasized.

Aside from the new facilities, there is something else the American forces have provided for these children. They have ended the fear and terror that Saddam Hussein instilled in Iraqi schools. I want to read an excerpt from a National Review article from October 13. This is stunning.

> . . . there will be no mysterious disappearances from the classrooms. No teachers and pupils will be found dead in school doorways. . . . Teenage school girls will not be abducted and taken to one of the many harems maintained by Uday, Saddam's sadistic elder son. . . .

We could hardly imagine how these children went to school living in fear that they might be abducted and taken into Uday's harem; that their teachers might be killed in the doorway for something that they could not even imagine they had said or done wrong. Not only are we opening these schools with new school supplies and painted walls and lighting, but we have taken the fear from these children that when they go to school, something horrible will happen.

Our Armed Forces are performing heroic acts every day, trying to ensure that the Iraqi people are free and working toward self-government. Step by step, normal life in Iraq is being established as basic services are restored and hope is reborn.

What we are doing in Iraq is going to change the Middle East. It is going to give people in this country a taste of freedom, and others will see it. It will be a message bigger than anything we could say would happen. It is the results that we are working for, and the President is committed to that result.

That is why we are debating a supplemental appropriation that would bring freedom to this country and begin to spread it throughout the Middle East.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Under the previous order, the Senator from Louisiana is recognized for 10 minutes.

NATION BUILDING IN IRAQ

Ms. LANDRIEU. Mr. President, I wanted to add a couple of thoughts this morning regarding the plan for nation building in Iraq. I had supported vigorously the amendment by Senator DORGAN last evening, but because of the time constraints I was not able to speak on that particular amendment. I plan to offer a similar amendment—and there are others—that will try to help the Senate focus again on the opportunities and possibilities for sustaining a successful effort in Iraq—a successful effort of nation building—by shifting the burden from the American taxpayers to the Iraqi people and their great resources.

As you know, Mr. President, I supported the use of force; I supported the overthrow of that regime. I believe that a lot of the information that was given to us has proven not to be true and accurate; nonetheless, I support the effort because this was a regime that needed to be overthrown. I am also here to say and agree that in order to be successful we have to sustain a long-term commitment, not cut and run, not window dress, not put lipstick on a pig, not pretend that things are going well—but have things really go well. The verdict is still out. I am sure it is not as bad as it is portrayed by the media. Usually nothing is as bad as that. The stories tend to be one-sided in many instances. The fact is, this is a very difficult undertaking. We have undertaken it only seven times since World War II.

There is a very interesting report that I want to mention at this time. I will give more detailed comments about it later. It is an extensive Rand report just finished on nation building. The title is, ''The Inescapable Responsibility of the World's Only Superpower.'' This is bipartisan; it is not a Republican plan, not a Democratic plan. This is a bipartisan American view of this issue, a very balanced approach. It says, basically, there are seven lessons that we have learned since Germany and our successful Marshall plan effort. I will read excerpts from them quickly and talk about it later.

It says that:

> Multilateral nation-building is more complex and time-consuming than a unilateral approach. But the multilateral approach is considerably less expensive for individual participants.

So there are tradeoffs. We are doing this in a more unilateral way. I don't necessarily have a problem with that. I understand we have made efforts to reach out to our multinational partners, and we have not been able to reach agreement. Sometimes the United States has to lead alone and lead decisively. I am, for one, not opposed to that. I just understand that it is more expensive. So let's find a way to pay for it. Further, the report says:

> Multilateral nation-building can produce more through transformations and greater regional reconciliation than can unilateral efforts.

That is an argument for multilateral involvement. It also says:

> Unity of command is essential. . . .

I believe unity of command is one element we have to preserve in Iraq. It seems as though we are on the path to that end. There are problems, though, that this report points out. One of them is:

> There appears to be an inverse correlation between the size of the military stabilization force and the level of casualties.

In other words, the more troops and peacekeepers you have on the ground, the less soldiers you lose. One of the objectives I have as a Senator from Louisiana is to lose as few soldiers as possible.

I want to show you a picture—of course, we are touched by many pictures that we see, but I hope the cameras can pick up SGT Rich Armstrong of Lynchburg, VA. This man is not from Louisiana but from Virginia, right across the river. He is a staff sergeant who is saying goodbye to his wife Beth and his 8-month-old daughter Olivia. I hope this soldier can be brought back home so he can spend the rest of his life with his daughter and wife.

This is not about campaigns or politics. This is about trying to lay down the best plan to bring these soldiers home. The more troops you have there and the more police you have there, the less soldiers will come home either wounded or ''not'' at all.

This reports goes on to say:

> Neighboring states can exert significant influence, for good or bad. It is nearly impossible to put together a fragmented nation if its neighbors try to tear it apart.

One of the amendments in the House, I thought, took us a step backward. It took aid away from neighboring states, when we need to encourage them to help in this effort.

I continue to quote:

> Accountability for past injustices can be a powerful component of democratization. Such accountability can be among the most controversial aspects of any nation-building endeavor, however, and therefore should be attempted only if there is a deep and long-term commitment to the overall operation.

My contention is that we are going to be there as long as we need to be, but the American people are not going to sacrifice their children or grandchildren's education, or the solvency of the Social Security trust fund, unless we find a better way to pay for it. If we do, then we can be there not just for 2 or 3 years, but like this Rand study says:

> None of our cases were successfully completed in less than seven years.

So one of my questions is, How many times is the administration going to come back and ask us to forego college education for our children, support for public schools, and the establishment of a good health care system in Louisiana to rebuild Iraq, when we have the resources in Iraq to do it; when the people of Iraq, in partnership with the United States—friends and allies in a strong partnership—using our know-how and their resources, can rebuild the country? This is not new; this is not MARY LANDRIEU's idea. We did this during the Marshall plan. We used Germany's coal reserves. It was one of the principles of the Marshall plan—how to rebuild Europe. Thank goodness we were dealing with a country—Germany, the aggressor in that situation—that had vast coal reserves. It was one of the reasons we could build the Marshall plan. That was very different

from this. The Marshall plan said that for every dollar the donor nation put in, the recipient nation would put up one. It structured a bipartisan, comprehensive, sustainable program.

What this administration is doing, even if this bill passes this week, is not sustainable because the people in your States and in my State are not going to dig down, putting the debt on the American taxpayers to pay for this. The one way to do it correctly is to use the great oil resources. This is not my idea. This is not just something based on the Marshall plan.

I will show you what Paul Wolfowitz said. Paraphrasing, he said the oil revenues of that country could bring between $50 billion and $100 billion over the course of the next 2 or 3 years. He said that we are dealing with a country that can really finance its own reconstruction, and relatively soon. This is not the Democratic leadership, Mr. President, and this is not Senator LANDRIEU saying that; that is Paul Wolfowitz, on March 27, 2003.

Let's see what Vice President CHENEY said only a year ago. People say, what is the confusion? Why are we not using the oil resources? It is not because it was a bad idea. The administration put forward this idea. Yet for some reason they have changed their minds.

Paraphrasing this, Tim Russert said every analysis said this war would cost about $80 billion for the recovery of Baghdad, perhaps of Iraq, about $10 million. Vice President CHENEY said he can't say that, and that in Iraq we have a nation that has the second largest oil reserves in the world, second only to Saudi Arabia. He said it would generate billions of dollars a year in cashflow if they get back to their production of roughly 3 million barrels a day in the relatively near future.

That was before the war. That is the plan the people were told. We would use the oil. Now we have to use our kids' trust funds for college. It is not right.

Let me show the amount of oil that is in Iraq. I know something about this because Louisiana produces a lot of oil. If we export from Iraq 1 million barrels a day, that is $8 billion a year at $22 a barrel. The range for OPEC is $22 to $29. These are using the most conservative figures. If we would get up to 10 million barrels a day—it is not only possible, it is likely—we could be generating in Iraq $80 billion.

Why would the American people be picking up the tab when the Iraqis have their own resources, building pride, dignity, independence? Why? I don't understand it. Maybe someone else has their eyes on the profit.

I think the Iraqi people should benefit from their reserves. I think the American taxpayers should benefit from these reserves, not a handful of companies, if that is the idea. I am not saying it is, but we are very confused about why the administration said they wanted to use oil and now they don't.

I have an article titled ''Iraqi Plans to Increase Oil Output in 2004.'' This article was in the Wall Street Journal this morning. This is quicker than they thought. Trust me, horizontal drilling and new technologies can produce a lot of wealth.

I am going to finish this speech later in the day. The question Louisianans have is, Why can't we use the resources and riches of that nation to help rebuild it and stabilize democracy in a part of the world that desperately needs it?

I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, how much time is remaining on the two sides?

The PRESIDING OFFICER. The majority has 20 minutes 53 seconds. The minority has 2 minutes 20 seconds.

Mrs. HUTCHISON. Does the Senator from Louisiana wish to finish with the 2 minutes?

Ms. LANDRIEU. I yield to the other side, and I reserve the 2½ minutes for closing this morning on our side.

Mrs. HUTCHISON. Mr. President, what I will do is allow the Senator from Louisiana to have the 2 minutes or the minority side to have the 2 minutes after Senator MCCONNELL, but then I am going to yield, because we have the last 30 minutes, to the Senator from Montana. The Senator from Louisiana can take the time now or take it after Senator MCCONNELL.

Ms. LANDRIEU. If that is the understanding, I have to ask the Chair—I know the time was equally divided—was it also established which side would speak in the last 2 minutes?

The PRESIDING OFFICER. The order previously agreed to was for the minority to consume their time first.

Ms. LANDRIEU. Then I will take those 2 minutes.

Mrs. HUTCHISON. If the Senator from Louisiana wishes to reserve her time after Senator MCCONNELL, I am going to yield up to 10 minutes to Senator MCCONNELL, after which, she can speak; is that acceptable?

Ms. LANDRIEU. That is acceptable. The next 10 minutes will be for Senator MCCONNELL, and I will then take the 2½ minutes that is remaining.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky.

Mr. MCCONNELL. I thank the Chair, and I thank my friend from Texas.

TRIP TO IRAQ AND AFGHANISTAN

Mr. MCCONNELL. Mr. President, I just returned from Iraq and Afghanistan. I was accompanied on that trip by Senator CONRAD BURNS of Montana, Senator LARRY CRAIG of Idaho, Senator CRAIG THOMAS of Wyoming, and Senator LINCOLN CHAFEE of Rhode Island. I wish to share with the Senate some of my observations about the trip.

First, I am pleased to report that patriotism among United States troops is alive and well in Iraq and Afghanistan. Soldiers on the frontlines of the global war on terrorism—be they with the 101st Airborne Division in Iraq or the 10th Mountain Division in Afghanistan—serve America with honor and distinction.

This Senator is more grateful than words can express for the professionalism and dedication of our Armed Forces as America continues to bring the war on terrorism to the terrorists. We are fighting this war on our terms—and on their turf.

My hat is off to the President—our capable Commander in Chief—for his stalwart leadership throughout this war. There is no better man that could be at the helm during these dangerous times.

In Iraq, our service men and women are proud to have liberated an oppressed nation and are bound and determined to finish the job they started by turning over Iraq to the Iraqi people as soon as is possible. The bill before us will allow them to do just that—so long as the requested reconstruction funds are fully provided. It might interest my colleagues to know that the Screaming Eagles view these funds just as important as ammunition in destroying the enemy.

In Afghanistan, United States troops continue to pay back al-Qaeda and Taliban forces for the September 11 attacks on our shores. Morale is high, and our soldiers take great pride in constituting a new Afghan army that are already proving to be more formidable fighters than the terrorists they face on fields of battle.

Second, despite news reports to the contrary, America is making significant progress in Iraq and Afghanistan.

In Iraq, U.S. troops and civilians with the Coalition Provisional Authority, CPA, are perplexed by the lack of attention paid to accomplishments made on a near daily basis. More than 13,000 reconstruction projects have been completed in Iraq, with electricity generation exceeding prewar levels and a free press already exceeding those in neighboring countries. By one recent count, 170 newspapers are being published in Iraq. Baghdad residents have access to more local print media than residents of Louisville, KY.

Some 60,000 Iraqi security forces have been trained, and those that patrol jointly with U.S. troops are often cheered by their compatriots. American military and CPA officials are working tirelessly to work themselves out of a job in Iraq as quickly as possible. The shared objective of the interim Iraqi Governing Council, IGC, and the CPA is to draft and ratify a constitution and hold national elections, perhaps within the next year.

In Afghanistan, international efforts are ongoing to build security forces and a new Afghan army. While Provincial Reconstruction Teams and humanitarian organizations have access to most of the country, Taliban remnants, al-Qaeda fighters, and local militias

continue to pose challenges to development activities in the southeastern part of the country. Afghan President Karzai and his cabinet are determined to lead the country out of decades of warfare and instability into a new era of prosperity and economic and social opportunity. They have America's support and assistance in this endeavor.

Funding in the supplemental bill is key to improving the lives of ordinary Iraqi and Afghan citizens and providing for the tools and technical training so that they guarantee their own security. Our reconstruction efforts in both countries can be best described as a partnership—one that is mutually beneficial to the security interests of Iraq, Afghanistan, and the United States.

Third, it is clear from talking to Iraqis and our forces on the ground that providing reconstruction assistance to Iraq in the form of a loan would be counterproductive and downright dangerous.

I do not doubt for a single moment that those elements that today attack coalition forces, the United Nations, and foreign missions in Baghdad would spin the extension of loan to Iraq as proof positive that the coalition toppled Saddam Hussein's regime for oil. This could spark a firestorm against the United States throughout the entire Islamic world—from Indonesia to Saudi Arabia—that even the most effective public relations campaign would fail to extinguish.

Further, the interim IGC is in no position to assume debt on behalf of the Iraqi people, much less award or manage reconstruction contracts. The CPA rightfully seeks to continue momentum in the reconstruction of Iraq, which will directly impact the ability of the U.S. military to bring our troops home. By saddling the Iraqi people with a loan—one that no one believes they are capable of repaying—we stymie such momentum and set a precedent for other potential donors to extend aid in the form of loans.

Fourth, we must do more to enlist the cooperation of Islamic nations in the global war on terrorism.

Jordan has long been an ally in this war, and its recent decision to train Iraqi police and military officials is yet another indication that the Hashemite Kingdom seeks peace and stability in the region. Jordan serves as a stellar example of the constructive role an Islamic nation can play in defeating the cancer of terrorism.

Turkey, too, deserves recognition for its recent approval to deploy armed forces to Iraq in support of Operation Iraqi Freedom. While many of us wish Turkey had been more supportive prior to the initiation of hostilities, this news is welcomed and underscores a regional appreciation for the need to defeat terrorism in Iraq. Just last week, the Turkish Prime Minister acknowledged that terrorism has ''no race, religion, or creed'' and that we ''need to take all necessary steps against terrorism.''

While Pakistan has also been a solid ally in the war on terrorism, it is only recently that Pakistani military forces have begun to crack down on al-Qaeda and Taliban fighters in remote provinces bordering Afghanistan. Pakistan must do all it can—in full cooperation and consultation with Afghanistan—to seek out and destroy domestic and foreign terrorists on its soil. Indeed, Pakistan should consider following the lead of both Jordan and Turkey and provide support for reconstruction efforts in Iraq.

Let me close with a final observation that America and its allies will win the war on terrorism, including ongoing battles in Iraq and Afghanistan. We will do so because of our military superiority and discipline of well-trained and motivated troops. We will do so because our cause is just and because it is in the interests of freedom loving people across the globe. And we will do so because America's greatness is rooted in the universal principles of liberty, justice, and human rights that two previous world wars have failed to extinguish.

President Bush is right that ''[a]s long as the United States of America is determined and strong, this will not be an age of terror; this will be an age of liberty, here and across the world.'' I say to our Commander in Chief that this Senator is determined to provide whatever assistance is requested and needed to win the global war on terrorism. I ask my colleagues to join me in this important endeavor.

I think they taught journalists in journalism school that good news is not news; that only bad news is news. We have sort of gotten accustomed to that in the United States. I would argue that in Iraq good news is news because prior to the fall of Saddam Hussein, almost nothing good ever happened. So the unusual in Iraq is something good happening. Clearly, 9 out of 10 things in Iraq are going in the right direction, contrary to the impression one would get from reading the daily newspaper or watching television news.

Speaking of newspapers, there are 170 newspapers being published in Iraq. That is certainly more choice than we have in my hometown of Louisville, KY, I can tell you that. Some of these papers are probably even more credible than the New York Times. So there is opinion being expressed all across Iraq, particularly in print media springing up everywhere, as they enjoy this new freedom they were previously denied.

In terms of security, the toughest issue, 60,000 Iraqis have been trained by us to begin to provide security, and some of those Iraqi security forces have thwarted some of these bombing attempts in the last 2 days. They are learning how to do it, and they are getting better. That security force is growing on a daily basis. When they conduct joint exercises with American troops, the patrols are frequently cheered by people in the countryside. They are happy they are there. They are excited by that.

Reconstruction: There have been 13,000 reconstruction projects completed to date, actually finished.

Schools: Back during the Saddam Hussein regime, they used schools to store ammunition. Today they are being used to educate young Iraqis. The schools are open. They opened a little over a week ago, and at least 1,500 of those schools—we are not anywhere near finished, but at least 1,500 of those schools have been refurbished by us.

We had a chance to visit a school in Baghdad—actually several schools. At one of them, I had a chance to talk with the principal. There is no way I can overstate how excited they are to, first of all, have their school fixed up and, second, have an opportunity to begin to teach these youngsters once again and to teach them in a more open and effective manner, unsupervised by some tyrant and his thugs in Baghdad.

Power: We finally have been able to get power production back to prewar capacity. That is still not nearly enough, but it is heading in the right direction. The ingenuity of the American commanders on the ground is really something to behold. General Petraeus, who is the division commander of the 101st Airborne, which is up north in Mosul, who, interestingly enough, has a Ph.D. from Princeton, has negotiated agreements with Turkish and Syrian officials to bring power from those countries into northern Iraq to help them meet their power needs.

New currency: I managed to pick up as a souvenir, as I left the country, an example of the old currency. This may be worth something someday. It has, of course, Saddam Hussein's face plastered on the front. These are no more. New currency is in the process of being issued in Iraq this week, and it begins the process of changing over to a different kind of currency. By the way, I think it is appropriate to note there will not be a single image of Saddam Hussein on any of these pieces of currency.

Going back to the 101st Airborne for a minute, they, of course, were also in Bosnia. The commander of the 101st said to us—and he was quite frustrated, as many of the soldiers were, about the perception that nothing was being accomplished there, that we were not heading in the right direction—he was in Bosnia as well, and we made more progress in Iraq in 6 months than we have made in Bosnia in 6 years. That is significant progress.

When he was talking about progress, he was not talking about the military part of it—that ended back in May; at least the intense combat portion ended—but he was talking about their efforts to deal with local people and these myriad of projects in which they are involved.

In northern Iraq, they had the first monitored provincial election in the Ninawa province. We had a chance to

meet with the local council that had been elected in that province. There was an election held since Saddam Hussein fell from power.

With regard to security, there is no question that security is still a serious problem in Iraq. Regrettably, we see it on an almost daily basis. But I bet not many Americans know that more Iraqis have been killed during this period than people from outside the country.

What does that mean? It means that the Baathists, who are probably the principal organizers of these violent activities, are trying to get power back. They are not just after the Americans. They want to get power back. They are going to try to kill anybody in the way. Frankly, if we left tomorrow, they would be after whatever Iraqis were in charge because they want to get the power back. They want to control the country. They want to go back to their abusive tactics that they engaged in for 25 years.

So they are indiscriminately attacking anybody who is directly involved in replacing them: the Iraqi Governing Council, the Turks after saying they would send in 10,000 troops—there was an attempt on their embassy yesterday. There was an attack on the Jordanian Embassy and the U.N. earlier. This is not just an attack against Americans but against anybody who is helping the Iraqis move in the direction of having a normal, democratic, responsible country.

There have been some demonstrations. People have said this is outrageous; it must mean they do not like the fact that Saddam Hussein is gone. Well, these demonstrations—which by the way could not have occurred under Saddam Hussein because he would not have allowed it—are related to unemployment and delayed pay. Sounds like the sort of thing that would demand a demonstration in this country. Those are some of the conditions obviously that need to be dealt with.

So let's put everything in perspective. One would be hard pressed to find an Iraqi who would say they were better off under Saddam than they are now.

I have heard some reporters suggest that maybe we were sold a bill of goods while we were over there and only heard what people wanted us to hear. Let me say to that, it would be impossible to organize all of the youngsters we passed in the streets who were waving at us—not because of us but because of the American soldiers we were with—giving a thumbs up and smiling. Nobody could have organized all of that. Clearly, the young people, who are a reflection of their parents' views, are excited that the American troops are there and happy that Saddam Hussein is gone.

Another noteworthy observation that certainly could not have been created in order to give us a good impression of what was happening is that commerce is springing up everywhere. Business men and women are selling their wares along the sides of the streets. The Iraqis are not only well educated, they are quite entrepreneurial. These are the kinds of talents that are going to give them an opportunity to build an Iraq of which their citizens can be proud. We have a free Iraq now but we do not have everything we need to have.

I conclude by making an observation about the package that we have been debating. Twenty billion dollars of the $87 billion is for reconstruction. At some point I know we are going to have amendments related to what conditions ought to be placed on that $20 billion, but let me say how important that is.

Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. If we look at the $87 billion, $66 billion of it is for troops. The stationing of troops overseas is very expensive. So I say to our colleagues who are concerned about the costs, the sooner we can get the troops home, the sooner it will cost us dramatically less. That is why the reconstruction project part of it is so important. Getting the country structured in such a way that they have adequate power, clean water, and are able to move forward with their infrastructure is the key to getting the troops home. So the $20 billion part of this package is critically important.

I know we will be having amendments about whether it ought to be conditioned. I think the President is correct. I think it ought to be a grant. I think we ought to make it clear that we did not go in there to put them in debt beyond where they are already. But we will have that debate in the coming days on the supplemental.

I am thankful for the opportunity to share my observations about my recent trip with Members of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana has 2 minutes 20 seconds remaining.

Ms. LANDRIEU. Mr. President, there is hardly any point that my colleague from Kentucky so ably made this morning that I disagree with, or that most people on this side—not all but most—would disagree with. The issue is not whether we can stay and finish the job. Obviously, we have to do that, for any number of reasons, for our own security, for the stability of the region. We are a powerful nation that makes promises and keeps promises. That is not the question.

The question is, How should we pay for it? This administration has basically said it is our way or the highway: no loans, no modification of the tax cut, and no oil revenues can be used. The President is telling the American people, and the Republican leadership is saying to the American people, basically, that there is only one way to pay for this, and it is to dig deeper into our own basic deficit: borrow against our children's trust funds, borrow against paying for schools, hospitals, or colleges, and pay for it by increasing the deficit to our children and grandchildren.

Some of us are saying there is a better way. We could lend the money and establish a way for Iraq to build itself out of its own situation with our help and support, not by indebting Iraq, but by freeing up their natural resources to pay for a reconstruction that can sustain itself.

The point I want to make is there is no quick fix for nation building. The Rand study, a balanced independent study—they are not Democrat or Republican—says no previous case of nation-building was successfully completed in less than 7 years.

We will need something that we can sustain. This is a democracy in the United States, not a dictatorship. The people will need to support this effort. They are not going to support going into greater debt. They are not going to support having our children make sacrifices for Iraq's reconstruction. If someone has to make sacrifices, let the adults in this country make the sacrifices, not the children. And our greatest generation has already made enough sacrifices, let's not rob their social security trust fund.

This is a chart depicting Iraq. This is the southwestern portion of the country. We have not even explored for oil there and the experts—again, Louisiana knows something about oil because we have a lot of it—say there is more oil in the southwest section than here. Here are the fields. They are not even fully developed. This has not even been explored, yet the President wants us to use the Social Security trust fund instead of these reserves. I think that is wrong. I think there is a better way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas controls the time.

Mrs. HUTCHISON. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. Nine minutes forty-six seconds.

Mrs. HUTCHISON. I yield the entire time to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. I thank the Chair and I thank my friend from Texas. I also thank my friend from Louisiana because I think she brings up some very valid points.

If one visits Iraq—especially the neighborhoods, which are just like some of the neighborhoods across this country—one will see poverty that is rampant, as well as poor living conditions. These neighborhoods are no place that I know that any American, having the choices we have in this country, would choose to raise their children. But they will get better because of the benevolence of a great country, the United States of America. We opted to make that choice after

World War II in the rebuilding of a destroyed axis, both east and west. As it turned out, it was a very wise investment.

We have the same opportunity now in a part of the world where great changes are starting to take place. Because of our presence in Iraq and the actions we are taking there, Saudi Arabia is for the first time in its history going to offer elections. Have they done that because of what we didn't do in Iraq? I think one would have to question that.

I congratulate my friend from Kentucky. When he goes on a working trip—we had 8 days in the field. I mean it is getting up early in the morning, catching an airplane, and flying into an area where let's say most of the action was centered, working all day, and then flying back and getting a hotel even without dinner. That is all right. I can afford to miss a dinner or two. I can afford to miss a few meals. But we were ground level.

Central services are being reestablished in Iraq way ahead of schedule and are now at the same level or beyond what they were prewar. The plan that has been laid out—and everybody knows it and everybody reads it—is working. Fifteen hundred schools have now been refurbished and another 1,500 will be finished by the first of the year. We now see schools open, with kids and parents very happy. An Iraqi contractor used 30,000 Iraqi carpenters, painters, and people who refurbish in that endeavor. Iraqi people are picking up their own neighborhood because they have the freedom to do so and telling us that if we leave now, they cannot go with the job only partly done.

Is there a timeline? There is never a timeline for this kind of an operation. That is kind of like me going out and saying I am going to build a fence until the 10th day of November. Bad weather comes, and a lot of things intervene. I don't get the fence done. Come the 15th of November, am I going to quit building the fence? I don't think so.

So timelines on projects such as this are very slow but they are moving forward.

Are we talking about a lot of money? You bet we are. It is money that sometimes we think we don't have. But sometimes we make investments in things with money which we don't think we have either.

There is a powerplant that would be shut down in this country in a New York minute. There are six turbines and only two are operating. It was built in 1928, and not a nickel was ever invested in the O&M of that plant. There are no computers nor control rooms; it is entirely manually operated. Efficiency of producing electricity and even conserving electricity is not there. Central services of water, telephone, and even health care are back beyond what they were prewar.

We found out one thing: Saddam Hussein did two things really well. He built great palaces. We were in a couple of them. They are pretty good digs. He also built a good road system. But that is where it stopped. Irrigation systems around Mosul and along the Euphrates River are falling apart—not because of damage in an armed conflict but because of no investment in O&M. Now we are restoring those irrigation systems; people will be able to feed themselves.

We are making an investment in people who are educated and motivated and who want to have something to say about their own fate when it comes to the economy and to their political freedoms. That is what this is about.

Is this about establishment of a government that will look like ours? No. It will not look like ours. But at least it will be a representative form of government—another one in that region that changes the mindset of the entire Middle East. Elections in Saudi Arabia are just part of that. This is the cradle of terrorism. This is where it starts. This is where it is planned, and this is where it is financed. But with economies of scale, as they grow, terrorism diminishes. We take the fear out of doing business or going to school or doing shopping or even in recreation.

It will be Americans who will do that. Money is just a tool. It can be used for good. It can be used for evil. We have chosen to use it for good.

Talk to the parents of those children going to school. I talked to a lad of about 10 or 11 years. I asked him if there is any difference this year. He said: Yes; there are a lot of girls in my class. He had never experienced that before. Their eyes are bright; they are eager to learn; and their parents are happy that we are there. That is at the neighborhood level. It is not in some headquarter being briefed by the State Department or the military people.

Talk to the soldiers on the street. Do they understand what the mission is? Yes, they do. Are they motivated to carry it out? Yes. They understand that there is great risk, but there is always great risk with freedom. We have assumed that risk in this country. We assume a high level of risk for that very precious thing called freedom.

We have to rebuild the infrastructure with these appropriations, get their economy going, and then bring our troops home. They can come home faster than if we say we are just going to leave them alone. What kind of a signal does that send to the meeting next week in Madrid where we are calling the world's nations together to participate with us in rebuilding an infrastructure for a people who actually deserve it and which was denied by a tyrant for the last 25 or 30 years?

This is what America is about. I am proud to be a part of it.

I yield the floor.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ AND AFGHANISTAN SECURITY AND RECONSTRUCTION ACT, 2004

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1689, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1689) making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Byrd amendment No. 1818, to impose a limitation on the use of sums appropriated for the Iraq Relief and Reconstruction Fund.

Byrd/Durbin amendment No. 1819, to prohibit the use of Iraq Relief and Reconstruction Funds for low-priority activities that should not be the responsibility of U.S. taxpayers, and shift $600 million from the Iraq Relief and Reconstruction Fund to Defense Operations and Maintenance, Army, for significantly improving efforts to secure and destroy conventional weapons, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles, in Iraq.

Bond/Mikulski amendment No. 1825, to provide additional VA Medical Care Funds for the Department of Veterans Affairs.

Reid/Lincoln amendment No. 1835, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

Reid amendment No. 1836, to express the sense of Congress on damages caused by the regime of Saddam Hussein during the first gulf war.

Corzine/Durbin amendment No. 1811, to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55.

Durbin amendment No. 1837, to ensure that a Federal employee who takes leave without pay in order to perform certain service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred.

Reed/Hagel amendment No. 1834, to increase the end strength of the Army and to structure the additional forces for constabulary duty.

AMENDMENT NO. 1811

The PRESIDING OFFICER. Under the previous order, there will be 4 minutes equally divided prior to a vote in relation to the Corzine amendment No. 1811.

Who seeks recognition?

The Senator from New Jersey.

Mr. CORZINE. Thank you, Mr. President.

Mr. President, this amendment I have offered, along with Senators LAUTENBERG and DURBIN, would reduce the retirement age for members of the National Guard and Reserve from 60 to 55. This change would allow an estimated 92,000 reservists currently age 55 to 59 to retire with full benefits, honoring their service and respecting the drastic

demands we put on them in the post-cold-war era and the age of terrorism.

As we reflect on the demands placed on our soldiers in Iraq and other parts of our world because of terrorism, particularly our reservists—roughly 20,000 are in the theater—it is time we actually make this important change in the benefits that our reservists and guards receive.

This chart shows how we were deployed in 1992. We had 1 million total man-days per year from reservists and guards. It jumped to 13 million in 2001. It was 41 million in 2002. It will be up again in 2003. We are using our reservists dramatically differently than in previous years. It is time to recognize that and make sure they are treated appropriately.

This request is at the top of the requests of the Reserve Officers Association, Veterans of Foreign Wars, Air Force Sergeants Association, American Legion, a variety of folks. It will make a difference in making sure our people want to continue their career as reservists and guards. It will potentially reduce the cost of declining enlistment and retention forces, promote an overall package of incentives to meet recruiting and retention goals. It will make a difference in our people's lives.

We need to move forward on this parity between reserve and civilian retirement age. I hope my colleagues will join in supporting this important amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. FEINGOLD. Mr. President, I share the Senator's concerns that National Guard and Reserves troops are not being treated equitably when it comes to retirement benefits. This is particularly unfortunate at a time when we are relying more than ever on these brave men and women. The retirement rules need to be changed.

While I agree with this amendment in principle, I regret that I cannot support it at this time because of its large budgetary impact. With our Federal deficit spiraling out of control, we need to make sure that we offset—i.e., pay for—large spending measures. Unfortunately, this amendment does not contain an offset.

We must also make sure that this important amendment, one with such a large fiscal impact, is thoroughly evaluated. The Congress has recognized the importance of the problem brought to our attention today by the distinguished Senator from New Jersey, Mr. CORZINE, and has ordered that the issue be studied as part of a review of reserve compensation. We should allow for the completion of this study as part of our commitment to good stewardship of taxpayers' money.

The Senator from New Jersey was right to bring this debate to the floor. The Guard and Reserves have been, and continue to be, heavily relied upon by our country, and we owe it to them to fully address the inequity in retirement rules. I look forward to working with my colleagues in the near future to fix this retirement eligibility issue.

Mr. STEVENS. Again, I apologize to the Senator from New Jersey. Our position on this amendment is it is an amendment that should not be brought up in connection with an appropriations bill when changing the reserve compensation system in a very drastic way. As a matter of fact, CBO scored this provision as follows for mandatory/direct: First year spending at $1.486 billion; the 5-year cost, $8.349 billion; and the 10-year cost, $16.466 billion.

Both the House and the Senate have passed a provision that requires a study of this compensation, in part to determine whether retirement systems should be changed in view of the modern requirements and in view of the total force of the United States. The requirement to wait until age 60 to collect reserve pay has long been in effect and there is no basis right now to claim that any reservists who stay for a career have been misled about the level or timing of the compensation they receive. However, it is a matter of fact that we all want to have this changed. Any changes to the Guard and Reserve retirement benefits need to be assessed for the long term, not just in relationship to the current deployment.

I am constrained to point out that the pending amendment 1811 offered by the Senator from New Jersey, Mr. CORZINE, increases spending by $2.3 billion in the fiscal year 2004. This additional spending would cause the underlying bill to exceed the Defense subcommittee's section 302(b) allocation. Therefore, I raise a point of order against the amendment pursuant to section 302(f) of the Budget Act.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, pursuant to section 904 of the Budget Act of 1974, I move to waive the applicable sections of the act for purposes of the pending amendment and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. BURNS). Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Illinois (Mr. FITZGERALD) is necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 47, nays 49, as follows:

[Rollcall Vote No. 381 Leg.]

YEAS—47

Akaka	Durbin	Lincoln
Baucus	Feinstein	Mikulski
Bayh	Graham (FL)	Murray
Biden	Grassley	Nelson (FL)
Bingaman	Harkin	Nelson (NE)
Boxer	Hollings	Pryor
Breaux	Hutchison	Reed
Byrd	Inouye	Reid
Cantwell	Jeffords	Rockefeller
Carper	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Corzine	Kohl	Smith
Daschle	Landrieu	Snowe
Dayton	Lautenberg	Stabenow
Dodd	Leahy	Wyden
Dorgan	Levin	

NAYS—49

Alexander	Crapo	McConnell
Allard	DeWine	Miller
Allen	Dole	Murkowski
Bennett	Domenici	Nickles
Bond	Ensign	Roberts
Brownback	Enzi	Santorum
Bunning	Feingold	Sessions
Burns	Frist	Shelby
Campbell	Graham (SC)	Specter
Chafee	Gregg	Stevens
Chambliss	Hagel	Sununu
Cochran	Hatch	Talent
Coleman	Inhofe	Thomas
Collins	Kyl	Voinovich
Conrad	Lott	Warner
Cornyn	Lugar	
Craig	McCain	

NOT VOTING—4

Edwards	Kerry
Fitzgerald	Lieberman

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). On this vote, the yeas are 47, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, may I have the attention of the Senate for a moment. There is another scheduled amendment to be voted on right now. I ask Members of this side who have not come forward and offered their amendments—we have a series of amendments filed by Republican Members: Senators HUTCHISON, SPECTER, and GRAHAM. We have notice that two or three other Senators—Senator WARNER and Senator BROWNBACK—have potential amendments. We have heard from the other side with amendments so far. We agree we should consider amendments offered on this side if anyone is ready to offer an amendment.

I urge during this vote that Members consult with me and the staff to see what amendments they are willing to raise now. We are still committed to finishing this bill, and my colleagues are going to have to raise them sometime, so I hope they will consider raising them now.

Regular order, Mr. President.

Mr. REID. Mr. President, will the Chair indicate how long the last vote took?

The PRESIDING OFFICER. Thirty-eight minutes.

Mr. REID. Mr. President, I say to everyone here, we are trying to finish the

bill this week. Over the last several days, these votes have gone on and on. We cannot finish this bill if the votes take more than 20 minutes. Everyone should be on notice. We have many amendments. This would have been an opportunity, during the extra 20 minutes on this amendment, for someone to have offered their amendment and then completed the vote on the next amendment. We cannot finish the bill if we continue having 38-minute votes.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from Nevada is absolutely right. I recall the other day when a number of us were missing. The last person had not voted and I asked his assistant where the person was. They said he was at the airport. An hour and 40 minutes later, I said: What airport? They said: Philadelphia.

The Member who just voted last was on the subway. I thought that was the subway of the Capitol. I apologize to the Senator.

I put the Senate on notice that we will observe the 20 minutes. In fact, as we get through this bill toward this evening, I hope to have a series of stacked votes, with the first vote being 20 minutes and all thereafter being 10 minutes. We have to stop wasting time on the voting process and get this bill finished by Friday, as we will try to do.

I thank the Chair and ask for the regular order.

AMENDMENT NO. 1834

The PRESIDING OFFICER. Under the previous order, there are 7 minutes for debate in relation to the Reed amendment No. 1834, with 5 minutes under the control of the Senator from Rhode Island, Mr. REED, and 2 minutes under the control of the chairman prior to a vote on or in relation thereto.

The Senator from Rhode Island is recognized for 5 minutes.

Mr. REED. I thank the Chair.

Mr. President, my amendment would raise the end strength of the U.S. Army by 10,000 soldiers. It is fully paid for this year through the Iraqi freedom fund.

In the process of rebuilding Iraq, we have to be very careful not to demolish our Army. It is stretched thin across the globe, with 320,000 soldiers in over 120 countries. They are serving us today. They will serve us tomorrow. They will do it with great distinction and fidelity to their service and to the country, but we have to make sure they have additional men and women to do the job.

We are already beginning to see the cracks. In Iraq, there are 1 million tons of ammunition that are not fully secured. Thousands of air defense shoulder-fired missiles are unaccounted because we simply do not have the troops to cover all the places.

If we want more forces in Iraq, then we have to have more forces in our end strength. Even if you do not want more forces in Iraq, we have to have an end strength that will support our deployment policy, and we do not right now.

This stress will show up in training opportunities missed, in retention and recruitment objectives missed, and a lack of flexibility to respond. It will be particularly important to our National Guard and Reserves because if we do not increase the Active Forces, the burden will fall more and more on Reserve Forces, and that burden over time is unsustainable.

I urge all of my colleagues to support this measure to help the soldiers. If we do not pass this measure, the next time you see your Guard men and women and reservists, you can tell them their bag better be packed because they will be going again and again.

I ask unanimous consent to add Senator BIDEN and Senator NELSON of Florida as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I yield the remainder of my time to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I advise my colleagues to support Senator REED's amendment. I rise to support the Reed amendment because, in fact, everything he has said about why it is important to enhance and enlarge our force structure is exactly right. Force structures are not developed over a year, 2, 3, or 4. Force structures are developed over a long period of time.

When we are looking at 125,000 activated National Guard and Army Reserve units now, and probably more to be activated, we cannot sustain that kind of activity for the long term. That means we are going to have to face up to reality—what the Senator from Rhode Island is talking about—and that is enlarge that force structure.

Currently in Afghanistan, Iraq, and the Balkans, almost in the entire military police force, our civil affairs force is made up of National Guard and Army Reserves. We cannot sustain that situation. We need more light infantry; we need more special forces; and we cannot do this on the cheap. As the President of the United States has said, this is a long-term commitment, not just in Afghanistan and Iraq, but the challenges that face us in the 21st century are new challenges, different kinds of challenges that will require different force structures. That means we cannot use just laser-guided munitions. Someone has to govern—nation building—exactly what we are doing in Afghanistan and Iraq.

I know this is imperfect. This maybe is not the exact way to do this, but it is something this body, this Congress, this Nation needs to face up to, and they need to face up to it now.

I hope my colleagues take a serious look at this amendment. As my colleague from Rhode Island said, this does not come out of the President's $87 billion package.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, current law allows the services to exceed end strength by 3 percent. Currently, there are about 9,000 soldiers who already exceed the end strength. They have another 5,000 that they can increase. This will take money from the amount they need. I strongly understand the Senator's request, as well as Senator HAGEL, but I would like to yield 45 seconds to Senator MCCAIN and 25 seconds to Senator SESSIONS and then be recognized to make a motion to table.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I share the view of the Senator from Rhode Island and the Senator from Nebraska that we need more troops in the military. We have authorized that in the Defense authorization bill. I agree that there are specific needs in Iraq and our Guard and Reserves are overstressed. I believe this is not the appropriate vehicle. I believe it is an earmark of the $87 billion, and at this juncture it would take away from the flexibility that is necessary for the spending of this money. I hope we could address this issue in the fashion which it deserves both in Defense authorization and Defense appropriations bills.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I have given a lot of thought to this, and I believe that we should not pass the Reed amendment at this time. I have spoken with General Schoomaker, Chief of Staff of the Army on this subject. He says: Give me time to study what we need, to study transformation, to review our MOS structure, and then I will make a recommendation. General Abizaid also clearly says that we do not need more troops in Iraq. We are beginning to reduce our troop presence in Iraq. We are presently at 138,000 down from 250,000.

CBO has said increasing our end-strength is not an answer to current stress. It will take 2 years to get the troops proposed in this amendment trained and fielded. I urge us not to go forward with this amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the Army has 501,000 soldiers serving on active duty. Not only is this above the authorized end strength of 480,000, it is also above the 3 percent variance rate. The Army desperately needs troops, and we can provide them these troops today. This is funded through the Iraqi freedom fund, a $1.9 billion unrestricted account that the Secretary of Defense has. In fact, as I understand it, the Secretary of Defense could turn around tomorrow and use this money for these troops. We can do it today. We should do it today. We cannot stand these stresses much longer. We can give General Schoomaker more time, but the troops that are today in Afghanistan, in Iraq, and around the globe need to know that we are going

to send them the reinforcements they need through the active services.

I yield my time.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, it will take 3 to 5 years to train those additional soldiers. I do not know from where the Senator is getting his information. I get mine in writing from the Department of Defense, and I stated the figures as we understand them. We do not need any more troops. General Abizaid testified he has troops he does not need, and he is going to start bringing some home.

I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. The sponsor of the amendment still has 25 seconds. Does the sponsor of the amendment yield time?

Mr. REID. I will yield back his time.

The PRESIDING OFFICER. Without objection, it is so ordered. The time is yielded back.

The yeas and nays have been requested. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1834. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''nay.''

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 382 Leg.]

YEAS—45

Alexander	Crapo	Lugar
Allard	Dole	McCain
Allen	Domenici	McConnell
Bennett	Ensign	Miller
Bond	Enzi	Murkowski
Brownback	Feingold	Nickles
Bunning	Feinstein	Roberts
Burns	Fitzgerald	Santorum
Campbell	Frist	Sessions
Chambliss	Graham (SC)	Shelby
Cochran	Grassley	Smith
Coleman	Gregg	Specter
Collins	Hatch	Sununu
Cornyn	Kyl	Thomas
Craig	Lott	Warner

NAYS—52

Akaka	DeWine	Lautenberg
Baucus	Dodd	Leahy
Bayh	Dorgan	Levin
Biden	Durbin	Lincoln
Bingaman	Graham (FL)	Mikulski
Boxer	Hagel	Murray
Breaux	Harkin	Nelson (FL)
Byrd	Hollings	Nelson (NE)
Cantwell	Hutchison	Pryor
Carper	Inhofe	Reed
Chafee	Inouye	Reid
Clinton	Jeffords	Rockefeller
Conrad	Johnson	Sarbanes
Corzine	Kennedy	Schumer
Daschle	Kohl	Snowe
Dayton	Landrieu	Stabenow
Stevens	Talent	Voinovich
Wyden		

NOT VOTING—3

Edwards	Kerry	Lieberman

The motion was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

CHANGE OF VOTE

Ms. LANDRIEU. On rollcall vote 382, I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote since this will not affect the outcome.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. STEVENS. Madam President, I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will——

Mr. REID. Will the Senator withhold that request?

The PRESIDING OFFICER. Will the Senator withhold?

Mr. STEVENS. Yes.

AMENDMENT NO. 1835 WITHDRAWN

Mr. REID. Madam President, I ask unanimous consent that amendment No. 1835 be withdrawn.

Mr. STEVENS. There is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1838

Mr. REID. Madam President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk on behalf of Senators REID, MCCAIN, and LINCOLN.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. MCCAIN, and Mrs. LINCOLN, proposes an amendment numbered 1838.

The amendment is as follows:

(Purpose: To permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability)

At the end of title I, add the following:

SEC. 316. (a) RESTORATION OF FULL RETIRED PAY BENEFITS.—Section 1414 of title 10, United States Code, is amended to read as follows:

''§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation

''(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Except as provided in subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38.

''(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

''(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

''(d) DEFINITIONS.—In this section:

''(1) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.

''(2) The term 'veterans' disability compensation' has the meaning given the term 'compensation' in section 101(13) of title 38.''.

(b) REPEAL OF SPECIAL COMPENSATION PROGRAMS.—Sections 1413 and 1413a of such title are repealed.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 1413, 1413a, and 1414 and inserting the following:

''1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation.''.

(d) EFFECTIVE DATE; PROHIBITION ON RETROACTIVE BENEFITS.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

(2) RETROACTIVE BENEFITS.—No benefits may be paid to any person by reason of section 1414 of title 10, United States Code, as amended by subsection (a), for any period before the effective date under paragraph (1).

Mr. REID. Madam President, if the Senator will allow me to state what I think is in the process of happening, the Senator from Nevada is going to take about 5 minutes, and the Senator from West Virginia would take the remainder of the time until 12:30. He is going to offer an amendment. Senator BYRD is going to offer an amendment, if that is appropriate with the manager.

Mr. STEVENS. Will the amendment be called up at that time?

Mr. REID. Yes. Senator ENSIGN would like to be recognized to speak for 5 minutes on his amendment, and Senator BYRD has an amendment. We understood, based on previous conversations, that the majority was going to offer amendments. We were of the impression there was no one here to offer one before 12:30, other than the Senator from Nevada, Mr. ENSIGN.

Mr. STEVENS. Madam President, the Senator is correct, although we are working on that. As I understand it, does the Senator from Nevada expect to go to a vote right away?

Mr. REID. Whenever the Senator wants to go to a vote. I know leadership wants a vote.

Mr. STEVENS. We have two other Senators who are ready on this side.

Senator WARNER and Senator GRAHAM of South Carolina are ready to offer amendments on this side.

Mr. REID. Senator BYRD was only doing this out of his normal courtesy. He had other things to do. He was willing to come here and do this at this time because we thought there was no one to offer an amendment on that side.

Mr. STEVENS. Is the Senator's amendment already offered?

Mr. REID. No. So if you have people here ready to go, I ask Senator BYRD, would that be OK that they go?

Mr. BYRD. Sure.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. If I could take a minute, Madam President.

I know this last vote was a close vote. There was some trouble in determining the final outcome of the vote. But I do say this, speaking for me and for the Democratic leader, we are doing our best to cooperate, but things are not going very quickly here, and I am not confident, at this stage, we can complete this bill. We want to. We have every intention of doing so. But, as I indicated a few minutes ago, when a vote takes 38 minutes and this one takes—how long has this vote taken, Madam President?

The PRESIDING OFFICER. Twenty-eight minutes.

Mr. REID. How long?

The PRESIDING OFFICER. Twenty-eight minutes.

Mr. REID. I think that speaks for itself. I hope we can move along more quickly. It is not anything that we are doing that is slowing this down. We have a number of Senators over here who wish to offer amendments. I know the majority has some. So I think tonight and tomorrow night could be very late nights.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I confess I was in another meeting when I got the word that the vote was not as I expected it. As manager of the bill, I am obligated to take the time to try to achieve the goal that has been set by the administration and by the majority. So I do apologize. But that was an extra amount of time needed to determine what tactic I should use to try to achieve the goal I think the Senator from Nevada would use if he were in my shoes. So we respect one another.

He is right; we went over and we said, just minutes ago, we would not. But a contingency developed that I do not think I need to apologize for. I just need to explain.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1839

Mr. ENSIGN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 1839.

Mr. ENSIGN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reduce the amount available for reconstruction in Iraq by the amount that is used to repay bilateral debts owed by Iraq)

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) Not later than April 30, 2004, the Secretary of Defense shall submit a certification to Congress of the amount that Iraq will pay, or that will be paid on behalf of Iraq, during fiscal year 2004 to a foreign country to service a debt incurred by Iraq during the regime of Saddam Hussein, including any amount used for the payment of principal, interest, or fees associated with such debt. Such certification shall include—

(1) the actual amount spent for such purpose during the period from October 1, 2003 through March 31, 2004; and

(2) the estimated amount that the Secretary reasonably believes will be used for such purpose during the period from April 1, 2004 through September 30, 2004.

(b) On May 1, 2004, the Director of the Office of Management and Budget shall administratively reserve, out of the unobligated balance of the funds appropriated in this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'', the amount that is equal to the sum of the amount certified under paragraph (1) of subsection (a) and the estimated amount certified under paragraph (2) of such subsection. The amount so reserved may not be obligated or expended on or after such date.

(c) The Director of the Office of Management and Budget shall impose such restrictions and conditions as the Director determines necessary to ensure that, in the apportionment of amounts appropriated as described in subsection (b), the balance of the total amount so appropriated that remains unobligated on May 1, 2004, exceeds the amount that is to be reserved under subsection (b).

(d) It is the sense of Congress that each country that is owed a debt by Iraq that was incurred during the regime of Saddam Hussein should forgive such debt, including any amount owed by Iraq for the principal, interest, and fees associated with such debt.

Mr. ENSIGN. Mr. President, we don't intend to stay in Iraq forever. And we don't intend to rebuild Iraq—that is a task for the Iraqi people.

Our exit strategy—the way to get our troops home—is to make sure that Iraq's economy can produce sufficient revenue to pay for its own reconstruction—so Iraq is not dependent on International assistance.

Our exit strategy is to help train Iraqi police, border patrol, and its armed forces and civil defense forces so Iraq is not dependent on foreign troops for its own security.

The President's request is designed to help Iraqis get on a path to self-reliance, so U.S. forces can come home, and so the U.S. taxpayer does not have to foot the bill for Iraq's reconstruction.

Unfortunately, it is going to be difficult to kick-start Iraq's economy—even with a generous U.S. aid package—because Iraq is saddled with an enormous amount of debt from Saddam Hussein's regime.

For example, according to the White House, the bi-lateral debt owed by Iraq includes:

$8.9 billion to Japan;
$6.9 billion to Russia;
$6 billion to France;
$4.8 billion to Germany;
$30–50 billion to Gulf countries;
$8.2 billion to Kuwait;
$18 billion to Non-Paris club countries like China, Korea, and Turkey.

Mr. President, I realize that none of the funds appropriated by this bill may be used to service a debt that is owed by Saddam Hussein's regime. So I am not worried that any of the $20 billion the President has requested for Iraq will directly end up in the pockets of the French.

But money is fungible. If we pass this bill, as it stands right now, a future Iraqi government could use new oil revenues to pay back France billions of dollars while accepting billions in U.S. foreign aid. After all, Iraq has already sold about $1.6 billion in oil exports since they resumed this summer.

Americans are a generous people. We are willing to make sacrifices.

But we are not going to spend our hard-earned tax dollars to bail out France—money France lent to Saddam Hussein.

My amendment is simple. It reduces the amount available for reconstruction in Iraq by the amount that is used to repay bilateral debts owed by Iraq. So for every dollar that goes to a country like France, a dollar is subtracted from the U.S. foreign aid package.

This is a commonsense way to make sure that U.S. funds are spent where they are needed—in Baghdad—instead of Paris, Moscow, or Berlin.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I have examined the amendment offered by the Senator from Nevada and it has two basic requirements. One is a certification of the amount Iraq will pay or that will be paid on behalf of Iraq, during fiscal year 2004 to a foreign country to service a debt incurred by Iraq, including any amount used for the payment of principal, interest, et cetera. This deals with the amounts that were debts of the former regime of Iraq. It states:

On May 1, 2004, the Director of the Office of Management and Budget shall administratively reserve, out of the unobligated balance of the funds in this title under the subheading Iraq Relief and Reconstruction Fund

. . . the amount that is equal to the sum of the amount certified under paragraph (1). . . .

Namely, it is the amount that has been used from any source to service the debt that Iraq owed under the Saddam Hussein regime.

Madam President, we take the position there will be no such payment. In any event, we don't see any harm in finding out if there is such a payment and dealing with that subject accordingly. Therefore, I am prepared to state to the Senator from Nevada we have no objection to the amendment of the Senator under the circumstances right now, and I will rely upon the statement of the distinguished Senator from West Virginia to determine whether there is objection from his side of the aisle. It is not an amendment I really seek to have enacted. In all probability, it may be substantially changed in conference if it does survive. But it is not something that offends the process we are involved in now. We don't know of any payments that would be made by any country on behalf of the former regime of Saddam Hussein to deal with the debt that existed under that regime.

Therefore, I will not oppose the amendment. I seek the advice of the Senator from West Virginia as to what they intend to do concerning this amendment. Does the Senator wish some additional time to consider this matter? Would he like to take the recess now and come back and deal with this after our weekly luncheon?

Mr. BYRD. Madam President, it is my information that this side has not yet adequately followed this amendment and has not seen it until recently to the extent that we are prepared to accept it. It appears to be a good amendment, but we may or may not want to accept it. Will the Senator allow us a little time for further study?

Mr. STEVENS. Yes. Madam President, I thank the Senator. I think the Senator will remember, as we wound up the session just prior to the recess, there were a series of amendments that were under consideration. Senator ENSIGN's was one of those. I think Members of our side checked with staff on the Senator's side, but we are probably not dealing with the right people. We had to pull the Ensign amendment at the last minute because we didn't have the clearance we thought we had.

I suggest we just stand in recess now and address this matter when we come back after the scheduled recess.

Mr. BYRD. I thank the Senator.

RECESS

Mr. STEVENS. Madam President, I ask unanimous consent that we stand in recess, according to the previous order, until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:16 p.m and reassembled when called to order by the Presiding Officer (Mrs. DOLE).

ORDER OF PROCEDURE

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Madam President, the Senator from Florida spoke just before the break to both managers of the bill. He wishes to speak for 4 minutes on an unrelated subject. I ask unanimous consent that he be allowed to do so.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida.

CONGRATULATIONS TO THE CHINESE

Mr. NELSON of Florida. Madam President, there is at this moment in orbit the first Chinese astronaut. Their successful launch of a piloted spacecraft marks the beginning of a new chapter in the history of human exploration of space. Just the third nation to accomplish such a feat, I am happy on behalf of the Senate to welcome China into an elite group of nations that can independently send humans to explore the heavens.

The United States and Russia established manned space programs decades ago and are pleased to have a new ally—we hope a new ally—in the quest to explore space.

China's program will provide additional resources, I hope fresh ideas, and renewed enthusiasm for space exploration. My hope is that China will become a partner in our ongoing international efforts, such as the International Space Station, to make technological advances and to help solve mysteries of outer space.

As China undertook its first such mission, my thoughts were with the first taikonaut who is the sole space flyer on Shenzhou 5. Americans know all too well the potential risk of space flight, and we commend this astronaut's courage.

Americans also know that the benefits of space exploration outweigh the risks. We expect that the Chinese will reap rewards that space missions offer—to learn and to explore, to advance technology, and to uplift the human spirit.

Now that China has opened a new chapter in human space flight history, it is fitting that America refocus our own goals on exploration. Now is the time to renew our commitment to space exploration with a vision that will capture the imagination and the support of the people on planet Earth.

Congratulations to the Chinese. We look forward to a successful return, as he reenters, starting about 5 o'clock, as that reentry falls through space for about 30 minutes, and then as he starts encountering the upper atmosphere about 30 minutes from landing, which is a very perilous part of the journey, as we have very painfully learned as American citizens in the experience we had last February.

I am very confident our future missions at NASA will be quite successful. I again commend Admiral Gehman and his commission for the excellent report of the Gehman Commission. I commend NASA and I encourage NASA to adopt all of the recommendations of the Gehman Commission. We again welcome the Chinese into this select fraternity of space-faring nations from planet Earth.

I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ AND AFGHANISTAN SECURITY AND RECONSTRUCTION, 2004—Continued

AMENDMENT NO. 1839

Mr. STEVENS. Madam President, the pending business is the Ensign amendment?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I now believe that has been cleared and I urge adoption of that amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 1839.

The amendment (No. 1839) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Senator BYRD has cleared the amendment to which we already agreed. He is ready to offer other amendments, as others are. We certainly want to cooperate and have the Republicans offer a number of amendments. We have more to offer than they do, but they have an opportunity to offer theirs. At this time, I suggest the Senator from New Mexico be recognized. If, in fact, Senator GRAHAM of South Carolina shows up, the Senator from New Mexico will be happy to yield to him. He is only going to speak for 10 minutes anyway.

Mr. STEVENS. Madam President, if the Senator will yield.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. My understanding was it was time for us to start moving some of the amendments on our side.

Mr. REID. We understand.

Mr. STEVENS. Senator GRAHAM of South Carolina, Senator WARNER, and Senator DOMENICI are coming. So I hope to proceed then. I have no objection to the Senator from New Mexico

proposing his amendment and making a statement. We will set that aside when the other Senators appear.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 1842

Mr. BINGAMAN. Madam President, I do send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 1842.

Mr. BINGAMAN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reports on the utilization of the National Guard and Reserves)

At the end of title I, insert the following:

SEC. 316. (a) FINDINGS.—Congress makes the following findings:

(1) The National Guard and Reserves have served the Nation in times of national crises for more than 200 years. The National Guard and Reserves are a critical component of homeland security and national defense.

(2) The current deployments of many members of the National Guard and Reserve have made them absent from their communities for an abnormally long time. This has diminished the ability of the National Guard to conduct its State missions.

(3) Many members of the National Guard and Reserves have been on active duty for more than a year, and many more have had their tours of active duty involuntarily extended while overseas.

(b) REPORT ON UTILIZATION OF NATIONAL GUARD AND RESERVES.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the utilization of the National Guard and Reserves in support of contingency operations during fiscal year 2004.

(2) The report under this subsection shall include the following:

(A) Information on each National Guard and Reserve unit currently deployed, including—

(i) the unit name or designation;

(ii) the number of personnel deployed;

(iii) the projected return date to home station; and

(iv) the schedule, if any, for the replacement of the unit with a Regular unit.

(B) Information on current operations tempo, including—

(i) the length of deployment of each National Guard and Reserve unit currently deployed, organized by unit and by State;

(ii) in the case of each National Guard and Reserve unit on active duty during the two-year period ending on the date of the report, the aggregate amount of time on active duty during such two-year period; and

(iii) the percentage of National Guard and Reserve forces in the total deployed force in each current domestic and overseas contingency operation.

(C) Information on current recruitment and retention of National Guard and Reserve personnel, including—

(i) any shortfalls in recruitment and retention;

(ii) any plans to address such shortfalls or otherwise to improve recruitment or retention; and

(iii) the effects on recruitment and retention over the long term of extended periods of activation of National Guard or Reserve personnel.

(3) The report under this subsection shall be organized in a format that permits a ready assessment of the deployment of the National Guard and Reserves by State, by various geographic regions of the United States, and by Armed Force.

(c) REPORT ON EFFECTS OF UTILIZATION OF NATIONAL GUARD AND RESERVES ON LAW ENFORCEMENT AND HOMELAND SECURITY.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall, in consultation with the chief executive officers of the States, submit to Congress a report on the effects of the deployment of the National Guard and Reserves on law enforcement and homeland security in the United States.

(2) The report under this subsection shall include the following:

(A) The number of civilian first responders on active duty with the National Guard or Reserves who are currently deployed overseas.

(B) The number of first responder personnel of the National Guard or Reserves who are currently deployed overseas.

(C) An assessment by State of the ability of the States to respond to emergencies without currently deployed National Guard personnel.

Mr. BINGAMAN. Madam President, this amendment relates to the utilization of the National Guard and Reserve as part of our military activities and presence around the world. I think we have all been struck by the fact that in the current conflicts in Iraq and Afghanistan, and in many other instances, we are seeing a greater utilization of reservists and National Guard personnel by the Pentagon. I am not being critical of that, but I do think this is a new reality we need to adjust to and understand better.

Since the founding of our Nation we have relied upon the services of citizen soldiers. The National Guard and Reserves have a proud tradition of setting aside their civilian lives to serve our country in times of conflict. Recently, the need for this service has significantly increased. Today, the National Guard and Reserves' commitments overseas are critical to the resolution of several conflicts around the world. The almost 400 soldiers deployed to keep the peace between Israel and Egypt along the Sinai peninsula are members of the Oregon National Guard's 1–186th Infantry Battalion. The only Fighter Squadron operating from Iraq is an A–10 unit from Missouri's 442 Fighter Wing stationed at Tallil Airbase in Southern Iraq. This Reserve unit is the only A–10 Warthawg unit in the Air Force with Precision Guided Munitions delivery capability. Much of the air defense of Washington, D.C., is the responsibility of the D.C. Air National Guard's 113th Fighter Wing and air defense forces of the New Mexico National Guard.

The purpose of this amendment is to require the Departments of Defense and Homeland Security to provide a report to the Senate Armed Services Committee and House Armed Service Committee that contains the following:

No. 1, an assessment of the levels utilization of the Guard and Reserves component in the manning of contingency operations, domestically and overseas.

No. 2, Recruitment and retention plans for the National Guard and Reserves in light of increased commitments.

No. 3, and finally, a report from the Department of Homeland Security on the effects of National Guard and Reserves deployments on Homeland Security.

Last week I had the opportunity and honor to meet with families of the 717th Medical Company of the New Mexico National Guard. I cannot tell you how moved I was by the patriotism and commitment of these families and guardsmen. Despite the increased operations tempo members of the New Mexico National Guard remain as dedicated as ever to saving lives in New Mexico and overseas.

For example, last year, CPT Paul Saiz deployed to Kosovo in support of KFOR for 6 months flew dozens of aeromedical airlift missions throughout Kosovo in support of U.S. military and the civilian populace. Upon returning from his deployment he participated in several civil search and rescues in the New Mexico mountains, and when Albuquerque, NM was ravaged by wildfires, Captain Saiz and others flew firefighting missions, dumping water with pinpoint accuracy. I have been told that many firemen were convinced that had it not been for Captain Saiz's efforts, firefighters would have perished. Currently, Captain Saiz and 35 others are deployed to Afghanistan providing Aeromedical Airlift for the entire country. The 717th Medical Company's Commander, MAJ James Fishbourne writes:

The soldiers of the 717th Medical Company (AA) are doing extremely well. We are very busy and have completed 43 combat medevac missions to date. I am so proud of our soldiers and how they are performing in this environment. We are non-stop here with urgent and priority medevac missions. Last week one of our crews was called to rescue an infantryman from a 180-ft canyon near the Pakistan border. Our crews were able to hoist the soldier to safety and bring him back to the level 1 hospital.

We have also been called to evacuate many mine blast victims throughout Afghanistan. It is very sad to say, but most of the mine victims are children. One patient we evaced to Bagram was a 12-year-old girl with both legs amputated. The night she was in surgery, the hospital was running low on O– blood and one of our pilots (CW4 Atkinson) donated several pints to save her life. Just last night I transported two children involved in a rollover. What a sight it was seeing two small Afghan children lying on a stretcher together being cared for by SSG Esqueivel and CW2 Medina. These children are very sick or hurt when we are called to rescue them.

I can't tell you about all the missions our fine soldiers have accomplished but I will say that there is no medevac mission that we

have had to turn down and no better soldiers than those of the 717th. Our soldiers were involved with the bomb that went off near Bagram, we did assist the hospital with recovery of the local nationals and assisted the doctors and medical personnel here at the hospital. Please do all you can to tell the people back home that the soldiers of the 717th Medical Company are doing great things for the soldiers, airmen, and marines here in Afghanistan. They are making great sacrifices being away from their families and jobs back in New Mexico.

Guardsmen and reservists all over the country are making great sacrifices. We need to examine the long-term impact that prolonged activation has on recruitment and retention of the National Guard Reserves. We must ensure that the administration has a plan to not only retain qualified guardsmen and reservists, but to also attract new members. I find it very hard to believe that the increased operations tempo the Guard and Reserves are experiencing will have no effect on recruitment and retention. I fear that if we ask too much of these men and women, many will decide to leave military service. Therefore, we must ensure that the Department of Defense has prepared an effective strategy to maintain the National Guard and Reserves. it is quite possible that the Department of defense has such a plan, but I am not aware of it.

We must also closely look at the impact that long deployments have on security at home. Many of the young men and women serving overseas as members of the National Guard and Reserves work as first responders at home. How has the absence of Guardsmen and reservists who are civilian policemen, emergency medical technicians and other first responders, hampered the ability of states to respond in times of natural disaster or homeland security emergencies? How will the absence of Guard and Reserves personnel who may ordinarily serve in these capacities as part of their service when they are not otherwise deployed affect these operations? These are questions that must be answered.

There is no doubt that the utilization of National Guard and Reserves, at least at current rates, will continue well into the future. The information these reports will provide will be critical as we move ahead with decisions about manning, procurement, and security.

I understand that portions of this report may have some sensitivity. If there is a requirement for portions or all of this report to be in classified format, then it should be submitted at the appropriate level of classification.

Let there be no doubt that the men and women of the National Guard and Reserves are doing their part to protect us at home and overseas. We must ensure that analysis has been conducted, and plans are in place to preserve the integrity, readiness and force levels necessary for this period of long-term activation.

At the appropriate time I hope we can adopt this amendment—by voice vote, if possible. I do not know a reason why it should be objected to by any Member of the Senate, but obviously I await the opportunity for all Members to review the amendment before I call for a vote.

Madam President, with that, I see nobody else seeking the floor so I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask unanimous consent to set aside the Bingaman amendment in order that the Senator from South Carolina can offer his amendment at this time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from South Carolina.

AMENDMENT NO. 1805

Mr. GRAHAM of South Carolina. Madam President, I ask unanimous consent that my amendment No. 1905 be called.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM] proposes an amendment numbered 1805.

Mr. GRAHAM of South Carolina. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that arbitrary deadlines should not be set for the dissolution of the Coalition Provisional Authority or the transfer of its authority to an Iraqi governing authority)

On page 38, between lines 20 and 21, insert the following:

SEC. 2313. (a) Congress finds that—

(1) in a speech delivered to the United Nations on September 23, 2003, President George W. Bush appealed to the international community to take action to make the world a safer and better place;

(2) in that speech, President Bush emphasized the responsibility of the international community to help the people of Iraq rebuild their country into a free and democratic state;

(3) French President Jacques Chirac has proposed a plan for Iraqi self-rule within a period of months;

(4) for a plan for Iraq's future to be appropriate, the provisions of that plan must be consistent with the best interests of the Iraqi people;

(5) the plan proposed by President Chirac would impose premature self-government in Iraq that could threaten peace and stability in that country; and

(6) premature self-government could make the Iraqi state inherently weak and could serve as an invitation for terrorists to sabotage the accomplishments of the United States and United States allies in the region.

(b) It is the sense of Congress that—

(1) arbitrary deadlines should not be set for the dissolution of the Coalition Provisional Authority or the transfer of its authority to an Iraqi governing authority; and

(2) no such dissolution or transfer of authority should occur until the ratification of an Iraqi constitution and the establishment of an elected government in Iraq.

Mr. GRAHAM of South Carolina. Madam President, this is a sense-of-the-Senate amendment. I think it is very important, as we deal with the Iraqi situation, for us to address as many issues as we can about the nature of how this is going to unfold. The President has asked for $87 billion. I am glad to support the funding. Most of it, two-thirds of it, I guess, goes to the men and women in uniform to make sure they have the assets necessary to protect themselves and do their job.

This resolution speaks to the idea of when the mission is complete, and this resolution addresses the French position. The French have proposed as recently as September 16 that within a month—a matter of 1 month and no later than 2—all authority be turned over to the Iraqi people and that the umbrella we have today cease to exist.

Not only is this irresponsible but the Coalition Provisional Authority ruling the country is a necessary entity until we can get a constitution written, voted on, and a government elected. But if we did what the French are suggesting, we would take a country that has been brutalized and raped—literally and figuratively—with Saddam Hussein still on the loose, and basically say, Here.

I think that would not only be a disservice to the Iraqi people but it would undermine the reason we went to war to begin with; that is, to take tyranny and turn it into stability.

This sense-of-the-Senate resolution says in no uncertain terms that it would be irresponsible to follow the French proposition—to turn back over to the Iraqi people the country while it is still in transition. In going from tyranny to stability, there will be a certain amount of chaos.

We are training the Iraqi police. We are training the army. They are having elections at the local level. There are a lot of good things going on. Schools are now open. Schools used to house weapons. Now they are housing kids. No young girl has to worry about being taken out of school and taken to one of Saddam's sons because she strikes his eye.

Iraq is a better place. But the French position of just leaving and turning it over within 30 days would undo the recent accomplishments. It is irresponsible.

I think it would be in order for the Senate to speak on this matter. The United Nations rejected an amendment that set a hard and fast deadline in terms of when control will be given to the Iraqi people. This makes good sense. Let us give them a chance to write a constitution, give them a chance to ratify a constitution, give

them a chance to have a national election, get some infrastructure in place, and allow the rule of law to be in place. Then, at the appropriate time, we will be glad when it comes time to leave Iraq. Most Americans who have family members in the military can't wait for that day to come. We can't wait to be able to bring our troops back home.

Having said that, most Americans understand that if you leave before the job is done, the problems will come back to haunt you. After September 11, the easy way out is no longer the right way—to shoot a missile or two and say, Boy, did we deal with that group which led to 9/11.

There are people who are infiltrating Iraq who are trying to destabilize the efforts of the Iraqi people to become a free democracy. There are people in the region who hate the idea that Iraq may be a free country with a democratic system. We need to stand shoulder to shoulder with the Iraqi people and fight those forces, not only for the good of the Iraqi people but for our own security.

This resolution I think is very appropriately timed. The United Nations has rejected the hard and fast deadline. This resolution basically says we are going to stay until the country is stable, we are going to stay until the job is done.

Having said that—by making that statement—it means more Americans are going to die. The forces in Iraq are small in terms of the population as a whole, but they are committed to creating chaos.

It breaks my heart—and every Member of this body and all Americans—to have a soldier, sailor, airman, or marine lost in this conflict. But just as surely as I speak, losses will come and more money will be spent. The day has not yet arrived when we can, in good faith and good conscience, turn all matters over to the Iraqi people. They need help. They need money. They need assistance. They need our support. But we need to do it for ourselves. If we cut and run, and if we take the French position to get out of there before the infrastructure is in place, we will take one form of tyranny and replace it with another. It is an irresponsible position.

I hope this body in a unanimous fashion will agree with the proposition that we should not leave Iraq until the job is done—until a constitution is written and ratified, until a government has been elected and the people have a chance to have a secure environment for their new nation that is emerging out of the ashes of Saddam Hussein's regime.

I ask my colleagues to support this resolution saying we will not leave until the job is done. Leaving in the next month is irresponsible. Reject the French position because the French position is irresponsible and undermines our national security.

Mr. STEVENS. Madam President, I have notified members of the minority that we are prepared to accept the Bingaman amendment and also the amendment of Senator GRAHAM. While we await their response, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I ask unanimous consent that the pending amendments be set aside temporarily so the Senator from Arkansas can offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arkansas.

AMENDMENT NO. 1829

(Purpose: To amend the Internal Revenue Code of 1986 to improve tax equity for military personnel, and for other purposes)

Mrs. LINCOLN. Madam President, yesterday I submitted an amendment to the supplemental spending bill which I do hope the Senate will consider favorably. I know it is going to be difficult because of the issue I am bringing up. The amendment primarily consists of the Military Tax Fairness Act and the acceleration of the refundable child credit. Both of these bills have passed the Senate overwhelmingly.

We have been talking and talking and talking about them over the past many months, and I know there will be thousands of excuses we will be hearing telling us why we should not include this tax relief bill on the supplemental spending bill.

I know this is a tax bill on an appropriations bill. I know we have a child credit in two different conferences. I know the Military Tax Fairness Act has been going back and forth between the two Chambers. I know all of these excuses I am going to hear. I know there will be tremendous numbers of those who will come forward and opportunities to try to stop what I am trying to do.

But, Madam President, I am truly exhausted. I am truly exhausted with all of the excuses we have had. And I know the hard-working American families are just as exhausted as I am with the inability of us to be able to move forward these two very simple acts within the Congress that would be such a tremendous help to the working families of America.

The death gratuity paid to the survivors of a military member has historically been exempt from taxation. In 1986, the amount of the death gratuity benefit was $3,000. In 1991, the payment was raised from $3,000 to $6,000 in connection with the Persian Gulf conflict. But the Tax Code was not adjusted accordingly.

Currently, the military survivor must pay taxes on the $3,000 increase to the death gratuity payment. This is a very simple problem to fix. And I do not want any more excuses of why we cannot do it. I simply want to get it done.

In 1997, Congress passed legislation revising the taxation of capital gains on the sale of an individual's principal residence, providing up to a $250,000 exclusion, $500,000 per couple, on their home sale if the individual owned and lived in the house for at least 2 of the 5 years preceding the sale. Congress failed to provide a special rule for members of the uniformed service and Foreign Service who are required to periodically move either within the United States or abroad, making it difficult to meet those exclusion requirements.

The proposal in this amendment would permit military and Foreign Service men and women to suspend the 5-year period for a maximum of 10 years while away from home on assignment. In other words, those years away would count toward neither the 2-year lived-in-home nor the 5-year period.

Most American homeowners have the opportunity to build equity in their homes and are afforded this great tax benefit to do so. Members of the uniformed and Foreign Service who serve our country are deserving of no less. This should be an easy fix. It is something we can do; we should do; we have all agreed upon many times over. Why can we not do it? I do not want to hear the excuses. And I certainly do not want to present these excuses to my constituents.

Again, under the current law, military personnel located in a combat zone are provided an extension for filing taxes until 180 days after they return from the combat zone. This provision does not currently apply to contingency operations where military personnel are confronted with demanding circumstances similar to those faced by members in a combat zone.

Contingency operations we have seen recently include Operation Just Cause in Panama in 1989, Operation Restore Hope in Somalia in 1992, and Operation Uphold Democracy in Haiti in 1994.

Right now, for example, an airman who is currently deployed overseas in a contingency operation in support of our troops in Afghanistan or Iraq combat zones happens to be left out.

This, again, is a simple fix, something we can do for the hard-working military service men and women who are there serving our Nation, putting their lives on hold here at home to protect our freedoms, and to be a part of the overall war on terrorism. It is something very simple that we could fix if we just took the time to do it.

Some reservists must travel away from home to perform mandatory weekend drill one weekend per month and may incur significant travel and lodging expenses. Under current law,

these are deductible as itemized deductions, as unreimbursed business expenses, to the extent they exceed 2 percent of the member's adjusted gross income. Most lower income, junior reservists do not itemize deductions, so they receive no tax benefit for their expenses. For those who do, the 2 percent floor limits the amount of benefit of the deduction. For young reservists, their expenses may cost them as much as their entire take-home pay for that weekend.

This is a real-life issue for working men and women who are there serving each and every one of us in the military of this great Nation.

Why can't we just get it done? These are issues on which we have all agreed. It makes so much sense for us to come forward now, as we are talking about the issues that affect our service men and women who are stationed abroad. Let us give them the tools to be able to keep their families together here at home, to provide for their children, to make sure their families are going to stay together no matter how long they may be deployed.

Under current law, a veterans organization is exempt from taxation if it meets the requirements of section 501(c)(19) of the Internal Revenue Code. However, this status is in jeopardy. Many of these veterans organizations, such as the American Legion and the Veterans of Foreign Wars, could face losing their tax-exempt status if the Congress and the administration do not act to change the technical requirements of the Internal Revenue Code.

We have to get these things done. We are talking about wrapping up our business here in the next month or so. We have ample opportunity to move these issues. We have come to agreement on all of them. We have moved them in years past. Why can't we make them happen?

I could go on and on, describing all of the varied Tax Code fixes for veterans and military families that should have been enacted months ago. They are all included in this amendment, and I urge my colleagues to support it.

Now is the time to act. We talk about how valuable our service men and women are to us, how much they mean to us, the sacrifices they are making, and how much that means to us as a nation and as individuals. Let's move on our Military Tax Fairness Act now. Let's make sure we see this legislation through and that we enact it before we leave here.

The last provision of this amendment I would like to speak about is something I have talked a great deal about because I feel very strongly about it. I feel strongly about it because I am a mother. I am trying to keep my family together, working hard with my husband as a dual-parent household, recognizing the real challenges that American families face in raising children today. That is the child tax credit, its impact on military families and all of our working families.

The President promised America's families an advanced payment of the $400 increase in the child tax credit. These checks were sent out to a chosen few Americans earlier this summer. However, for millions of working and military families, hard-working military families, this promise was not fulfilled. The families of 12 million children did not receive the full child credit check this summer. By now they all know who they are.

We should extend the child tax credit to the other working families who were left out. These are people who work hard every day to provide for their children and their families, to keep their families together. These are hard-working families who have a family member, a father or mother, who may be stationed abroad or is in training now, someone who is out there who they have been dependent on who we are not going to give the same opportunity to in the refundability of a child tax credit simply because they make less money. Please remember, you are not even eligible for this child credit unless you are working and unless you have children.

This is not a giveaway. These are working families who are paying taxes every day, whether it is sales tax, payroll taxes, excise taxes, to get themselves to and from work. Why wouldn't we want to give these families the same ability, as they are working hard to preserve their families, why wouldn't we want to give them the same advantage we give other higher income working families to take care of their children and families?

I believe we need to extend that child credit to working families, all working families, and we need to do it now. A family with two parents making minimum wage and two children would not receive any increase in the child credit under the bill signed by the President. They would not receive any check this summer. Did they not work hard enough for this Congress? Did they not work hard enough for this administration? Did they not work hard enough to be a part of trying to revive this economy and strengthen the fabric of our Nation?

It isn't just minimum wage workers who were left out. These children in the shadows are living on our military bases as well. Roughly 200,000 military personnel have incomes between $10,500 and $26,000, and most of these families will not receive the increased child tax credit. In addition, roughly 100,000 military personnel stationed in combat zones will be ineligible to receive the full credit because they were called to duty. They did not receive a check this summer. Did they not work hard enough? Wherever they were stationed in uniform to protect our freedoms, did they not work hard enough for this Congress and this administration to get the same fair treatment as a working individual in this country to take care of their children and their families? The blue jeans, the milk, the loaf of bread, or anything else they buy, was it any less expensive than what other working families are dealing with?

I think they worked hard enough. I am ashamed that we have been hiding from these families, hiding behind our rhetoric, hiding behind our process. This great institution is full of processes that are here to make the effort more reasonable, to make sure that what we are doing is right, that it can be dealt with in an appropriate way. But these processes are not here for us to hide behind. These are working families in our military and in our communities that deserve the same fair treatment.

I, for one, am tired of telling them that if they will just wait a little bit longer, we will finally get around to them—maybe somewhere down the road. We could have done this 6 months ago. We could have done it 4 months ago. We could have done it 2 months ago before we left on our break. But we didn't. We have not and we probably will not.

It is so important that we address this issue. It is important we tell these people that they are a priority, not only because they are the fighting military men and women of this country but because they are the salt of the earth, the working families putting the fabric of this Nation back together, one family at a time. We owe it to them to give them the same opportunity to invest in their families, to reinvest in the economy, and to help make us strong so we can be and will remain the superpower of the world that is there to reach out to other nations to help them through liberation and rebuilding and a multitude of other issues. But we are only as strong as each of the individual families of this Nation that make up our whole.

I am ready for the excuses that my colleagues may throw at me. I am sure there are going to be many. I hope those families who got nothing from the trillions of dollars in tax cuts that we have shoved out of the door are listening, too. I hope they are listening, but I doubt that they are. These are the men and women who are too busy, too busy at work, too busy in the trenches and in the desert, too busy raising those children and working hard at one or two jobs to make sure their families will stay home, regardless of whether we find them as a priority in this Nation. They are too busy for our excuses.

I hope for just once my colleagues will join me in doing what is right on behalf of the working families in this great country and the 12 million children who are our future.

Madam President, I call up my amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mrs. LINCOLN] proposes an amendment numbered 1829.

Mrs. LINCOLN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of October 14, 2003 under ''Text of Amendments.'')

Mrs. LINCOLN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. Madam President, I rise to express my support for the effort of my colleague from Arkansas relative to the $87 billion supplemental appropriations request for Iraq that is currently pending before the Senate. I am very supportive of the President's $65 billion or roughly $67 billion level of funding for our troops. If we had an up-or-down vote on just that component of the President's request, I have no doubt it would pass 100–0. No question. Regardless of what you think about whether we should be in Iraq, I think this body will overwhelmingly be supportive of making sure our troops in Iraq have all the resources they need to safely and efficiently and properly do the courageous and extraordinary work they have done. We are proud of the members of our United States military who are currently operating under very difficult circumstances, but doing the very best they can and doing a very good job under the circumstances.

The portion of the request from the President, however, for the $20 billion, roughly, for construction and various needs in Iraq is entirely a different matter. That calls for $100,000–$200,000 consultants for tens of millions of dollars of study for the Iraqi postal service; $10 million for a new ZIP Code; new cities; new high schools, new hospitals—things that never existed in their history. This is not for damage done in the war; this is establishing a whole new infrastructure that never existed before.

It is hard to tell our military veterans that we cannot find $1.8 billion so everyone gets access to a VA hospital, and then turn around and spend $20 billion on construction and other needs in Iraq; or tell America's teachers and kids and parents that we cannot find $8 billion for Leave No Child Behind, but we are going to build a new school system abroad that never existed before, and $20 billion will go out the door for that.

Now we found this last weekend references in the Washington Post finding that one of the problems the Bush administration is having is physically moving so much American cash to Iraq. They started out putting the money into huge bags and putting it into aircraft at Edwards Air Force Base, but it got to be so cumbersome to send out these billions of dollars that now they are shrink-wrapping American money into these huge cubes and pushing them into airplanes and sending them to Iraq. But one of the problems we have is we are shrink-wrapping these mountains of American taxpayers' money, and they shift in the plane and sometimes fall apart, and we are having problems physically moving all this American cash to Iraq.

I asked my constituents in South Dakota over the past week what we should be doing about this. A number of suggestions came up from South Dakota constituents. A gentleman from Sioux Falls suggested since the combat phase of the Iraq war is over and we have all these intercontinental ballistic missiles, we ought to load the cash into the warheads of these missiles and fire them into Iraq. Since we are not keeping track of how the money is used there anyway—there is no auditing; we just hand it over to people and hope they spend it right—the missiles could explode and the money would sort of fall all over Iraq. That is one idea. The problem is sometimes these rockets explode on a launch pad, and there is a great risk some of that money might fall on an American school or daycare center. That is a risk the Bush administration would not tolerate. That would probably not work.

Another suggestion was since we take all the oil from the Middle East in the huge tankers to the U.S., perhaps once they come here and unload, they can fill the tankers full of American cash and send that to Iraq. Once again, the ports there are not capable of unloading that massive amount of American cash, and we would probably have ships backed up to Egypt if we did that.

One of the suggestions came from a gentleman from Aberdeen, SD. He suggested we use our B–52 and B–1 fleets to bomb Iraq with American cash—borrow it from the Social Security trust fund, as the President recommended—and drop this money over Iraq; some would land in good places and some in bad, but no doubt it would probably be used as efficiently as what the administration's plan calls for.

There are interesting ideas out there. I hope people will contact the White House with their ideas about how best to disburse these huge mountains of cash—more than any one of us here or any citizen will ever see in a lifetime—$20 billion. We have been spending $1 billion a week up until now. That is before you get to this provision. So at a time when we are having a hard time funding our own water projects, our hospitals, and we have nursing homes on the cusp of closure because of Medicare reimbursement problems, at a time when the White House is cutting back on Pell grants, college grants for young people, and nontraditional students who want to go to college, when we are $1.8 billion short for our veterans to get access to VA hospitals, and when our troops come home, one of the things they will be presented with is the bill for the borrowing that is going into this $20 billion package.

We are not going to cut and run. We do have a role to play in helping Iraq. No doubt, some expenditure is required. But $20 billion, when there is very little help coming from our allies at this point, is a massive expenditure.

The newspapers reported we are shoving this money out the door so fast they are unable to audit the disbursal of the money. It goes to a handful of Iraqi leaders and they hope they will get it to the right place. Yes, right. I can imagine where this money is winding up in many instances.

At the same time, to the degree we hire American corporations to do work there, I hope we will end this business of no-bid contracts going to a few well-positioned corporate entities and make sure it is an open, clear, transparent process so the American public at least has the consolation of knowing these tons of dollars going into Iraq are going for some constructive purpose rather than to line the pockets and bolster the profitability of a few. We can at least do that.

Madam President, we have a role to play, that is for certain. But this level of expenditure is almost mind-boggling, breathtaking—$20 billion. That is on top of the $79 billion just approved in the supplemental appropriations bill last April, and, heavens knows, this is not the last of it. This could be going on for a long time. We are told the construction projects that have been suggested for Iraq would run easily into the $50 billion or $60 billion range and that somehow our allies are going to pay for that. Well, that doesn't appear to be what is happening.

We may very well be seeing future requests as well for this kind of money. We don't have $20 billion laying around. If we had $20 billion laying around, that might be another matter. But we will have to borrow it to give to Iraq. Iraq sits on the first or second biggest supply of oil in the world. There is no question that they cannot pump it out quickly enough now because their infrastructure is not what it was 10 years ago; but the oil is still there, there is no question about that.

Why couldn't we come up with a mechanism for helping Iraq borrow against their own oil? Why should they not borrow against one of the world's biggest mountains of gold in the world, as opposed to us borrowing from our Social Security trust fund? This is not rocket science. We have already paid a billion dollars a month for the military operation, with virtually very little help from our allies. We have had some help from the Brits and modest amounts from others. We are paying a dear price for a doctrine of unilateral preemptive war now, but we are in it and we have to find a way to get out.

It seems to me that, while we will support our troops—and there will be

some effort, no doubt, toward reconstruction in Iraq; but $20 billion, at a time when we are finding ourselves in record budget deficits in the United States, is not a good use of our taxpayers' money. It is a disservice to the American taxpayers, and it is a precedent we will rue for years to come.

I yield the floor and suggest the absence of a quorum.

Mr. STEVENS. Madam President, will the Senator withhold his request for a quorum call?

Mr. JOHNSON. Yes.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I listened with interest to the statement of the Senator from South Dakota. It is a very interesting proposition that we should support the military budget and not support the budget that is designed to bring our troops home. The $20.3 billion is a lot of money, there is no question about that.

I am informed there are about 22 million people in Iraq. They lived under a despotic regime, and we have destroyed that regime. There are still pockets of terrorists, pockets of resistance to the change to a new form of government. But those who support only the military expenditures are telling us: Let's just occupy Iraq. No one is saying: Let's go home. No one is saying: Let's just bring our forces out and cut and run. We are not going to do that.

If we put in the money, $66 billion for the year 2004, that is the amount of money that was calculated that we need for the military, provided we start bringing them home—we have already brought some troops home, and I am one who hopes we will be bringing more troops home this year and early next year. But they will be replaced by security forces, those trained in the Iraqi Army, those trained to be security forces. We do not want to train people to be forces of occupation. That has not been our way of life. Even in Bosnia and Kosovo we used forces who were trained combat soldiers, combat personnel to carry out a lot of functions, but we did not train people to just be forces of occupation.

Our people are trained combatants. They proved they are the best in the world in this current Iraq campaign. There are still threats against this country throughout the world. We do not want them left in Iraq in the numbers that are there now. They must start coming back to meet any contingency to defend this country and our interests at home and abroad.

To say we can just get by with the $66 billion for military begs the question: What do you want us to do? Send more forces over there? Should we increase the cost militarily and send more combat forces over there or should we provide forces, as has been suggested in one amendment, to train constables for maintaining the peace, people in uniform but not trained to be combat forces, not trained to fight wars, but just trained to be policemen at the corner or to guard schools or guard the churches or guard the shopping centers. We can do that. We have been in Kosovo. We have been in Bosnia for over 4 years doing that. We are trying to avoid that in this country.

I hope everyone in the Senate understands this is a unique, new approach to the concept of changing an administration, a nation-building concept, letting them build their own nation as quickly as possible. The $20.3 billion is a great deal of money, there is no question about that. It is an enormous amount of money. It represents a cost to this country, however, that is far less than maintaining our forces there for 3, 4, or 5 years at a rate of $66 billion plus a year for military.

I want to see the scales compared. I want people to understand that the $20.3 billion is going to mean we do not have to increase the defense costs in the years ahead as we occupy Iraq until they finally find some way to create their own government. We are trying to build up their forces so we can bring our troops home, and I believe we will succeed.

There are some people making a little bit of mirth over some of the problems of dealing with a new country. It has its own currency now, and we are trying to convert our money to their money so they can start spending and generating their economy. It is going to cost a great deal to do that; a lot less, however, than occupying that country for a period of 4 more years. We have not been in any of these countries we have been involved with in recent years less than 4 years. We hope to be out of this situation in less than 4 years, and that is why I support the $20.3 billion the President requested.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, the amendment offered by the Senator from Arkansas is a revenue bill. It cannot originate under our constitutional concepts in the Senate. It would create a blue-slip situation in the House of Representatives. I do not want to put the entire bill at risk by trying to include a tax bill in this supplemental appropriations bill.

Therefore, I make the point of order it violates the pay-go provisions of the Budget Act and ask that it be stricken.

Mr. REID. Madam President, I simply wish to say, prior to the Chair ruling, that the Senator from Arkansas is a member of the Finance Committee. She has studied this long and hard. I think it appropriate she brought this before the Senate. I compliment and applaud her for bringing this to the Senate's attention.

Mr. STEVENS. Madam President, there are similar provisions in the pending bill before the Senate. I renew my point of order.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Making my request more specific, I make the point of order that the amendment of the Senator from Arkansas is in violation of section 302(f) of the Budget Act and I ask that it be stricken.

The PRESIDING OFFICER. The point of order is sustained. The amendment falls.

Mr. STEVENS. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 1846

Mr. BYRD. Madam President, I send an amendment to the desk on behalf of myself, Mr. LEVIN, Mr. DORGAN, Mrs. CLINTON, and Ms. LANDRIEU.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. LEVIN, Mr. REED, Mr. CORZINE, Mr. LEAHY, Mr. DORGAN, Mrs. CLINTON, and Ms. LANDRIEU, proposes an amendment numbered 1846.

Mr. BYRD. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the report requirements with respect to the Coalition Provisional Authority)

At the appropriate place insert the following:

SEC. 2309. (a) REPORTS OF COALITION PROVISIONAL AUTHORITY.—Not later than January 1, 2004, and every 90 days thereafter, the Administrator of the Coalition Provisional Authority (CPA) shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on all obligations, expenditures, and revenues associated with reconstruction, rehabilitation, and security activities in Iraq during the preceding 90 days, including the following:

(1) Obligations and expenditures of appropriated funds.

(2) A project-by-project and program-by-program accounting of the costs incurred to date for the reconstruction of Iraq, together with the estimate of the Authority of the costs to complete each project and each program.

(3) Revenues attributable to or consisting of funds provided by foreign nations or international organizations, and any obligations or expenditures of such revenues.

(4) Revenues attributable to or consisting of foreign assets seized or frozen, and any obligations or expenditures of such revenues.

(5) Operating expenses of the Authority and of any other agencies or entities receiving funds appropriated by title.

(b) COMPTROLLER GENERAL AUDIT, INVESTIGATIONS, AND REPORTS.—(1) The Comptroller General of the United States shall

conduct an on-going audit of the Coalition Provisional Authority, and may conduct such additional investigations as the Comptroller General considers appropriate, to evaluate the reconstruction, rehabilitation, and security activities in Iraq.

(2) In conducting the audit and any investigations under paragraph (1), the Comptroller General shall have access to any information and records created or maintained by the Authority, or by any other entity receiving appropriated funds for reconstruction, rehabilitation, or security activities in Iraq, that the Comptroller General considers appropriate to conduct the audit or investigations.

(3) Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on the audit and any investigations conducted under paragraph (1). The report shall include information as follows:

(A) A detailed description of the organization and authorities of the Authority.

(B) A detailed description of the relationship between the Authority and other Federal agencies, including the Department of Defense, the Department of State, the Executive Office of the President, and the National Security Council.

(C) A detailed description of the extent of the use of private contractors to assist in Authority operations and to carry out reconstruction, rehabilitation, or security activities in Iraq, including an assessment of—

(i) the nature of the contract vehicles used to perform the work, including the extent of competition used in entering into the contracts and the amount of profit provided in the contracts;

(ii) the nature of the task orders or other work orders used to perform the work, including the extent to which performance-based, cost-based, and fixed-price task orders were used;

(iii) the reasonableness of the rates charged by such contractors, including an assessment of the impact on rates of a greater reliance on Iraqi labor or other possible sources of supply;

(iv) the extent to which such contractors performed work themselves and, to the extent that subcontractors were utilized, how such subcontractors were selected; and

(v) the extent to which the Authority or such contractors relied upon consultants to assist in projects or programs, the amount paid for such consulting services, and whether such consulting services were obtained pursuant to full and open competition.

(D) A detailed description of the measures adopted by the Authority and other Federal agencies to monitor and prevent waste, fraud, and abuse in the expenditure of appropriated funds in the carrying out of reconstruction, rehabilitation, and security activities in Iraq.

(E) A certification by the Comptroller General as to whether or not the Comptroller General had adequate access to relevant information to make informed judgments on the matters covered by the report.

(4) The Comptroller General shall from time to time submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a supplemental report on the audit, and any further investigations, conducted under paragraph (1). Each such report shall include such updates of the previous reports under this subsection as the Comptroller General considers appropriate to keep Congress fully and currently apprised on the reconstruction, rehabilitation, and security activities in Iraq.

Mr. BYRD. Madam President, 1 year ago this week, the President signed the congressional resolution authorizing him to go to war against Iraq. That signing was a historic moment for the United States. For the first time in our history, the President asked Congress for authority to launch an invasion against a sovereign nation that did not constitute a clear and imminent threat to the safety of the American people. And for the first time in our history, the President demanded that Congress give him unconditional power to initiate war whenever he wanted, limited by nothing but his own judgment. The President wanted war on his own terms, and Congress granted him everything he asked for.

For the next 5 months, the President and his top advisors turned a deaf ear to growing concerns about the administration's judgment. When intelligence analysts warned that the White House was acting on questionable conclusions, those analysts were ignored. When Members of Congress dared to ask questions about the President's war plans, they were branded as unpatriotic. When our oldest allies disagreed with the argument that immediate war was the only answer, they were dismissed and called irrelevant. Top administration officials who publicly contradicted the President's rosy predictions were fired, and the American public was kept in the dark about what Iraq would look like after the war.

On several occasions, I stood on the floor and asked: After Iraq, what? What shall we expect the morning after the war?

Confident that the reconstruction of Iraq was a job that could be handled without involving Congress too much or the United Nations, President Bush delegated the task to retired GEN Jay Garner, who quietly went to work with support from the Pentagon. The American people were not told much about General Garner or what he was doing in Iraq. Most Members of Congress didn't know anything more about him than what they read in the papers. So when General Garner was given his walking papers and replaced with Ambassador Paul Bremer without explanation or fanfare, Congress had no real information to judge what the shake-up would mean for the United States occupation of Iraq.

In the days after President Bush made his flamboyant landing on the aircraft carrier USS *Abraham Lincoln* to announce to the world that the United States had accomplished its mission in Iraq—that was the banner headline over and above his head—most of the country was too distracted celebrating the military triumph to think much about the President's appointment of Paul Bremer to serve as a Presidential envoy in Iraq. With the President declaring victory and the administration continuing to assure the public that we would be welcomed as liberators—a la Vice President CHENEY—and that Iraq's oil revenues would pay for reconstruction, the administration hoped that no one would bother to notice the management changes it was making in Iraq.

The administration moved quickly to set up a reconstruction team on the ground in Iraqi that would answer only to the President and the Secretary of Defense. In May, the President issued a classified National Security Directive creating the Coalition Provisional Authority, CPA. That document remains classified, and the administration has provided very little public information about the powers and authorities of the CPA. All we really know from the White House is that Ambassador Bremer, as administrator of the CPA, reports to the President through the Secretary of Defense. But after the recent announcement that National Security Adviser Condoleezza Rice will be coordinating reconstruction policy from within the White House, who knows what the chain of command looks like today or will look like tomorrow? Getting a clear picture of how the CPA operates has proved to be difficult, but it is clear Ambassador Bremer wields an extraordinary amount of power and independence in Iraq. And, if you don't believe it, listen to this. On May 16, the CPA issued its first regulation in Iraq in which it spelled out its authority in no uncertain terms. Section 1 of that regulation stated:

The CPA is vested with all executive, legislative, and judicial authority necessary to achieve its objectives, to be exercised under relevant U.N. Security Council resolutions, including resolution 1483, and the laws and usages of war. This authority shall be exercised by the CPA Administrator.

That is broad, broad, virtually without limitation, if the reading means what it says. Let's read that again.

The CPA is vested with all executive, legislative, and judicial authority.

Take a look at the Constitution of the United States. Let's see what it says, in the very first article, the very first section of that article, and then compare that authority with the authority I have just read. Here is what article I, section 1, of the Constitution says about the legislative authority.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

That is one sentence, and it vests all legislative powers in a Congress of the United States.

Well, section 1 of the regulation, which I have just read, says it is the CPA that is vested with all executive, legislative, and judicial authority necessary to achieve its objectives. My, what authority that is. It does not stop with just legislative authority. It talks about executive, legislative, and judicial authority.

Read that again.

The CPA is vested with all executive, legislative, and judicial authority necessary to achieve its objectives, to be exercised under

relevant U.N. Security Council resolutions, including resolution 1483, and the laws and usages of war. This authority shall be exercised by the CPA Administrator.

There is a man mountain for you, with all that authority. That is a powerful statement, especially for an agency that has never been authorized by Congress and an administrator who was not confirmed by the Senate for his position. How about that?

The CPA under Paul Bremer has the power to run the Iraqi Government ministries, the power to appoint Iraqi officials, the power to award lucrative private contracts for reconstruction. The CPA also oversees local police and even sets public curfews in Baghdad.

Now the CPA is looking to further consolidate its powers with an unprecedented request to spend over $20 billion of your money. I say to you out there who are looking at this Chamber through those electronic lenses there: It is your money, your money. But here we are going to consolidate the powers of the CPA with an unprecedented request to spend over $20 billion of the American taxpayers' money, your money, with little oversight by the Congress.

Until now, the CPA has financed its various activities from a number of different sources, including billions of dollars in seized Iraqi assets. The CPA was not accountable to Congress for much of this spending, and it made very little effort to keep Congress and the public informed about the administration's reconstruction plans.

So, the White House let Paul Bremer maintain a low profile for months in Iraq before the President finally spoke to the American people about what was happening on the ground in Iraq.

But now the President has admitted that rebuilding Iraq will be a much tougher job than he had promised, and it will come with a bigger pricetag. I must say, however, the pricetag had never been mentioned. We attempted to find out from the administration what the pricetag would be, but the administration chose to stay mum about that. But now we find this business of rebuilding Iraq is going to come with a big, big pricetag. That means Paul Bremer needs more money, more of your money. It is your money that Paul Bremer needs. So the administration was forced to loosen its grip of secrecy, just long enough to send Ambassador Bremer to testify before Congress about the need for additional funding. And in one instance, when I asked Mr. Bremer when he was before the Appropriations Committee, ''Will you find it possible to appear before this committee again if the chairman so directs,'' what was Mr. Bremer's answer?

I'm too busy. I am too busy. I'm too busy.

I regret we don't have those hearings printed, but the transcripts are around and those were his words:

I'm too busy.

Don't be fooled. The public relations campaign with Congress will last only as long as it takes to get this massive bill pushed through both Houses in one piece. In typical fashion, the administration has been willing to say whatever Congress wanted to hear in order to get its way. We heard a lot of talk about plans and accountability, but the information given to Congress was long on rhetoric, short on substance.

After all of the detailed spending requests and so-called plans from the CPA, what we are left with today is a bill before the Senate that gives Paul Bremer a blank check. Did you hear it? Did you hear it? A blank check, that is what it is. Give to Mr. Bremer a blank check, a blank check to spend $20 billion as a start. However, once this bill leaves Congress, the administration can throw its plans out the window and restore tight controls over information to prevent any meaningful oversight or scrutiny of its activities.

Is that the way you want your money managed? Congress cannot simply trust the CPA to voluntarily cooperate with oversight of reconstruction spending. This administration has a long track record. It would not even take an elephant to remember how long that track record is. It has a long track record of stonewalling Congress. And, so far, Iraq has been no exception. The CPA took over the reins of Iraq's government 5 months ago, yet Congress still has very little useful information to evaluate its progress in Iraq thus far, let alone the merits of future spending needs. If Congress has any hope of holding the administration accountable for the reconstruction plans it is proposing today, Congress needs a mechanism to ensure accountability from the CPA.

Ambassador Bremer testified before Congress that the activities of the CPA will be fully transparent and accountable, but some of his own statements suggested that he was reluctant to cooperate with committee oversight. In particular, I was troubled by comments he made about congressional access to the CPA's financial records. When he testified before the Appropriations Committee, Ambassador Bremer told the committee that the CPA had detailed records of all of its receipts and outlays that could be audited by Congress. However, when he appeared before the Armed Services Committee only 3 days later, he said the Office of Management and Budget was responsible for maintaining those records, and Congress would have to go to the White House for access to the CPA's records.

Throughout my long years in Congress, I have seen the White House occupied by Presidents of both parties, and I know from experience that one needs to be skeptical when referred to the White House for oversight information. There is no reason why any arm of the executive branch charged with making such significant spending decisions should not be working directly with Congress. When we are talking about handing over another $20 billion to the CPA, there is a real need for Congress to confirm that the CPA has its finances in order and that the CPA is managing the taxpayers' money—your money—responsibly.

The amendment that I and other Senators are offering will require the Coalition Provisional Authority to report to Congress—how about that? That is not asking too much—on its receipts and expenditures as the reconstruction efforts move forward in Iraq.

Let me say that again.

This amendment will require the Coalition Provisional Authority, the CPA, to report to Congress—yes; the people's branch of government—to report to Congress on the CPA's receipts and expenditures as the reconstruction efforts move forward in Iraq. These reports will be submitted on a quarterly basis beginning on January 1, 2004. Building on the reporting requirements already in the bill, this amendment calls for an accounting of both appropriated funds and other sources, such as oil revenues and foreign contributions. This is information that the CPA is already tracking. So it shouldn't be too much of a burden to share that information with Congress, especially given the CPA's extraordinary flexibility in spending taxpayer dollars. Ambassador Bremer assured the committee during the committee hearing that he would comply with any reporting requirements Congress chose to include in this legislation.

This amendment also directs the Comptroller General of the United States to audit the spending records of the CPA. What is wrong with that? How about that? The amendment also directs the Comptroller General of the United States to audit the spending records of the CPA—we should all be for that—so that the General Accounting Office can provide Congress with a clear understanding of how reconstruction activities are being managed in Iraq. In its report to Congress, the General Accounting Office must outline the authorities and organization of the CPA, the CPA's relationship to the White House and other executive agencies, and the CPA's use of private contractors to perform critical reconstruction services in Iraq.

I think most people would agree with the purpose here. Let me say it again.

In its report to Congress, the GAO must outline the authorities and organizations of the CPA, the CPA's relationship to the White House and other executive agencies—and get this—and the CPA's use of private contractors to perform critical reconstruction services in Iraq.

The most important power vested in Congress by the Constitution is the power over the purse. Englishmen spent centuries and shed blood to wrest that power from tyrannical monarchs and vest it in the people's branch, the House of Commons. And our forbearers in our own country brought with them that legacy, brought with them to these shores that principle, that power over the purse vested in the people's

money—is being spent wisely. Congress must be able to follow that money wherever it goes, but right now our money may soon disappear into a whirling storm of White House rhetoric and wartime profiteering.

Without this amendment, following the money will only get harder as the President continues to reorganize the chain of command in Iraq and avoid straight answers to tough questions about the success of our reconstruction efforts.

If the constitutional power of the purse means anything at all, it must at least require that the people's elected representatives here in Congress have a right to know how the Government is spending the Nation's treasury. I urge the Senate to protect its own powers and live up to its oversight responsibilities, and I urge Senators to support this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Alaska.

Mr. STEVENS. Mr. President, there are a series of reporting requirements in this bill already. I have conferred with the leadership. We don't have any objection to this amendment by the Senator from West Virginia. I am certain that in conference the House is going to insist on consolidating some of these reports. We will be glad to review that matter with the Senator when that occurs. But we are happy to accept the amendment.

Mr. BYRD. I thank the distinguished Senator. May we have a vote on it?

Mr. STEVENS. Does the Senator want a rollcall vote?

Mr. BYRD. Yes. I would like a rollcall. It shows that it is a serious amendment.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, if the Senator wants a vote on this amendment, he is entitled to a vote. I shall not object to that. But I want the Senate to know we have a Boxer amendment to require a report on replacing troops with Iraqi forces or other non-U.S. forces to secure areas in Iraq. We have an amendment by Mr. FEINGOLD to provide transparency and accountability with respect to the Coalition Provisional Authority. He wishes to have an office of inspector general in the Coalition Provisional Authority. As I understand it, he will offer that amendment. We have an amendment offered by Senator MCCAIN and Senator BIDEN. They wish to have a GAO review on the effectiveness of the Coalition Provisional Authority relief and reconstruction activities, and a report quarterly to the congressional committees on a similar matter to that suggested by Senator BYRD's amendment.

So if the Senator wishes a vote on his amendment, I am prepared to agree to that; that will be the case. It would be my intention to accept all of these amendments and take them to conference and see what we can do to come out with a concept of a process of having adequate information and transparency in the Coalition without burdening the Coalition with a series of different types of reports and different types of officers who will be looking over their shoulders and demanding access to their offices and interviews of their personnel when we are trying to get the business done over there.

I do not think a provisional authority, within an area with the kind of suicide bombers we are seeing there on a daily basis, is something we have to burden with a series of duplicating types of reports and inspectors general and the comptroller general and his people there at the same time.

So again I state to my friend I will not oppose the amendment. I will vote for it. I assume it will get 100 votes. But in conference I intend to see it to these reports are consolidated, and we have a concise—concise—concept of the type of reports Congress needs to oversee the activities of the Provisional Authority.

Does the Senator wish to renew his request for the yeas and nays?

Mr. BYRD. Yes. May I say, prior to doing that, this is not just one more report. It is like the making of our laws, Mr. President. We have the books full of laws, but we always see the need for enacting more and more laws.

There are Ten Commandments. If we listen to the argument of the distinguished Senator from Alaska—and he is a very distinguished Senator—then one Commandment should have been enough; the others would have been repetitive. That is not the case.

This is an important reporting requirement. I hope the Senate will approve it. We are talking about $20 billion here. So I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I state again, I have serious question of whether the Comptroller General of the United States is a replacement for the Inspector General. That, in effect, is what the Senator's amendment does. It creates the comptroller general as a constant inspector general of everything that is going on under the Coalition Provisional Authority.

I am going to reserve my opportunity to consolidate all of these reports in conference. But I do agree we have the yeas and nays.

Mr. BYRD. Mr. President, the Comptroller General, General Accounting Office is an arm of the Congress. Let the Congress carry out its proper role of oversight under the Constitution. That is all I am asking for here.

I thank the Senator.

Mr. STEVENS. Mr. President, I do not want to belabor the point. It is an arm of the Congress, but this is an executive function concerning an audit. We have created offices of the inspector general. Two Senators have suggested inspectors general. I do not think this is the place for a continuing presence of an arm of the Congress. But I will vote for the Senator's amendment to take it to conference. As the Chair said, there is a sufficient second.

The PRESIDING OFFICER. There is a sufficient second.

Is there further debate on the amendment? If not, the question is on agreeing to the amendment. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 383 Leg.]

YEAS—97

Akaka	Dodd	Lugar
Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Dorgan	Mikulski
Baucus	Durbin	Miller
Bayh	Ensign	Murkowski
Bennett	Enzi	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Bond	Fitzgerald	Nickles
Boxer	Frist	Pryor
Breaux	Graham (FL)	Reed
Brownback	Graham (SC)	Reid
Bunning	Grassley	Roberts
Burns	Gregg	Rockefeller
Byrd	Hagel	Santorum
Campbell	Harkin	Sarbanes
Cantwell	Hatch	Schumer
Carper	Hollings	Sessions
Chafee	Hutchison	Shelby
Chambliss	Inhofe	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kohl	Sununu
Cornyn	Kyl	Talent
Corzine	Landrieu	Thomas
Craig	Lautenberg	Voinovich
Crapo	Leahy	Warner
Daschle	Levin	Wyden
Dayton	Lincoln	
DeWine	Lott	

NOT VOTING—3

Edwards	Kerry	Lieberman

The amendment (No. 1846) was agreed to.

Mr. STEVENS. Mr. President, in view of the vote on the Byrd amendment, I announce that we have a Durbin amendment, a Corzine amendment, a Boxer amendment, and a Feingold amendment that pertain to reporting. If those Senators are willing to offer

them now, I am prepared to accept them, and we will put them all together when we get to conference. They have not been filed.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAMBLISS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the two lists of amendments I now send to the desk be the only remaining first-degree amendments in order to the bill other than those pending at the present time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. And provided that second-degree amendments be in order and they be relevant to the amendment to which they are offered.

Mr. REID. Reserving the right to object, I thought we had on this list—and I may have a different list—Senator LEAHY has an amendment.

Mr. STEVENS. There are two Leahy amendments here.

Mr. REID. We have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. In just a moment we will ask for a rollcall vote on Senator GRAHAM's amendment, but I would like to yield to my friend, Senator FEINGOLD, to introduce an amendment, then to approve a series of reporting amendments.

Mr. REID. Mr. President, through the Chair, to my friend from Wisconsin, it is my understanding the Senator has two amendments.

Mr. FEINGOLD. That is right.

Mr. REID. One is a reporting amendment and one is on another subject. I ask, since he has been waiting for such a long time, that he send his reporting amendment to the desk. Then it is my understanding there are a number of matters you wish to dispose of dealing with reporting amendments. Then he would like to offer his amendment. If there is a vote, we would vote on that and the Graham amendment at the same time.

Mr. STEVENS. I am not sure about voting on his amendment until we know what it is. Is it on the list?

Mr. REID. Yes. At least he could offer it and we could vote later. He has been waiting a long time.

Mr. STEVENS. I have a series of issues I wish to handle before we get to any votes.

Mr. REID. That is fine.

Mr. STEVENS. Let me yield for the Senator to introduce his amendment.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

AMENDMENT NO. 1847

Mr. FEINGOLD. Mr. President, I offer an amendment to the bill concerning the inspector general for authority for Iraq. My understanding is it is going to be accepted.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 1847.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide transparency and accountability with respect to the Coalition Provisional Authority)

On page 22, between lines 12 and 13, insert the following:

SEC. 316. (a) Of the amounts appropriated by chapter 1 of this title under the heading ''OPERATION AND MAINTENANCE, ARMY'' and available for the operating expenses of the Coalition Provisional Authority (CPA), $10,000,000 shall be available for the establishment of the Office of the Inspector General of the Coalition Provisional Authority and for related operating expenses of the Office.

(b) The Office of the Inspector General of the Coalition Provisional Authority shall be established not later than 30 days after the date of the enactment of this Act.

(c)(1) The head of the Office of the Inspector General of the Coalition Provisional Authority shall be the Inspector General of the Coalition Provisional Authority.

(2) The Inspector General shall be appointed by the President in accordance with, and shall otherwise be subject to the provisions of, section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), except that the person nominated for appointment as Inspector General may assume the duties of the office on an acting basis pending the advice and consent of the Senate.

(3) The Inspector General shall have the duties, responsibilities, and authorities of inspectors general under the Inspector General Act of 1978. In carrying out such duties, responsibilities, and authorities, the Inspector General shall coordinate with, and receive the cooperation of, the Inspector General of the Department of Defense.

(d)(1) Except as provided in paragraph (2), not later than 75 days after the date of the enactment of this Act, and every 10 days thereafter, the Inspector General of the Coalition Provisional Authority shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report that sets forth—

(A) an assessment of the financial controls of the Coalition Provisional Authority;

(B) a description of any financial irregularities that may have occurred in the activities of the Authority;

(C) a description of—

(i) any irregularities relating to the administration of laws providing for full and open competition in contracting (as defined in section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6))); and

(ii) any other irregularities related to procurement;

(D) a description of any actions taken by the Inspector General to improve such financial controls or address such financial irregularities;

(E) a description of the programmatic goals of the Coalition Provisional Authority; and

(F) an assessment of the performance of the Coalition Provisional Authority, including progress made by the Coalition Provisional Authority in facilitating a transition to levels of security, stability, and self-government in Iraq sufficient to make the presence of the Coalition Provisional Authority no longer necessary.

(2) The Inspector General of the Department of Defense shall prepare and submit the reports otherwise required to be submitted by the Inspector General of the Coalition Provisional Authority under paragraph (1) until the earlier of—

(A) the date that is 150 days after the date of the enactment of this Act; or

(B) the date on which a determination is made by the Inspector General of the Coalition Provisional Authority that the Office of the Inspector General of the Coalition Provisional Authority is capable of preparing timely, accurate, and complete reports in compliance with the requirements under paragraph (1).

(3) The reports under this subsection are in addition to the semiannual reports required of the Inspector General by section 5 of the Inspector General Act of 1978 and any other reports required of the Inspector General by law.

(4) The Inspector General of the Coalition Provisional Authority (or the Inspector General of the Department of Defense, as applicable) shall publish each report under this subsection on the Internet website of the Coalition Provisional Authority.

(e) The Office of the Inspector General of the Coalition Provisional Authority shall terminate on the first day that both of the following conditions have been met:

(1) the Coalition Provisional Authority has transferred responsibility for governing Iraq to an indigenous Iraqi government; and

(2) a United States mission to Iraq, under the direction and guidance of the Secretary of State, has undertaken to perform the responsibility for administering United States assistance efforts in Iraq.

Mr. FEINGOLD. My understanding is the chairman intends to accept this amendment.

Mr. STEVENS. I yield to the Senator from Nevada to put in an amendment for Senator CORZINE to include in these amendments.

AMENDMENT NO. 1851

Mr. REID. I send an amendment to the desk on behalf of Senator CORZINE.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. CORZINE, proposes an amendment numbered 1851.

Mr. REID. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the President to submit periodic reports to Congress on the total projected costs of United States operations in Iraq, including military operations and reconstruction efforts, through fiscal year 2008)

On page 38, between lines 21 and 22, insert the following new section:

SEC. 3001. Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2007, the President shall submit to each Member

of Congress a report on the projected total costs of United States operations in Iraq, including military operations and reconstruction efforts, through fiscal year 2008. The President shall include in each report after the initial report an explanation of any change in the total projected costs since the previous report.

AMENDMENTS NOS. 1844, 1847, AND 1851

Mr. STEVENS. I now call up amendments Nos. 1844, 1847, and 1851: Senator FEINGOLD's amendment, the Boxer amendment, and Senator CORZINE's amendment. They are all reporting amendments, requiring reporting. I ask unanimous consent that they be considered en bloc and agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to en bloc.

Amendment No. 1844 is as follows:

(Purpose: To require a report on replacing U.S. troops with Iraqi forces or other non-U.S. forces in secure areas of Iraq)

At the appropriate place, insert the following:

SEC . REPORT ON REPLACEMENT OF U.S. TROOPS.

(a) FINDINGS.—The Senate finds that—

(1) The Coalition Provisional Authority states that 80 percent of Iraq is a permissive environment with people returning to a normal pace of life, while 20 percent is less permissive with entrenched Saddam loyalists, international terrorists and general lawlessness hindering recovery efforts.

(2) On September 9, Deputy Secretary of Defense John Wolfowitz testified, ''. . . the predominantly Shia south [or Iraq] has been stable and I would say far more stable than most pre-war predications would have given you. And the mixed Arab, Turkish, Kurdish north has also been remarkably stable, again, contrary to fears than many of us had that we might face large-scale ethnic conflict.''

(3) On September 14, Secretary of State Colin Powell stated, ''We see attacks against our coalition on a daily basis . . . but in many parts of the country things are quite secure and stable.''

(4) The Coalition Provisional Authority states that a major focus of its security efforts has been to increase Iraqi participation in and responsibility for a safe and secure Iraq.

(5) On September 14, Secretary of Defense Donald Rumsfeld stated, ''90 percent of the people in Iraq are now living in an area that's governed by a city council, or a village council.''

(6) The Coalition Provisional Authority reports that 60,000 Iraqis are now assisting in security, including 46,000 Iraqi police nationwide.

(7) Of the 160,000 coalition military personnel serving in Iraq, 20,000 are comprised of non-U.S. forces.

(b) REPORT.—Beginning 30 days after the enactment of this Act, the President or his designee shall submit a monthly report to Congress detailing—

(1) the areas of Iraq determined to be largely secure and stable; and

(2) the extent to which U.S. troops have been replaced by non-U.S. coalition forces, U.N. forces, or Iraqi forces in the areas determined to be largely secure and stable under this subsection.

Mr. STEVENS. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1805, AS MODIFIED

Mr. STEVENS. I call up an amendment numbered 1805 introduced by Senator GRAHAM and send a modification of that amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment is so modified.

The amendment (No. 1805), as modified, is as follows:

On page 38, between lines 20 and 21, insert the following:

SEC. 2313. (a) Congress finds that—

(1) in a speech delivered to the United Nations on September 23, 2003, President George W. Bush appealed to the international community to take action to make the world a safer and better place;

(2) in that speech, President Bush emphasized the responsibility of the international community to help the people of Iraq rebuild their country into a free and democratic state;

(3) for a plan for Iraq's future to be appropriate, the provisions of that plan must be consistent with the best interests of the Iraqi people;

(4) premature self-government could make the Iraqi state inherently weak and could serve as an invitation for terrorists to sabotage the development of a democratic, economically prosperous Iraq.

(b) It is the sense of Congress that—

(1) arbitrary deadlines should not be set for the dissolution of the Coalition Provisional Authority or the transfer of its authority to an Iraqi governing authority; and

(2) no such dissolution or transfer of authority should occur until the ratification of an Iraqi constitution and the establishment of an elected government in Iraq.

Mr. STEVENS. I ask for adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1805), as modified, was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1836

Mr. STEVENS. I ask that Senator REID's amendment No. 1836 be laid before the Senate.

The PRESIDING OFFICER. The amendment is now pending.

Mr. STEVENS. Mr. President, I ask for the adoption of that amendment. It is a sense-of-the-Senate amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment numbered 1836.

The amendment (No. 1836) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1842, AS MODIFIED

Mr. STEVENS. I ask that the Senate consider amendment No. 1842 from Senator BINGAMAN, as modified.

The PRESIDING OFFICER. The amendment is pending.

Mr. STEVENS. I send a modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1842), as modified, is as follows:

At the end of title I, insert the following:

SEC. 316. (a) FINDINGS.—Congress makes the following findings:

(1) The National Guard and Reserves have served the Nation in times of national crises for more than 200 years. The National Guard and Reserves are a critical component of homeland security and national defense.

(2) The current deployments of many members of the National Guard and Reserve have made them absent from their communities for an abnormally long time. This has diminished the ability of the National Guard to conduct its State missions.

(3) Many members of the National Guard and Reserves have been on active duty for more than a year, and many more have had their tours of active duty involuntarily extended while overseas.

(b) REPORT ON UTILIZATION OF NATIONAL GUARD AND RESERVES.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the utilization of the National Guard and Reserves in support of contingency operations during fiscal year 2004.

(2) The report under this subsection shall include the following:

(A) Information on each National Guard and Reserve unit currently deployed, including—

(i) the unit name or designation;

(ii) the number of personnel deployed;

(iii) the projected return date to home station; and

(iv) the schedule, if any, for the replacement of the unit with a Regular or multinational unit.

(B) Information on current operations tempo, including—

(i) the length of deployment of each National Guard and Reserve unit currently deployed, organized by unit and by State;

(ii) in the case of each National Guard and Reserve unit on active duty during the two-year period ending on the date of the report, the aggregate amount of time on active duty during such two-year period; and

(iii) the percentage of National Guard and Reserve forces in the total deployed force in each current domestic and overseas contingency operation.

(C) Information on current recruitment and retention of National Guard and Reserve personnel, including—

(i) any shortfalls in recruitment and retention;

(ii) any plans to address such shortfalls or otherwise to improve recruitment or retention; and

(iii) the effects on recruitment and retention over the long term of extended periods of activation of National Guard or Reserve personnel.

(3) The report under this subsection shall be organized in a format that permits a ready assessment of the deployment of the National Guard and Reserves by State, by various geographic regions of the United States, and by Armed Force.

(c) REPORT ON EFFECTS OF UTILIZATION OF NATIONAL GUARD AND RESERVES ON LAW ENFORCEMENT AND HOMELAND SECURITY.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall, in consultation

with the chief executive officers of the States, submit to Congress a report on the effects of the deployment of the National Guard and Reserves on law enforcement and homeland security in the United States.

(2) The report under this subsection shall include the following:

(A) The number of civilian first responders on active duty with the National Guard or Reserves who are currently deployed overseas.

(B) The number of first responder personnel of the National Guard or Reserves who are currently deployed overseas.

(C) An assessment by State of the ability of the States to respond to emergencies without currently deployed National Guard personnel.

Mr. STEVENS. I ask for consideration of the amendment.

Mr. REID. I ask unanimous consent that Senator BYRD be added as a cosponsor of the Bingaman amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there is no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 1842), as modified, was agreed to.

AMENDMENT NO. 1838

Mr. STEVENS. I ask that the Senate consider Senator REID's amendment numbered 1838.

The PRESIDING OFFICER. The amendment is now pending.

Mr. STEVENS. Mr. President, this amendment offered by my friend from Nevada increases spending by $3.4 billion that causes the underlying bill to exceed the subcommittee allocation under section 302(b). Therefore, I raise a point of order against the amendment pursuant to section 302(f) of the Budget Act.

Mr. REID. Mr. President, before the Chair rules, I would simply say I am willing to let this go without a recorded vote. The reason for that is I have spoken to the chairman of the Armed Services Committee, Senator WARNER, and I have spoken to the ranking member, Senator LEVIN, and Senator WARNER has told me he has had a number of high-level meetings with leadership in the House and people from the Pentagon, and that there is every intention of being able to help American veterans.

There has been in existence now for more than 100 years a law that someone who is disabled as a result of military service and also draws retirement pay from the military cannot draw both. This is unfair.

I have worked on this issue now for several years, and we now have it so people who are Purple Heart veterans are able to draw both their disability and their retirement. What is contemplated by Senator WARNER, Senator LEVIN, and others is that that will be increased to up to 50 percent—those who would be able to draw both their disability and their retirement.

I hope that comes to be, as it is so important to the American veterans. This is something that is bipartisan in nature. This amendment before the Senate is sponsored by the Senator from Nevada, the senior Senator from Arizona, Mr. MCCAIN, and the senior Senator from Arkansas, Mrs. LINCOLN, and it is an issue that has bipartisan support.

If we had a vote on it here, as we have had on a number of occasions, regardless of the cost, as indicated on a number of other occasions, it would pass. I think the incremental steps are something I do not relish, but I am willing to accept that. And I do hope those who have promised us action will be taken in the immediate future will do so. Otherwise, I will be back with Senator MCCAIN and Senator LINCOLN at a subsequent time and cause a vote to occur on this Senate floor.

Mr. STEVENS. Mr. President, the Senator is correct. In the authorization conference, this matter is being considered. That is one reason I said it is with reluctance I make a point of order. But I ask the Presiding Officer to rule on my point of order.

The PRESIDING OFFICER. The point of order has been made, and the point of order is sustained. The amendment falls.

Mr. STEVENS. Mr. President, I will consult with the distinguished acting leader on the other side. Senator GRAHAM does wish a rollcall vote on his amendment No. 1806.

Mr. REID. I say to my friend, the distinguished Senator from Alaska, I would ask that during the time we review that—it will take just a few minutes—the Senator from Wisconsin be allowed to offer his amendment. He has literally been here for hours.

If I could ask what the subject matter is of the amendment, through the Chair to my friend from Wisconsin.

Mr. FEINGOLD. Absolutely. Extending FMLA benefits to families of National Guard members.

Mr. STEVENS. There are people leaving, and I do wish we would get an agreement on when we could call for a rollcall vote on——

Mr. REID. The Senator from Wisconsin told me earlier today he would take no more than 15 minutes to discuss his amendment.

Mr. STEVENS. Can we establish a vote on the Graham amendment at 6 o'clock?

Mr. REID. The only reason I am stalling a little bit here is I do not know the subject matter of the Graham amendment.

Mr. STEVENS. The amendment was cleared, but because of a change he wishes a rollcall vote.

Mr. REID. Mr. President, we would agree when the Senator from Wisconsin completes his statement, which would be 15 minutes from the time I give the floor to him, that there be a vote in relation to the amendment of the Senator from Wisconsin, with no second-degree amendments in order.

Mr. STEVENS. Senator GRAHAM had a chance to explain the amendment to us, but he has not explained it on the floor yet. He would like 5 minutes before the vote, and I would ask that the Senator be allowed 5 minutes after the Senator has completed his speech, and then following that, we vote, as indicated by the Senator from Nevada, with no further amendments in order.

Mr. REID. I would ask through the Chair to my friend, the distinguished Senator from Alaska, are we going to vote only on Graham, not on Feingold? Are we going to have two votes now?

Mr. STEVENS. We do not know anything about Senator FEINGOLD's amendment.

Mr. REID. So I would ask that my unanimous consent request apply only to the amendment of the Senator from South Carolina.

Mr. STEVENS. Subject to the 5 minutes.

Mr. REID. We do not want time.

Mr. STEVENS. We join in that request, Mr. President.

The PRESIDING OFFICER. Will the Senator from Alaska state his unanimous consent request?

Mr. STEVENS. Mr. President, I ask unanimous consent that when Senator FEINGOLD has completed his remarks, the Senator from South Carolina be recognized to speak for not more than 5 minutes on his amendment No. 1806, and following that time, there be no further amendments in order, and we have a rollcall vote on amendment No. 1806.

Mr. REID. And I would ask for the modification, the amendment of the Senator from South Carolina, as modified.

AMENDMENT NO. 1806, AS MODIFIED

Mr. STEVENS. Mr. President, I send the modification to the desk so there will be no misunderstanding about that.

The PRESIDING OFFICER. Is there objection to the request?

Hearing none, it is so ordered. The amendment is modified.

The amendment (No. 1806), as modified, is as follows:

(Purpose: To express the sense of Congress that the removal of the Government of Saddam Hussein has enhanced the security of Israel and other United States allies)

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. (a) Congress finds that—

(1) Israel is a strategic ally of the United States in the Middle East;

(2) Israel recognizes the benefits of a democratic form of government;

(3) the policies and activities of the Government of Iraq under the Saddam Hussein regime contributed to security concerns in the Middle East, especially for Israel;

(4) the Arab Liberation Front was established by Iraqi Baathists, and supported by Saddam Hussein;

(5) the Government of Iraq under the Saddam Hussein regime assisted the Arab Liberation Front in distributing grants to the families of suicide bombers;

(6) the Government of Iraq under the Saddam Hussein regime aided Abu Abass, leader of the Palestinian Liberation Front, who was a mastermind of the hijacking of the Achille Lauro, an Italian cruise ship, and is responsible for the death of an American tourist aboard that ship; and

(7) Saddam Hussein attacked Israel during the 1990-1991 Persian Gulf War by launching

39 Scud missiles into that country and thereby causing multiple casualties.

(b) It is the sense of Congress that the removal of the Government of Iraq under Saddam Hussein enhanced the security of Israel and other United States allies.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

AMENDMENT NO. 1852

Mr. FEINGOLD. Mr. President, I send an amendment to the desk on behalf of myself, Senator WYDEN, and Senator DAYTON, and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside and the clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself, Mr. WYDEN, and Mr. DAYTON, proposes an amendment numbered 1852.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To enable military family members to take leave to attend to deployment-related business and tasks)

On page 38, between lines 20 and 21, insert the following new title:

TITLE III—LEAVE FOR MILITARY FAMILIES

SEC. 3001. SHORT TITLE.

This title may be cited as the ''Military Families Leave Act of 2003''.

SEC. 3002. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

''(3) ENTITLEMENT TO LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—

''(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) CONDITIONS AND TIME FOR TAKING LEAVE.—An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent (referred to in the subparagraph as the 'family member') is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

''(3) NOTICE FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employer as is practicable.''.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

''(f) CERTIFICATION FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

SEC. 3003. LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

''(3)(A) Subject to section 6383(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent (referred to in the subparagraph as the 'family member') is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

''(3) An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employing agency as is practicable.''.

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

''(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.''.

Mr. FEINGOLD. Mr. President, my amendment would bring a small measure of relief to the families of our brave military personnel who are being deployed for the ongoing fight against terrorism, the war in Iraq, and other missions in this country and around the world.

The men and women of our Armed Forces undertake enormous sacrifices in their service to our country. They spend time away from home and from their families in different parts of the country and different parts of the world and are placed into harm's way in order to protect the American people and our way of life. And, of course, we owe them a huge debt of gratitude for their dedicated service.

The ongoing deployments for the fight against terrorism and for the campaign in Iraq are turning upside down the lives of thousands of active duty, National Guard, and Reserve personnel and their families as they seek to do their duty to their country and honor their commitments to their families, and, in the case of the Reserve components, to their employers as well. Today, there are more than 164,000 National Guard and Reserve personnel on active duty.

Some of my constituents are facing the latest in a series of activations and deployments for family members who serve our country in the military. Others are seeing their loved ones off on their first deployment. All of these families share in the worry and concern about what awaits their relatives and hope, as we do, for their swift and safe return.

Recently, many of those deployed in Iraq have had their tours extended beyond the time they had expected to stay. This extension has sometimes played havoc with the lives of those deployed and their families. Worried mothers, fathers, spouses, and children expecting their loved ones home before Thanksgiving must now wait until months after Christmas before their loved ones' much-anticipated homecoming. The emotional toll is huge. So is the impact on a family's daily functioning as bills still need to be paid, children need to get to school events, and sick family members must still be cared for.

Our men and women in uniform face these challenges without complaint. But we should do more to help them and their families with the many things that preparing to be deployed requires.

Often, military personnel and their families are given only a couple of days' notice that their units will be deployed. These dedicated men and women then have only a very limited amount of time to get their lives in order. For members of the National

Guard and Reserves, this includes telling their employers that they will be deployed for, in many cases, up to a year and a half. I commend the many employers around the country for their understanding and support when an employee or a family member of an employee is called to active duty.

In preparation for a deployment, military families often have to scramble to arrange for child care, to pay bills, to contact their landlords or mortgage companies, and take care of other things that many of us, of course, deal with on a daily basis.

The amendment I offer today would allow eligible employees whose spouses, parents, sons, or daughters are military personnel who are serving on or called to active duty in support of a contingency operation to use their Family and Medical Leave benefits for issues relating to or resulting from that deployment.

These instances could include preparation for deployment or additional responsibilities that family members take on as a result of a loved one's deployment, such as child care.

Let me make sure there is no confusion about what this amendment does and does not do. This amendment does not expand eligibility for FMLA to employees not already covered by FMLA. It does not expand FMLA eligibility to active duty military personnel. It simply allows those already covered by FMLA to use those benefits in one additional set of circumstances—to deal with issues directly related to or resulting from the deployment of a family member.

I was proud to cosponsor and vote for the legislation that created the landmark Family and Medical Leave Act during the early days of my service to the people of Wisconsin as a Member of this body. This important legislation allows eligible workers to take up to 12 weeks of unpaid leave per year for the birth or adoption of child, the placement of a foster child, to care for a newborn or newly adopted child or newly placed foster child, or to care for their own serious health condition or that of a spouse, a parent, or a child. Some employers offer a portion of this time as paid leave in addition to other accrued leave, while others allow workers to use accrued vacation or sick leave for this purpose prior to going on unpaid leave.

Since its enactment in 1993, the FMLA has helped more than 35 million American workers to balance responsibilities to their families and their careers. According to the Congressional Research Service, between 2.2 million and 6.1 million people took advantage of these benefits in the year 1999–2000.

Our military families sacrifice a great deal. Active duty families often move every couple of years due to transfers and new assignments. The 10 years since FMLA's enactment have also been a time where we as a country have relied more heavily on National Guard and Reserve personnel for more and more deployments of longer and longer duration. The growing burden on these service members' families must be addressed, and this amendment is one way to do so.

This amendment has the support of a number of organizations, including the Wisconsin National Guard, the Military Officers Association of America, the Enlisted Association of the National Guard of the United States, and the National Partnership for Women and Families.

We owe it to our military personnel and their families to do all we can to support them in this difficult time. I hope that this amendment will bring a small measure of relief to our military families.

I urge my colleagues to support my amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not a sufficient second.

Mr. STEVENS. I need time, I say to my friend, to review this with the Armed Services Committee and the Government Affairs Committee before we can consent to that. I am sure there will be a recorded vote at some time, but I hope the Senator will accept a delay in that request.

The PRESIDING OFFICER. Under the previous unanimous consent agreement, the Senator from South Carolina is recognized for 5 minutes.

AMENDMENT NO. 1806, AS MODIFIED

Mr. GRAHAM of South Carolina. Mr. President, I hope this sense-of-the-Senate resolution will pass unanimously.

The purpose of this resolution is to try to put in perspective what has been achieved by Operation Iraqi Freedom. We have suffered greatly in this country. The Iraqi people have suffered. We have lost soldiers, sailors, airmen, and marines. We have spent a lot of money, but I argue that we are much more secure as a nation; that there is one less dictator in the world to help terrorists; and that dispensing with Saddam Hussein's regime has been of particular benefit to our Nation, the region, and the world.

But there is one nation where this has made a dramatic difference. That is the State of Israel. This resolution says in very simple and strong terms that disposing of the Saddam Hussein government has made the State of Israel a more secure place. Why do we say that? During Saddam Hussein's period of ruling, he paid suicide bombers, homicide bombers, in Palestine money, and families of suicide and homicide bombers, to go in and kill innocent Israeli citizens. So when he left, there is one less person to fund people who are trying to destroy peace.

Israel and the Palestinian people deserve to live side by side in peace with two independent states. Saddam Hussein was providing money to people, the Arab Liberation Front, whose goal was to put Israel in the sea.

There is an element of people in that region who don't want to make peace with Israel. They want to destroy the State of Israel. Saddam Hussein made that possibility more likely by providing aid and comfort and money. So when we took Saddam Hussein out, we made Israel more secure. That is a good thing. I hope the Senate will join in unanimous support of that concept.

The government under Saddam Hussein gave money to the master mind of the hijacking of the *Achille Lauro*. The government of Saddam Hussein launched 39 Scud missile attacks against the State of Israel. People debate, should we have done it? Was it worth it? I argue strongly that it was worth it, not only for us but for the State of Israel. The men and women who have died to replace Saddam Hussein have died to make the world more secure. It is heartbreaking to lose soldiers, sailors, airmen, and marines, but one of the reasons we have a military is to protect ourselves and our allies.

Every now and then in history people such as Saddam Hussein crop up. If they are left alone, innocent people die unnecessarily. If they are left alone, the forces of evil become stronger.

I admire our President who chose to stand up to Saddam Hussein. For over 12 years he has violated every effort to rein him in. Force was necessary. Force was costly. But the benefits of that force have made the region safer, made the Iraqi people free for the first time in decades, and made the State of Israel a more secure place to live. Israel has been a good ally. I would ask all of my colleagues, if at all possible, to legitimize Operation Iraqi Freedom in terms of making Israel more secure because to say otherwise would be an untruth. Let it be said that the men and women who sacrificed to make the Iraqi people free have sacrificed in a way to make people in Israel and our own country safer, more secure, and their hopes and dreams maybe will be realized.

I ask for the yeas and nays. Senator MCCONNELL would like to speak on the measure, and I ask unanimous consent to make him a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Does the Senator seek the yeas and nays?

The Senator from Alaska.

Mr. STEVENS. Mr. President, I was not informed about the request for time. The agreement we have pending would say we have a vote following the Senator's remarks. If there are Senators who wish to speak, I would like to know who they are and how much time they want to speak so we could change the agreement, at least have a vote. Members are coming back, thinking they are going to vote in a few minutes.

Mr. REID. Will the Senator yield?

Mr. STEVENS. Yes.

Mr. REID. The unanimous consent agreement said that following the statement of the Senator from Wisconsin, the Senator from South Carolina would be recognized for 5 minutes,

and then we would vote. So we have people coming from all over the city here to vote.

Mr. GRAHAM of South Carolina. If I may, Senator MCCONNELL would like to speak. He is here. You are right. I am sorry about the scheduling problem. I ask the body to let Senator MCCONNELL speak for whatever time he needs on the amendment.

Mr. REID. Is that in the form of a unanimous consent request?

The PRESIDING OFFICER. Five minutes have been consumed. Does the Senator from South Carolina seek consent for additional time?

Mr. GRAHAM of South Carolina. Yes, I ask unanimous consent for an additional 3 minutes for the Senator from Kentucky so he may speak on this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, I have no objection to that request if Senator MCCONNELL can speak and then we can vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky is recognized for 3 minutes.

Mr. MCCONNELL. Mr. President, I thank the Senator from South Carolina for an excellent amendment. There is no ally of the U.S. and the world that benefits more, as the Senator from South Carolina pointed out, from the fall of Saddam Hussein than our good friends, the Israelis. They have watched over the years during the Saddam Hussein regime when he paid people to go into Israel and engage in suicide bombings. They are extremely grateful that there is one less terrorist state in the region to threaten Israel and the United States. In fact, you could argue that Israel benefits every bit as much, if not more so, from the change of regime in Iraq than we do in the United States.

I think this amendment is extremely important. Remember, Saddam Hussein was launching Scud missiles into Israel during the Persian Gulf war. So by changing the regime in Iraq, we have made the situation in Israel dramatically safer than it would have been on top of all of the other reasons why the change in regime in Iraq was in our own best interests. So I thank the Senator from South Carolina for a very important amendment that illustrates the significance of the fall of Saddam Hussein and peace in the Middle East and a chance down the road for there to be a final settlement between Israel and the Palestinians.

Mr. President, I am happy to yield the floor at this point.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. GRAHAM of South Carolina. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 384 Leg.]

YEAS—95

Akaka	Dole	Lugar
Alexander	Domenici	McCain
Allard	Dorgan	McConnell
Allen	Durbin	Mikulski
Baucus	Ensign	Miller
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bond	Fitzgerald	Nelson (NE)
Boxer	Frist	Nickles
Breaux	Graham (FL)	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carper	Hollings	Schumer
Chambliss	Hutchison	Sessions
Clinton	Inhofe	Shelby
Cochran	Inouye	Smith
Coleman	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Sununu
Craig	Landrieu	Talent
Crapo	Lautenberg	Thomas
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lincoln	Wyden
Dodd	Lott	

NAYS—2

Bingaman	Chafee

NOT VOTING—3

Edwards	Kerry	Lieberman

The amendment (No. 1806), as modified, was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, we are seeking to urge Members to raise some of the amendments that they have indicated they want to have considered so we might have some discussion of those amendments and schedule them for a vote early tomorrow morning. I know Senator BYRD is prepared to offer an amendment. But I yield to the leader.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. At this juncture, we have a lot of amendments on both sides of the aisle. We made progress today, although I think we are going to be able to narrow down the number of amendments that people have come forward with and given to the managers. Last night we made real progress by taking amendments to the floor, debating the amendments, and then voting this morning.

After talking to the Democratic leader and managers, it is very clear that we should be able to do that tonight, if people will come forward with those amendments and then stack those amendments tomorrow morning.

Right now, we cannot say with certainty what time that would be. The goal would be to debate amendments tonight and stack those for an appropriate time tomorrow morning.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Madam President, I want to agree with the majority leader. I think we did make progress last night. We had good cooperation. A number of amendments were offered. We had votes on them this morning. We want to replicate that tonight. I will be offering an amendment shortly. I know a number of other Senators are planning to offer amendments on our side.

Our expectation is we will have those votes, plus I think there are five amendments pending that we would like to be able to dispose of, either with a voice vote or a rollcall vote, tomorrow morning as well. The majority leader noted we made a lot of progress today. We have a finite list. I think it is important for Senators to come and limit the amount of time that some of these votes may otherwise take. We can have a good debate, but I think we have to get through a lot of work tomorrow. The only way we can do it is if Senators will come to the floor tonight.

As I say, I will offer an amendment now. Senator FEINSTEIN is ready to go with an amendment after I am finished. I don't know if there are others on the Republican side, but we need to bring up four or five amendments tonight. I think we can give the assurance to the majority leader that we will be prepared to do that.

Mr. REID. Will the distinguished Democratic leader yield?

Mr. DASCHLE. I am happy to yield.

Mr. REID. Did you ask consent that following the offering of your amendment the Senator from California, Mrs. FEINSTEIN, be recognized to offer her amendment?

Mr. DASCHLE. Madam President, I referenced the fact that she was prepared to offer it. I ask consent she be recognized after my amendment has been offered.

Mr. STEVENS. Reserving the right to object, Madam President, we are being asked to consent to an order. We have not even seen these amendments. We don't even know the names on the amendments.

I remember, when the tables were turned, vehement objections to such

procedure. I object until I see the amendment to see whether we want to stack them automatically for a vote tomorrow.

Mr. DASCHLE. Madam President, if I could just clarify, we are not asking for consent that they be voted on tomorrow. I said it would be helpful if they could be voted on tomorrow morning. I was just indicating the sequence tonight and hoping to expedite the consideration of these amendments—that after I lay my amendment down and make comments relating thereto, that Senator FEINSTEIN be recognized so she could do the same. If the Senator from Alaska chooses not to do that, we can accommodate him with whatever suggestions he may have for how we do this.

Mr. STEVENS. Is this the loan amendment of the Senator from California?

Mrs. FEINSTEIN. It is my only amendment.

Mr. STEVENS. Is it on the list?

Mrs. FEINSTEIN. It is the one I had with Senator DOMENICI and which Senator DOMENICI is no longer on.

Mr. STEVENS. It would be nice to see it.

Mrs. FEINSTEIN. It is at the desk.

Mr. STEVENS. I thank the Senator.

Mrs. FEINSTEIN. I would be happy to bring one over.

Mr. STEVENS. I withdraw my objection.

Mr. DASCHLE. Madam President, I renew the request.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1854

Mr. DASCHLE. Madam President, if there are no other Senators seeking recognition, I ask unanimous consent to lay aside the pending amendment, and I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DASCHLE] proposes an amendment numbered 1854.

Mr. DASCHLE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To achieve the most effective means of reconstructing Iraq and to reduce the future costs to the American taxpayer of such reconstruction by ensuring broad-based international cooperation for this effort)

At the end of title II, add the following:

SEC. 2313. (a) LIMITATION ON AMOUNT OF FUTURE FUNDS AVAILABLE FOR IRAQ RECONSTRUCTION PROGRAMS.—Notwithstanding any other provision of this Act or any other provision of law, the amount of appropriated funds that may be obligated and expended for Iraq reconstruction programs may not exceed the current appropriated amount for Iraq reconstruction programs unless—

(1) the President certifies to Congress that the amount of appropriated funds to be so obligated and expended for Iraq reconstruction programs is equal to or exceeded by an amount of contributions from the international community for Iraq reconstruction programs; or

(2) the President—

(A) determines that, notwithstanding the lack of contributions by the international community for Iraq reconstruction programs in an amount described in paragraph (1), the obligation and expenditure of appropriated funds for Iraq reconstruction programs in excess of the current appropriated amount for Iraq reconstruction programs is in the national security interests of the United States; and

(B) submits to Congress a written notification on that determination, including a detailed justification for the determination.

(b) CONSTRUCTION WITH LATER ENACTED PROVISIONS OF LAW.—This section may not be superseded, modified, or repealed except pursuant to a provision of law that makes specific reference to this section.

(c) DEFINITIONS.—In this section:

(1) The term ''current appropriated amount for Iraq reconstruction programs'' means the aggregate amount appropriated or otherwise made available by this Act, and by any Act enacted before the date of the enactment of this Act, for Iraq reconstruction programs.

(2)(A) the term ''Iraq reconstruction programs'' means programs to address the infrastructure needs of Iraq, including infrastructure relating to electricity, oil production, public works, water resources, transportation and telecommunications, housing and construction, health care, and private sector development.

(B) The term does not include programs to fund military activities, (including the establishment of national security forces), public safety (including border enforcement, police, fire, and customs), and justice and civil society development.

Mr. DASCHLE. Madam President, we have been debating this critical piece of legislation now for over a week. Most of the debate has properly centered on the immediate issues presented by the bill before us: How much of the $20 billion the President is seeking for reconstruction of Iraq should American taxpayers provide, and under what terms and conditions should they provide it?

We will have an opportunity tomorrow to talk about a number of specific amendments dealing with loan relationships with Iraq and the probability that the debate centering on whether or not Iraq should be required to take some of the assistance in the form of a loan will be resolved before the end of the week.

There are widely divergent and strongly held views within this Chamber about how we should answer the questions involving loans and grants, and what responsibilities Iraq should have.

While Senate passage of $87 billion to secure and rebuild Iraq seems certain, each of us knows the amount contained in this bill is not sufficient to complete the task. The administration itself has argued that we may need another $55 billion beyond the request made in this appropriations bill today. We don't know how we will do in the donors' conference. But I am told the best we can expect at this point is about $3 billion from the international community. If it is still accurate that $55 billion may be required, and that $3 billion of that may be provided today at least—and that is over a period of time, and in some cases we are told that it could be 4 or 5 years before some of that $3 billion is actually committed—then obviously rebuilding Iraq would take many more years and many tens of billions of dollars in addition to what is now being considered within this legislation.

The amendment I am offering tonight simply requires that the President do what he said he will do—work with the international community to ensure that the American taxpayer does not continue to act alone or largely alone in picking up future reconstruction costs. The amendment simply seeks to ensure that the international community is an equal partner in any future reconstruction costs beyond those contained in the bill before us.

Basically, what we are saying is we will make our decision about the $87 billion, but we recognize this may not be the last request; that there will be additional needs. This amendment simply says that as we consider those additional needs, we ask the President to certify that other nations are paying their fair share of any future costs beyond the $87 billion for the occupation and rebuilding of Iraq before he uses additional American taxpayer dollars to finance these efforts.

I want to emphasize that it doesn't touch one dime of the $87 billion request. Other amendments will seek to address those concerns, and obviously I intend to support them. This pending amendment simply says to the President: You must provide some assurance that the international community will support our efforts to expend additional funds beyond the $87 billion for Iraq's reconstruction.

This amendment will not affect security-related expenditures. No limitations are placed on the President's ability to expend funds for our troops, Iraqi troops, or for Iraqi public safety programs such as border enforcement, police, fire and customs. And no limitations are placed on the President's ability to commit funds to develop Iraq's justice system.

If the President is unable to get the international community to pay its fair share of future Iraqi construction costs, the amendment permits the President to expend still more taxpayer dollars on Iraq's reconstruction with one provision. That provision is that he certify to Congress that additional U.S. expenditures on Iraq's reconstruction are in our national security interests. We don't tie the President's hands. We permit him to get everything he is asking for today—enough to stabilize and rebuild Iraq for a year according to the administration's estimates. It gives him time to round up additional support for our efforts in Iraq should he deem it necessary to ask America's taxpayers to provide additional funds. And we give

him a waiver if he fails to secure the additional international support.

More than 6 months after the end of the Hussein regime, the cost of rebuilding and securing Iraq, both in the lives lost and in money now expended, appear without end. Now more than ever, we need to engage the support of the international community prior to the donors' conference, and this amendment would allow us to do that. The entire world will benefit from a democratic and prosperous Iraq. The entire world has an obligation to help us build a better future for the Iraqi people.

As the President noted just last month in his address about his administration's efforts in Iraq, ''we are committed to expanding international cooperation in the reconstruction and security of Iraq.'' This amendment provides the President the leverage to make that promise a reality.

I hope our colleagues will endorse this amendment on a bipartisan basis. This is simply an opportunity for us to say from here on out, regardless of what you may think of the $87 billion, the time has come for the international community to participate, and it is critically important that we send that message to the donors' conference when we have that occasion to do so later on this month.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from California is recognized.

Mrs. FEINSTEIN. Thank you very much, Madam President.

AMENDMENT NO. 1848

Mrs. FEINSTEIN. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mrs. BOXER, Mrs. CLINTON, Mr. DURBIN, Mr. JOHNSON, and Mrs. MURRAY, proposes an amendment numbered 1848.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reports on the United States strategy for relief and reconstruction efforts in Iraq, and to limit the availability of certain funds for those efforts pending determinations by the President that the objectives and deadlines for those efforts will be substantially achieved)

Strike section 2309 and insert the following:

SEC. 2309. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR RELIEF AND RECONSTRUCTION IN IRAQ PENDING DETERMINATIONS BY THE PRESIDENT.—Notwithstanding any other provision of this Act, of the amount appropriated by this title under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND''—

(1) $6,770,000,000 shall be available 120 days after the date of the enactment of this Act, but only if the President determines under subsection (b)(1) that the objectives and associated deadlines referred to in that subsection have been substantially met; and

(2) $6,770,000,000 shall be available 240 days after the date of the enactment of this Act, but only if the President determines under subsection (b)(2) that the objectives and associated deadlines referred to in that subsection have been substantially met.

(b) DETERMINATIONS.—(1) Not later than 120 days after the date of the enactment of this Act, the President shall determine whether or not the objectives, and associated deadlines, for relief and reconstruction efforts in Iraq, as specified in the report under subsection (c), have been substantially met.

(2) Not later than 240 days after the date of the enactment of this Act, the President shall determine whether or not the objectives, and associated deadlines, for relief and reconstruction efforts in Iraq, as specified in the most current report under subsection (d), have been substantially met.

(c) INITIAL REPORT ON RELIEF AND RECONSTRUCTION.—Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report on the United States strategy for activities related to post-conflict security, humanitarian assistance, governance, and reconstruction to be undertaken as a result of Operation Iraqi Freedom. The report shall include information on the following:

(1) The distribution of duties and responsibilities regarding such activities among the agencies of the United States Government, including the Department of State, the United States Agency for International Development, and the Department of Defense.

(2) A plan describing the roles and responsibilities of foreign governments and international organizations, including the United Nations, in carrying out such activities.

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

(4) A strategy for distributing the responsibility for paying costs associated with reconstruction activities in Iraq among the United States Government, foreign governments, and international organizations, including the United Nations, and for actions to be taken by the President to secure increased international participation in peacekeeping and security efforts in Iraq.

(5) A comprehensive strategy for completing the reconstruction of Iraq, estimated timelines for the completion of significant reconstruction milestones, and estimates for Iraqi oil production.

(d) SUBSEQUENT REPORTS ON RELIEF AND RECONSTRUCTION.—(1) Not later than 60 days after the submittal of the report required by subsection (c), and every 60 days thereafter until all funds provided by this title are expended, the President shall submit to Congress a report that includes information as follows:

(A) A list of all activities undertaken related to reconstruction in Iraq, and a corresponding list of the funds obligated in connection with such activities, during the preceding 60 days.

(B) A list of the significant activities related to reconstruction in Iraq that the President anticipates initiating during the ensuing 60-day period, including—

(i) the estimated cost of carrying out the proposed activities; and

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

(C) Updated strategies, objectives, and timelines if significant changes are proposed regarding matters included in the report required under subsection (c), or in any previous report under this subsection.

(2) Each report under this subsection shall include information on the following:

(A) The expenditures for, and progress made toward, the restoration of basic services in Iraq such as water, electricity, sewer, oil infrastructure, a national police force, an Iraqi army, and judicial systems.

(B) The significant goals intended to be achieved by such expenditures.

(C) The progress made toward securing increased international participation in peacekeeping efforts and in the economic and political reconstruction of Iraq.

(D) The progress made toward securing Iraqi borders.

(E) The progress made toward securing self-government for the Iraqi people and the establishment of a democratically elected government.

(F) The progress made in securing and eliminating munitions caches, unexploded ordinance, and excess military equipment in Iraq.

(G) The measures taken to protect United States troops serving in Iraq, and an estimated schedule of United States troop strengths in Iraq for each ensuing 120-day period.

Mrs. FEINSTEIN. Madam President, I believe this amendment to this supplemental would provide some additional transparency and oversight as to how the $20.3 billion in reconstruction funding is spent. The amendment essentially releases the appropriation of the $20.3 billion in three tranches. These tranches are not fenced, but they are conditioned on the President presenting a reconstruction plan to Congress with specific goals and timetables, and reporting to Congress on how that plan is being implemented.

The amendment began as a bipartisan amendment. Unfortunately, at this stage it is not, but it is cosponsored by Senators MURRAY, DURBIN, JOHNSON, CLINTON, and BOXER.

Specifically, the amendment would provide for the immediate release of one-third of the $20.3 billion for reconstruction in Iraq—that is $6.77 billion—with the President required to provide Congress with a comprehensive plan for Iraqi reconstruction. The plan would include goals and timetables for specific reconstruction activities.

Second, it would provide for the release of the remaining $13.54 billion requested in two equal disbursements of $6.77 billion, the second tranche after 120 days—or 4 months—and the final after 240 days. Both disbursements would be subject to a Presidential determination that the goals and timetables spelled out in these detailed reports are being met.

Third, this would require that the President submit reports to Congress every 60 days about how the money is spent.

What is the purpose of this? This is a lot of money. The American public are divided on whether we should spend $20 billion reconstructing Iraq or we should give it for deficit reduction or to priorities in this country. There is no plan. We do not know exactly how this money is going to be spent.

What this amendment aims to do is provide a mechanism for both a certification process by the President that the goals and timetables are being met and for regular reports to this Congress about how that is taking place. That does not seem to me to be too much to ask.

In doing so, it also gives us the ability to review how the money is being spent, what costs are being incurred, who else is contributing, and what progress is being made in meeting important security, political, and economic reconstruction milestones. These are significant improvements.

It is hard for me to understand why the administration does not want this to be done, why the administration expects to be given a blank check, and this body that is charged with the purse strings is not able to carry out diligent oversight.

There may be a significant disagreement among Members of the Senate about the wisdom of a course of action which has led us to this point in Iraq. But now that the United States is in Iraq, it is clear to me we must stay the course. We must rebuild the infrastructure. We must prevent civil war. We must see to it that Iraq does not become a base for terror and instability throughout the region.

Indeed, from a national security perspective, I strongly believe the United States cannot turn tail and run. Instead, we must see to it that a stable governmental structure and a viable economy, apart from Saddam's tyrannical dictatorship, can in fact be put in place. If the United States were to pull out without completing the job—which rejection of the supplemental would mean—I believe Iraq would inevitably see civil war and a return to the Baathist regime, perhaps headed by someone as bad as or worse than Saddam Hussein. If the United States were to cut and run, as we did in Lebanon, or more recently in Somalia, we would send precisely the wrong message to both our friends and our foes around the world.

For many, the challenges we now face in Iraq illustrate the shortcomings of a doctrine of unilateral preemption and preventive war to deal with an asymmetrical threat. When we use force against a state to seek regime change, we are left with the inescapable reality and role that we have today, and that is nation building. There is no other way to put it. But once there, we must complete the task.

As much as I may wish we could structure this package as loans, that there be greater international contributions to the reconstruction effort, that Iraqi oil could be quickly brought on line to underwrite costs, that some of the funds earmarked to be spent in Iraq could be spent on domestic priorities instead, or that we pay for this supplemental by deferring a large tax cut for Americans earning more than $340,000 a year, thus far, all those options have been debated and voted down in this body. I voted for all these amendments, both in committee and on the floor.

But today the United States has an inescapable responsibility in Iraq. It is clear to me that now we are there, we must win the peace. However, we, as a Senate, also have a responsibility, to know what the plan is, to be able to buy into that plan, to understand the goals and the timetables of this reconstruction effort, to know when a constitution will be written, to know when a government can be turned over, and to understand what specific projects are going to be undertaken.

This amendment asks for nothing more than that. It is justified, I believe, because it does just that. I had five Republican sponsors. Apparently they were weaned off by the White House. But this resolution was carefully crafted not to create a problem for the administration but to say, as a Senate, we have an absolute right to know the details, to know the timelines, to know the plans, and you, Mr. President, have an obligation to report to us on what they are and to certify that what you say is actually happening. That is all this amendment does. It does not fence funds. It does not require another vote by this body. But it does say, if we support you, you have an obligation to let us know what you are doing, how you are doing it, and the timelines of completing the mission. I don't think that is too much to ask.

Along with my prior cosponsors, before they dropped off, we worked hard on this. This was negotiated not to present an encumbrance but to present a justifiable reporting requirement with certification by the President. The only thing was that the money would be released in three equal tranches 4 months apart.

I have a very hard time, unless people do not want to say what they are doing, as to why this amendment would not be acceptable to the other side of this aisle as well as to this side of this aisle. It is my sincere hope that by some miracle we could get that concurrence.

The work we have yet to do in Iraq is consequential. How do we stabilize Iraq? It is a nation with a long and bloody history of tribal rivalries. It has known only despotism and tyranny. How do we plant the seeds of democracy? What is the timeline for that? This country has never known democracy. How do we rebuild an economy shattered by years of neglect, repression, and war? I believe we can accomplish this job. Iraq could well become a beacon of stability in this volatile area. But it is a tall order.

In conclusion, I believe the amendment is a well-thought-out approach that gives Congress and the American people a more meaningful and substantive oversight role in the reconstruction of Iraq and it says to this administration, we will work with you, we will stay the course, but the American people must know where that course will lead us and how we are going to get there. This amendment asks for no more and no less.

I yield the floor.

Mr. STEVENS. Will the Senator respond to a question?

Mrs. FEINSTEIN. I would be happy to.

Mr. STEVENS. Is it the Senator's intention that the money, one-third, be available at the end of 120 days?

Mrs. FEINSTEIN. No; the first one-third right away; the second third 4 months later; the third third in another 4 months. At 120, 240 days.

Mr. STEVENS. I thank the Senator.

Mrs. FEINSTEIN. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I state for the information of Senators, we will make some agreements concerning time for the vote to take place tomorrow on the Senator's amendment.

I will oppose the amendment. It is an amendment that would limit the discretion and use of these funds. These funds are designed to as quickly as possible bring about the reconstruction of Iraq and the training of Iraqis to take over their own affairs, to defend themselves, to provide their own security, provide their own water, provide their own electricity, run their own schools—a whole series of things to have this money available, as the Senator says, in the tranches. We can do so much for 120 days. You have to wait for another 120 days before you can have the next money, and another 120 days for the next money.

Now, when you look at that, what it really means is you are going to have to decide we are going to be there for at least a year just doing what is designed in this process to be an upfront program to move quickly as possible to turn this government back to them.

I think that is a restriction on the use of these funds that would hamper the ability of Ambassador Bremer and General Abizaid to carry out their instructions they have already received from the Congress and the instructions that are generally contained in this bill.

It is my intention to speak further on the amendment tomorrow, but just so there would be no question about it, I will oppose the Senator's amendment and urge that it be defeated. It remains to be seen whether I will ask to table the amendment or to just have a vote on it. We will determine that tomorrow.

But I do thank the Senator for her response to my question, and I yield the floor on this matter.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I believe the yeas and nays were granted, so there will be a vote; is that not correct?

Mr. STEVENS. There will be a vote, but we will confer with the Senator when that vote will occur sometime tomorrow. Last-vote notices have gone out for tonight.

Mrs. FEINSTEIN. I thank the Senator.

Mr. President, I would like to make one further point, just to debate this.

There are many of us who believe the very size of the supplemental means we are going to be in Iraq for a substantial period of time, and, most probably, the supplemental is meant to run through the election. That is the inescapable real life that we live.

So we look at this effort as one that is a joint effort between the White House and this Senate and this House in the sense that we are prepared to stay the course provided you share with us what the plan is, what the goals are, what the timetables for achieving the mission, in effect, are.

It is hard for me to understand how more than $6 billion could be used in a 4-month period. So nothing is held up. It is three equal tranches. I have a hard time, with what I do know about it, envisioning more than $6 billion being spent in a 4-month period.

So I do not believe this amendment is any kind of an encumbrance on the administration at all. It is simply a request for oversight, which I believe is our constitutional duty.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to set aside the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1858

Mr. NELSON of Florida. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. NELSON] proposes an amendment numbered 1858.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To set aside from certain amounts available for the Iraq Relief and Reconstruction Fund, $10,000,000 for the Family Readiness Program of the National Guard)

At the end of title II, add the following:

SEC. 2313. Of the amounts appropriated by chapter 2 of this title under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'' under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'', other than amounts available under such heading for security (including public safety requirements, national security, and justice), $10,000,000 shall be available only for the Family Readiness Program of the National Guard.

Mr. NELSON of Florida. Mr. President, as many of our colleagues are aware, the National Guard has undergone a difficult year with their rapid mobilization and deployment to Iraq and a redeployment date that continues to slip. This has happened to the National Guard in State after State. It has particularly happened with regard to Florida. Florida was actually mobilized the day after Christmas. They went into the armories and started packing their gear. Many, of course, thought it was going to be a very short war, as it was. The military conflict was successfully prosecuted by General Tommy Franks. But all of them were clearly understanding there was the likely possibility they were going to be gone for a year. What they did not expect, with the occupation having been as difficult as it has, was that they were going to be extended, in some cases, up to 16, 17, and perhaps even 18 months from when they first came in to start packing up at the armory of their National Guard unit.

In State after State, these National Guard units have been so effectively trained and, given the adequate and up-to-date equipment in the field, they have performed so admirably. That is clearly the case with the 124th Infantry, which consists of three battalions from Florida. They are so good, they want to continue to keep them. That is like a double-edged sword. Our Guard is so good, and yet they have families, they have employers, and they are making a financial sacrifice. They are prepared to do that. Now that we are offering these supplemental appropriations for Iraq, there is something we can do.

It is my hope we are going to get to the point that the managers will accept this amendment. I have offered this amendment. I may not have to call for a vote because I think it might be accepted.

This amendment provides $10 million for the Family Readiness Program. Right now that program does not have any funding. This program for the National Guard has 396 family assistance centers around the United States. These assistance centers are the primary point of assistance to the families on items such as unit information—this is the National Guard; this is not the regular Army—on referral to medical, financial, social services, and counseling for the families.

Why do families need this assistance? Because often those families are suffering financial hardship. Their loved one as a civilian was earning a certain salary, and when they go on active duty, they are earning, in many cases, a much lower salary. Or, goodness gracious, let's not hope they are self-employed and that business is not being tended to while they are being extended. They all understood the sacrifice they were going to make, and they were willing to make that sacrifice because they are loyal citizens ready to fight for the interests of their country.

The simple fact is, they need some assistance through these family assistance centers, and there is no funding set aside for this critical task.

Out of the $15 billion—not the $20 billion because $5 billion of that is going to assist in building up an Iraqi security and police force—but out of the remaining $15 billion of the $87 billion supplemental appropriations, that is going to reconstruction, the infrastructure needs in Iraq, I respectfully suggest to our colleagues that we need to put some money into these family assistance centers through the Family Readiness Program of the National Guard.

In August and just recently during the last recess when I was home, I ended up having 25 town hall meetings. I met with innumerable families. I am telling you, the support from these family assistance centers is often their Rock of Gibraltar, where they get information, where they share with each other, where, if they are in financial distress, they can get counseling, and if the financial distress leads to medical problems, they can get the right medical referrals. This is the least we can do for our people whose loved ones back home are often taking the brunt.

Today I seek support for those soldiers in the National Guard who have supported our mission in Iraq so bravely and are serving far from home and their loved ones.

I will stop my comments right there. I could go on. Does the manager of the bill have any questions for me? I will be happy to respond. I yield to the manager, the Senator from Montana.

Mr. BURNS. The Senator from Florida has explained his amendment very well. I have no questions.

Mr. NELSON of Florida. Then, Mr. President, I yield the floor and, at the appropriate time, I will call for the vote, unless it is the pleasure of the managers of the bill that they want to accept the amendment as part of a package.

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1859

Mr. REID. I send an amendment to the desk on behalf of Senator LANDRIEU.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Ms. LANDRIEU, proposes an amendment numbered 1859.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To promote the establishment of an Iraq Reconstruction Finance Authority and the use of Iraqi oil revenues to pay for reconstruction in Iraq)

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) The President shall direct the head of the Coalition Provisional Authority in Iraq, in coordination with the Governing Council of Iraq or a successor governing authority in Iraq, to establish an Iraq Reconstruction Finance Authority. The purpose of the Iraq Reconstruction Finance Authority shall be to obtain financing for the reconstruction of the infrastructure in Iraq by collateralizing the revenue from future sales of oil extracted in Iraq. The Iraq Reconstruction Finance Authority shall obtain financing for the reconstruction of the infrastructure in Iraq through—

(1)(A) issuing securities or other financial instruments; or

(B) obtaining loans on the open market from private banks or international financial institutions; and

(2) to the maximum extent possible, securitizing or collateralizing such securities, instruments, or loans with the revenue from the future sales of oil extracted in Iraq.

(b) It is the policy of the United States that payment of the cost of reconstruction in Iraq, other than payment made with funds made available in this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'' or made available by a foreign country or an appropriate international organization, should be the responsibility of the Iraq Reconstruction Finance Authority.

Ms. LANDRIEU. Mr. President, the amendment establishes the Iraq Reconstruction Finance Authority. The amendment states the United States will not commit further grants toward Iraq's reconstruction beyond the $20.3 billion requested by the President. Any further monetary commitments by the United States should be secured through the Iraq Reconstruction Finance Authority using Iraq's revenues from oil production. This amendment does not cut the $20.3 billion requested by President Bush.

There can be no doubt that America must participate in Iraq's reconstruction. However, direct grants are not the only means of providing reconstruction dollars.

RAND reports that U.S. post-war reconstruction efforts in seven conflicts since World War II have averaged 7 years in duration. We must develop a sustainable means of financing Iraq's reconstruction. The American people will not support giving money to Iraq for 7 years when Iraq possesses well over 112 billion barrels of oil, valued at least $2.5 trillion at $22 a barrel, that could be used to finance Iraq's reconstruction. RAND and the World Bank report Iraq's reconstruction will cost at least another $36 billion. The Institute of International Finance says the price tag will hit $75 billion. Ambassador Bremer testified before the Appropriations Committee that the administration will ask for little or no money next year for Iraq's reconstruction, yet non-partisan studies indicate more funding will be necessary.

Conservative estimates say Iraq has 112 billion barrels of oil in its reserve, with possibly the same amount undiscovered. Conservative estimates say Iraq will generate $28 billion in oil revenues in 2004, 3.5 million barrels at $22 a barrel. Oil closed at $32 a barrel last night. Iraq is capable of generating billions in revenue each year so that Iraq can be a partner with the United States and the international community in its own reconstruction.

What worked in the Marshall plan should work in Iraq's reconstruction. Germany's vast coal resources were pledged to secure the matching requirements of the U.S. Government contained in the Marshall plan.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MORNING BUSINESS

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF PROPOSED RULEMAKING—OFFICE OF COMPLIANCE

Mr. STEVENS. Mr. President, I ask unanimous consent the attached statement I send to the desk from the Office of Compliance be printed in the RECORD today pursuant to section 303(b) of the Congressional Accountability Act of 1995, 2 U.S.C. 1383(b).

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, October 15, 2003.

Hon. TED STEVENS,
President pro tempore, U.S. Senate,
Washington, DC.

DEAR MR. PRESIDENT: A Notice of Proposed Rulemaking (NPR) for proposed amendments to the Procedural Rules of the Office of Compliance was published in The Congressional Record dated September 4, 2003. The period for submission of comments announced in that NPR ended on October 6, 2003.

A Notice of Proposed Rulemaking—Extension of Period for Comment was published in The Congressional Record dated October 2, 2003. That Notice extended the period for submission of comments announced in the NPR to and including October 20, 2003.

The Board of Directors of the Office of Compliance will hold a hearing regarding the comments which have been submitted during the comment period. The hearing will be open to the public. The hearing will take place on Tuesday, December 2, 2003, at 10 a.m. in room SD–342 of the Dirksen Office Building. Individuals or organizations who have submitted written comments during the comment period may supplement those comments by an oral presentation at the hearing. Individuals or organizations who have timely submitted comments during the comment period which ends on October 20, 2003, and who wish to make an oral presentation at the hearing, must submit a written request to William W. Thompson II, Executive Director, Office of Compliance, 110 2nd Street, SE., Washington, DC on or before Friday, November 14, 2003. Oral presentations are limited to 20 minutes per commenter, unless extended by the Board.

We request that this Notice of Hearing be published in the Congressional Record. Any inquiries regarding this Notice should be addressed to the Office of Compliance at the above address, or by telephone: 202–724–9250, TTY 202–426–1665.

Sincerely,

SUSAN S. ROBFOGEL,
Chair.

REMEMBERING KENTUCKY GOVERNOR NED BREATHITT

Mr. BUNNING. Mr. President, the Commonwealth of Kentucky lost one of its greatest statesman on October 14, 2003. Former Gov. Ned Breathitt left us last night and is on his way to a better place.

Governor Breathitt left a great imprint on Kentucky's history and his bloodline ran deep in Kentucky's heritage. There is even a Breathitt County which is named after his distant uncle who was also a Governor of Kentucky.

Kentuckians elected Ned Breathitt as their Governor in 1963. He served until 1967 with great leadership and accomplishment. The 1960s were somewhat and sometimes tumultuous for the South. Governor Breathitt's progressive politics and compassion for all enabled him to be one of the true civil rights leaders in Kentucky. With conviction and purpose, he fought racial discrimination and ushered in a lasting equality for Kentuckians.

Governor Breathitt also worked tirelessly to help improve our schools and education system in Kentucky. He truly believed that Kentucky's pride and best assets were its citizens. This led him to create and implement the community college system under the University of Kentucky, and to this day it is one of the best systems around. Besides wanting to ensure Kentuckians a strong education, he also was deeply concerned about their health and environment. This led him to help strengthen our conversation and environmental laws, and ensuring that our pristine treasures and waters were protected and preserved for generations to come.

But aside from him being my Governor, he was also my friend. Whan I first arrived in Congress in 1987, Ned and his wife Lucy were living in Washington, DC. They welcomed my wife Mary and me with open arms. We were newcomers to the area and Ned and Lucy had moved out a few years before we did. We became good friends. We played bridge together, dined out and socialized together. We all laughed a lot. Mary and I enjoyed their company so much.

Our prayers and thoughts go out to Lucy and her family. We all know it is

difficult to lose a loved one. But Lucy is strong. I know she is left with the comfort that Ned is in a better place, that his life was extraordinary in the way it touched others, and that he loved her and their family and Kentucky so dearly. Ned Breathitt was as good as they come. He was Kentucky at its best.

CRISIS IN ZIMBABWE

Mr. FEINGOLD. Mr. President, I want to call the Senate's attention to the ongoing crisis in Zimbabwe. For years now, the Government of Zimbabwe, led by President Robert Mugabe, has pursued policies characterized by repression, brutality, corruption and mismanagement. The costs to the people of Zimbabwe have been terribly steep. Alongside intimidation and repression, Zimbabweans must contend with the economic consequences of this disaster. According to The Economist magazine, the country's GDP has shrunk by a third in the past 3 years; inflation has surged over 420 percent and 70 percent of the population lives in poverty. A country that should be an engine of growth in the region has instead become an anchor, dragging down the prospects for increased investment and prosperity. A people that should have been able to unite and focus their energies on fighting the AIDS pandemic that threatens their society is instead coping with the systematic destruction of the rule of law within their borders.

Mugabe's government would like the world to believe that it is pursuing a policy of defiance, charting an independent course, and refusing to be bullied by westerners. But this is a smokescreen, a distraction from the fact that when voters are intimidated, it is not the West that is defied, it is the will of the Zimbabwean people. When journalists are tortured and independent media outlets—most recently the popular Daily News—shut down, the bully is not the West, it is the Government of Zimbabwe. There is nothing heroic or revolutionary about the policies pursued by Mugabe's government. Sadly, they are taken from the familiar playbook used for decades by self-serving, dictatorial governments around the world.

Secretary of State Powell was right to call on African leaders, and especially South African President Thabo Mbeki, to take a stronger position on the crisis and to re-energize their efforts to help resolve it. Make no mistake, these leaders are not indifferent to the problem. They are coping with waves of Zimbabwean migrants fleeing persecution and the hopelessness of complete economic collapse. They are struggling against the downward force of the economic maelstrom across their borders. But quiet diplomacy is not working, and Zimbabweans continue to suffer. I urge African leaders to tell it like it is, and to express their solidarity with the Zimbabwean people, not the disgraced and corrupt Zimbabwean Government.

AGRICULTURAL CONCENTRATION

Mr. FEINGOLD. Mr. President, increased consolidation and market concentration are, without question, prevalent concerns throughout the Nation. In particular, I am deeply disappointed to learn that the pork division of Farmland Foods has been sold to Smithfield Foods in a bankruptcy auction. Acquisition of Farmland Foods by either of the auction's bidders, Smithfield Foods and Cargill, has significant potential to lessen competition, harming both farmers and consumers. In this and many other cases, the Department of Justice has looked the other way in enforcing antitrust law, failing to maintain competitive markets.

As I travel around my home State of Wisconsin, agricultural concentration is raised by farmers and growers on a consistent basis. I am greatly concerned that industry trends toward consolidation and concentration are causing great disruption, and sometimes ruin, for our Nation's small- and medium-sized producers. It is my understanding that this acquisition would give Smithfield control of a significant portion of the pork processing industry in the U.S. market access for small and independent pork producers is already inadequate, and this merger will only exacerbate the problems of discrimination, a lack of negotiating power, and the low prices that farmers face.

While this acquisition would reduce competition among purchasers of live hogs, I am also concerned about the lack of benefit to consumers. At the other end of the food marketing chain, consumers are not seeing any decreases in the price they pay at the grocery store for these products. Having fewer competitors providing pork products to American consumers is unlikely to result in lower prices in the supermarket.

I am disappointed that the Department of Justice did not choose to enforce antitrust laws regarding the acquisition of Farmland Foods by either Cargill or Smithfield Foods. The lack of action by the Department does a disservice to the hard working men and women in the agricultural industry and only functions to increase the mounting obstacles to garner a fair price for their product.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Okinawa, Japan. On October 27, 1992, Terry Helvey brutally murdered Navy Seaman Allen R. Schindler, Jr., his ship mate. Helvey beat and stomped Schindler to death because Schindler was gay. Helvey's attack was so vicious that he destroyed every organ in Schindler's body. Schindler was so badly beaten that he could hardly be identified afterward. Schindler's mother, Dorothy Hajdys-Holman, could only identify her son by the remains of a tattoo on his arm. The medical examiner compared Schindler's injuries to those sustained by victims of fatal airplane crashes.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

A TRAGEDY IN GAZA

Mr. SMITH. Mr. President, this morning, we awoke to the tragic news of what happened to the convoy of United States personnel traveling in Gaza. My condolences go out to their families, loved ones and colleagues.

These brave Americans were accompanying United States diplomats going to interview young Palestinians for the opportunity to study in this great country on Fulbright scholarships—offering them a chance for a better life. These fallen men were the 48th through 51st American victims of Palestinian Arab terrorism since the signing of the Oslo accords in 1993 alone.

Several of my colleagues have made mention of the fact today that Saddam Hussein rewarded terrorists who carried out suicide bombings in Israel. We must not forget that dozens of Americans were among their victims, and that many who planned and orchestrated these horrific acts remain at large today.

The deplorable attack on the U.S. convoy sickens me. but it does not surprise me. It should have not been allowed to come to this. For far too long, the State Department has done little to bring the murderers of Americans in certain regions and incidents to justice.

For the other 48 Americans, the wheels of justice have been virtually non-existent. This is because every step of an investigation abroad must be cleared by and coordinated with the Department of State. For too many years, and for too many American families, adequate consent and opportunity to pursue has simply not been forthcoming due to ''diplomatic'' considerations.

This is wrong. The families who have lost loved ones should not have their grief compounded by a lack of justice from our own system. The virtual impunity afforded certain terrorists sends the wrong foreign policy signal to

would-be terrorists around the globe. If we are indeed engaged in a global war on terrorism, then why is justice not pursued to its fullest extent when the terrorists are Palestinian or citizens of countries, such as Indonesia or Yemen, with which we are keen to maintain good relations?

We must send the message that we, as a country, are no less than 100 percent committed in our resolve to investigate and prosecute the murder of innocent Americans abroad, whether they be high-level diplomats, school teachers on a picnic, or children whose lives are cut short.

We have sent precisely the wrong message to would-be terrorists in certain regions of the world for far too long. This culminated in today's tragic events in Gaza. The State Department obviously maintains considerable influence in the investigation of the cases of official and non-official Americans who have been killed abroad.

But the pursuit of justice should not primarily be an issue of diplomacy, but of justice. The return address for this entire issue of Americans who have been killed by terrorists abroad simply belongs in the Justice Department.

That is why I call upon you today to join me and almost two dozen other Senators in cosponsoring the Koby Mandell Act of 2003. The act calls for transferring the lead responsibility for the investigation and prosecution of terrorists who have killed Americans abroad into is rightful destination, the Department of Justice.

I urge you to cosponsor S. 684, the Koby Mandell Act of 2003, and to send a message to terrorists that we have their number, and that one day, hopefully sooner than later, their number will be up.

CELEBRATING HISPANIC HERITAGE MONTH

Mr. DOMENICI. Mr. President, I rise today to pay tribute to the contributions of Hispanic Americans to New Mexico and our country. I would like to focus my remarks today particularly on the representation of Hispanic Americans in the Federal judiciary.

Hispanics are currently dramatically underrepresented in our Nation's judiciary, making up only 3.8 percent of Federal judges while comprising 14 percent of our country's population. New Mexico leads the Nation with the highest Hispanic population percentage of any State, nearly 43 percent. As New Mexico's senior Senator, I am proud to have played a strong role in recommending Hispanic nominees for the Federal bench, and am even prouder that these recommendations have been accepted. Soon, three of the seven judges serving on U.S. District Court for the District of New Mexico will be Hispanic. Of the last five nominations made by President Bush to this court, all based on my recommendations, two were Hispanic women: Judge Christina Armijo, confirmed in November 2001, and Judith Herrera, nominated last month.

Judge Armijo, formerly a judge on the New Mexico Court of Appeals, brings a great deal of judicial experience and a history of public service to the Federal bench in New Mexico. A 1975 graduate of the UNM School of Law, she was an attorney and public defender before joining the Court of Appeals.

Ms. Herrera, a distinguished attorney from Santa Fe, has experience in the public sector as a University of New Mexico regent from 1999 to 2003, a Santa Fe City Councilor from 1981 to 1986, and as an assistant district attorney. She has been an attorney with the Herrera, Long, Pound & Komer firm in Santa Fe since 1987. She was a member of the New Mexico Economic Development Commission from 1998 to 2000, and is a current member of the Federal Magistrate Merit Selection Commission. She also served as the Chairman of the Board of Trustees of St. Vincent Hospital from 1991 to 2000. I know that she will serve her country well, and that her appointment is a step in the right direction to ensure that New Mexico's Federal bench better reflects the composition of our population. I have great hope that the Senate Judiciary Committee and then the full Senate will confirm her expeditiously.

While New Mexico's Federal courts present a stronger-than-average picture of Hispanic representation, there is another story with a more dismal ending in the case of Miguel Estrada, who if confirmed, would have been the first Hispanic judge on the DC Circuit Court of Appeals. It was a sad day for our Federal judiciary and for Hispanic Americans when Mr. Estrada decided to withdraw his nomination after Senate Democrats prevented an up-or-down vote, despite seven attempts by Republican leadership to end debate. I am still outraged that a purely partisan filibuster prevented this well-qualified Hispanic American from serving his country on the Federal bench.

At this time when we seek to honor Hispanic heritage, I invite my Senate colleagues to send the right message to all those who aspire to public service or seek to achieve their goals in this country: through hard work, honesty, and integrity, it is possible to overcome any barrier and succeed on your own merit. To me, this means giving qualified nominees a fair chance to succeed. I appreciate the qualified Hispanic Americans leading the way through their service on the Federal bench in New Mexico, and look forward to greater representation of Hispanics throughout the Federal judiciary.

HONORING TED KOCH OF BOISE, ID

Mr. CRAPO. Mr. President, I give a well-deserved ''thank you'' to a member of my staff who recently left the U.S. Senate. Ted Koch was with me a short time as a congressional fellow on leave from U.S. Fish and Wildlife Service, and has since returned to Idaho. During this experience here, I benefited from his expertise and abilities, and wanted to let him know how much I have appreciated his contributions.

Ted stepped into the breach upon the departure of my staff director at the Senate Environment and Public Works Subcommittee on Fisheries, Wildlife, and Water. He filled the role expertly and with great enthusiasm. I appreciate that Ted aspires to principles embodied by another ''Ted,'' President Theodore Roosevelt. He deeply enjoys and understands the ecology of hunting and fishing. He strives to make progress. Ted and I both believe that the best hope for people and wildlife in Idaho is to defend property rights. With greater certainty about the inherent value of property, landowners have the confidence and freedom to advance their own ideas for conservation. These qualities and beliefs make Ted a valuable spokesman for intelligent conversation in Idaho. He has made himself a friend of Idaho through his friendships in the State and here in Washington. I appreciate his invaluable participation on my staff, and wish him well in future endeavors. I have no doubt about his continued success.

COMMENDING DENNIS HERTEL

Mr. LEVIN. Mr. President, I commend the services of Dennis Hertel, who is retiring after 6 years as a director of the Northeast-Midwest Institute. Dennis has ably served as chairman of the Institute's policy committee.

Dennis, as all my colleagues know, also is a former Congressman from Michigan. He served with distinction on both the Armed Services and Merchant Marine and Fisheries Committees.

I serve as a cochair of the Northeast-Midwest Senate Coalition's Great Lakes Task Force. For many years, the bipartisan Coalition and the Institute have provided valuable services to the State of Michigan and the entire Northeast-Midwest region. Dennis Hertel has been particularly effective in ensuring that the Institute's work is relevant to policymakers. He also has been a valued champion of protecting and restoring the Great Lakes. I am pleased to commend his leadership at the Northeast-Midwest Institute.

ADDITIONAL STATEMENTS

PHYLLIS COLE BADER

• Mrs. BOXER. Mr. President, I call the Senate's attention to my extraordinary constituent, Phyllis Bader, who is celebrating her 90th birthday today in California with her children, grandchildren, and great-grandchildren.

Though she might take the day off, Phyllis is not resting on her laurels. At an age when most of us might be at least thinking of slowing down, she is

still going strong, still working, and still doing good work to benefit her community.

For the past two decades, Phyllis Bader has served as a volunteer and employee at The Shop, a nonprofit thrift store operated by the Junior League of Palo Alto—Mid Peninsula. Proceeds from sales at The Shop are used to fund the League's charitable and educational projects in the community.

Shortly after Phyllis moved to California to be near her family, she joined The Shop team as a volunteer at the suggestion of her daughter, Junior League supporter Lorinda Reichert. When The Shop moved to Menlo Park, the League asked Phyllis to join the staff. She has been there ever since, taking good care of customers and encouraging donations of sale items.

Noting that her work with the public has contributed to her longevity and good health, Phyllis has ''never given a thought to retiring.'' She says that ''It's important for old people to be around young people; they keep you on your toes.''

Asked what lessons she has learned in 90 years, Phyllis Bader advises us to ''Keep a positive attitude. Laugh at yourself. Don't be too sensitive about what people say. Be tolerant of others' ideas. Try to lift someone's spirits each day. Find something every day to be grateful for.''

We would all do well to heed Phyllis Bader's advice. I thank her for her wisdom and her service to the community, and I send her my very best wishes on her 90th birthday.●

50TH ANNIVERSARY OF THE AMERICAN CANCER SOCIETY'S CHICAGO WOMEN'S BOARD

● Mr. DURBIN. Mr. President, today I am pleased to recognize the 50th anniversary of the Chicago Women's Board of the American Cancer Society's Illinois Division.

Since its inception, in 1913, the American Cancer Society has been widely regarded as one of our Nation's leaders in public health. Even as the ACS expanded to become a nationwide community-based volunteer, health organization, they have remain dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from this disease through research, education, advocacy, and service.

Founded in 1953, the Women's Board of the American Cancer Society has served as dedicated volunteers in the fight against cancer. In the beginning, the original members worked diligently canvassing neighborhoods, knocking on doors, requesting donations while also delivering important cancer information.

Today, the board raises over $250,000 each year through their signature fundraising event, the Spring Fashion Show and Luncheon. They have also expanded their fundraising efforts to include pediatric cancer patients through their annual American Girl Fashion Show. Through their Teen-In-Training program, a commitment has been made by the Chicago Women's Board to share their knowledge and experience to enable young girls and women to become aware of cancer issues, philanthropy, and service, paving the way for another 50 years of dedicated service.

The American Cancer Society has set important nationwide goals for the year 2015: to reduce cancer incidence rates by 25 percent, to reduce cancer mortality rates by 50 percent, and to improve the overall quality of life for cancer patients.

Clearly, the Women's Board is critical to achieving these goals, and it is for these reasons that I proudly stand here today, congratulating the Chicago Women's Board on its 50th anniversary. I know my fellow Senators will join me in applauding them for their dedication, and I extend my best wishes for the future.●

IN MEMORY OF JOHN BAILEY

● Mr. DODD. Mr. President, I rise to honor the memory of an outstanding public servant and a dear friend, John Michael Bailey, who passed away on September 23 at the age of 59.

My friendship with Jack Bailey was long and deep. Our families were close friends, and we knew each other as children. We ran against each other for Congress in 1974, and I will always remember his civility during that campaign. We stayed friends during the campaign, and we remained close until his untimely passing.

Jack served as the chief State's attorney in Connecticut for 9 years—the longest tenure of anyone to hold that office. With his cigars, dark suits, and slicked-back hair, he outwardly resembled a figure out of a Hollywood crime drama. But his success as a lawyer, and his integrity as a human being, were no fictions.

He spent 27 years as a criminal prosecutor, and his tireless work earned him the respect of political leaders in both parties. He was tough on crime, but also fair. He was truly a pioneer in law enforcement in Connecticut, leading the fight to get violent offenders off the streets and to crack down on the abuse of senior citizens. A number of his initiatives and methods have been adopted by law enforcement officials across America.

Jack Bailey's influence in Connecticut will be felt for years to come. Not only did he set up units and institutions that will serve as his legacy; he also was a mentor to many of the younger attorneys and officers who are now the new faces of law enforcement in our state.

But for his debilitating illness, Jack Bailey would still be serving the people of Connecticut. As his sister, former Congresswoman Barbara Kennelly, said, ''He thought he had the best job in the world.'' He stayed in his office as long as he could taking two medical leaves of absence—before finally resigning a year ago. The only thing that kept Jack from his job was a terrible disease that has no cure.

I join all of Connecticut's citizens in expressing my deep gratitude to Jack for spending so many years making our lives safer, and better. He served us with dignity, class, and great honor.

My deepest sympathies go out to Jack's wife Dee, to his sons John and Brian, and to all who knew and loved him.●

TRIBUTE TO DR. BILL SHIPP

● Mr. CRAPO. Mr. President, I rise today to acknowledge the recently announced decision of Dr. Bill Shipp to retire as president and laboratory director of the Idaho National Engineering and Environmental Laboratory, INEEL. After over 4 years as laboratory director and 3 years as president of Bechtel BWXT Idaho, the company that manages and operates the INEEL for the U.S. Department of Energy, Dr. Shipp is retiring to pursue other endeavors. Knowing him as I do, hunting and fishing will be high on the list of ''other endeavors.''

Dr. Shipp came to Idaho as part of the Bechtel team that won the contract to manage the INEEL in 1999. He had previously served with distinction as an associate lab director of the Pacific Northwest National Laboratory.

His years at the INEEL have been filled with accomplishment, leadership, and an ability to adapt to ever-changing circumstances. Under his leadership, the INEEL met critical cleanup milestones to cleanup the site and ship waste out of Idaho. The leadership he has provided at the INEEL has resulted in the growth of both the funding and respect for the INEEL's research and development capabilities. Within the Department of Energy's National Laboratory network he is respected by his peers.

In 1999, Idaho Governor Dirk Kempthorne named Dr. Shipp as Idaho's first Science and Technology Advisor to the Governor. In that capacity, he made important recommendations to the State and the Governor regarding the Idaho education system.

Dr. Shipp's record of leadership and accomplishment was recognized by Purdue University when it named him one of the institution's distinguished alumni in 2002. He returned to West Lafayette, IN, to receive that award, and I know that was a special moment for Dr. Shipp, his wife Linda and their children, Jennifer and John.

I enjoyed meeting with Dr. Shipp when he has come by my office to update me on how things are going at the INEEL. During these meetings, one of us would ask if the other had been hunting. As I think back, I realize lab directors get to hunt more than Senators, but what I remember most is Dr. Shipp and I always made plans to hunt

quail together at a mutual friend's ranch. One season, our plans were cancelled because he broke his leg while hunting. I am sorry we never did go quail hunting together, but I want him to know the offer still stands.

Within the DOE system, laboratory directors serve as stewards of national assets. These are difficult jobs where mistakes are not tolerated and success is expected. Within these demanding constraints, Dr. Shipp set the standard for performance and accomplishment with a commitment to safety and people. More than that, Bill Shipp is a man who others look to for guidance and support. I am pleased to call Bill Shipp a friend and I want to say thank you for your service to Idaho, the DOE and the Nation.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4662. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: (Including 2 Regulations); [COTP San Francisco Bay 03–003], [COTP San Francisco Bay 03–002]'' (RIN1625–AA00) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4663. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Regatta and Marine Parade Regulation; Special Local Reg.: [CGD05–03–124], Choptank River, Cambridge, MD'' (RIN1625–AA08) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4664. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: (Including 5 Regulations); [COTP San Francisco Bay 03–024], [CGD05–03–099], [COTP San Diego 03–027], [COTP San Diego 03–030], [CGD08–02–045]'' (RIN1625–AA00) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4665. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area: (Including 2 Regulations); [CGD08–03–029], [CGD09–03–241]'' (RIN1625–AA11) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4666. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations [CGD09–03–215] Milwaukee, Menomonee, Kinnickinnic Rivers and South Menomonee and Burnham Canals, Milwaukee, WI'' (RIN1625–AA09) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4667. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations (Including 2 Regulations): [CGD11–03–001], [CGD07–03–131]'' (RIN1625–AA09) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4668. A communication from the Senior Legal Adviser to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cotulla and Dilley, Texas)'' (MB Doc. No. 03–27) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4669. A communication from the Senior Legal Adviser to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Estelline, Texas)'' (MB Doc. No. 03–55) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4670. A communication from the Senior Legal Adviser to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations, Anchorage, AK'' (MM Doc. No. 00–99) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4671. A communication from the Senior Legal Adviser to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Remedial Steps for Failure to Comply With Digital Television Construction Schedule'' (FCC03–77) received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4672. A communication from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting, pursuant to law, a report entitled ''Study of Technology Protection Measures in Section 1703 of the Children's Internet Protection Act''; to the Committee on Commerce, Science, and Transportation.

EC–4673. A communication from the Regulatory Officer, Federal Motor Carrier Safety Administration, Department of Transportation , transmitting, pursuant to law, the report of a rule entitled ''Motor Carrier Safety Regulations; Final Rule; Miscellaneous Technical Amendments'' received on October 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4674. A communication from the Attorney Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Aviation and International Affairs, Department of Transportation, received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4675. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure; Prohibiting Directed Fishing for Species that Comprise the Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska, Except for Vessels Fishing for Pollock Using Pelagic Trawl Gear in Those Portions of the GOA Open to Directed Fishing for Pollock'' received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4676. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure; Prohibited Directed Fishing for Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska'' received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4677. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Prohibition of Retention of Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska'' received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4678. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure of Fishing with Trawl Gear in the Chum Salmon Savings Area of the Bering Sea and Aleutian Islands Management Area'' received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4679. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Commercial Fishery for King Mackerel in the Exclusive Economic Zone in the Western Zone of the Gulf of New Mexico'' received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4680. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Reallocation of Pacific Sardine'' received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4681. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action #3—Closure and Reopening of the Recreational Fishery from Cape Falcon, Oregon to Humbug Mountain, Oregon'' (ID082503A) received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4682. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 17'' (RIN0648–AQ68) received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4683. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled

''American Lobster Fishery; Modify Trap Gear Requirements for Black Sea Bass Fishers Under American Lobster Fishery Requirements'' (RIN0648–AO58) received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4684. A communication from the Under Secretary and Director, Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act'' (RIN0651–AB45) received on October 7, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4685. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; [CGD01–02–026], Charles River, Dorchester Bay, and Saugus River, MA'' (RIN1625–AA09) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4686. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: [CGD08–03–017], Outer Continental Shelf Facility in the Gulf of Mexico in Mississippi Canyon 243'' (RIN1625–AA72) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4687. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; [COTP San Francisco Bay 03–023], Suisun Bay, Concord, California'' (RIN1625–AA00) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4688. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: [CGD08–03–026], Illinois Waterway, Illinois'' (RIN1625–AA09) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4689. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Regatta and Marine Parade Regulation; Special Local Reg.: [CGD08–036], Ohio River, Miles 467.0 to 475.0 and Licking River, Miles 0.0 to 0.5; Cincinnati, OH'' (RIN1625–AA08) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4690. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Regatta and Marine Parade Regulation; Special Local Reg.: [CGD05–03–062], [CGD05–03–031]'' (RIN1625–AA08) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4691. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pratt and Whitney PW4000 Series Turbofan Engines Doc. No. 200–NE–47'' (RIN2120–AA64) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4692. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B4–600, B4600R, and F4600R (Collectively Called A300–600) Series Airplanes, and Airbus Model A310 Series Airplanes Doc. No. 2003–NM0206'' (RIN2120–AA64) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4693. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Burkhart Grob Luft- Und Raumfahrt GmbH and CO KG Models G103 Twin Astir, G103 Twin II, G103A Twin II Acro, and G103C Twin III Acro Sailplanes; Doc. No. 2003–CE–35'' (RIN2120–AA64) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4694. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Dornier Model 328–300 Series Airplanes Equipped With Certain Pratt and Whitney PW306B Engines Nacelles; Doc. No. 2001–NM–319'' (RIN2120–AA64) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4695. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: GROB–WERKE Model G102A Airplanes Doc. No. 2003–CE–26'' (RIN2120–AA64) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4696. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (56) Amendment No. 3079'' (RIN2120–AA65) received on October 14, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4697. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunication Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities'' (CC Doc. No. 98–67) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4698. A communication from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems'' (ET Doc. No. 98–153) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4699. A communication from the Assistant Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Multi-Association Group (MAG) Plan for Regulation of Interstate Services of Non-Rice Cap Incumbent Local Exchange Carriers and Interexchange Carriers; Federal-State Joint Board on Universal Service'' (FCC 03–106) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4700. A communication from the Associate Chief, Competition Policy Division, Wireline Competition Bureau, transmitting, pursuant to law, the report of a rule entitled ''Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996'' (FCC03–025) received on October 8 , 2003; to the Committee on Commerce, Science, and Transportation .

EC–4701. A communication from the Associate Chief, Competition Policy Division, Wireline Competition Bureau, transmitting, pursuant to law, the report of a rule entitled ''Provision of Directory Listing Information Under the Communications Act of 1934, as Amended'' (FCC01–27) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4702. A communication from the Associate Chief, Competition Policy Division, Wireline Competition Bureau, transmitting, pursuant to law, the report of a rule entitled ''Section 272(f)(1) Sunset of the BOC Separate Affiliate and Related Requirements'' (FCC02–336) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4703. A communication from the Associate Chief, Competition Policy Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996, Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers'' (CC. Doc. No. 94–129) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4704. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendments of Parts 2 and 25 to Implement the Global Mobile Personal Communications by Satellite (GMCPS) Memorandum of Understanding and Arrangements; Petition of the National Telecommunications and Information Administration to Amend Part 25 of the Commission's Rules to Establish Emission Limits for Mobile and Portable Earth Stations Operating in the 1610–1660.5 MHz Band'' (IB Doc. No. 99–67) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4705. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Blanket Licensing for Small Aperture Terminals in the C-Band and Routine Licensing of 3.7 Meter Transit and Receive Stations at C-Band'' (IB Doc. No. 00–203) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4706. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules to Redesignate the 27.5–29.5 GHz Frequency Band, To Reallocate the 29.5–30.0 GHz Frequency Band, To Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services'' (CC Doc. No. 92–297) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4707. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of the Commission's Space Station Licensing Rules and Policies—2000 Biennial Regulatory Review—Streamlining and Other Revisions of Part 25 of the Commission's Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations'' (IB Doc. No. 02–34) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4708. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Rulemaking of Amend. Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5–29.5 GHz Frequency Band, to Establish Rules and Policies

for Local Multipoint Distribution Service and for Fixed Satellite Services'' (CC Doc. No. 92–297) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4709. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of Parts 1, 43, and 63 of the Commission's Rules'' (DA 01–2825) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4710. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''16 CFR Part 305—'Appliance Labeling Rule' [dishwasher label change]'' (RIN3084–AA74) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4711. A communication from the Chief Counsel, Wireless Telecommunications Bureau, Federal Communications Bureau, transmitting, pursuant to law, the report of a rule entitled ''Public Mobile Services and Personal Communications Services'' (FCC02–229) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4712. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Grant and Cooperative Agreement Handbook—Format and Numbering'' (RIN2700–AC62) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4713. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on the 2002 Missile Technology Control Regime Plenary Agreements'' (RIN0694–AC51) received on October 8, 2003; to the Committee on Commerce, Science, and Transportation.

EC–4714. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Indian Incentive Program'' (DFARS Case 2002–D033) received on October 7, 2003; to the Committee on Armed Services.

EC–4715. A communication from the Staff Attorney, Tort Claims and Litigation Division, Air Force Legal Services Agency, transmitting, pursuant to law, the report of a rule entitled ''Tort Claims'' received on October 7, 2003; to the Committee on Armed Services.

EC–4716. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report on the amount of Department of Defense purchases from foreign entities in Fiscal Year 2002; to the Committee on Armed Services.

EC–4717. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, the government-wide progress report and the Department of Defense supplement that section 5 of the Federal Financial Assistance Management Improvement Act of 1999 requires each agency to submit to Congress; to the Committee on Armed Services.

EC–4718. A communication from the Deputy Under Secretary of Defense for Installations and Environment, transmitting, pursuant to law, the Fiscal Year 2002 Defense Environmental Technology Program Annual Report; to the Committee on Armed Services.

EC–4719. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4720. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a report relative to those units of the Ready Reserve of the Armed Forces that remained on active duty under the provisions of section 12302 of United States Code as of July 1, 2003; to the Committee on Armed Services.

EC–4721. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4722. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4723. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4724. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Approval of Service Contracts and Task Orders'' (DFARS Case 2002–D024) received on October 8, 2003; to the Committee on Armed Services.

EC–4725. A communication from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Consumer Products: Test Procedure for Dishwashers'' (RIN1904–AB10) received on October 7, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4726. A communication from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation: Motor Vehicle Fleet Fuel Efficiency'' (RIN1991–AB59) received on October 7, 2003 ; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4727. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Doc. No. 02–037–2) received on October 3, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4728. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Viruses, Serums, and Toxins, and Analogous Products; Determination of Moisture Content in Desiccated Biological Products'' (Doc. No. 01–067–2) received on October 3, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4729. A communication from the Administrator, Livestock and Seed Program, Agricultural Marketing Service, transmitting, pursuant to law, the report of a rule entitled ''Soybean Production and Research: Amend Order to Adjust Representation on the United Soybean Board'' (Doc. No. LS–03–03) received on October 14, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4730. A communication from the Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, et al.; Increased Assessment Rate'' (Doc. No. FV03–930–3 FR) received on October 14, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4731. A communication from the Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, transmitting, pursuant to law, the report of a rule entitled ''Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Fiscal Period Change'' (Doc. No. FV03–956–1 FR) received on October 14, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4732. A communication from the Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, transmitting, pursuant to law, the report of a rule entitled ''Dried Prunes Produced in California; Temporary Suspension of the Prune Reserve and the Voluntary Producer Prune Plum Diversion Provisions'' (Doc. No. FV03–993–2 FIR) received on October 14, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4733. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''7 CFR Part 1778, Emergency and Imminent Community Water Assistance Grants'' (RIN0572–AB90) received on October 3, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4734. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the 2002 Status Report for Congress for the Herger-Feinstein Quincy Library Group Forest Recovery Act of 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4735. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Vinclozolin; Time-Limited Pesticide Tolerances'' (FRL#7327–6) received on October 8, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4736. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''National Flood Insurance Program; Assistance to Private Sector Property Insurers; Extension of Term of Arrangement'' (RIN1660–AA29) received on October 7, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4737. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' (Doc. No. FEMA–7815) received on October 7, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4738. A communication from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Required Conversion of Developments From Public Housing Stock'' (RIN2577–AC01) received on October 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4739. A communication from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Housing Choice Voucher Program Homeownership Option: Eligibility of Units Owned or Controlled By a Public Housing Agency'' (RIN2577–AC39) received on October 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4740. A communication from the Counsel for Legislation and Regulations, Office of

Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Voluntary Conversion of Developments From Public Housing Stock'' (RIN2577–AC02) received on October 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4741. A communication from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Interim Capital Treatment of Consolidated Asset-Backed Commercial Paper Program Assets'' (RIN1557–AC76) received on October 14, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4742. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered on Colombia that was declared in Executive Order 12978 of October 21, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–4743. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the 2002 Annual Report of the Securities Investor Protection Corporation (SIPC); to the Committee on Banking, Housing, and Urban Affairs.

EC–4744. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of vacancy for the position of Assistant Secretary for Policy Development and Research, Department of Housing and Urban Development, received on October 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4745. A communication from the Chairman, Federal Deposit Insurance Corporation, transmitting, a report relative to the third meeting of the Corporation's Committee on Banking Policy; to the Committee on Banking, Housing, and Urban Affairs.

EC–4746. A communication from the Administrator, Research and Promotion Branch, Agricultural Marketing Service, transmitting, pursuant to law, the report of a rule entitled ''Mango Promotion, Research, and Information Order: Referendum Procedures'' (RIN0581–AC05) received on October 14, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4747. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revised MOBILE6-based Motor Vehicle Emission Budget for the Pennsylvania Portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area'' (FRL#7570–4) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4748. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Revision to Motor Vehicle Emission Budgets in Bernalillo County, New Mexico Carbon Monoxide Air Quality Maintenance Plan Using MOBILE6'' (FRL#7571–1) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4749. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; State of Iowa'' (FRL#7569–9) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4750. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delegation of Authority to the Washington State Department of Ecology, Benton Clean Air Authority, Olympic Regional Clean Air Agency, Puget Sound Clean Air Agency, Spokan County Air Pollution Control Authority, and Southwest Clean Air Agency for New Source Performance Standards'' (FRL#7567–8) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4751. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, El Dorado County Air Pollution Control District and Santa Barbara County Air Pollution Control District'' (FRL#7567–2) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4752. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Virginia: Approval of Financial Assurance Regulations for the Commonwealth's Municipal Solid Waste Landfill Permitting Program'' (FRL#7569–4) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4753. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Utah; State Implementation Plan Corrections'' (FRL#7573–8) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4754. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator Units; Control of Emissions from Existing Large Municipal Waste Comustors; Nevada; American Samoa; Northern Mariana Islands'' (FRL#7572–5) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4755. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Municipal Solid Waste Landfill Location Restrictions for Airport Safety'' (FRL#7573–6) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4756. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''West Virginia: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL#7575–1) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4757. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, a document related to the Agency's regulatory programs with respect to asbestos; to the Committee on Environment and Public Works.

EC–4758. A communication from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: Standardized NUHOMS −24P, −24PHB, −32PT, −52B, and −61B'' (RIN3150–AH32) received on October 14, 2003; to the Committee on Environment and Public Works.

EC–4759. A communication from the Acting Administrator, Environmental Protection Agency, transmitting, a report entitled ''Annual Report to Congress on Implementation of Public Law 106–107''; to the Committee on Environment and Public Works.

EC–4760. A communication from the Acting Assistant Secretary for Fish and Wildlife, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits: Regulations for Double-crested Cormorant Management'' (RIN1018–AI39) received on October 7, 2003; to the Committee on Environment and Public Works.

EC–4761. A communication from the Acting Assistant Secretary for Fish and Wildlife, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removing Eriastrum hooveri (Hoover's wooly-star) from the Federal List of Endangered and Threatened Species'' (RIN1018–AG41) received on October 7, 2003; to the Committee on Environment and Public Works.

EC–4762. A communication from the Deputy Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Delisting of the Berberis (=Mahonia) sonnei (Truckee barberry)'' (RIN1018–AH47) received on October 7, 2003; to the Committee on Environment and Public Works.

EC–4763. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Proposed Revenue Procedure Regarding Home-Care Service Procedures'' (Notice 2003–70) received on October 2, 2003; to the Committee on Finance.

EC–4764. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Disallowance of Certain Entertainment, Etc. Expenses'' (Rev. Rule 2003–109) received on October 2, 2003; to the Committee on Finance.

EC–4765. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''United States Income Tax Treaties that Meet the Requirements of Section 1(h)(11)(C)(i)(II)'' (Notice 2003–68) received on October 2, 2003; to the Committee on Finance.

EC–4766. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''United States Income Tax Treaties that Meet the Requirements of Section 1(h)(11)(C)(i)(II)'' (Notice 2003–68) received on October 2, 2003; to the Committee on Finance.

EC–4767. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Michael and Nancy B. McNamara v. Commissioner'' (AOD) received on October 2, 2003; to the Committee on Finance.

EC–4768. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Stock that is Considered Readily Tradable on an Established Securities Market in the United States for Purposes'' (Notice 2003–71)

received on October 2, 2003; to the Committee on Finance.

EC–4769. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the reports of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–4770. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the reports of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–4771. A communication from the Secretary of State, transmitting, a copy of the Agency for International Development Strategic Plan for FY 2004 to 2009; to the Committee on Foreign Relations.

EC–4772. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report of the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to The Netherlands and Denmark; to the Committee on Foreign Relations.

EC–4773. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to Japan; to the Committee on Foreign Relations.

EC–4774. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 706 of the Foreign Relations Authorization Act, the report of Presidential Determination 2003–38 relative to Afghanistan, The Bahamas, Bolivia, Brazil, Burma, China, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, India, Jamaica, Laos, Mexico, Nigeria, Pakistan, Panama, Paraguay, Peru, Thailand, Venezuela, and Vietnam; to the Committee on Foreign Relations.

EC–4775. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Anglo-Irish Agreement Support Act of 1986, the report of an extension of Presidential Determination 2003–34 relative to Ireland; to the Committee on Foreign Relations.

EC–4776. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the aggregate number, locations, activities, and lengths of assignment for all temporary and permanent U.S. military personnel and U.S. individual civilians retained as contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC–4777. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, ten quarterly exception Selected Acquisition Reports (SARs) for the quarter ending June 30, 2003; to the Committee on Foreign Relations.

EC–4778. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Report to Congress on Arms Control, Nonproliferation, and Disarmament Studies Completed in 2002; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment:

S. 1146. A bill to implement the recommendations of the Garrison Unit Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota (Rept. No. 108–165).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. SHELBY for the Committee on Banking, Housing, and Urban Affairs.

*Peter Lichtenbaum, of Virginia, to be an Assistant Secretary of Commerce.

*Harvey S. Rosen, of New Jersey, to be a Member of the Council of Economic Advisers.

Kristin J. Forbes, of Massachusetts, to be a Member of the Council of Economic Advisers.

*Julie L. Myers, of Kansas, to be an Assistant Secretary of Commerce.

By Mr. INHOFE for the committee on Environment and Public Works.

*Michael O. Leavitt, of Utah, to be Administrator of the Environmental Protection Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORNYN (for himself and Mrs. HUTCHISON):

S. 1731. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate the La Entrada al Pacifico Corridor in the State of Texas as a high priority corridor on the National Highway System; to the Committee on Environment and Public Works.

By Mr. DOMENICI:

S. 1732. A bill to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents; to the Committee on Energy and Natural Resources.

By Mr. KOHL (for himself and Mr. KENNEDY):

S. 1733. A bill to authorize the Attorney General to award grants to States to develop and implement State court interpreter programs; to the Committee on the Judiciary.

By Mrs. LINCOLN (for herself, Mr. LUGAR, and Mr. BINGAMAN):

S. 1734. A bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the medicaid and State children's health insurance programs, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. GRAHAM of South Carolina, Mr. CHAMBLISS, and Mr. CAMPBELL):

S. 1735. A bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Mr. DORGAN, Mr. CHAFEE, Mr. HAGEL, Mrs. HUTCHISON, Mr. VOINOVICH, Mr. THOMAS, Mr. BREAUX, Mr. BINGAMAN, Mr. GRAHAM of Florida, Mr. JOHNSON, Mr. NELSON of Nebraska, and Mr. ROCKEFELLER):

S. 1736. A bill to promote simplification and fairness in the administration and collection of sales and use taxes; to the Committee on Finance.

By Mr. WYDEN:

S. 1737. A bill to amend the Clayton Act to enhance the authority of the Federal Trade Commission or the Attorney General to prevent anticompetitive practices in tightly concentrated gasoline markets; to the Committee on the Judiciary.

By Mr. DODD:

S. 1738. A bill to reauthorize the Defense Production Act of 1950, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REED (for himself, Mr. BAYH, Mr. BIDEN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORZINE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REID, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, and Mr. THOMAS):

S. Res. 243. A resolution designating the week of October 19, 2003, through October 25, 2003, as ''National Childhood Lead Poisoning Prevention Week''; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. Con. Res. 73. A concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 480

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 480, a bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 560

At the request of Mr. CRAIG, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 560, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 854

At the request of Mr. COLEMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 854, a bill to authorize a comprehensive program of support for victims of torture, and for other purposes.

S. 985

At the request of Mr. DODD, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 985, a bill to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas, and for other purposes.

S. 992

At the request of Mr. NICKLES, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 992, a bill to amend the Internal Revenue Code of 1986 to repeal the provision taxing policyholder dividends of mutual life insurance companies and to repeal the policyholders surplus account provisions.

S. 1037

At the request of Ms. SNOWE, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1037, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 1172

At the request of Mr. FRIST, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S . 1172, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention, and for other purposes.

S. 1250

At the request of Mr. BURNS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1250, a bill to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E–911 calls, and to support the construction and operation of a ubiquitous and reliable citizen activated system and other purposes.

S. 1369

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1369, a bill to ensure that prescription drug benefits offered to medicare eligible enrollees in the Federal Employees Health Benefits Program are at least equal to the actuarial value of the prescription drug benefits offered to enrollees under the plan generally.

S. 1380

At the request of Mr. SMITH, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1380, a bill to distribute universal service support equitably throughout rural America, and for other purposes.

S. 1545

At the request of Mr. HATCH, the names of the Senator from Florida (Mr. GRAHAM) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 1545, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents.

S. 1557

At the request of Mr. MCCONNELL, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1557, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Armenia.

S. 1570

At the request of Mr. SANTORUM, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1570, a bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs.

S. 1612

At the request of Ms. COLLINS, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1612, a bill to establish a technology, equipment, and information transfer within the Department of Homeland Security.

S. 1622

At the request of Mr. GRAHAM of Florida, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1622, a bill to amend title 10, United States Code, to exempt certain members of the Armed Forces from the requirement to pay subsistence charges while hospitalized.

S. 1637

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. KERRY) was withdrawn as a cosponsor of S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

S. 1659

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1659, a bill to designate the facility of the United States Postal Service located at 57 Old Tappan Road in Tappan, New York, as the ''John G Dow Post Office Building.''

S. 1660

At the request of Mr. CAMPBELL, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1660 , a bill to improve water quality on abandoned and inactive mine land, and for other purposes.

S. 1693

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1693, a bill to amend section 35 of the Internal Revenue Code of 1986 to allow individuals receiving unemployment compensation to be eligible for a refundable, advanceable credit for health insurance costs.

S. 1704

At the request of Ms. COLLINS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1704, a bill to amend the Public Health Service Act to establish a State family support grant program to end the practice of parents giving legal custody of their seriously emotionally disturbed children to State agencies for the purpose of obtaining mental health services for those children.

S. 1709

At the request of Mr. CRAIG, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1709, a bill to amend the USA PATRIOT ACT to place reasonable limitations on the use of surveillance and the issuance of search warrants, and for other purposes.

S. 1716

At the request of Mr. CHAFEE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1716, a bill to amend the Federal Water Pollution Control Act to authorize the use of funds made available for nonpoint source management programs for projects and activities relating to the development and implementation of phase II of the storm water program of the Environmental Protection Agency.

S. CON. RES. 58

At the request of Mr. DEWINE, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S . Con. Res. 58, a concurrent resolution expressing the sense of Congress with respect to raising awareness and encouraging prevention of stalking in the United States and supporting the goals and ideals of National Stalking Awareness Month.

AMENDMENT NO. 1798

At the request of Mr. CRAIG, his name was withdrawn as a cosponsor of amendment No. 1798 intended to be proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year

ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1806

At the request of Mr. GRAHAM of South Carolina, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 1806 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1807

At the request of Mr. CHAFEE, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of amendment No. 1807 intended to be proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1818

At the request of Mr. BYRD, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of amendment No. 1818 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1825

At the request of Mr. BOND, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 1825 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1834

At the request of Mr. CORZINE, his name and the name of the Senator from Florida (Mr. GRAHAM) were added as cosponsors of amendment No. 1834 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

At the request of Mr. BIDEN, his name was added as a cosponsor of amendment No. 1834 proposed to S. 1689, supra.

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of amendment No. 1834 proposed to S. 1689, supra.

AMENDMENT NO. 1836

At the request of Mrs. MURRAY, her name was added as a cosponsor of amendment No. 1836 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 1732. A bill to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I rise today to introduce a bill that is critical to rural America and long overdue. My bill would help to ensure that our rural communities continue to thrive and flourish by guaranteeing a safe, reliable water supply.

There is no comprehensive program in existence that rural communities can tap into to meet increasing demands for rural water infrastructure. My bill will remedy this problem by creating such a program within the Department of the Interior, specifically in the Bureau of Reclamation. My bill authorizes the Secretary of the Interior to undertake a competitive program to plan, design, and construct rural water supply projects in conjunction with non-Federal local entities.

To date, there is no Federal program specifically in place with the purpose of meeting the rural water needs of communities and tribes. As a result, we either offer piece meal help through EPA grants or communities turn to other programs that were originally designed for other purposes.

In the State of New Mexico alone, there are numerous projects that would benefit from a program such as the one I propose in this bill. Let me just share one example with you—the community of Chimayo, NM. Chimayo is in northern New Mexico tucked in the foothills of the beautiful Sangre de Christo Mountains. This historic and picturesque community is over 400 years old. Today, the small community of less than 3000 people is forced to haul water because they lack adequate infrastructure to service their homes. I know that other States in the west have communities with similar needs.

My bill requires the Secretary to look at whether or not a community has an urgent and compelling need, whether construction of a rural water system would help alleviate future water supply shortages, whether it would help improve health of water quality to name just a few. Additionally, my bill is based on the communities capability to pay. Again, I will speak about New Mexico where many of these communities are among the poorest. Yet, I don't believe that should preclude them from the most basic resource—a safe and reliable drinking water supply.

I know that many are aware of the on-going drought conditions in the west. Our best experts have predicted that this will only get worse. Many of America's rural communities are being hit the hardest by these worsening drought conditions. I believe my bill goes a long way in helping these already struggling communities. This issue is of such huge importance to me, that I intend to ask Senator MURKOWSKI to hold a Water and Power Subcommittee hearing on this bill as early as next week. We have critical needs that need to be addressed and I urge my fellow Senators to help ensure that we can indeed meet them.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1732

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

SECTION. 1. SHORT TITLE.

This Act may be cited as ''The Reclamation Rural Water Supply Act of 2003''.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONSTRUCT.—The term ''construct'' means to—

(A) install new infrastructure; and

(B) upgrade or replace existing facilities that are associated with the new infrastructure authorized under this Act.

(2) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian entity that is—

(A) included on the list of recognized tribes that the Secretary publishes in the Federal Register in accordance with section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a–1); and

(B) recognized by the Secretary as eligible to receive services from the Federal Government.

(3) NON-FEDERAL PROJECT ENTITY.—The term ''non-Federal project entity'' means a State, regional, or local authority, Indian tribe, or other qualifying entity, such as a water conservation district, water conservancy district, or rural water district or association.

(4) PROGRAM.—The term ''program'' means the rural water supply program established under section 3(a).

(5) PROJECT.—

(A) IN GENERAL.—The term ''project'' means a water supply project for communities, an Indian tribe, or dispersed homesites with domestic or rural water.

(B) INCLUSION.—The term ''project'' includes incidental livestock watering.

(6) RECLAMATION LAW.—The term ''Reclamation law'' means the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(7) RECLAMATION STATE.—The term ''Reclamation State'' means each of the States identified in the first section of the Act of June 17, 1902 (43 U.S.C. 391).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. RURAL WATER SUPPLY PROGRAM.

(a) IN GENERAL.—The Secretary, in cooperation with non-Federal project entities, may carry out a rural water supply program to plan, design, and construct projects in Reclamation States.

(b) ELIGIBILITY CRITERIA.—

(1) IN GENERAL.—The Secretary shall develop and publish in the Federal Register criteria for determining the eligibility of a project for assistance under the program.

(2) CONSIDERATIONS.—The criteria developed under paragraph (1) shall take into account such factors as—

(A) whether a project serves—

(i) rural areas and communities; or

(ii) Indian tribes;

(B) whether there is an urgent and compelling need for a project that would—

(i) result in continuous, measurable, and significant water quality benefits;

(ii) address current or future water supply shortages; or

(iii) improve the health or aesthetic quality of water;

(C) whether a project helps meet any applicable legal requirements;

(D) whether a project—

(i) promotes and applies a regional or watershed perspective to water resource management or cross-boundary issues;

(ii) implements an integrated resources management approach;

(iii) increases water management flexibility; or

(iv) forms a partnership with other entities; and

(E) whether a project provides benefits outside the region in which the project is carried out.

(c) COST-SHARING REQUIREMENT.—

(1) FEDERAL SHARE.—The Federal share of the cost of the planning and construction of a project shall be the amount established by the Secretary in the feasibility report for the project under section 5(c)(1)(D)(i).

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the non-Federal share shall be not less than 25 percent of the cost of planning and construction of the project, but not more than the amount established by the Secretary in the feasibility report for the project under section 5(c)(1)(D)(i).

(B) REDUCED NON-FEDERAL SHARE.—The Secretary may reduce the non-Federal share of the cost of the planning and construction of a project under subparagraph (A) if the Secretary determines that the amount of the non-Federal share required by that subparagraph would result in economic hardship for the non-Federal project entity.

(C) LIMITATION.—Grants from other Federal sources shall not be credited toward the non-Federal share required by this paragraph.

SEC. 4. APPRAISAL INVESTIGATIONS.

(a) IN GENERAL.—On request of a non-Federal project entity, the Secretary, in cooperation with the non-Federal project entity and in consultation with appropriate State, regional, local, and tribal authorities, may conduct an appraisal investigation of a project to determine whether—

(1) the project meets the criteria developed under section (3)(b); and

(2) the Secretary should initiate a feasibility study under section 5(a).

(b) REPORT.—On completion of the investigation under subsection (a), the Secretary shall prepare an appraisal report that includes any recommendations of the Secretary with respect to whether a feasibility study should be initiated for the project under section 5(a).

(c) COSTS.—The Secretary shall pay the costs of any appraisal investigations conducted under this section.

SEC. 5. FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary, in cooperation with a non-Federal project entity, may carry out studies to determine the feasibility of rural water supply systems recommended for study under section 4(b).

(b) STUDY CONSIDERATIONS.—In conducting a feasibility study under this section, the Secretary shall consider—

(1) the need for the proposed project;

(2) short- and long-term water demand and supplies in the study area;

(3) an evaluation of whether the resources in the study area are capable of providing a safe and reliable source of potable water to the communities and rural areas to be served;

(4) any reasonable alternatives to the proposed project (including nonstructural alternatives) that satisfy the need for action, including an alternative that is within the ability of the non-Federal project entity to pay operation, maintenance, and repair costs of the proposed project;

(5) the economic feasibility and cost effectiveness of the proposed project;

(6) impacts of the proposed project on the natural and human environment;

(7) appropriate water conservation measures; and

(8) the financial ability of the non-Federal project entity to pay—

(A) the non-Federal share of any planning and construction costs of the proposed project; and

(B) 100 percent of the operation, maintenance, and replacement costs allocated under subsection (c)(1)(C)(i).

(c) REPORT.—

(1) IN GENERAL.—On completion of a feasibility study under subsection (a), the Secretary shall prepare a report that—

(A) describes the engineering, environmental, and economic activities of the Secretary carried out under the study;

(B) takes into consideration—

(i) the range of potential solutions for, and the circumstances and needs of, the area to be served by the proposed project;

(ii) the potential benefits to the people of the study area; and

(iii) appropriate water conservation measures;

(C) includes a schedule that identifies—

(i) the amount of operation, maintenance, and replacement costs that should be allocated to each non-Federal project entity participating in the project; and

(ii) the current and expected financial ability of each non-Federal project entity to pay the allocated operation, maintenance, and replacement costs;

(D)(i) specifies the Federal and non-Federal share of the planning and construction costs of the project; and

(ii) allocates the non-Federal share among project beneficiaries; and

(E) includes the recommendations of the Secretary as to whether the project should be carried out under this Act.

(2) SUBMISSION TO CONGRESS.—With respect to any project that the Secretary recommends under paragraph (1)(E), the Secretary shall submit to Congress—

(A) the feasibility report for the proposed project prepared under paragraph (1);

(B) any environmental reports associated with the proposed project; and

(C) a request to develop and construct the proposed project, as appropriate.

(d) PRIORITIES.—The Secretary shall establish priorities for carrying out projects under this Act based on—

(1) the extent to which the project takes advantage of—

(A) economic incentives; and

(B) the use of market-based mechanisms;

(2) the cost benefit of the project versus other alternatives such as desalination;

(3) whether non-Federal project entities have adequate fiscal controls in place to manage the project; and

(4) the extent to which the project involves partnerships.

(e) COST-SHARING REQUIREMENT.—

(1) FEDERAL SHARE.—The Federal share of the cost of a feasibility study carried out under this section shall not exceed 50 percent of the study costs.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share under paragraph (1) may be in the form of any in-kind services that the Secretary determines would contribute substantially toward the conduct and completion of the study.

(f) REIMBURSEMENT OF COSTS.—If a project is constructed under the program, the Federal share of feasibility studies shall be—

(1) considered to be project costs; and

(2) reimbursed in accordance with Reclamation law.

SEC. 6. OPERATION, MAINTENANCE, AND REPLACEMENT COSTS.

(a) IN GENERAL.—To be eligible to carry out a project under this Act, a non-Federal project entity shall establish, to the satisfaction of the Secretary, that the non-Federal project entity has the ability to pay all operation, maintenance, and replacement costs of the project facilities.

(b) PLAN.—The non-Federal project entity, in consultation with the Secretary, shall develop an operation, maintenance, and replacement plan to provide the necessary framework to assist the non-Federal project entity in establishing rates and fees for project beneficiaries.

SEC. 7. MISCELLANEOUS PROVISIONS.

(a) AUTHORITY OF SECRETARY.—The Secretary may enter into contracts, financial assistance agreements, and such other agreements, and promulgate such regulations, as are necessary to carry out this Act.

(b) LIMITATION ON USE OF FUNDS.—None of the funds made available to the Secretary for planning or construction of a rural water supply project developed under the program may be used to plan or construct facilities used to supply water for irrigation.

(c) TITLE TO PROJECTS.—Title to the components of rural water supply projects planned, designed, and constructed under the program shall be held by the non-Federal project entity.

SEC. 8. EFFECT ON FEDERAL RECLAMATION LAW.

Nothing in this Act supersedes or amends—

(1) Reclamation law; or

(2) any Federal law associated with a project, or portion of a project constructed under Reclamation law.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $70,000,000 for fiscal year 2004 and each fiscal year thereafter.

(b) CONSTRUCTION COST INDEXING.—

(1) IN GENERAL.—Any amounts appropriated for the planning and construction of projects under this Act shall include such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after the completion date of the applicable feasibility report, to remain available until expended.

(2) COST SHARING.—The Federal and non-Federal share of cost increases due to inflation shall be allocated in amounts that are proportionate to the allocation determined under section 3(c).

By Mr. KOHL (for himself and Mr. KENNEDY):

S. 1733. A bill to authorize the Attorney General to award grants to States to develop and implement State court interpreter programs; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the State Court Interpreters Grant Program Act of 2003. This bill would create a modest Federal grant program to support the State court interpreter services. Currently, court interpreting services vary greatly by State—some States have highly developed programs, others are trying to get programs running but lack adequate funds, and still others have no program at all. This inconsistency creates the potential for poorly

translated court proceedings, or court proceedings that are not translated at all. It is critical that we protect the constitutional right to a fair trial by funding State court interpreter programs.

According to the 2000 Census, 18 percent of the population over age five speaks a language other than English at home. As these individuals with limited English proficiency come into the court system to seek redress or to defend themselves against allegations of civil or criminal wrongdoing, it is critical to the fair administration of justice that they be able to understand their court proceedings.

At the Federal level, court interpreting services are provided as needed by trained and certified interpreters. Similarly, some States have robust and effective court interpreter programs in their State courts. These States recruit, train, test and certify individuals in all necessary languages. However, many States have limited programs which may test and certify interpreters for only one language. Such States may have only a small number of interpreters certified to interpret courtroom proceedings. Still other States have no program at all. We have heard horror stories of ''amateur'' interpreters attempting to translate courtroom events. For example, the Philadelphia Inquirer reports: ''In one juvenile court, a juvenile defendant had to interpret for his parents. In a Monroe County [Pennsylvania] court, a member of an anti-domestic violence group was asked to interpret for an alleged victim, despite having a clear bias.''

The skills required of a court interpreter differ significantly from those required of other interpreters or translators. Legal English is a highly particularized area of the language, and requires special training. Although anyone with fluency in a foreign language could attempt to translate a court proceeding, the best interpreters are those that have been tested and certified as official court interpreters.

A lack of qualified interpreters can create serious problems in the justice system. For example, a poorly interpreted trial may be appealed on the grounds that justice was not administered fairly. Those appeals clog up the courts. In addition, where there are inadequate resources available, interpreters may not be able to keep up with the caseload and trials may be delayed unreasonably and in violation of a defendant's right to a speedy trial.

This is not just a State issue. First and foremost, the right to a fair trial is a federally protected right under the Constitution. The Federal Government therefore has a role to play in ensuring that State courts are holding fair trials. In addition, State budget crises have reduced the ability of the courts to pay for interpreter services. At the same time, requests for interpreter services have skyrocketed over the past several years all around the country. Although Spanish is by far the most requested language to be translated in courtrooms, court officials report regular or occasional need for Russian, German, French, Mandarin, Cantonese, Japanese, Taiwanese, Korean, Vietnamese, Afghani, Armenian, Punjabi, Hindi, Arabic, Somali, Polish and many other languages. The coincidence of budget cuts and increased demand threatens federally-guaranteed due process and justifies Federal assistance.

This legislation addresses this problem by authorizing $15 million for each of the next five fiscal years for a grant program to the States. Those States that apply would be eligible for a $100,000 base grant allotment. In addition, $5 million would be set aside for States that demonstrate extraordinary need. The remainder of the money would be distributed on a formula basis determined by the percentage of persons in that State over the age of five who speak a language other than English at home.

Support for this legislation comes from State court administrators across the country. In fact, the Conference of Chief Justices and Conference of State Court Administrators this summer adopted a resolution urging Congress to establish a national program to assist State courts in providing court interpreters services.

I hope my colleagues will help the court systems in their States to provide critical court interpreting services to their constituents.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1733

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Court Interpreter Grant Program Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the fair administration of justice depends on the ability of all participants in a courtroom proceeding to understand that proceeding, regardless of their English proficiency;

(2) 18 percent of the population of the United States over 5 years of age speaks a language other than English at home;

(3) only qualified court interpreters can ensure that persons with limited English proficiency comprehend judicial proceedings in which they are a party;

(4) the knowledge and skills required of a qualified court interpreter differ substantially from those required in other interpretation settings, such as social service, medical, diplomatic, and conference interpreting;

(5) the Federal Government has demonstrated its commitment to equal administration of justice regardless of English proficiency;

(6) Executive Order 13166, issued August 11, 2000, requires Federal Agencies, including courts, to improve access for persons who have limited English proficiency;

(7) 29 States have developed, or are developing, court interpreting programs;

(8) robust, effective court interpreter programs—

(A) actively recruit skilled individuals to be court interpreters;

(B) train those individuals in the interpretation of court proceedings;

(C) develop and use a thorough, systematic certification process for court interpreters;

(D) have sufficient funding to ensure that a qualified interpreter will be available to the court whenever necessary; and

(9) Federal funding is necessary to—

(A) encourage States that do not have court interpreter programs to develop them;

(B) assist States with nascent court interpreter programs to implement them;

(C) assist States with limited court interpreter programs to enhance them; and

(D) assist States with robust court interpreter programs to make further improvements and share successful programs with other States.

SEC. 3. STATE COURT INTERPRETER PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Administrator of the Office of Justice Programs of the Department of Justice (referred to in this section as the ''Administrator'') shall make grants, in accordance with such regulations as the Attorney General may prescribe, to States to develop and implement programs to assist individuals with limited English proficiency to access and understand State court proceedings in which they are a party.

(2) TECHNICAL ASSISTANCE.—The Administrator shall allocate, for each fiscal year, $500,000 of the amount appropriated pursuant to section 4 to be used to establish a court interpreter technical assistance program to assist States receiving grants under this Act.

(b) USE OF GRANTS.—Grants awarded pursuant to subsection (a) may be used by States to—

(1) assess regional language demands;

(2) develop a court interpreter program for the State;

(3) develop, institute, and administer language certification examinations;

(4) recruit, train, and certify qualified court interpreters;

(5) pay for salaries, transportation, and technology necessary to implement the court interpreter program developed pursuant to paragraph (2); and

(6) engage in other related activities, as prescribed by the Attorney General.

(c) APPLICATION.—Each State desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

(d) STATE ALLOTMENTS.—

(1) BASE ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate $100,000 to each State, which has an application approved under subsection (c).

(2) DISCRETIONARY ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate a total of $5,000,000 to the States that have extraordinary needs that must be addressed in order to develop, implement, or expand a State court interpreter program.

(3) ADDITIONAL ALLOTMENT.—In addition to the allocations made under paragraphs (1) and (2), the Administrator shall allocate to each State, which has an application approved under subsection (c), an amount equal to the product reached by multiplying—

(A) the unallocated balance of the amount appropriated for each fiscal year pursuant to section 4; and

(B) the ratio between the number of people over 5 years of age who speak a language other than English at home in the State and the number of people over 5 years of age who speak a language other than English at home in all the States that receive an allocation under paragraph (1), as those numbers are determined by the Bureau of the Census.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $15,000,000 for each of the fiscal years 2005 through 2008 to carry out this Act.

By Mrs. LINCOLN (for herself, Mr. LUGAR, and Mr. BINGAMAN):

S. 1734. A bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the medicaid and State children's health insurance programs, and for other purposes; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I am pleased to introduce the Prevent Prematurity and Improve Child Health Act of 2003, which seeks to reduce the incidence of prematurity and improve the health of women of childbearing age and children. I am joined in this effort today by my colleagues Senators RICHARD LUGAR and JEFF BINGAMAN.

The number of premature births is increasing at an alarming rate. According to data from the National Center for Health Statistics, more than 476,000 infants were born prematurely in 2001—a 27 percent increase since 1981 and the highest level ever reported in the United States. Prematurity, which is defined as birth at less than 37 completed weeks of gestation, is the leading cause of infant death in the first month of life. Today, one in eight infants is born too early. Unfortunately, in my own State of Arkansas, the problem of preterm births is even more astounding. In 2001, more than 13 percent of births were preterm, ranking Arkansas 43rd in the Nation. This is a clear wake-up call: we must take action to reduce the number of premature births, improving the health of hundreds of thousands of infants born each year. Not to mention the cost savings that will result from bringing healthy babies into the world.

This legislation I introduced today gives States increased flexibility and the Federal resources needed to improve access to prenatal care for low-income pregnant women. Specifically, it will give States new options to cover pregnant women under the State Children's Health Insurance Program (SCHIP) and to cover low-income legal immigrant pregnant women and children under Medicaid and SCHIP. At least one in eight pregnant women are uninsured, according to a 1999 study conducted by Emory University professor Ken Thorpe for the March of Dimes. Uninsured women receive fewer prenatal services and report greater difficulty in obtaining needed care than women with insurance, an Institute of Medicine study concluded. The National Center for Health Statistics reports that infants born to mothers who received late or no prenatal care in 2000 were about twice as likely to be low birthweight, less than 5½ pounds, as infants born to mothers who received early prenatal care—9.9 percent compared with 5.5 percent. Timing of entry into prenatal care often reflects factors also associated with low birthweight, including maternal age and poverty. Increased access to prenatal care will give women greater access to screening and diagnostic tests as well as education, counseling, and referral services to reduce risky behaviors like substance abuse and poor nutrition. Such care may thus help improve the health of both mothers and their infants.

Premature birth can happen to any family. In fact, nearly half of premature births have no known cause. but we do know that a whole host of factors are associated with increased risk, including maternal age, multiple births, a history of preterm delivery, stress, infection, smoking and drug use.

Additionally, this bill tackles a major prematurity risk factor—maternal smoking—by improving and expanding coverage for pharmaceuticals and counseling that will help income-eligible pregnant women enrolled in the program quit smoking. Almost 20 percent of pregnant women ages 15 to 44 smoke, according to the Centers for Disease Control and Prevention. But pregnancy is a powerful motivator to help women stop smoking. Women who smoke are more likely to stop during pregnancy, both spontaneously and with assistance, than at any other time. According to the Surgeon General, programs to help pregnant women quit smoking can increase cessation rates, benefiting infant health, and are cost-effective. Yet many States' Medicaid programs do not reimburse counseling services aimed at helping pregnant smokers understand the medical consequences their smoking can have on their unborn child and giving them the tools they need to quit. For some pregnant women, counseling is not enough and a physician may prescribe pharmaceuticals. At least 35 States already include at least one type of smoking cessation pharmaceutical in their Medicaid programs. This bill will require all States to include these drugs that, when prescribed by a physician, can help pregnant women stop smoking.

The bill also contains a provision directing the Administrator of the Health Resources and Services Administration (HRSA) to review the core performance measures in the Maternal and Child Health block grant and determine if there are sufficient prematurity-related measures, including the percentage of infants born to mothers that smoke while pregnant.

This bill also gives States the tools they need to help low-income women enrolled in Medicaid avoid another risk factor for premature birth—spacing pregnancies too close together. In recent years, a number of States, including Arkansas, have sought and received Federal permission in the form of waivers to provide Medicaid-financed family planning services and supplies to income-eligible uninsured residents whose incomes are above the state's regular Medicaid eligibility ceilings. This bill would make it possible for States to extend Medicaid coverage for family planning services without having to obtain a federal waiver.

Finally, the bill will improve the health care of some infants and children with disabilities, such as those born prematurely, who have private health insurance with limited benefits that do not meet their health needs. Currently, infants and children must be uninsured to be eligible for SCHIP. However, this provision will give states the ability to use federal funds available under SCHIP to include income-eligible underinsured infants and children in SCHIP, as is currently permitted in Medicaid. This secondary payer provision will allow children to continue to be enrolled in their family's private health policy, and at the same time obtain the full spectrum of health services they need.

I encourage my colleagues to join us as supporters of this important legislation to give states the tools they need to reduce the rate of premature births and improve the health care of pregnant women, infants and children across the nation.

Mr. President, I ask unanimous consent that the full text of the Prevent Prematurity and Improve Child Health Act be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1734

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Prevent Prematurity and Improve Child Health Act of 2003''.

SEC. 2. STATE OPTION TO EXPAND OR ADD COVERAGE OF CERTAIN PREGNANT WOMEN UNDER MEDICAID AND SCHIP.

(a) MEDICAID.—

(1) AUTHORITY TO EXPAND COVERAGE.—Section 1902(l)(2)(A)(i) of the Social Security Act (42 U.S.C. 1396a(l)(2)(A)(i)) is amended by inserting ''(or such higher percentage as the State may elect for purposes of expenditures for medical assistance for pregnant women described in section 1905(u)(4)(A))'' after ''185 percent''.

(2) ENHANCED MATCHING FUNDS AVAILABLE IF CERTAIN CONDITIONS MET.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(A) in the fourth sentence of subsection (b), by striking ''or subsection (u)(3)'' and inserting '', (u)(3), or (u)(4)''; and

(B) in subsection (u)—

(i) by redesignating paragraph (4) as paragraph (5); and

(ii) by inserting after paragraph (3) the following new paragraph:

''(4) For purposes of the fourth sentence of subsection (b) and section 2105(a), the expenditures described in this paragraph are the following:

''(A) CERTAIN PREGNANT WOMEN.—If the conditions described in subparagraph (B) are met, expenditures for medical assistance for pregnant women described in subsection (n) or under section 1902(l)(1)(A) in a family the income of which exceeds 185 percent of the poverty line, but does not exceed the income eligibility level established under title XXI for a targeted low-income child.

''(B) CONDITIONS.—The conditions described in this subparagraph are the following:

''(i) The State plans under this title and title XXI do not provide coverage for pregnant women described in subparagraph (A) with higher family income without covering such pregnant women with a lower family income.

''(ii) The State does not apply an effective income level for pregnant women that is lower than the effective income level (expressed as a percent of the poverty line and considering applicable income disregards) that has been specified under the State plan under subsection (a)(10)(A)(i)(III) or (l)(2)(A) of section 1902, as of January 1, 2003, to be eligible for medical assistance as a pregnant woman.

''(C) DEFINITION OF POVERTY LINE.—In this subsection, the term 'poverty line' has the meaning given such term in section 2110(c)(5).''.

(3) PAYMENT FROM TITLE XXI ALLOTMENT FOR MEDICAID EXPANSION COSTS; ELIMINATION OF COUNTING MEDICAID CHILD PRESUMPTIVE ELIGIBILITY COSTS AGAINST TITLE XXI ALLOTMENT.—Section 2105(a)(1) of the Social Security Act (42 U.S.C. 1397ee(a)(1)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''(or, in the case of expenditures described in subparagraph (B), the Federal medical assistance percentage (as defined in the first sentence of section 1905(b)))''; and

(B) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) for the provision of medical assistance that is attributable to expenditures described in section 1905(u)(4)(A);''.

(b) SCHIP.—

(1) COVERAGE.—Title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.) is amended by adding at the end the following new section:

''SEC. 2111. OPTIONAL COVERAGE OF TARGETED LOW-INCOME PREGNANT WOMEN.

''(a) OPTIONAL COVERAGE.—Notwithstanding any other provision of this title, a State may provide for coverage, through an amendment to its State child health plan under section 2102, of pregnancy-related assistance for targeted low-income pregnant women in accordance with this section, but only if—

''(1) the State has established an income eligibility level for pregnant women under subsection (a)(10)(A)(i)(III) or (l)(2)(A) of section 1902 that is at least 185 percent of the income official poverty line; and

''(2) the State meets the conditions described in section 1905(u)(4)(B).

''(b) DEFINITIONS.—For purposes of this title:

''(1) PREGNANCY-RELATED ASSISTANCE.—The term 'pregnancy-related assistance' has the meaning given the term child health assistance in section 2110(a) as if any reference to targeted low-income children were a reference to targeted low-income pregnant women, except that the assistance shall be limited to services related to pregnancy (which include prenatal, delivery, and postpartum services and services described in section 1905(a)(4)(C)) and to other conditions that may complicate pregnancy.

''(2) TARGETED LOW-INCOME PREGNANT WOMAN.—The term 'targeted low-income pregnant woman' means a woman—

''(A) during pregnancy and through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

''(B) whose family income exceeds the effective income level (expressed as a percent of the poverty line and considering applicable income disregards) that has been specified under subsection (a)(10)(A)(i)(III) or (l)(2)(A) of section 1902, as of January 1, 2003, to be eligible for medical assistance as a pregnant woman under title XIX but does not exceed the income eligibility level established under the State child health plan under this title for a targeted low-income child; and

''(C) who satisfies the requirements of paragraphs (1)(A), (1)(C), (2), and (3) of section 2110(b).

''(c) REFERENCES TO TERMS AND SPECIAL RULES.—In the case of, and with respect to, a State providing for coverage of pregnancy-related assistance to targeted low-income pregnant women under subsection (a), the following special rules apply:

''(1) Any reference in this title (other than in subsection (b)) to a targeted low-income child is deemed to include a reference to a targeted low-income pregnant woman.

''(2) Any such reference to child health assistance with respect to such women is deemed a reference to pregnancy-related assistance.

''(3) Any such reference to a child is deemed a reference to a woman during pregnancy and the period described in subsection (b)(2)(A).

''(4) In applying section 2102(b)(3)(B), any reference to children found through screening to be eligible for medical assistance under the State medicaid plan under title XIX is deemed a reference to pregnant women.

''(5) There shall be no exclusion of benefits for services described in subsection (b)(1) based on any preexisting condition and no waiting period (including any waiting period imposed to carry out section 2102(b)(3)(C)) shall apply.

''(6) Subsection (a) of section 2103 (relating to required scope of health insurance coverage) shall not apply insofar as a State limits coverage to services described in subsection (b)(1) and the reference to such section in section 2105(a)(1)(C) is deemed not to require, in such case, compliance with the requirements of section 2103(a).

''(7) In applying section 2103(e)(3)(B) in the case of a pregnant woman provided coverage under this section, the limitation on total annual aggregate cost-sharing shall be applied to such pregnant woman.

''(8) The reference in section 2107(e)(1)(D) to section 1920A (relating to presumptive eligibility for children) is deemed a reference to section 1920 (relating to presumptive eligibility for pregnant women).

''(d) AUTOMATIC ENROLLMENT FOR CHILDREN BORN TO WOMEN RECEIVING PREGNANCY-RELATED ASSISTANCE.—If a child is born to a targeted low-income pregnant woman who was receiving pregnancy-related assistance under this section on the date of the child's birth, the child shall be deemed to have applied for child health assistance under the State child health plan and to have been found eligible for such assistance under such plan or to have applied for medical assistance under title XIX and to have been found eligible for such assistance under such title, as appropriate, on the date of such birth and to remain eligible for such assistance until the child attains 1 year of age. During the period in which a child is deemed under the preceding sentence to be eligible for child health or medical assistance, the child health or medical assistance eligibility identification number of the mother shall also serve as the identification number of the child, and all claims shall be submitted and paid under such number (unless the State issues a separate identification number for the child before such period expires).''.

(2) ADDITIONAL ALLOTMENTS FOR PROVIDING COVERAGE OF PREGNANT WOMEN.—

(A) IN GENERAL.—Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended by inserting after subsection (c) the following new subsection:

''(d) ADDITIONAL ALLOTMENTS FOR PROVIDING COVERAGE OF PREGNANT WOMEN.—

''(1) APPROPRIATION; TOTAL ALLOTMENT.—For the purpose of providing additional allotments to States under this title, there is appropriated, out of any money in the Treasury not otherwise appropriated, for each of fiscal years 2004 through 2007, $200,000,000.

''(2) STATE AND TERRITORIAL ALLOTMENTS.—In addition to the allotments provided under subsections (b) and (c), subject to paragraphs (3) and (4), of the amount available for the additional allotments under paragraph (1) for a fiscal year, the Secretary shall allot to each State with a State child health plan approved under this title—

''(A) in the case of such a State other than a commonwealth or territory described in subparagraph (B), the same proportion as the proportion of the State's allotment under subsection (b) (determined without regard to subsection (f)) to the total amount of the allotments under subsection (b) for such States eligible for an allotment under this paragraph for such fiscal year; and

''(B) in the case of a commonwealth or territory described in subsection (c)(3), the same proportion as the proportion of the commonwealth's or territory's allotment under subsection (c) (determined without regard to subsection (f)) to the total amount of the allotments under subsection (c) for commonwealths and territories eligible for an allotment under this paragraph for such fiscal year.

''(3) USE OF ADDITIONAL ALLOTMENT.—Additional allotments provided under this subsection are not available for amounts expended before October 1, 2003. Such amounts are available for amounts expended on or after such date for child health assistance for targeted low-income children, as well as for pregnancy-related assistance for targeted low-income pregnant women.

''(4) NO PAYMENTS UNLESS ELECTION TO EXPAND COVERAGE OF PREGNANT WOMEN.—No payments may be made to a State under this title from an allotment provided under this subsection unless the State provides pregnancy-related assistance for targeted low-income pregnant women under this title, or provides medical assistance for pregnant women under title XIX, whose family income exceeds the effective income level applicable under subsection (a)(10)(A)(i)(III) or (l)(2)(A) of section 1902 to a family of the size involved as of January 1, 2003.''.

(B) CONFORMING AMENDMENTS.—Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by inserting ''subject to subsection (d),'' after ''under this section,'';

(ii) in subsection (b)(1), by inserting ''and subsection (d)'' after ''Subject to paragraph (4)''; and

(iii) in subsection (c)(1), by inserting ''subject to subsection (d),'' after ''for a fiscal year,''.

(3) ADDITIONAL CONFORMING AMENDMENTS.—

(A) NO COST-SHARING FOR PREGNANCY-RELATED BENEFITS.—Section 2103(e)(2) of the Social Security Act (42 U.S.C. 1397cc(e)(2)) is amended—

(i) in the heading, by inserting ''OR PREGNANCY-RELATED SERVICES'' after ''PREVENTIVE SERVICES''; and

(ii) by inserting before the period at the end the following: ''or for pregnancy-related services''.

(B) NO WAITING PERIOD.—Section 2102(b)(1)(B) (42 U.S.C. 1397bb(b)(1)(B)) is amended—

(i) in clause (i), by striking '', and'' at the end and inserting a semicolon;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new clause:

''(iii) may not apply a waiting period (including a waiting period to carry out paragraph (3)(C)) in the case of a targeted low-income pregnant woman.''.

(c) AUTHORITY FOR STATES THAT PROVIDE MEDICAID OR SCHIP COVERAGE FOR PREGNANT WOMEN WITH INCOME ABOVE 185 PERCENT OF THE POVERTY LINE TO USE PORTION OF SCHIP FUNDS FOR MEDICAID EXPENDITURES.—Section 2105(g) of the Social Security Act (42 U.S.C. 1397ee(g)), as added by section 1(b) of Public Law 108–74, is amended—

(1) in the subsection heading, by inserting ''AND CERTAIN PREGNANCY COVERAGE EXPANSION STATES'' after ''QUALIFYING STATES'';

(2) by adding at the end the following:

''(4) SPECIAL AUTHORITY FOR CERTAIN PREGNANCY COVERAGE EXPANSION STATES.—

''(A) IN GENERAL.—In the case of a State that, as of the date of enactment of the Prevent Prematurity and Improve Child Health Act of 2003, has an income eligibility standard under title XIX or this title (under section 1902(a)(10)(A) or under a statewide waiver in effect under section 1115 with respect to title XIX or this title) that is at least 185 percent of the poverty line with respect to pregnant women, the State may elect to use not more than 20 percent of any allotment under section 2104 for any fiscal year (insofar as it is available under subsections (e) and (g) of such section) for payments under title XIX in accordance with subparagraph (B), instead of for expenditures under this title.

''(B) PAYMENTS TO STATES.—

''(i) IN GENERAL.—In the case of a State described in subparagraph (A) that has elected the option described in that subparagraph, subject to the availability of funds under such subparagraph and, if applicable, paragraph (1)(A), with respect to the State, the Secretary shall pay the State an amount each quarter equal to the additional amount that would have been paid to the State under title XIX with respect to expenditures described in clause (ii) if the enhanced FMAP (as determined under subsection (b)) had been substituted for the Federal medical assistance percentage (as defined in section 1905(b)).

''(ii) EXPENDITURES DESCRIBED.—For purposes of this subparagraph, the expenditures described in this clause are expenditures, made after the date of the enactment of this paragraph and during the period in which funds are available to the State for use under subparagraph (A), for medical assistance under title XIX for pregnant women whose family income is at least 185 percent of the poverty line.

''(iii) NO IMPACT ON DETERMINATION OF BUDGET NEUTRALITY FOR WAIVERS.—In the case of a State described in subparagraph (A) that uses amounts paid under this paragraph for expenditures described in clause (ii) that are incurred under a waiver approved for the State, any budget neutrality determinations with respect to such waiver shall be determined without regard to such amounts paid.''; and

(3) in paragraph (3), by striking ''and (2)'' and inserting ''(2), and (4)''.

(d) OTHER AMENDMENTS TO MEDICAID.—

(1) ELIGIBILITY OF A NEWBORN.—Section 1902(e)(4) of the Social Security Act (42 U.S.C. 1396a(e)(4)) is amended in the first sentence by striking ''so long as the child is a member of the woman's household and the woman remains (or would remain if pregnant) eligible for such assistance''.

(2) APPLICATION OF QUALIFIED ENTITIES TO PRESUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN UNDER MEDICAID.—Section 1920(b) of the Social Security Act (42 U.S.C. 1396r–1(b)) is amended by adding after paragraph (2) the following flush sentence:

''The term 'qualified provider' includes a qualified entity as defined in section 1920A(b)(3).''.

(e) EFFECTIVE DATE.—The amendments made by this section apply to items and services furnished on or after October 1, 2003, without regard to whether regulations implementing such amendments have been promulgated.

SEC. 3. OPTIONAL COVERAGE OF LEGAL IMMIGRANTS UNDER THE MEDICAID PROGRAM AND SCHIP.

(a) MEDICAID PROGRAM.—Section 1903(v) of the Social Security Act (42 U.S.C. 1396b(v)) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (4)''; and

(2) by adding at the end the following new paragraph:

''(4)(A) A State may elect (in a plan amendment under this title) to provide medical assistance under this title for aliens who are lawfully residing in the United States (including battered aliens described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) and who are otherwise eligible for such assistance, within any of the following eligibility categories:

''(i) PREGNANT WOMEN.—Women during pregnancy (and during the 60-day period beginning on the last day of the pregnancy).

''(ii) CHILDREN.—Children (as defined under such plan), including optional targeted low-income children described in section 1905(u)(2)(B).

''(B)(i) In the case of a State that has elected to provide medical assistance to a category of aliens under subparagraph (A), no debt shall accrue under an affidavit of support against any sponsor of such an alien on the basis of provision of assistance to such category and the cost of such assistance shall not be considered as an unreimbursed cost.

''(ii) The provisions of sections 401(a), 402(b), 403, and 421 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not apply to a State that makes an election under subparagraph (A).''.

(b) TITLE XXI.—Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended by adding at the end the following new subparagraph:

''(E) Section 1903(v)(4) (relating to optional coverage of permanent resident alien pregnant women and children), but only with respect to an eligibility category under this title, if the same eligibility category has been elected under such section for purposes of title XIX.''.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2003, and apply to medical assistance and child health assistance furnished on or after such date.

SEC. 4. PROMOTING CESSATION OF TOBACCO USE UNDER THE MEDICAID PROGRAM.

(a) DROPPING EXCEPTION FROM MEDICAID PRESCRIPTION DRUG COVERAGE FOR TOBACCO CESSATION MEDICATIONS.—Section 1927(d)(2) of the Social Security Act (42 U.S.C. 1396r–8(d)(2)) is amended—

(1) by striking subparagraph (E);

(2) by redesignating subparagraphs (F) through (J) as subparagraphs (E) through (I), respectively; and

(3) in subparagraph (F) (as redesignated by paragraph (2)), by inserting before the period at the end the following: '', except agents approved by the Food and Drug Administration for purposes of promoting, and when used to promote, tobacco cessation''.

(b) REQUIRING COVERAGE OF TOBACCO CESSATION COUNSELING SERVICES FOR PREGNANT WOMEN.—Section 1905 of the Social Security Act (42 U.S.C. 1396d(a)(4)) is amended—

(1) in subsection (a)(4)—

(A) by striking ''and'' before ''(C)''; and

(C) by inserting before the semicolon at the end the following new subparagraph: ''; and (D) counseling for cessation of tobacco use (as defined in subsection (x)) for pregnant women''; and

(2) by adding at the end the following:

''(x)(1) For purposes of this title, the term 'counseling for cessation of tobacco use' means therapy and counseling for cessation of tobacco use for pregnant women who use tobacco products or who are being treated for tobacco use that is furnished—

''(A) by or under the supervision of a physician; or

''(B) by any other health care professional who—

''(i) is legally authorized to furnish such services under State law (or the State regulatory mechanism provided by State law) of the State in which the services are furnished; and

''(ii) is authorized to receive payment for other services under this title or is designated by the Secretary for this purpose.

''(2) Subject to paragraph (3), such term is limited to—

''(A) therapy and counseling services recommended in 'Treating Tobacco Use and Dependence: A Clinical Practice Guideline', published by the Public Health Service in June 2000, or any subsequent modification of such Guideline; and

''(B) such other therapy and counseling services that the Secretary recognizes to be effective.

''(3) Such term shall not include coverage for drugs or biologicals that are not otherwise covered under this title.''.

(c) REMOVAL OF COST-SHARING FOR TOBACCO CESSATION COUNSELING SERVICES FOR PREGNANT WOMEN.—Section 1916 of the Social Security Act (42 U.S.C. 1396o) is amended in each of subsections (a)(2)(B) and (b)(2)(B) by inserting '', and counseling for cessation of tobacco use (as defined in section 1905(x))'' after ''complicate the pregnancy''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after the date that is 1 year after the date of enactment of this Act.

SEC. 5. PROMOTING CESSATION OF TOBACCO USE UNDER THE MATERNAL AND CHILD HEALTH SERVICES BLOCK GRANT PROGRAM.

(a) QUALITY MATERNAL AND CHILD HEALTH SERVICES INCLUDES TOBACCO CESSATION COUNSELING AND MEDICATIONS.—

(1) IN GENERAL.—Section 501 of the Social Security Act (42 U.S.C. 701) is amended by adding at the end the following new subsection:

''(c) For purposes of this title, counseling for cessation of tobacco use (as defined in section 1905(x)), drugs and biologicals used to promote smoking cessation, and the inclusion of antitobacco messages in health promotion counseling shall be considered to be part of quality maternal and child health services.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(b) EVALUATION OF NATIONAL CORE PERFORMANCE MEASURES.—

(1) IN GENERAL.—The Administrator of the Health Resources and Services Administration shall assess the current national core performance measures and national core outcome measures utilized under the Maternal and Child Health Block Grant under title V of the Social Security Act (42 U.S.C. 701 et seq.) for purposes of expanding such measures to include some of the known causes of low birthweight and prematurity, including the percentage of infants born to pregnant women who smoked during pregnancy.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Health Resources and Services Administration shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1).

SEC. 6. STATE OPTION TO PROVIDE FAMILY PLANNING SERVICES AND SUPPLIES TO INDIVIDUALS WITH INCOMES THAT DO NOT EXCEED A STATE'S INCOME ELIGIBILITY LEVEL FOR MEDICAL ASSISTANCE.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) by redesignating section 1935 as section 1936; and

(2) by inserting after section 1934 the following new section:

''STATE OPTION TO PROVIDE FAMILY PLANNING SERVICES AND SUPPLIES

''SEC. 1935. (a) IN GENERAL.—Subject to subsections (b) and (c), a State may elect (through a State plan amendment) to make medical assistance described in section 1905(a)(4)(C) available to any individual whose family income does not exceed the greater of—

''(1) 185 percent of the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved; or

''(2) the eligibility income level (expressed as a percentage of such poverty line) that has been specified under a waiver authorized by the Secretary or under section 1902(r)(2)), as of October 1, 2003, for an individual to be eligible for medical assistance under the State plan.

''(b) COMPARABILITY.—Medical assistance described in section 1905(a)(4)(C) that is made available under a State plan amendment under subsection (a) shall—

''(1) not be less in amount, duration, or scope than the medical assistance described in that section that is made available to any other individual under the State plan; and

''(2) be provided in accordance with the restrictions on deductions, cost sharing, or similar charges imposed under section 1916(a)(2)(D).

''(c) OPTION TO EXTEND COVERAGE DURING A POST-ELIGIBILITY PERIOD.—

''(1) INITIAL PERIOD.—A State plan amendment made under subsection (a) may provide that any individual who was receiving medical assistance described in section 1905(a)(4)(C) as a result of such amendment, and who becomes ineligible for such assistance because of hours of, or income from, employment, may remain eligible for such medical assistance through the end of the 6-month period that begins on the first day the individual becomes so ineligible.

''(2) ADDITIONAL EXTENSION.—A State plan amendment made under subsection (a) may provide that any individual who has received medical assistance described in section 1905(a)(4)(C) during the entire 6-month period described in paragraph (1) may be extended coverage for such assistance for a succeeding 6-month period.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to medical assistance provided on and after October 1, 2003.

SEC. 7. STATE OPTION TO EXTEND THE POSTPARTUM PERIOD FOR PROVISION OF FAMILY PLANNING SERVICES AND SUPPLIES.

(a) IN GENERAL.—Section 1902(e)(5) of the Social Security Act (42 U.S.C. 1396a(e)(5)) is amended—

(1) by striking ''eligible under the plan, as though'' and inserting ''eligible under the plan—

''(A) as though'';

(2) by striking the period and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) for medical assistance described in section 1905(a)(4)(C) for so long as the family income of such woman does not exceed the maximum income level established by the State for the woman to be eligible for medical assistance under the State plan (as a result of pregnancy or otherwise).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to medical assistance provided on and after October 1, 2003.

SEC. 8. STATE OPTION TO PROVIDE WRAP-AROUND SCHIP COVERAGE TO CHILDREN WHO HAVE OTHER HEALTH COVERAGE.

(a) IN GENERAL.—

(1) SCHIP.—

(A) STATE OPTION TO PROVIDE WRAP-AROUND COVERAGE.—Section 2110(b) of the Social Security Act (42 U.S.C. 1397jj(b)) is amended—

(i) in paragraph (1)(C), by inserting '', subject to paragraph (5),'' after ''under title XIX or''; and

(ii) by adding at the end the following:

''(5) STATE OPTION TO PROVIDE WRAP-AROUND COVERAGE.—A State may waive the requirement of paragraph (1)(C) that a targeted low-income child may not be covered under a group health plan or under health insurance coverage, if the State satisfies the conditions described in subsection (c)(8). The State may waive such requirement in order to provide—

''(A) services for a child with special health care needs; or

''(B) all services.

In waiving such requirement, a State may limit the application of the waiver to children whose family income does not exceed a level specified by the State, so long as the level so specified does not exceed the maximum income level otherwise established for other children under the State child health plan .''.

(B) CONDITIONS DESCRIBED.—Section 2105(c) of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by adding at the end the following:

''(8) CONDITIONS FOR PROVISION OF WRAP-AROUND COVERAGE.—For purposes of section 2110(b)(5), the conditions described in this paragraph are the following:

''(A) INCOME ELIGIBILITY.—The State child health plan (whether implemented under title XIX or this XXI)—

''(i) has the highest income eligibility standard permitted under this title as of January 1, 2003;

''(ii) subject to subparagraph (B), does not limit the acceptance of applications for children; and

''(iii) provides benefits to all children in the State who apply for and meet eligibility standards.

''(B) NO WAITING LIST IMPOSED.—With respect to children whose family income is at or below 200 percent of the poverty line, the State does not impose any numerical limitation, waiting list, or similar limitation on the eligibility of such children for child health assistance under such State plan.

''(C) NO MORE FAVORABLE TREATMENT.—The State child health plan may not provide more favorable coverage of dental services to the children covered under section 2110(b)(5) than to children otherwise covered under this title.''.

(C) STATE OPTION TO WAIVE WAITING PERIOD.—Section 2102(b)(1)(B) of the Social Security Act (42 U.S.C. 1397bb(b)(1)(B)), as amended by section 2(b)(3)(B), is amended—

(i) in clause (ii), by striking '', and'' at the end and inserting a semicolon;

(ii) in clause (iii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new clause:

''(iv) at State option, may not apply a waiting period in the case of a child described in section 2110(b)(5), if the State satisfies the requirements of section 2105(c)(8).''.

(2) APPLICATION OF ENHANCED MATCH UNDER MEDICAID.—Section 1905 of the Social Security Act (42 U.S.C. 1396d), as amended by section 2(a)(2), is amended—

(A) in subsection (b), in the fourth sentence, by striking ''or (u)(4)'' and inserting ''(u)(4), or (u)(5)''; and

(B) in subsection (u)—

(i) by redesignating paragraph (5) as paragraph (6); and

(ii) by inserting after paragraph (4) the following:

''(5) For purposes of subsection (b), the expenditures described in this paragraph are expenditures for items and services for children described in section 2110(b)(5), but only in the case of a State that satisfies the requirements of section 2105(c)(8).''.

(3) APPLICATION OF SECONDARY PAYOR PROVISIONS.—Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)), as amended by section 3(b), is amended by adding at the end the following:

''(F) Section 1902(a)(25) (relating to coordination of benefits and secondary payor provisions) with respect to children covered under a waiver described in section 2110(b)(5).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2003, and shall apply to child health assistance and medical assistance provided on or after that date.

Mr. LUGAR. Mr. President, I am pleased to introduce with my colleagues Senator LINCOLN and Senator BINGAMAN, the Prevent Pre-maturity and Improve Child Health Act.

Pre-maturity has been escalating steadily and alarmingly over the past two decades. Between 1981 and 2001, the rate of premature births rose from 9.4 percent to 11.9 percent, an increase of more than 27 percent. In 2001, more than 476,000 babies were born prematurely.

Pre-maturity is the leading cause of infant death in the first month of life. Babies born too early are more likely than full-term infants to face serious multiple health problems following delivery. the health problems facing many of these children include cerebral palsy, mental retardation, chronic lung disease, and vision and hearing loss. If we are able to reduce the number of premature births we will be able to improve the health of hundreds of thousands of infants born each year.

The goal of the ''Prevent Pre-maturity and Improve Child Health Act'' is

to give States increased flexibility and the Federal resources needed to improve access to prenatal care for low-income pregnant women and their children.

Among other things, the bill allows States the option of covering legal immigrant pregnant women under Medicaid. It also promotes new programs and more coverage for tobacco cessation in Medicaid, and Maternal Child Health block grant programs, and allows States the option of providing wrap-around SCHIP coverage for special needs children who have another source of health insurance.

Our bill has the potential to make a real difference in many lives. I am pleased that we are able to introduce this bill in conjunction with the March of Dimes kick off of their new campaign on pre-maturity awareness and hope that our colleagues will consider joining us in this effort.

By Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. GRAHAM of South Carolina, Mr. CHAMBLISS, and Mr. CAMPBELL):

S. 1735. A bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce with my colleague, Senator FEINSTEIN, a comprehensive bipartisan bill to increase gang prosecution and prevention efforts.

This legislation, the Gang Prevention and Effective Deterrence Act of 2003, authorizes approximately $650 million over the next 5 years to support law enforcement and prevention efforts. Of the $650 million, $450 million would be used to support Federal, State and local law enforcement efforts against violent gangs, and $200 million would be used for intervention and prevention programs for at-risk youth. The bill also increases funding for the Federal prosecutors and FBI agents needed to conduct coordinated enforcement efforts against violent gangs.

Additionally, this bill will create new criminal gang prosecution offenses, enhance existing gang and violent crime penalties to deter and punish illegal street gangs, enact violent crime reforms needed to prosecute effectively gang members, and implement a limited reform of the juvenile justice system to facilitate Federal prosecution of 16 and 17-year-old gang members who commit serious violent felonies.

I want to take a moment here and commend my dear friend Senator FEINSTEIN for her long-time commitment to this issue. She has been a leader in California and in the Senate in the war against gangs and gang violence. She and I have worked together for many years on this important issue, and I look forward to our joint effort to enact meaningful legislation.

The problem of gang violence in America is not a new one, nor is it a problem that is limited to major urban areas. Once thought to be only a problem in our Nation's largest cities, gangs have invaded smaller communities.

The problem of gang violence is of great concern to the citizens of my State. According to the Salt Lake Area Gang Project, a multi-jurisdictional task force created in 1989 to fight gang crime in the Salt Lake area, there are at least 250 identified gangs in our region with over 3,500 members. What is perhaps most troubling, the juvenile gang members in Utah account for over one-third of the total gang membership.

Gangs now resemble organized crime syndicates who readily engage in gun violence, illegal gun trafficking, illegal drug trafficking and other serious crimes. All too often we read in the headlines about gruesome and tragic stories of rival gang members gunned down, innocent bystanders—adults, teenagers and children—caught in the crossfire of gangland shootings, and family members crying out in grief as they lose loved ones to the gang wars plaguing our communities.

Recent studies confirmed that gang violence is an increasing problem in all of our communities. Based on the latest available National Youth Gang Survey, it is now estimated that there are more than 25,000 gangs, and over 750,000 gang members who are active in more than 3,000 jurisdictions across the United States. The most current reports indicate that in 2002 alone, after five years of decline, gang membership has spiked nationwide.

While we are all committed to fighting the global war on terrorism, we must redouble our efforts to ensure that we devote sufficient resources to combating this important national problem—the rise in gangs and gang violence in America. I have been—and remain—committed to supporting Federal, State and local task forces as a model for effective gang enforcement strategies. Working together, these task forces have demonstrated that they can make a difference in our communities.

In Salt Lake City, the Metro Gang Multi-Jurisdiction Task Force has for years demonstrated its critical role in fighting gang violence in Salt Lake City. We must act in a bipartisan fashion to ensure that adequate resources are available to all of our communities to expand and fund these critical task force operations to fight gang violence.

I also am mindful of the fact that to be successful in reducing gang violence, we must address not only effective law enforcement strategies, but we must also take steps to protect our youth—so that the next generation does not all into the abyss of gang life, which so often includes gun violence, drug trafficking, and other serious crimes. The young people of our cities need to be steered away from gang involvement. We need to ensure that there are sufficient tools to intervene in the lives of these troubled youth. Federal involvement is crucial to control gang violence and to prevent new gang members from replacing old gang members.

We must take a proactive approach and meet this problem head on if we wish to defeat it. If we really want to reduce gang violence, we must ensure that law enforcement has adequate resources and legal tools and that our communities have the ability to implement proven intervention and prevention strategies, so that gang members who are removed from the community are not simply replaced by the next generation of new gang members.

I strongly urge my colleagues to join with me and Senator FEINSTEIN in promptly passing this important legislation.

I ask unanimous consent that an analysis of the bill be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

OVERVIEW

The Gang Prevention and Effective Deterrence Act of 2003 is a comprehensive bill to increase gang prosecution and prevention efforts. The bill authorizes approximately $650 million over the next 5 years, $450 million of which would be used to support Federal, State and local law enforcement efforts against violent gangs, and $200 million of which would be used for intervention and prevention programs for at-risk youth. In support of this effort, the bill increases funding for federal prosecutors and FBI agents to increase coordinated enforcement efforts against violent gangs.

The Act also creates new criminal gang prosecution offenses, enhances existing gang and violent crime penalties to deter and punish illegal street gangs, proposes violent crime reforms needed to prosecute effectively gang members, and proposes a limited reform of the juvenile justice system to facilitate federal prosecution of 16 and 17 year old gang members who commit serious acts of violence.

TITLE I—CRIMINAL STREET GANG ABATEMENT ACT

Sec. 101. Solicitation or Recruitment of Persons in Criminal Street Gang Activity. This section creates a new criminal offense to prohibit recruitment of a person in a criminal street gang. The penalty for such a violation is a maximum of 10 years imprisonment, or if the violation involves the recruitment of a minor, a mandatory minimum penalty of not less than 3 years and a maximum of 10 years imprisonment.

Sec. 102. Criminal Street Gangs. This section revises existing section 521 of title 18, United States Code, to prohibit illegal participation in a criminal street gang. A ''criminal street gang'' is defined to mean a formal or informal group, club, organization or association of 3 or more persons who act in concert to commit gang crimes. The term ''gang crime'' is defined to include violent

and other serious State and Federal felony crimes. Subsection (b) prohibits participation in a criminal street gang either by (1) committing, conspiring or attempting to commit, 2 or more predicate gang crimes related to the gang activity; or (2) to employ, use or command, counsel persuade, induce, entice or coerce another individual to commit a gang crime. The maximum penalties for a violation of subsection (b)(1) is 30 years imprisonment and for subsection (b)(2) is 20 years imprisonment, or a mandatory minimum of 10 years imprisonment if the violation of subsection (b)(2) involves a minor. Additional penalties, including the death penalty, are authorized for gang crimes depending on whether the violation results in the taking of a life, attempted murder, the violator is an organizer, leader, supervisor, or manager, or the violator is a repeat offender.

Sec. 103. Violent Crimes in Furtherance or in Aid of Criminal Street Gangs. This section creates a new criminal offense for murder, kidnapping, sexual assaults, maiming, assaults with a dangerous weapon, or assaults resulting in serious bodily injury, which are committed in furtherance or in aid of a criminal street gang. The penalties for such violations range from a maximum of 10 years to death depending on the nature of the offense.

Sec. 104. Interstate and Foreign Travel or Transportation in Aid of Criminal Street Gangs. This section amends existing section 1952 of title 18, United States Code, to increase penalties and expand the prohibition to include efforts to obstruct justice, intimidate or retaliate against witnesses, jurors, informants or victims.

Sec. 105. Amendments Relating to Violent Crime in Areas of Exclusive Federal Jurisdiction. This section amends criminal statutes relating to assault (section 113(a)(3)), conspiracy (section 371), manslaughter (section 1112(b), offenses committed within Indian country (section 1153(a)), racketeering (section 1961(l)), carjacking (section 2119), illegal gun transfers to drug traffickers or violent criminals (section 924(h)), special sentencing provisions (section 3582(d)), and application of the two strikes provision in Indian country (section 3559(e)).

Sec. 106. Increased Penalties for Use of Interstate Commerce Facilities in the Commission of Murder-For-Hire and Other Felony Crimes of Violence. This section amends existing section 1958 of title 18, United States Code, to increase penalties for hiring an individual to kill another person and prohibits a fine in lieu of a sentence for conduct resulting in death.

Sec. 107. Increased Penalties for Violent Crimes in Aid of Racketeering Activity. This section amends existing section 1959(a) of title 18, United States Code, to increase penalties and expand the prohibition to include sexual assault.

Sec. 108. Murder and Other Violent Crimes Committed During and In Relation to a Drug Trafficking Crime. This section creates a new criminal offense for murder, kidnapping, sexual assaults, maiming, assaults with a dangerous weapon, or assaults resulting in serious bodily injury, which are committed during and in relation to drug trafficking crimes. The penalties for such violations range from a maximum of 10 years to death depending on the nature of the offense.

Sec. 109. Sentencing Guidelines for Gang Crimes, Including an Increase in Offense Level for Participation in Crime as a Gang Member. This section directs the United States Sentencing Commission to amend the Federal Sentencing Guidelines to reflect the newly created offenses of: (1) solicitation or recruitment or persons in criminal street gang activity; (2) criminal street gangs; and (3) violent crimes in furtherance of criminal street gangs to reflect the seriousness of the offenses.

Sec. 110. Designation of and Assistance for ''High Intensity'' Interstate Gang Activity Areas. This section requires the Attorney General, after consultation with the Governors of appropriate States, to designate certain locations as high intensity interstate gang activity areas and provides assistance in the form of criminal street gang enforcement teams made up of local, State and Federal law enforcement authorities to investigate and prosecute criminal street gangs in each high intensity interstate gang activity area. Subsection (c) authorizes funding of $100 million for each fiscal year 2004 through 2008. Sixty percent, or $60 million, will be used to support the criminal gang enforcement teams and 40 percent, or $40 million, will be used to make grants available for community-based programs to provide for crime prevention and intervention services for gang members and at-risk youth in areas designated as high intensity interstate gang activity areas.

Sec. 111. Enhancement of Project Safe Neighborhoods Initiative to Improve Enforcement of Criminal Laws Against Violent Gangs. Subsection (a) expands the Project Safe Neighborhood program to require United States Attorneys to identify and prosecute significant gangs within their district; coordinate such prosecutions among all local, State, and Federal law enforcement; and coordinate criminal street gang enforcement teams in designated high intensity interstate gang activity areas. Subsection (b) authorizes the hiring of 94 additional Assistant United States Attorneys and funding of $7.5 million for each fiscal year 2004 to 2008 to carry out the provisions of this section.

Sec. 112. Additional Resources Needed by the Federal Bureau of Investigation to Investigate and prosecute Violent Criminal Street Gangs. This section requires the Federal Bureau of Investigation to increase funding for the Safe Streets Program and to support the criminal street gang enforcement teams in designated high intensity interstate gang activity areas. Subsection (b) authorizes $5 million for each fiscal year 2004 to 2008 to expand the FBI's Safe Streets Program.

Sec. 113. Grants to States and Local Prosecutors to Combat Violent Crime and to Protect Witnesses and Victims of Crime. This section authorizes $20 million for each of the fiscal years 2004 to 2008 to allow for the hiring of additional State and local prosecutors, the funding of gang prevention and community prosecution programs, the purchasing of technological equipment to increase the accurate identification and prosecution of violent offenders, and the creation and expansion of witness protection programs to prevent witness intimidation and retaliation.

TITLE II—VIOLENT CRIME REFORMS NEEDED TO DETER AND PREVENT ILLEGAL GANG CRIME

Sec. 201. Multiple Interstate Murder. This section creates a new criminal offense for traveling in or causing another to travel in interstate or foreign commerce or to use any facility in interstate or foreign commerce with the intent that 2 or more murders be committed in violation of the laws of any State or the United States. The penalties for such violations range from a maximum of 20 years to death depending on the nature of the offense.

Sec. 202. Expansion of Rebuttable Presumption Against Release of Persons Charged with Firearms. This section applies the rebuttable presumption in pre-trial release detention hearings to cases in which a defendant is charged with firearms offenses after having previously been convicted of a prior crime of violence or a serious drug offense.

Sec. 203. Venue in Capital Cases. This section amends section 3235 of title 18 to clarify venue in capital cases where murder, or related conduct, occurred. The existing venue provision restricts venue in criminal cases where murder occurs in relation to racketeering, drug conspiracy, or criminal street gang.

Sec. 204. Statute of Limitation for Violent Crime. This section extends the statute of limitations for violent crime cases from 5 years to 10 years after the offense occurred or the continuing offense was completed, and from 5 years to 8 years after the date on which the violation was first discovered.

Sec. 205. Predicate Crimes for Authorization of Interception of Wire, Oral and Electronic Communications. This section adds the new criminal offenses to the surveillance predicates listed in section 2516 of title 18, United States Code.

Sec. 206. Clarification of Crime of Violence. This section amends the definition of a crime of violence in response to recent restrictive court decisions excluding violent acts committed with a reckless or negligent mens rea.

Sec. 207. Clarification to Hearsay Exception for Forfeiture by Wrongdoing. This section codifies the holding in *United States v. Cherry,* 217 F.3d 811 (10th Cir. 2000), which permits admission of statements of a murdered witness to be introduced against the defendant who caused a witness' unavailability and the members of the conspiracy if such actions were foreseeable to the other members of the conspiracy.

Sec. 208. Clarification of Venue for Retaliation Against a Witness. This section clarifies the venue statute for crimes involving the retaliation against a witness to allow for prosecution in the district where the official proceeding which gave rise to the retaliation occurred or where the act of retaliation occurred.

Sec. 209. Amendment of Sentencing Guidelines Relating to Certain Gang and Violent Crimes. This section directs the United States Sentencing Commission to review and, if appropriate, amend its guidelines and policy statements in order to implement new or revised criminal offenses created by this legislation.

Sec. 210. Increased Penalties for Criminal Use of Firearms in Crimes of Violence and Drug Trafficking. This section increases the penalty for the use or discharge of a firearm in a crime of violence or drug trafficking crime. The penalties are increased further if the firearm injures or causes the death of another.

TITLE III—JUVENILE CRIME REFORM FOR VIOLENT OFFENDERS

Sec. 301. Treatment of Federal Juvenile Offenders. This section authorizes the United States Attorney to charge in federal court a juvenile who is 16 years or older and committed a serious violent felony, as defined in section 3559(c)(2) or (c)(3). Technical changes are made to existing statute, section 5032 of title 18, United States Code, to conform with limited authorization for United States Attorney filings

Sec. 302. Notification After Arrest. This section modifies existing section 5033 of title 18 to ensure notification of United States Attorney after arrest of juvenile offender.

Sec. 303. Release and Detention Prior to Disposition. This section makes technical changes to existing statue, 5034 of title 18, and makes conforming changes to ensure consideration of release conditions for juveniles charged as adults.

Sec. 304. Speedy Trial. This section modifies existing speedy trial statute to require

trial within 70 days from detention of juvenile who is charted as an adult and applies existing exclusions from section 3161(h) of title 18.

Sec. 305. Use of Juvenile Records. This section ensures that juvenile records relating to a case in which a juvenile is charged as an adult are made available in the same manner as adult cases.

Sec. 306. Directive to United States Sentencing Commission. This section directs the Sentencing Commission to develop new guidelines applicable to juvenile offenders who are charged as adults.

Mrs. FEINSTEIN. Mr. President, I am pleased to join Chairman HATCH in introducing the Gang Prevention and Effective Deterrence Act of 2003, a bill to give law enforcement additional tools to fight the scourge of gang violence and to fund prevention programs to stop the cycle of gang violence.

I thank and commend my good friend and colleague, Chairman HATCH, for his hard work in helping to develop this legislation. Since 1996, he and I have worked together to address the problem of gang violence in this country.

We have now introduced legislation in each of the last four Congresses—the 104th, 105th, 106th, and 107th. None of that legislation became law. But we have not given up.

The legislation we are introducing today addresses the many aspects of gang violence by focusing on new criminal offenses and increased penalties for individuals who engage in gang violence. Specifically, this legislation targets gang members who participate in criminal street gang by committing gang crimes like murder, sexual assault, robbery, and drug offenses to name a few, or by employing others to do so; recruit and use minors in gang crimes; commit violent crimes in furtherance of gang or drug trafficking activity; or travel in interstate commerce to intimidate and retaliate against witnesses.

This legislation also makes it easier to prosecute certain 16 and 17-year-olds as adults if they are engaging in violent gang activity.

We have also worked to provide for more cooperation between Federal and local law enforcement officials, and to make it easier for prosecutors to go after gang members who commit serious or violent crimes on behalf of their gangs.

We offer this comprehensive legislation because the problem of gang violence continues to get worse. I concur in the sentiments expressed by Los Angeles Police Department Chief William Bratton when he stated, ''There is nothing more insidious than these gangs. They are worse than the Mafia. Show me a year in New York where the Mafia indiscriminately killed 300 people. You can't.''

In 2002, there were over 650 homicides in Los Angeles, half of which were gang related. This year the Los Angeles Police Department reports approximately 400 murders and almost one-half of those murders are the result of gang violence.

The United States Attorney in Los Angeles testified before the Judiciary Committee last month about the gang problem in her city. She stated that in Los Angeles County alone, conservative estimates put street gangs at about 1,000 in number. The number of individual gang members in those street gangs is 150,000.

In addition, there are approximately another 20,000 gang members in Orange County, Ventura and San Bernardino Counties.

I am often struck by how vicious gang crimes can be, and how damaging they are to the victims and to the surrounding community.

Let me give a couple of examples from my own home city of San Francisco.

In 2000, two rival gangs had a shoot out in San Francisco's Mission District. An innocent bystander was caught in the crossfire and shot through both legs.

A brave eyewitness gave law enforcement the name of the shooting suspect, who was then arrested. The gang then tracked down the witness, put a 9 millimeter automatic to his head, and threatened to kill him for cooperating with the police.

And just recently, on September 28, 2003, 7-week-old Glenn Timmy Maurice Molex was killed in his home during a drive-by shooting in a Bayview district neighborhood in San Francisco. Law enforcement believe that gang members may have been involved in the shooting.

But this problem is not limited to any one city, of course.

In 1980, there were gangs in 286 jurisdictions. Today, they are in over 1,500 jurisdictions.

In 1980, there were about 2,000 gangs. Today, there are over 26,000 gangs.

In 1980, there were about 100,000 gang members. Today, there are more than 750,000 gang members.

I would like to explain how this legislation will help deter and punish gang-related crimes, and why Congress should act quickly to pass it.

First, the bill includes tough 10-year sentences for gang recruitment. This will serve to punish anyone who recruits a member to join—or forces a member to stay in—a criminal street gang with the intent to have that person commit a serious violent crime or a drug crime.

Second, if the person who was recruited was a minor, the offender will serve a mandatory minimum sentence of 3 years.

The purpose of this provision is to deter criminal gang recruitment. It is also to punish those who use minors to commit their crimes. And gangs specifically do go after juveniles because they know that, if the child is caught, he or she will probably receive lighter punishment than an adult.

I believe that we need to punish gang recruitment of children very severely. This bill would do that.

This legislation would also make it a crime for three or more people who work together to commit predicate gang crimes which are listed in the bill. Gang members who commit two or more predicate gang crimes or employ another individual to commit a gang crime would be punished under this new statute by up to 30 years in prison. If the predicate gang crime carries a greater penalty, the maximum would increase. If the gang member has previously been convicted of a predicate gang crime, that gang member's sentence would also increase.

And because juveniles are being used to commit these gang crimes, if the gang member employs a minor to commit the gang crime, the gang member would face a mandatory minimum sentence of 10 years.

The predicate gang crimes are felony crimes and include murder, attempted murder, manslaughter, gambling, kidnapping, robbery, extortion, arson, obstruction of justice, tampering with or retaliating against a witness, victim or informant, burglary, sexual assault, carjacking, or selling or possessing a controlled substance, firearm offenses, and illegal transportation of an alien.

The offenses that are listed as predicate gang crimes are those commonly pursued by gangs.

One study of gangs in various countries found that law enforcement reported that 55 percent of gang members were involved in aggravated assaults; 33 percent in robberies;

Fifty-eight percent in burglary and breaking and entering;

Fifty-two percent in motor vehicle theft; and

Seventy-two percent in drug sales.

Numerous gangs illegally launder their illicit drug profits. These include Russian and West African criminal gangs as well as street gangs such as the Bloods, Crips, Gangster Disciples, and Latin Kings.

This bill also allows property derived from gang crimes to be forfeited.

Third, the bill creates a new, RICO-like, anti-gang law to help prosecutors target the more serious gangs and gang members. In response to the problems of mafia-violence, the racketeering statute was created to punish violent crimes that are in furtherance of a racketeering enterprise. This legislation will do the same for violent crimes that are in furtherance of gang activity or drug activity.

The gang and drug crimes are those which I have described earlier—murder, carjacking, drug distribution, robbery, firearms violations, and sexual assault. These crimes represent the heart of gang activity and those who commit them must be met with tough penalties.

The penalties range from a maximum of 10 years to the death penalty if death results from the crime.

This legislation also expands the Travel Act.

The Travel Act allows Federal prosecutors to charge certain interstate crimes such as extortion, bribery, and arson, and for business enterprises involving gambling, liquor, drugs, or prostitution.

This statute was passed in 1961 also with mafia-related criminal activity in mind.

Now criminal street gangs travel interstate for another purpose which strikes at the heart of our system of justice—intimidating and retaliating against witnesses, jurors, informants, and victims.

This bill would make it a crime to travel across state lines for that purpose and would allow for a sentence up to life imprisonment for someone who commits that crime.

Defendants who violate the Travel Act and kill someone will also face a possible death sentence for such actions.

This bill should ensure that prosecutors can use the Travel Act to act against crimes caused by the new Mafia: criminal street gangs.

The bill also amends several criminal statutes to address violent crimes frequently or typically committed by gangs.

These crimes include carjacking, assault, manslaughter, racketeering, illegal gun transfers to drug traffickers or violent criminals, the use of firearms in drug trafficking and violent crimes, and murder-for-hire.

These amendments make it easier for prosecutors to prove these crimes by eliminating or modifying the intent requirement for the crimes or by increasing the penalties for violations.

This legislation also changes the venue statute for capital cases so that capital cases can be brought where the murder occurs or where the racketeering conspiracy, drug conspiracy, or criminal street gang operates. So, if the gang, commits the bulk of its crimes in one State but commits a capital crime in another State, all of the crimes can be tried in the same State where the gang focused its criminal activity and the government can seek the appropriate punishment for that crime. The jury will then get the whole picture of how the gang operated and what they did.

Where a 16-year-old or 17-year-old has committed a Federal serious violent felony, this legislation facilitates Federal prosecution of such offenders. Surveys in 1996 and 1999 showed that 37–50 percent of gang members were under the age of 18. This legislation also calls upon the United States Sentencing Commission to create new sentencing guidelines for juvenile offenders who are charged as adults to address concerns specific to offenders of that age.

The bill permits the Attorney General to designate high intensity interstate gang activity areas, HIIGAs, and authorizes $100,000,000 for each of 5 years for these task forces.

These provisions are modeled after similar provisions creating high intensity drug trafficking areas, HIDTAs.

HIDTAs are joint efforts of local, State, and Federal law enforcement agencies whose leaders work together to assess regional drug threats, design strategies to combat those threats, and develop initiatives to implement the strategies.

HIDTAs are based on an equal partnership between different law enforcement agencies.

HIDTAs are based on an equal partnership between different law enforcement agencies.

HIDTAs integrate and synchronize efforts to reduce drug trafficking.

They eliminate unnecessary duplication of effort and maximize resources.

And they improve intelligence and information sharing both within and between regions.

HIDTAs are necessary because drug trafficking tends to be ''head quartered'' in certain areas of the country, from which it spreads to other areas.

Moreover, drug traffickers have been highly organized and developed sophisticated interstate and international operations.

These points are also true for many criminal gangs. So we have erected a new program of cooperation between law enforcement agencies to attack the gang problem like we attack the drug problem.

This bill authorizes $75 million over the next 5 years for the hiring of Federal prosecutors to identify and prosecute significant gangs within their districts under the Project Safe Neighborhoods program. Across the Nation, 94 Project Safe Neighborhoods Task Forces are working to implement the coordinated strategy to reduce gun violence, led by the U.S. Attorney in each of the Federal judicial districts. U.S. Attorneys have been working side by side with all law enforcement participants in their communities to identify the most pressing crime problems and attack those problems both through prevention and aggressive prosecution.

Finally, this legislation would authorize $100 million dollars over the next 5 years for States to update their technology, create and fund gang prevention and community prosecution programs, and create and expand witness protection programs.

Witness protection is a critical part of reducing gang violence. The president of the National District Attorneys Association, Robert McCulloch, who is also the district attorney in St. Louis, testified last month before the Judiciary Committee. He said that while his office is able to put witnesses in motels for a couple of days or a week or is able to send them on a bus ride to a relative's house, the solutions are not long-term. And as a result, the witnesses come back and are at risk. That is not acceptable. If witnesses are not confident that they will remain safe, they will not talk to law enforcement. It is as simple as that. We must give local and State law enforcement the tools to keep witnesses alive.

While criminal street gangs flourish in certain urban areas such as Los Angeles and Chicago, they typically use these cities as bases to invade more rural locales.

And the characteristics of a criminal street gang are extremely diverse. While some criminal street gangs are looser-affiliations of violent individuals who work together in furtherance of their gang, there are also some very highly disciplined, hierarchical ''corporations,'' often encompassing numerous jurisdictions.

MS–13, an international gang with roots in El Salvador's civil war has spread to at least 28 States and includes more than 8,000 members. In this gang there is no real command structure or national charter.

And in the Washington, D.C. metropolitan area, criminal street gangs are largely neighborhood-based associations of lifelong friends. They use no flashy names or symbols, but they bank together to commit crimes and sell drugs.

In the past three years, members of just three neighborhood-based gangs in Washington, D.C., called the 1–5 Mob, the K Street Crew and Murder Inc. by prosecutors, have been convicted of 57 murders and dozens of assaults and weapons offenses for gang crimes committed over the past ten years.

On the other hand, there are some very organized and structured ruthless gangs in this country.

The Gangster Disciples Nation, for example, has a chairman of the board, two boards of directors, one for prisons and one for streets), Governors, regents, area coordinators, enforcers, and ''shorties,'' youth who staff drug-selling sites and help with drug deals.

From 1987 to 1994, this gang was responsible for killing more than 200 people. Moreover, one-half of their arrests were for drug offenses and only one-third for nonlethal violence.

And just like MS–13, these gangs pop up all across the country.

In 1996, the Gangster Disciples Nation and other Chicago-based gangs were in 110 jurisdictions in 35 states.

Members of the Los-Angeles based 18th Street Gang have migrated outside of California into the southwest border up into the Pacific Northwest, out to New Jersey, Mexico, and El Salvador. Los Angeles gang members have been tracked to Indianapolis, Oklahoma, Omaha, Raleigh and St. Louis.

This bill is a necessary measure to target increasingly violent, increasingly sophisticated, and increasingly national gangs. This is not just a California problem, or a Chicago problem, or a District of Columbia problem—this problem is a nationwide in its scope, and we must craft a nationwide solution. This legislation will tackle that problem head-on. We simply cannot wait any longer.

I look forward to working with my colleagues to enact the Gang Prevention and Effective Deterrence Act of 2003.

By Mr. ENZI (for himself, Mr. DORGAN, Mr. CHAFEE, Mr. HAGEL, Mrs. HUTCHISON, Mr. VOINOVICH, Mr. THOMAS, Mr. BREAUX, Mr. BINGAMAN, Mr. GRAHAM of Florida, Mr. JOHNSON, Mr. NELSON of Nebraska, and Mr. ROCKEFELLER):

S. 1736. A bill to promote simplification and fairness in the administration and collection of sales and use taxes; to the Committee on Finance.

Mr. ENZI. Mr. President, I rise today to introduce the Streamlined Sales and Use Tax Act, a bill that will make it easier for American consumers and businesses to conduct sales from remote locations. Our bill will also help states begin to recover from years of budgetary shortfalls.

This bill is not a disguised attempt to increase taxes or put a new tax on the Internet. Consumer are already supposed to pay sales and use taxes in most States for purchases made over the phone, by mail, or via the Internet. Unfortunately, most consumers are unaware they are required to pay this use tax on purchases for which retailers choose not to collect sales tax at the time of purchase.

That means consumers who buy products online are required to keep track of their purchases and then pay outstanding use tax obligation on their State tax forms. Most people do not know this or comply with the requirement. As such, States are losing millions of dollars in annual revenue.

Our legislation will help both consumers and States by reducing the burden on consumers and providing a mechanism that will allow States to systematically and fairly collect the taxes already owed to them.

This bill is not about new taxes. Simply put, if Congress continues to allow remote sales taxes to go uncollected and electronic commerce continues to grow as predicted, other taxes—such as income or property taxes—will have to be increased to offset the lost revenue. I want to avoid that. That's why we need to implement a plan that will allow States to generate revenue using mechanisms already approved by their local leaders.

This bill is about economic growth. Sales and use taxes provide critical revenue to pay for our schools, our police officers, firefighters, road construction, and more. It will bring more money—money that is already owed—into rural areas that are struggling economically. It will also help businesses comply with the complicated States sales tax systems. That means the business resources that have historically been spent on tax compliance could be used, among other things, to hire new people and buy new equipment.

This bill is about tax simplification. As the Supreme Court identified in the Quill versus North Dakota decision in 1992, the complicated State and local sales tax systems across this country have created an undue burden on sellers. Our bill will help relieve this burden by requiring States to meet the stringent simplification standards outlined in the Streamlined Sales and Use Tax Agreement. This bill requires States to implement and maintain these simplification measures before they can require any seller to collect and remit sales tax.

The Streamlined Sales and Use Tax Agreement includes dramatic simplification in almost every aspect of sales and use tax collection and administration, especially for multi-state sellers. Areas of simplification include exemption processing, uniform definitions, State level administration of local taxes, a reduced number of sales tax rates, determining the appropriate tax rate, and reduced audit burdens for sellers using the state-certified technology.

I firmly believe this bill, coupled with the Agreement, will facilitate a change to our taxing system that benefit local and State governments, Main Street and online businesses, and consumers. I recognize that this legislation may not be perfect, but I welcome the opportunity to continue working with retailers, local and State lawmakers and my colleagues to address any remaining concerns. Our intention is to close the sales tax loophole for remote sales, and I am ready and willing to engage in discussions to ensure that this bill fairly accomplishes that objective.

I thank my colleague, Senator DORGAN, for his tireless efforts on this issue. He has been instrumental in drafting this critical legislation, and I appreciate his insight and thoroughness. I would also like to thank my colleagues on both sides of the aisle who have agreed to be original cosponsors—Senators DORGAN, BREAUX, BINGAMAN, CHAFEE, BOB GRAHAM, HAGEL, HUTCHISON, JOHNSON, BEN NELSON, ROCKEFELLER, VOINOVICH, and my esteemed fellow Senator from Wyoming, Senator THOMAS.

Mr. DORGAN. Mr. President, I rise today with Senator ENZI and others to introduce legislation to address the long-standing issue of how to see that the sales and uses taxes which are owed on remote sales, i.e., items bought from companies outside of the State in which the purchaser lives, can be fairly collected. The Simplified Sales and Use Tax Act which we introduce today will allow the States to require collection only after they have dramatically simplified their sales and use tax systems.

Collecting a sales tax in a face-to-face transaction on Main Street or at the mall is a relatively simple process. The seller collects the tax and remits it to the State or local government. But with remote sales—such as catalog and Internet sales—it's more difficult. States cannot require a seller to collect a sales tax unless the business has an actual location or sales people in the State. So most States, and many localities, have laws that require the local buyer to send an equivalent ''use tax'' to the State or local government when he or she did not pay taxes at the time of purchase.

The reality, of course, is that customers almost never do that. It would be a major inconvenience, and people are not accustomed to paying sales taxes in that way. So, despite the legal requirement, most simply don't do it, and the tax, which is already owed, goes unpaid. For years, State and local governments could accept this loss because catalog sales were a relatively minor portion of overall commerce. But, as e-commerce continues to grow so does the competitive divide between those businesses with and without the collection burden and the local governments who are losing an ever larger share of sales tax revenues.

In fact, it appears as if local governments are facing a perfect storm of dwindling economic activity, and a growing migration of commerce from Main Street to the Internet. As online consumer purchases have nearly doubled in the last 2 years estimates are that States and localities lost at least $13.5 billion in uncollected sales and use tax revenues in 2002, and that number is expected to grow to $45 billion by 2006.

Internet and catalog sellers correctly argue that collecting and remitting sales taxes would be a significant burden. Understandably, they contend that, unless things change, it would be difficult for them to have to comply with tax laws from thousands of different jurisidictions—46 States and thousands of local governments—with different tax rates and all of the idiosyncrasies regarding what is taxable and what is non-taxable.

This is a legitimate complaint, and I understand why the Supreme Court agreed with them when it decided that companies have to have a physical presence in a State before being required to collect sales taxes.

But, in so ruling the Court did two things: (1) it told the States to simplify their sales and use tax systems, and (2) it invited Congress to define how much simplification will be needed so that collection will no longer be an impermissible burden on interstate commerce.

The States have since responded to the Court's ruling with the ''Streamlined Sales and Use Tax Agreement.'' Approved by 34 States and the District of Columbia after extensive discussions with the business community this unprecedented agreement will dramatically simplify and streamline how State sales taxes are identified and collected. And, by harmonizing State sales tax rules, bringing uniformity to definitions of items in the sales tax base, significantly reducing the paperwork burden on retailers, and incorporating a seamless electronic reporting process the agreement will significantly reduce the burden of collection on all sellers. Once adopted by 10 States with at least 20 percent of the population, the Simplified Sales and Use Tax Act would give those States the authority to collect sales or use taxes equally from all retailers.

I understand that some have raised questions about how the small business exemption included in this legislation will be applied, and I intend to work with those interested parties to try to address this matter. However, sales and

use tax simplification is an important issue that Congress must address sooner rather than later. The legislation we introduce today is workable and strikes a fair balance between the interests of consumers, local retailers and remote sellers.

Mr. President, I urge my colleagues to support this much-needed bipartisan legislation.

By Mr. WYDEN:

S. 1737. A bill to amend the Clayton Act to enhance the authority of the Federal Trade Commission or the Attorney General to prevent anticompetitive practices in tightly concentrated gasoline markets; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, it's time to bring competition back into our Nation's gasoline markets. Across America, gasoline prices have recently soared to the highest levels ever. Right now, gasoline costs 12 cents more than it did at this time last year. In my home State of Oregon, folks are paying a whopping 32 cents more per gallon than in October of last year.

Proven price manipulation is siphoning competition out of the gasoline markets and stealing money from Americans' wallets. It's time that government regulators opened their eyes to reality of rampant price manipulation by gas companies and protected American consumers from getting pummeled at the pump. That's why today I am introducing the Gasoline Free Market Competition Act.

Every extra penny Americans spend on the artificially inflated price of gasoline is a penny they aren't spending on other things—like clothes, groceries, or other consumer items. The difference is that buying a new washer dryer helps create jobs; paying extra for gas only creates a fatter bottom line for oil companies, nothing more.

With people losing their jobs and the economy in sorry shape, Congress should act right now to protect the American people from oil company price gouging. Artificially inflated gas prices hurt American families three ways: it steals dollars from their pocketbooks, slows down job creation, and often raises the price of the goods families need to buy due to increased transport costs.

Folks are looking to Congress to address gasoline price spikes and industry pricing policies that can't always be explained away by the market. But as the American people have called out for relief, the Federal government has stayed silent—refusing to respond in any meaningful way to the gas price crisis.

The Secretary of Energy says he's conducting an informal investigation to look into the issue. But under current law, the Department of Energy has no power to do anything about gasoline prices.

On the other hand, the Federal Trade Commission (FTC) does have the power to protect consumers from gas price manipulation. Yet they've done almost nothing. They turned aside evidence of serious, documented anti-consumer practices—such as redlining and zone price—that inflate gas prices. They've argued that they can only prosecute if they find out-and-out collusion, setting out a standard that is almost impossible to prove against savvy oil interests.

You can see the results of the FTC's inaction at gas stations in Oregon and all across America. Nationwide, gasoline markets in Oregon and at least 27 other States are now considered to be ''tight oligopolies'' with 4 companies controlling more than 60 percent of the gasoline supplies. The problem is particularly dire in the West, where California, Oregon, Washington and Idaho are four of the top six States for high gas prices today.

In these tightly concentrated markets, numerous studies have found oil company practices are driving independent wholesalers and dealers out of the market. One practice they employ, called ''redlining,'' limits where independent distributors can sell their gasoline. As a result, independent stations must buy their gasoline directly from the oil company, usually at a higher price than the company's own brand-name stations pay. With these higher costs, the independent stations can't compete.

Redlining is just the tip of the iceberg. Investigations have also found oil companies controlling not just stations' buying choices, but also distributors' selling prices. Companies engage in a practice called zone pricing, basing prices not on the cost of producing gasoline, but on the maximum a neighborhood will pay. They have squeezed out smaller refineries that could increase supply and introduce new competitions. They have exported gasoline and oil to Asia at rock-bottom prices, making up their profits by sticking West Coast consumers with the difference. So, stopping one anti-competitive practice, by itself, won't get the job done.

The solution is to update antitrust law to prohibit anti-competitive practices by single companies in concentrated markets. The current standard of collusion is unenforceable. Smart oil companies will never hole up in a room and collude to set prices; they don't need to.

Chevron/Texaco's North American President David Reeves admitted to a congressional panel that the West Coast gasoline market is so dominated by a limited number of large committed refinery/marketers whose individual actions can have significant market impact.

Here's how the Gasoline Free Market Competition Act would tackle the problem. First, the Federal Government would establish consumer watch zones for concentrated gasoline markets. Where control is concentrated, supplies can be manipulated, and competition restricted with ease. Where that capability is ready-made, the FTC should watch markets more carefully.

Oil companies employing anti-competitive practices in consumer watch zones should have to prove they're not hurting consumers. The whole litany of anti-competitive practices should be considered presumptively illegal. That includes exporting at a discount and pressuring independents—all the practices that manipulate supply or limit competition.

Consumer watch zones would also be empowerment zones for quick action by the FTC. In these zones, the agency could issue cease and desist orders to companies participating in these anti-competitive practices, forcing them to stop gouging consumers.

These legislative proposals are first steps toward bringing back competition to the Nation's gasoline markets. Congress should act now to address the problem of skyrocketing gasoline prices—because even the oil companies admit the market won't solve the problem on its own. Last month, a report by the Rand Corporation revealed that even oil industry officials are predicting more price volatility in the future. That means consumers can expect more frequent and larger price spikes in the next few years.

I have spent years documenting unethical and anti-competitive practices in this country's gasoline markets—practices that have driven prices up and driven consumers crazy at the pump. The American people deserve relief from high gas prices and the Congress should act on their behalf.

By Mr. DODD:

S. 1738. A bill to reauthorize the Defense Production Act of 1950, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1738

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Defense Production Act Reauthorization of 2003''.

SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.

(a) IN GENERAL.—The 1st sentence of section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended—

(1) by striking ''sections 708'' and inserting ''sections 707, 708,''; and

(2) by striking ''September 30, 2003'' and inserting ''September 30, 2004''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''through 2003'' and inserting ''through 2004''.

SEC. 3. RESOURCE SHORTFALL FOR RADIATION-HARDENED ELECTRONICS.

(a) IN GENERAL.—Notwithstanding the limitation contained in section 303(a)(6)(C) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)(6)(C)), the President may take actions under section 303 of the Defense Production Act of 1950 to correct the industrial resource shortfall for radiation-hardened

electronics, to the extent that such Presidential actions do not cause the aggregate outstanding amount of all such actions to exceed $200,000,000.

(b) REPORT BY THE SECRETARY.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing—

(1) the current state of the domestic industrial base for radiation-hardened electronics;

(2) the projected requirements of the Department of Defense for radiation-hardened electronics;

(3) the intentions of the Department of Defense for the industrial base for radiation-hardened electronics; and

(4) the plans of the Department of Defense for use of providers of radiation-hardened electronics beyond the providers with which the Department had entered into contractual arrangements under the authority of the Defense Production Act of 1950, as of the date of the enactment of this Act.

SEC. 4. CLARIFICATION OF PRESIDENTIAL AUTHORITY.

Subsection (a) of section 705 of the Defense Production Act of 1950 (50 U.S.C. App. 2155(a)) is amended by inserting after the end of the 1st sentence the following new sentence: ''The authority of the President under this section includes the authority to obtain information in order to perform industry studies assessing the capabilities of the United States industrial base to support the national defense.''.

SEC. 5. CRITICAL INFRASTRUCTURE PROTECTION AND RESTORATION.

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) by redesignating paragraphs (3) through (17) as paragraphs (4) through (18), respectively;

(2) by inserting after paragraph (2) the following new paragraph:

''(3) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means any systems and assets, whether physical or cyber-based, so vital to the United States that the degradation or destruction of such systems and assets would have a debilitating impact on national security, including, but not limited to, national economic security and national public health or safety.''; and

(3) in paragraph (14) (as so redesignated by paragraph (1) of this section), by inserting ''and critical infrastructure protection and restoration'' before the period at the end of the last sentence.

SEC. 6. REPORT ON CONTRACTING WITH MINORITY- AND WOMEN-OWNED BUSINESSES.

(a) REPORT REQUIRED.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the extent to which contracts entered into during the fiscal year ending before the end of such 1-year period under the Defense Production Act of 1950 have been contracts with minority- and women-owned businesses.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall include the following:

(1) The types of goods and services obtained under contracts with minority- and women-owned businesses under the Defense Production Act of 1950 in the fiscal year covered in the report.

(2) The dollar amounts of such contracts.

(3) The ethnicity of the majority owners of such minority- and women-owned businesses.

(4) A description of the types of barriers in the contracting process, such as requirements for security clearances, that limit contracting opportunities for minority- and women-owned businesses, together with such recommendations for legislative or administrative action as the Secretary of Defense may determine to be appropriate for increasing opportunities for contracting with minority- and women-owned businesses and removing barriers to such increased participation.

(c) DEFINITIONS.—For purposes of this section, the terms ''women-owned business'' and ''minority-owned business'' have the meanings given such terms in section 21A(r) of the Federal Home Loan Bank Act, and the term ''minority'' has the meaning given such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

SEC. 7. COMMERCE RESPONSIBILITIES REGARDING CONSULTATION WITH FOREIGN NATIONS.

(a) OFFSETS IN DEFENSE PROCUREMENTS.—Section 123(c) of the Defense Production Act Amendments of 1992 (50 U.S.C. App. 2099 note) is amended to read as follows:

''(c) NEGOTIATIONS.—

''(1) INTERAGENCY TEAM.—It is the policy of Congress that the President shall designate the Secretary of Commerce to lead, in coordination with the Secretary of State, an interagency team to negotiate with foreign nations the elimination of offset arrangements, industrial participation, or similar arrangements in defense procurement. The President shall transmit an annual report on the results of these negotiations to the Congress as part of the report required under section 309(a) of the Defense Production Act of 1950.

''(2) RECOMMENDATIONS FOR MODIFICATIONS.—Pending the elimination of the arrangements described in paragraph (1), the interagency team shall submit to the Secretary of Defense any recommendations for modifications of a memorandum of understanding entered into under section 2531 of title 10, United States Code, or a related agreement that the team considers to be an appropriate response to a contractual offset, industrial participation, or similar arrangement that is entered into under the policy to which section 2532 of such title applies.

''(3) NOTIFICATION TO USTR REGARDING OFFSETS.—If the interagency team determines that a foreign country is pursuing a policy on contractual offset arrangements, industrial participation arrangements, or similar arrangements in connection with the purchase of defense equipment or supplies that requires compensation for the purchase in the form of nondefense or dual-use equipment or supplies in a value greater than the defense equipment or supplies, the team shall notify the United States Trade Representative of that determination. Upon receipt of the notification, the United States Trade Representative shall treat the policy and each such arrangement as an act, policy, or practice by the foreign country that is unjustifiable and burdens or restricts United States commerce for purposes of section 304(a)(1) of the Trade Act of 1974 (19 U.S.C. 2414(a)(1)), and shall take appropriate action under title III of such Act with respect to such country.''.

(b) REPORT ON EFFECTS OF FOREIGN CONTRACTS ON DOMESTIC CONTRACTORS.—Section 309(d)(1) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(d)(1)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end; and

(2) in subparagraph (E), by striking the period at the end and inserting the following: ''; and

''(F) a compilation of data delineating—

''(i) the impact of foreign contracts that have been awarded through offsets, industrial participation agreements, or similar arrangements, on domestic prime contractors, and at least the first three tiers of subcontractors; and

''(ii) details of contracts with foreign 1st, 2nd, and 3rd tier subcontractors awarded through offsets, industrial participation agreements, or similar arrangements.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 243—DESIGNATING THE WEEK OF OCTOBER 19, 2003, THROUGH OCTOBER 25, 2003, AS ''NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK''

Mr. REED (for himself, Mr. BAYH, Mr. BIDEN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORZINE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REID, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, and Mr. THOMAS) submitted the following resolution; which was considered and agreed to:

S. RES. 243

Whereas lead poisoning is a leading environmental health hazard to children in the United States;

Whereas according to the Centers for Disease Control and Prevention, 434,000 preschool children in the United States have harmful levels of lead in their blood;

Whereas lead poisoning may cause serious, long-term harm to children, including reduced intelligence and attention span, behavior problems, learning disabilities, and impaired growth;

Whereas children from low-income families are 8 times more likely to be poisoned by lead than are children from high-income families;

Whereas children may be poisoned by lead in water, soil, or consumable products;

Whereas children most often are poisoned in their homes through exposure to lead particles when lead-based paint deteriorates or is disturbed during home renovation and repainting; and

Whereas lead poisoning crosses all barriers of race, income, and geography: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 19, 2003, through October 25, 2003, as ''National Childhood Lead Poisoning Prevention Week''; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate programs and activities.

SENATE CONCURRENT RESOLUTION 73—EXPRESSING THE DEEP CONCERN OF CONGRESS REGARDING THE FAILURE OF THE ISLAMIC REPUBLIC OF IRAN TO ADHERE TO ITS OBLIGATIONS UNDER A SAFEGUARDS AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE ENGAGEMENT BY IRAN IN ACTIVITIES THAT APPEAR TO BE DESIGNED TO DEVELOP NUCLEAR WEAPONS

Mrs. FEINSTEIN (for herself and Mr. KYL) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 73

Whereas environmental sampling by the International Atomic Energy Agency (IAEA) at Iran's Natanz nuclear facility revealed the presence of 2 types of highly enriched uranium that can be used to develop nuclear weapons;

Whereas the traces of highly-enriched uranium detected by the IAEA at the Natanz facility and the Kalaye Electric Company could indicate that Iran has been secretly attempting to produce weapons-grade uranium at these facilities;

Whereas, in March 2003, the Director of the IAEA announced that Iran was constructing a facility to enrich uranium, a key component of advanced nuclear weapons;

Whereas, on January 1, 1968, Iran signed the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (the ''Nuclear Non-Proliferation Treaty'');

Whereas the June 6, 2003, report of the Director General of the IAEA expressed concern over the failure of the Government of Iran to report material, facilities, and activities at its nuclear facilities, including those that have the potential to enrich uranium and develop nuclear weapons, in contravention of its obligations under the safeguards agreement it signed in connection with the Nuclear Non-Proliferation Treaty;

Whereas the Board of Governors of the IAEA adopted a resolution on September 12, 2003, that calls on Iran to provide the IAEA a full declaration of all imported material and components relevant to the uranium enrichment program, to grant unrestricted access, including environmental sampling, to the IAEA, to resolve questions regarding the conclusion of the IAEA experts who tested gas centrifuges in that country, to provide complete information regarding the conduct of uranium conversion experiments, and to provide such other information and explanations and take such other steps as the IAEA determines necessary to resolve by October 31, 2003, all outstanding issues involving Iran's nuclear materials and nuclear activities;

Whereas, in June 2003, Iran conducted a successful test of the 800-mile range Shahab-3 missile, and Iran is also seeking to produce a 1,200-mile Shahab-4 missile;

Whereas the construction by Iran of nuclear facilities, coupled with its ties to terrorist groups, constitutes a threat to international peace and security; and

Whereas, by signing the Nuclear Non-Proliferation Treaty, signatories such as Iran that are not declared nuclear powers commit themselves to abstaining from the acquisition of nuclear weapons, preventing the spread of nuclear weapons and weapons technology, promoting cooperation in the peaceful uses of nuclear energy, and achieving nuclear disarmament: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) deplores the development by Iran of a nuclear weapons program and the failure of the Government of Iran to report material, facilities, and activities to the International Atomic Energy Commission in contravention of its obligations under the safeguards agreement it signed in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (hereafter in this resolution referred to as the ''Nuclear Non-Proliferation Treaty'');

(2) concurs with the view of the Department of State, as delivered in testimony to the U.S.-Israel Joint Parliamentary Committee on September 17, 2003, by the Assistant Secretary of State for Verification and Compliance that the explanations provided by the Government of Iran for its nuclear activities are not credible;

(3) concurs with the conclusion reached in the Department of State's Annual Report on Adherence to and Compliance with Arms Control and Nonproliferation Agreements and Commitments that Iran is pursuing a program to develop nuclear weapons;

(4) calls on the President to use all appropriate means to prevent Iran from acquiring nuclear weapons, including—

(A) urging the Government of Iran to accept in full the resolution adopted by the Board of Governors of the International Atomic Energy Agency on September 12, 2003 (hereafter in this resolution referred to as the ''IAEA resolution''), that calls on Iran to—

(i) provide the Agency a full declaration of all imported material and components relevant to the uranium enrichment program;

(ii) grant unrestricted access, including environmental sampling, to the Agency;

(iii) resolve questions regarding the conclusion of the Agency experts who tested gas centrifuges in that country;

(iv) provide complete information regarding the conduct of uranium conversion experiments; and

(v) provide such other information and explanations and take such other steps as the Agency determines necessary to resolve by October 31, 2003, all outstanding issues involving Iran's nuclear materials and nuclear activities;

(B) taking such diplomatic measures as are necessary to encourage other nations, especially Russia, to urge the Government of Iran to fully and immediately comply with the such resolution; and

(C) working with the United Nations and other nations to urge the Government of Iran to sign the Model Additional Protocol to give the International Atomic Energy Agency greater access in Iran to ensure that—

(i) no undeclared facilities exist in Iran; and

(ii) no materials or technologies have been diverted from safeguarded facilities in Iran;

(5) calls on Russia to—

(A) use all appropriate means to urge Iran to accept in full the IAEA resolution; and

(B) suspend all nuclear cooperation with Iran until Iran fully and completely complies with the IAEA resolution;

(6) calls on member states of the United Nations to join the United States in preventing the Government of Iran from continuing to pursue and develop programs or facilities that could be used in a nuclear weapons program;

(7) calls on the United Nations Security Council to immediately undertake consideration of—

(A) the threat to international peace and security posed by Iran's nuclear weapons program; and

(B) the passage of a Security Council resolution or the taking of other actions that may be necessary to impose diplomatic and economic sanctions against Iran if it fails to meet its obligations to the International Atomic Energy Agency by October 31, 2003; and

(8) calls on the Government of Iran to cease all efforts to acquire nuclear fuel cycle capabilities until it is able to provide specific assurances that it is not engaged in a clandestine nuclear weapons program by—

(A) coming into complete and verifiable compliance with its obligations under the IAEA resolution, including the prompt and unconditional implementation of the Model Additional Protocol; and

(B) fully meeting its obligations under the Nuclear Non-Proliferation Treaty.

Mrs. FEINSTEIN. Mr. President, I rise today with my good friend and colleague Senator KYL, to introduce a resolution to express deep concern about Iran's nuclear program. The time has come for the international community to speak with one voice and urge Iran to abandon its attempts to acquire nuclear weapons.

With the fall of the Hussein regime in Iraq, attention has turned to the threat posed by the Islamic Republic of Iran and the recent revelations about its nuclear program. I am increasingly concerned that Tehran is determined to develop nuclear weapons and substantially alter the balance of power in the Middle East.

In December 2002, Iran admitted that—in addition to the known construction of a light water reactor complex in Bushehr with Russian assistance—it is building two facilities that could be used to develop fissile material for a nuclear weapon: a uranium enrichment facility at Nantanz and a heavy water production plant at Arak.

According to the Carnegie Endowment for International Peace, the Nantanz large-scale commercial plant, scheduled for completion in 2005, ''could produce approximately 400 to 500 kilograms of weapon-grade material annually, or enough for 15 to 20 nuclear weapons a year.'' The Arak facility, scheduled to begin in 2004, ''could produce between 8 and 10 kilograms of plutonium annually, enough for one or two nuclear weapons a year.''

The revelations are serious and deeply troubling.

As Professor Gary Mihlhollin testified before the U.S.-Israel Joint Parliamentary Committee on September 17, 2003: ''Adding an Iranian nuclear weapon capability runs the risk of joining terrorism and weapons of mass destruction—a combination that our government considers the greatest security challenge of the 21st century.''

Iran's pursuit of nuclear weapons demands the full attention of the United States and the international community, and a concerted and clear response to bring Iran into compliance with its obligations under the Nuclear Non-proliferation Treaty.

Iran's assertion that its nuclear program is peaceful and is aimed at producing 6,000 megawatts of electricity is highly dubious given the efforts to conceal construction of the Nantanz and Arak facilities and its plentiful supplies of oil and gas reserves. In her testimony before the U.S.-Israel Joint Parliamentary Committee, Assistant Secretary of State for Verification and Compliance, Paula A. DeSutter agreed and stated: ''Iran's attempts to explain why it needs an indigenous nuclear fuel cycle are simply not credible.''

In fact, United Nations International Atomic Energy Agency (IAEA) inspectors have found traces of highly enriched, weapons grade uranium on Iranian nuclear equipment at two sites.

I am pleased that the IAEA Board of Governor's passed resolution last week setting a deadline of October 31 for Iran to come clean about its nuclear program. As IAEA spokeswoman Melissa Fleming stated:

> What the IAEA inspectors need is accelerated cooperation, full transparency on the part of Iran, so that we can clear up these questions in a matter of weeks, and not months and months.

Talks have begun between the IAEA and Iranian authorities about Iran's nuclear program and the October 31 deadline. Our resolution supports the IAEA efforts to bring Iran into compliance with its international obligations. Among other things, it: deplores the Islamic Republic of Iran's development of a nuclear weapons program and for its failures to report material, facilities, and activities to the International Atomic Energy Agency as it is obligated to do pursuant to its safeguards agreement; concurs with the conclusion reached in the U.S. Department of State's Annual Noncompliance Report that Iran is pursuing a program to develop nuclear weapons; calls on the President of the United States to urge the Islamic Republic of Iran to accept in full the International Atomic Energy Agency's September 12, 2003 resolution; calls on member states of the United Nations to join the United States in preventing the Islamic Republic of Iran from continuing to pursue and develop programs or facilities that could be used in a nuclear weapons program; and calls on the United Nations Security Council to immediately undertake consideration of the threat to international peace and security posed by Iran's nuclear weapons program as well as such action as may be necessary, including a Security Council resolution, that would impose diplomatic and economic sanctions against Iran should Iran fail to live up to its obligations to the International Atomic Energy Agency by October 31, 2003.

In addition, its calls on the Government of Iran to: to come into verifiable compliance with its obligations under the September 12, 2003 resolution of the International Atomic Energy Agency; to come into verifiable compliance with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons; and to immediately sign the Model Additional Protocol of the International Atomic Energy Agency, which would allow inspectors freer access to nuclear sites.

The international community must stand together to put pressure on Tehran to live up to its commitments and, in particular, sign the additional protocol to the Nuclear Non-proliferation Treaty to permit snap, short-notice inspections of Iran's declared and undeclared nuclear facilities.

I, for one, had been hopeful that Iran in recent years had begun to take the necessary steps to rejoin international community. The election of President Mohammad Katemi in May, 1997 appeared to be a vote for moderation and engagement with the outside world.

Yet, the clandestine nuclear weapons program, the continued support for terror, the numerous human rights abuses against religious minorities including Iranian Jews, the suppression of the student lead pro-democracy movement, and the continued uncompromising influence of the unelected hardliners in the Council of Guardians and the military lead me to conclude that we still have a long ways to go before we see a peaceful, stable, democratic Iran.

I firmly believe that the Iranian people desire to see their country break its ties with the past and commit itself to a future based on democracy, human rights, and the rule of law.

If they are to realize that dream, the United States must work closely with our friend and allies in the international community to put pressure on Iran to abandon its nuclear weapons program, cease its support for terror, and become a positive force for change in the Middle East. I urge my colleagues to support the resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1838. Mr. REID (for himself, Mr. MCCAIN, Mrs. LINCOLN, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

SA 1839. Mr. ENSIGN proposed an amendment to the bill S. 1689, supra.

SA 1840. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1841. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1842. Mr. BINGAMAN (for himself and Mr. BYRD) proposed an amendment to the bill S. 1689, supra.

SA 1843. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1844. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, supra.

SA 1845. Mrs. BOXER (for herself, Mr. SCHUMER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1846. Mr. BYRD (for himself, Mr. LEVIN, Mr. REED, Mr. CORZINE, Mr. LEAHY, Mr. DORGAN, Mrs. CLINTON, Ms. LANDRIEU, Mr. JEFFORDS, and Mr. LIEBERMAN) proposed an amendment to the bill S. 1689, supra.

SA 1847. Mr. FEINGOLD proposed an amendment to the bill S. 1689, supra.

SA 1848. Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mrs. CLINTON, Mrs. MURRAY, Mr. DURBIN, and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 1689, supra.

SA 1849. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1850. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1851. Mr. REID (for Mr. CORZINE) proposed an amendment to the bill S. 1689, supra.

SA 1852. Mr. FEINGOLD (for himself, Mr. WYDEN, Mr. DAYTON, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, supra.

SA 1853. Mr. MCCAIN (for himself, Mr. BIDEN, and Mr. GRAHAM, of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1854. Mr. DASCHLE proposed an amendment to the bill S. 1689, supra.

SA 1855. Mr. HARKIN (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1856. Mr. WARNER (for himself, Mr. ALLEN, Mr. SARBANES, Ms. MIKULSKI, and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1857. Ms. CANTWELL (for herself, Mr. BINGAMAN, Mr. LEAHY, Mr. JOHNSON, Mr. NELSON, of Florida, Mr. GRAHAM, of Florida, Mrs. MURRAY, Mr. KENNEDY, Mr. PRYOR, Mr. LAUTENBERG, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1858. Mr. NELSON, of Florida proposed an amendment to the bill S. 1689, supra.

SA 1859. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 1689, supra.

TEXT OF AMENDMENTS

SA 1838. Mr. REID (for himself, Mr. MCCAIN, Mrs. LINCOLN, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, add the following:

SEC. 316. (a) RESTORATION OF FULL RETIRED PAY BENEFITS.—Section 1414 of title 10, United States Code, is amended to read as follows:

''§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation

''(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Except as provided in subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to

be paid both without regard to sections 5304 and 5305 of title 38.

''(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

''(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

''(d) DEFINITIONS.—In this section:

''(1) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.

''(2) The term 'veterans' disability compensation' has the meaning given the term 'compensation' in section 101(13) of title 38.''.

(b) REPEAL OF SPECIAL COMPENSATION PROGRAMS.—Sections 1413 and 1413a of such title are repealed.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 1413, 1413a, and 1414 and inserting the following:

''1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation.''.

(d) EFFECTIVE DATE; PROHIBITION ON RETROACTIVE BENEFITS.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

(2) RETROACTIVE BENEFITS.—No benefits may be paid to any person by reason of section 1414 of title 10, United States Code, as amended by subsection (a), for any period before the effective date under paragraph (1).

SA 1839. Mr. ENSIGN proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) Not later than April 30, 2004, the Secretary of Defense shall submit a certification to Congress of the amount that Iraq will pay, or that will be paid on behalf of Iraq, during fiscal year 2004 to a foreign country to service a debt incurred by Iraq during the regime of Saddam Hussein, including any amount used for the payment of principal, interest, or fees associated with such debt. Such certification shall include—

(1) the actual amount spent for such purpose during the period from October 1, 2003 through March 31, 2004; and

(2) the estimated amount that the Secretary reasonably believes will be used for such purpose during the period from April 1, 2004 through September 30, 2004.

(b) On May 1, 2004, the Director of the Office of Management and Budget shall administratively reserve, out of the unobligated balance of the funds appropriated in this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'', the amount that is equal to the sum of the amount certified under paragraph (1) of subsection (a) and the estimated amount certified under paragraph (2) of such subsection. The amount so reserved may not be obligated or expended on or after such date.

(c) The Director of the Office of Management and Budget shall impose such restrictions and conditions as the Director determines necessary to ensure that, in the apportionment of amounts appropriated as described in subsection (b), the balance of the total amount so appropriated that remains unobligated on May 1, 2004, exceeds the amount that is to be reserved under subsection (b).

(d) It is the sense of Congress that each country that is owed a debt by Iraq that was incurred during the regime of Saddam Hussein should forgive such debt, including any amount owed by Iraq for the principal, interest, and fees associated with such debt.

SA 1840. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2313. (a) SENSE OF CONGRESS.—It is the sense of Congress that removing potential nuclear weapons materials from vulnerable sites around the world would reduce the chance that such materials would all into the hands of al Qaeda or other groups and states hostile to the United States, and therefore should be a top priority for achieving the national security of the United States.

(b) TASK FORCE ON NUCLEAR MATERIAL REMOVAL.—(1) There is established in the Department of Energy the Task Force on Nuclear Material Removal (in this section referred to as the ''Task Force'').

(2)(A) At the head of the Task Force shall be the Director of the Task Force, who shall be appointed by the Secretary of Energy for that purpose.

(B) The Director of the Task Force shall report directly to the Administrator for Nuclear Security regarding the activities of the Task Force.

(3) The Secretary and the Administrator shall assign to the Task Force personnel having such experience and expertise as is necessary to permit the Task Force to carry out its mission under this section.

(4)(A) The Secretary of Energy and the Administrator shall jointly consult with the Secretary of State, the Secretary of Defense, the Chairman of the Nuclear Regulatory Commission, and the heads of other appropriate departments and agencies of the Federal Government to establish mechanisms that ensure that the Task Force is able to draw quickly on the capabilities of other departments and agencies to fulfill its mission.

(B) Mechanisms under subparagraph (A) may include the assignment of personnel from other departments and agencies of the Federal Government to the Task Force.

(c) MISSION.—The mission of the Task Force shall be to take actions to ensure that potential nuclear weapons materials are entirely removed from the most vulnerable sites around the world as soon as practicable after the date of the enactment of this Act.

(d) ASSISTANCE.—To assist the Task Force in carrying out its mission under this section, the Secretary of Energy may—

(1) provide such funds as are needed to remove potential nuclear weapons materials from vulnerable sites, including funds to cover the costs of—

(A) transporting such materials from such sites to secure facilities;

(B) providing interim security upgrades for such materials pending their removal;

(C) managing such materials after their arrival at secure facilities;

(D) purchasing such materials;

(E) converting such materials to use as low-enriched fuels, or to uses that no longer require nuclear materials;

(F) assisting in the closure and decommissioning of such sites; and

(G) providing incentives to facilitate the removal of such materials from vulnerable facilities;

(2) arrange for the shipment of potential nuclear weapons materials to the United States, or to other countries willing to accept them and able to provide high levels of security for them, in order to ensure that United States national security objectives are accomplished as quickly and effectively as possible; and

(3) provide funds to upgrade security and accounting at sites where, as determined by the Secretary, potential nuclear weapons materials will remain for an extended period in order to ensure that such materials are secure against plausible potential threats, and will remain so in the future.

(e) REPORT.—(1) Not later than 30 days after the submittal to Congress of the budget of the President for fiscal year 2005 pursuant to section 1105(a) of title 31, United States Code, the Secretary of Energy shall submit to Congress a report that shall include—

(A) a list of the sites determined by the Task Force to be of the highest priorities for removal of potential nuclear weapons materials, based on the quantity and attractiveness of such materials at such sites and the risks of the theft or diversion of such materials for weapons purposes;

(B) a strategic plan, including measurable milestones and metrics, for accomplishing the mission of the Task Force under this section;

(C) an estimate of the annual financial requirements for implementing the plan;

(D) recommendations on whether any further legislative actions are needed to facilitate the accomplishment of the mission of the Task Force; and

(E) such other information on the status of activities under this section as the Secretary considers appropriate.

(2) The report shall be submitted in unclassified form, but may include a classified annex.

(f) FUNDING.—There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, for the National Nuclear Security Administration for ''Defense Nuclear Nonproliferation'', $40,000,000 to carry out this section.

(g) POTENTIAL NUCLEAR WEAPONS MATERIAL DEFINED.—In this section, the term ''potential nuclear weapons material'' means plutonium, highly enriched uranium, or other material capable of sustaining an explosive nuclear chain reaction, including irradiated materials if the radiation field from such materials is not sufficient to prevent the theft of such materials and their use for an explosive nuclear chain reaction.

SA 1841. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending

September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 20 and 21, insert the following new section:

Sec. 2313. (a) Of the funds appropriated in title II under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'' and allocated for security, $415,000,000 shall be made available to secure and eliminate munitions caches, small arms, light weapons, unexploded ordinance, and excess military equipment in Iraq.

(b) Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter until all funds made available under subsection (a) are expended, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on the status and security of munitions caches, small arms, light weapons, unexploded ordinance, and excess military equipment in Iraq. Each such report shall include—

(1) a description of the quantity and type of such weapons and equipment collected, secured, and destroyed during the 6 months prior to the submission of such report;

(2) a description of the quantity and type of such weapons and equipment collected and secured for purposes other than destruction;

(3) a description of the quantity and type of such weapons and equipment that remain in Iraq;

(4) an estimate of the schedule under which such weapons and equipment will be secured or eliminated and the cost to complete such actions;

(5) an assessment of the threat posed by such weapons and equipment to United States or coalition military forces in Iraq.

(6) an estimate of the quantity and type of such weapons and equipment that have been acquired by members of al-Qaeda or other international terrorist organizations; and

(7) a detailed plan of actions to be carried out to locate, secure, and eliminate such weapons and equipment that remain in Iraq.

(c) The reports required by subsection (b) shall be submitted in a classified and an unclassified form.

SA 1842. Mr. BINGAMAN (for himself and Mr. BYRD) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, insert the following:

SEC. 316. (a) FINDINGS.—Congress makes the following findings:

(1) The National Guard and Reserves have served the Nation in times of national crises for more than 200 years. The National Guard and Reserves are a critical component of homeland security and national defense.

(2) The current deployments of many members of the National Guard and Reserve have made them absent from their communities for an abnormally long time. This has diminished the ability of the National Guard to conduct its State missions.

(3) Many members of the National Guard and Reserves have been on active duty for more than a year, and many more have had their tours of active duty involuntarily extended while overseas.

(b) REPORT ON UTILIZATION OF NATIONAL GUARD AND RESERVES.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the utilization of the National Guard and Reserves in support of contingency operations during fiscal year 2004.

(2) The report under this subsection shall include the following:

(A) Information on each National Guard and Reserve unit currently deployed, including—

(i) the unit name or designation;

(ii) the number of personnel deployed;

(iii) the projected return date to home station; and

(iv) the schedule, if any, for the replacement of the unit with a Regular unit.

(B) Information on current operations tempo, including—

(i) the length of deployment of each National Guard and Reserve unit currently deployed, organized by unit and by State;

(ii) in the case of each National Guard and Reserve unit on active duty during the two-year period ending on the date of the report, the aggregate amount of time on active duty during such two-year period; and

(iii) the percentage of National Guard and Reserve forces in the total deployed force in each current domestic and overseas contingency operation.

(C) Information on current recruitment and retention of National Guard and Reserve personnel, including—

(i) any shortfalls in recruitment and retention;

(ii) any plans to address such shortfalls or otherwise to improve recruitment or retention; and

(iii) the effects on recruitment and retention over the long term of extended periods of activation of National Guard or Reserve personnel.

(3) The report under this subsection shall be organized in a format that permits a ready assessment of the deployment of the National Guard and Reserves by State, by various geographic regions of the United States, and by Armed Force.

(c) REPORT ON EFFECTS OF UTILIZATION OF NATIONAL GUARD AND RESERVES ON LAW ENFORCEMENT AND HOMELAND SECURITY.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall, in consultation with the chief executive officers of the States, submit to Congress a report on the effects of the deployment of the National Guard and Reserves on law enforcement and homeland security in the United States.

(2) The report under this subsection shall include the following:

(A) The number of civilian first responders on active duty with the National Guard or Reserves who are currently deployed overseas.

(B) The number of first responder personnel of the National Guard or Reserves who are currently deployed overseas.

(C) An assessment by State of the ability of the States to respond to emergencies without currently deployed National Guard personnel.

SA 1843. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 20, strike lines 9 through line 12, and insert the following:

(b) Section 1075(b) of title 10, United States Code, as added by subsection (a), shall take effect as of September 11, 2001, and shall apply with respect to injuries or diseases incurred on or after that date.

(c) The amount appropriated by chapter 2 of title II under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' is hereby reduced by $1,500,000, to be derived from the amount set aside under such heading for transportation and telecommunications for the Iraqi Postal Authority for the administration of a zip code system.

SA 1844. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . REPORT ON REPLACEMENT OF U.S. TROOPS.

(a) FINDINGS.—The Senate finds that—

(1) The Coalition Provisional Authority states that 80 percent of Iraq is a permissive environment with people returning to a normal pace of life, while 20 percent is less permissive with entrenched Saddam loyalists, international terrorists and general lawlessness hindering recovery efforts.

(2) On September 9, Deputy Secretary of Defense John Wolfowitz testified, ''. . . the predominantly Shia south [of Iraq] has been stable and I would say far more stable than most pre-war predications would have given you. And the mixed Arab, Turkish, Kurdish north has also been remarkably stable, again, contrary to fears than many of us had that we might face large-scale ethnic conflict.''

(3) On September 14, Secretary of State Colin Powell stated, ''We see attacks against our coalition on a daily basis . . . but in many parts of the country things are quite secure and stable.''

(4) The Coalition Provisional Authority states that a major focus of its security efforts has been to increase Iraqi participation in and responsibility for a safe and secure Iraq.

(5) On September 14, Secretary of Defense Donald Rumsfeld stated, ''90 percent of the people in Iraq are now living in an area that's governed by a city council, or a village council.''

(6) The Coalition Provisional Authority reports that 60,000 Iraqis are now assisting in security, including 46,000 Iraqi police nationwide.

(7) Of the 160,000 coalition military personnel serving in Iraq, 20,000 are comprised of non-U.S. forces.

(b) REPORT.—Beginning 30 days after the enactment of this Act, the President or his designee shall submit a monthly report to Congress detailing—

(1) the areas of Iraq determined to be largely secure and stable; and

(2) the extent to which U.S. troops have been replaced by non-U.S. coalition forces, U.N. forces, or Iraqi forces in the areas determined to be largely secure and stable under this subsection.

SA 1845. Mrs. BOXER (for herself, Mr. SCHUMER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 20 and 21, insert the following:

TITLE III—HOMELAND SECURITY
DEPARTMENT OF HOMELAND SECURITY

SCIENCE AND TECHNOLOGY, RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS

For necessary expenses for science and technology research, development, acquisition, and operations of the Department of Homeland Security, as authorized by sections 302, 307, and 308 of the Homeland Security Act of 2002 (6 U.S.C. 182, 187, 188), $653,000,000, to remain available until expended to carry out the provisions of section 3001.

(RESCISSION)

The amount appropriated by chapter 2 of title II under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'' under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' is hereby reduced by $653,000,000, with the amount of the reduction to be allocated so that—

(1) the amount available for security, national security, and justice is reduced by $300,000,000, with the amount of reduction to be allocated to amounts available for the construction of two prisons;

(2) the amount available for public works is reduced by $253,000,000, with the amount of the reduction to be allocated to amounts available for the procurement of 40 trash trucks; and

(3) the amount available for housing and construction is reduced by $100,000,000, with the amount of the reduction to be allocated to amounts available for the construction of seven new housing communities.

SEC. 3001. (a) INSTALLATION OF ANTI-MISSILE COUNTERMEASURE DEVICES IN COMMERCIAL AIRCRAFT.—Of the amount appropriated by this title under the heading ''DEPARTMENT OF HOMELAND SECURITY'' under the heading ''SCIENCE AND TECHNOLOGY, RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS'', $653,000,000 shall be available to the Secretary of Homeland Security for the purchase and installation of anti-missile countermeasure devices in not less than 300 commercial aircraft selected by the Secretary for purposes of this section.

(b) SELECTION OF COMMERCIAL AIRCRAFT.—In selecting commercial aircraft for purposes of this section, the Secretary shall give a priority to commercial aircraft in long-range international service that are enrolled in the Civil Reserve Air Fleet.

(c) DEADLINES.—(1) The Secretary shall award a contract for the purchase and installation of anti-missile countermeasure devices in commercial aircraft under this section not later than 90 days after the date of the enactment of this Act.

(2) The contract awarded under paragraph (1) shall provide for the completion of the purchase and installation of anti-missile countermeasure devices in commercial aircraft under this section not later than 28 months after the date of the enactment of this Act.

(d) COORDINATION.—The Secretary of Homeland Security shall carry out this section in coordination with the Secretary of Defense and the Secretary of Transportation.

(e) ANTI-MISSILE COUNTERMEASURE DEVICE DEFINED.—In this section, the term ''anti-missile countermeasure device'' means any electronic system, as identified by the Secretary of Homeland Security, that automatically—

(1) identifies the threat to an aircraft of an incoming missile or other ordnance;

(2) detects the source of the threat; and

(3) disrupts the guidance system of the missile or ordnance so as to divert the course of the missile or ordnance and prevent its impact with the aircraft.

SA 1846. Mr. BYRD (for himself, Mr. LEVIN, Mr. REED, Mr. CORZINE, Mr. LEAHY, Mr. DORGAN, Mrs. CLINTON, Ms. LANDRIEU, Mr. JEFFORDS, and Mr. LIEBERMAN) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place insert the following:

SEC. 2309. (a) REPORTS OF COALITION PROVISIONAL AUTHORITY.—Not later than January 1, 2004, and every 90 days thereafter, the Administrator of the Coalition Provisional Authority (CPA) shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on all obligations, expenditures, and revenues associated with reconstruction, rehabilitation, and security activities in Iraq during the preceding 90 days, including the following:

(1) Obligations and expenditures of appropriated funds.

(2) A project-by-project and program-by-program accounting of the costs incurred to date for the reconstruction of Iraq, together with the estimate of the Authority of the costs to complete each project and each program.

(3) Revenues attributable to or consisting of funds provided by foreign nations or international organizations, and any obligations or expenditures of such revenues.

(4) Revenues attributable to or consisting of foreign assets seized or frozen, and any obligations or expenditures of such revenues.

(5) Operating expenses of the Authority and of any other agencies or entities receiving funds appropriated by title.

(b) COMPTROLLER GENERAL AUDIT, INVESTIGATIONS, AND REPORTS.—(1) The Comptroller General of the United States shall conduct an on-going audit of the Coalition Provisional Authority, and may conduct such additional investigations as the Comptroller General, in consultation with the Committees on Appropriations considers appropriate, to evaluate the reconstruction, rehabilitation, and security activities in Iraq.

(2) In conducting the audit and any investigations under paragraph (1), the Comptroller General shall have access to any information and records created or maintained by the Authority, or by any other entity receiving appropriated funds for reconstruction, rehabilitation, or security activities in Iraq, that the Comptroller General considers appropriate to conduct the audit or investigations.

(3) Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on the audit and any investigations conducted under paragraph (1). The report shall include information as follows:

(A) A detailed description of the organization and authorities of the Authority.

(B) A detailed description of the relationship between the Authority and other Federal agencies, including the Department of Defense, the Department of State, the Executive Office of the President, and the National Security Council.

(C) A detailed description of the extent of the use of private contractors to assist in Authority operations and to carry out reconstruction, rehabilitation, or security activities in Iraq, including an assessment of—

(i) the nature of the contract vehicles used to perform the work, including the extent of competition used in entering into the contracts and the amount of profit provided in the contracts;

(ii) the nature of the task orders or other work orders used to perform the work, including the extent to which performance-based, cost-based, and fixed-price task orders were used;

(iii) the reasonableness of the rates charged by such contractors, including an assessment of the impact on rates of a greater reliance on Iraqi labor or other possible sources of supply;

(iv) the extent to which such contractors performed work themselves and, to the extent that subcontractors were utilized, how such subcontractors were selected; and

(v) the extent to which the Authority or such contractors relied upon consultants to assist in projects or programs, the amount paid for such consulting services, and whether such consulting services were obtained pursuant to full and open competition.

(D) A detailed description of the measures adopted by the Authority and other Federal agencies to monitor and prevent waste, fraud, and abuse in the expenditure of appropriated funds in the carrying out of reconstruction, rehabilitation, and security activities in Iraq.

(E) A certification by the Comptroller General as to whether or not the Comptroller General had adequate access to relevant information to make informed judgments on the matters covered by the report.

(4) The Comptroller General shall from time to time submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a supplemental report on the audit, and any further investigations, conducted under paragraph (1). Each such report shall include such updates of the previous reports under this subsection as the Comptroller General considers appropriate to keep Congress fully and currently apprised on the reconstruction, rehabilitation, and security activities in Iraq.

SA 1847. Mr. FEINGOLD proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 22, between lines 12 and 13, insert the following:

SEC. 316. (a) Of the amounts appropriated by chapter 1 of this title under the heading ''OPERATION AND MAINTENANCE, ARMY'' and available for the operating expenses of the Coalition Provisional Authority (CPA), $10,000,000 shall be available for the establishment of the Office of the Inspector General of the Coalition Provisional Authority and for related operating expenses of the Office.

(b) The Office of the Inspector General of the Coalition Provisional Authority shall be established not later than 30 days after the date of the enactment of this Act.

(c)(1) The head of the Office of the Inspector General of the Coalition Provisional Authority shall be the Inspector General of the Coalition Provisional Authority.

(2) The Inspector General shall be appointed by the President in accordance with, and shall otherwise be subject to the provisions of, section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), except that the person nominated for appointment as Inspector General may assume the duties of the office on an acting basis pending the advice and consent of the Senate.

(3) The Inspector General shall have the duties, responsibilities, and authorities of inspectors general under the Inspector General Act of 1978. In carrying out such duties, responsibilities, and authorities, the Inspector General shall coordinate with, and receive the cooperation of, the Inspector General of the Department of Defense.

(d)(1) Except as provided in paragraph (2), not later than 75 days after the date of the enactment of this Act, and every 10 days thereafter, the Inspector General of the Coalition Provisional Authority shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report that sets forth—

(A) an assessment of the financial controls of the Coalition Provisional Authority;

(B) a description of any financial irregularities that may have occurred in the activities of the Authority;

(C) a description of—

(i) any irregularities relating to the administration of laws providing for full and open competition in contracting (as defined in section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6))); and

(ii) any other irregularities related to procurement;

(D) a description of any actions taken by the Inspector General to improve such financial controls or address such financial irregularities;

(E) a description of the programmatic goals of the Coalition Provisional Authority; and

(F) an assessment of the performance of the Coalition Provisional Authority, including progress made by the Coalition Provisional Authority in facilitating a transition to levels of security, stability, and self-government in Iraq sufficient to make the presence of the Coalition Provisional Authority no longer necessary.

(2) The Inspector General of the Department of Defense shall prepare and submit the reports otherwise required to be submitted by the Inspector General of the Coalition Provisional Authority under paragraph (1) until the earlier of—

(A) the date that is 150 days after the date of the enactment of this Act; or

(B) the date on which a determination is made by the Inspector General of the Coalition Provisional Authority that the Office of the Inspector General of the Coalition Provisional Authority is capable of preparing timely, accurate, and complete reports in compliance with the requirements under paragraph (1).

(3) The reports under this subsection are in addition to the semiannual reports required of the Inspector General by section 5 of the Inspector General Act of 1978 and any other reports required of the Inspector General by law.

(4) The Inspector General of the Coalition Provisional Authority (or the Inspector General of the Department of Defense, as applicable) shall publish each report under this subsection on the Internet website of the Coalition Provisional Authority.

(e) The Office of the Inspector General of the Coalition Provisional Authority shall terminate on the first day that both of the following conditions have been met:

(1) the Coalition Provisional Authority has transferred responsibility for governing Iraq to an indigenous Iraqi government; and

(2) a United States mission to Iraq, under the direction and guidance of the Secretary of State, has undertaken to perform the responsibility for administering United States assistance efforts in Iraq.

SA 1848. Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mrs. CLINTON, Mrs. MURRAY, Mr. DURBIN, and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Strike section 2309 and insert the following:

SEC. 2309. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR RELIEF AND RECONSTRUCTION IN IRAQ PENDING DETERMINATIONS BY THE PRESIDENT.—Notwithstanding any other provision of this Act, of the amount appropriated by this title under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND''—

(1) $6,770,000,000 shall be available 120 days after the date of the enactment of this Act, but only if the President determines under subsection (b)(1) that the objectives and associated deadlines referred to in that subsection have been substantially met; and

(2) $6,770,000,000 shall be available 240 days after the date of the enactment of this Act, but only if the President determines under subsection (b)(2) that the objectives and associated deadlines referred to in that subsection have been substantially met.

(b) DETERMINATIONS.—(1) Not later than 120 days after the date of the enactment of this Act, the President shall determine whether or not the objectives, and associated deadlines, for relief and reconstruction efforts in Iraq, as specified in the report under subsection (c), have been substantially met.

(2) Not later than 240 days after the date of the enactment of this Act, the President shall determine whether or not the objectives, and associated deadlines, for relief and reconstruction efforts in Iraq, as specified in the most current report under subsection (d), have been substantially met.

(c) INITIAL REPORT ON RELIEF AND RECONSTRUCTION.—Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report on the United States strategy for activities related to post-conflict security, humanitarian assistance, governance, and reconstruction to be undertaken as a result of Operation Iraqi Freedom. The report shall include information on the following:

(1) The distribution of duties and responsibilities regarding such activities among the agencies of the United States Government, including the Department of State, the United States Agency for International Development, and the Department of Defense.

(2) A plan describing the roles and responsibilities of foreign governments and international organizations, including the United Nations, in carrying out such activities.

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

(4) A strategy for distributing the responsibility for paying costs associated with reconstruction activities in Iraq among the United States Government, foreign governments, and international organizations, including the United Nations, and for actions to be taken by the President to secure increased international participation in peacekeeping and security efforts in Iraq.

(5) A comprehensive strategy for completing the reconstruction of Iraq, estimated timelines for the completion of significant reconstruction milestones, and estimates for Iraqi oil production.

(d) SUBSEQUENT REPORTS ON RELIEF AND RECONSTRUCTION.—(1) Not later than 60 days after the submittal of the report required by subsection (c), and every 60 days thereafter until all funds provided by this title are expended, the President shall submit to Congress a report that includes information as follows:

(A) A list of all activities undertaken related to reconstruction in Iraq, and a corresponding list of the funds obligated in connection with such activities, during the preceding 60 days.

(B) A list of significant activities related to reconstruction in Iraq that the President anticipates initiating during the ensuing 60-day period, including—

(i) the estimated cost of carrying out the proposed activities; and

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

(C) Updated strategies, objectives, and timelines if significant changes are proposed regarding matters included in the report required under subsection (c), or in an previous report under this subsection.

(2) Each report under this subsection shall include information on the following:

(A) The expenditures for, and progress made toward, the restoration of basic services in Iraq such as water, electricity, sewer, oil infrastructure, a national police force, and Iraqi army, and judicial systems.

(B) The significant goals intended to be achieved by such expenditures.

(C) The progress made toward securing increased international participation in peacekeeping efforts and in the economic and political reconstruction of Iraq.

(D) The progress made toward securing Iraqi borders.

(E) The progress made toward securing self-government for the Iraqi people and the establishment of a democratically elected government.

(F) The progress made in securing and eliminating munitions caches, unexploded ordinance, and excess military equipment in Iraq.

(G) The measures taken to protect United States troops serving in Iraq, and an estimated schedule of United States troop strengths in Iraq for each ensuring 120-day period.

SA 1849. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2313. (a) LIMITATION ON AMOUNT OF FUTURE FUNDS AVAILABLE FOR IRAQ RECONSTRUCTION PROGRAMS.—Notwithstanding any other provision of this Act or any other provision of law, the amount appropriated funds that may be obligated and expended for Iraq reconstruction programs may not exceed the current appropriated amount for Iraq reconstruction programs unless—

(1) the President certifies to Congress that the amount of appropriated funds to be so obligated and expended for Iraq reconstruction programs is equal to or exceeded by an amount of contributions from the international community for Iraq reconstruction programs; or

(2) the President—

(A) determines that, notwithstanding the lack of contributions by the international community for Iraq reconstruction program sin an amount described in paragraph (1), the obligation and expenditure of appropriated funds for Iraq reconstruction programs in excess of the current appropriated amount for Iraq reconstruction programs is in the national security interests of the United States; and

(B) submits to Congress a written notification on that determination, including a detailed justification for the determination.

(b) CONSTRUCTION WITH LATER ENACTED PROVISIONS OF LAW.—This section may not be superseded, modified, or repealed except pursuant to a provision of law that makes specific reference to this section.

(c) DEFINITIONS.—In this section:

(1) The term ''current appropriated amount for Iraq reconstruction programs'' means the aggregate amount appropriated or otherwise made available by this Act, and by any Act enacted before the date of the enactment of this Act, for Iraq reconstruction programs.

(2)(A) the term ''Iraq reconstruction programs'' means programs to address the infrastructure needs of Iraq, including infrastructure relating to electricity, oil production, public works, water resources, transportation and telecommunications, housing and construction, health care, and private sector development.

(B) The term does not include programs to fund military activities, (Including the establishment of national security forces), public safety (including border enforcement, police, fire, and customs), and justice and civil society development.

SA 1850. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 28, line 15, before the period, insert the following: ''*: Provided further,* That each allocated amount under this subheading shall be reduced on a pro rata basis by $2,000,000 (except that no reduction shall result with respect to any amount appropriated for Iraqi border enforcement and enhanced security communications and the amount appropriated for the establishment of an Iraqi national security force and Iraqi Defense Corps), and $2,000,000 shall be made available to the General Accounting Office for an audit of all funds appropriated under this Act, including tracking the expenditure of appropriated funds, a comparison of the amounts appropriated under this Act to the amount actually expended, and a determination of whether the funds appropriated in this Act are expended as intended by Congress''.

SA 1851. Mr. REID (for Mr. CORZINE) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 21 and 22, insert the following new section:

SEC. 3001. Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2007, the President shall submit to each Member of Congress a report on the projected total costs of United States operations in Iraq, including military operations and reconstruction efforts, through fiscal year 2008. The President shall include in each report after the initial report an explanation of any change in the total projected costs since the previous report.

SA 1852. Mr. FEINGOLD (for himself, Mr. WYDEN, Mr. DAYTON, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new title:

TITLE III—LEAVE FOR MILITARY FAMILIES

SEC. 3001. SHORT TITLE.

This title may be cited as the ''Military Families Leave Act of 2003''.

SEC. 3002. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

''(3) ENTITLEMENT TO LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—

''(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) CONDITIONS AND TIME FOR TAKING LEAVE.—An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent (referred to in the subparagraph as the 'family member') is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

''(3) NOTICE FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employer as is practicable.''.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

''(f) CERTIFICATION FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

SEC. 3003. LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

''(3)(A) Subject to section 6383(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent (referred to in the subparagraph as the 'family member') is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

''(3) An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employing agency as is practicable.''.

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

''(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.''.

SA 1853. Mr. MCCAIN (for himself, Mr. BIDEN, and Mr. GRAHAM of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, before the period on line 12, insert the following:

: Provided further, not less than $4,000,000 shall be transferred to ''Office of the Inspector General'' for financial and performance audits of funds apportioned to the Department of Defense from the Iraq Relief and Reconstruction Fund''

On page 24, line 14, insert after ''$40,000,000'' the following—

''of which not less than $4,000,000 shall be transferred to and merged with ''Operating Expenses of the United States Agency for International Development Office of Inspector General'' for financial and performance audits of the Iraq Relief and Reconstruction Fund and other assistance to Iraq''

On page 38, after line 20, insert the following:

''Sec. 2313. General Accounting Office review

(a) The Comptroller General of the United States shall—

(1) review the effectiveness of relief and reconstruction activities conducted by the Coalition Provisional Authority (hereafter in this section ''CPA'') from funds made available under the ''Iraq relief and Reconstruction Fund'' in this title, including by providing analyses of—

(A) the degree to which the CPA is meeting the relief and reconstruction goals and objectives in the major sectors funded under this title, and is enhancing indigenous capabilities;

(B) compliance by the CPA and the government departments with federal laws governing compeititon in contracting; and

(C) the degree to which the CPA is expending funds economically and efficiently, including through use of local contractors;

(2) report quarterly to the appropriate congressional committees on the results of the review conducted under paragraph (1).

(b) In this section, the term ''appropriate congressional committees'' means—

(1) the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate; and

(2) the Committees on Appropriations, Armed Services, and International relations of the House of Representatives.

SA 1854. Mr. DASCHLE proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 2313. (a) LIMITATION ON AMOUNT OF FUTURE FUNDS AVAILABLE FOR IRAQ RECONSTRUCTION PROGRAMS.—Notwithstanding any other provision of this Act or any other provision of law, the amount of appropriated funds that may be obligated and expended for Iraq reconstruction programs may not exceed the current appropriated amount for Iraq reconstruction programs unless—

(1) the President certifies to Congress that the amount of appropriated funds to be so obligated and expended for Iraq reconstruction programs is equal to or exceeded by an amount of contributions from the international community for Iraq reconstruction programs; or

(2) the President—

(A) determines that, notwithstanding the lack of contributions by the international community for Iraq reconstruction programs in an amount described in paragraph (1), the obligation and expenditure of appropriated funds for Iraq reconstruction programs in excess of the current appropriated amount for Iraq reconstruction programs is in the national security interests of the United States; and

(B) submits to Congress a written notification on that determination, including a detailed justification for the determination.

(b) CONSTITUTION WITH LATER ENACTED PROVISIONS OF LAW.—This section may not be superseded, modified, or repealed except pursuant to a provision of law that makes specific reference to this section.

(c) DEFINITIONS.—In this section:

(1) The term ''current appropriated amount for Iraq reconstruction programs'' means the aggregate amount appropriated or otherwise made available by this Act, and by any Act enacted before the date of the enactment of this Act, for Iraq reconstruction programs.

(2)(A) the term ''Iraq reconstruction programs'' means programs to address the infrastructure needs of Iraq, including infrastructure relating to electricity, oil production, public works, water resources, transportation and telecommunications, housing and construction, health care, and private sector development.

(B) The term does not include programs to fund military activities, (including the establishment of national security forces), public safety (including border enforcement, police, fire, and customs), and justice and civil society development.

SA 1855. Mr. HARKIN (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. (a) The Comptroller General shall conduct studies on the effectiveness and efficiency of the administration and performance of contracts in excess of $40,000,000 that are performed or are to be performed in, or relating to, Iraq and are paid out of funds made available under this Act or the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11). The studies shall specifically examine the profits, administrative overhead, management fees, and related expenditures for the management of subcontracts (and further subcontracting) under any such contract. In conducting studies under this section, the Comptroller General shall have access to any information and records created or maintained by the United States, or by any entity receiving funds for contracts studied under this section that the Comptroller General considers appropriate.

(b) Not later than 6 months after the date of enactment of this Act and again 4 months thereafter, the Comptroller Government shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report that includes—

(1) an evaluation of the studies conducted under this section; and

(2) any recommendations for the improvement of the contracting process for contracts performed or to be performed in Iraq and for contracts generally, including the selection process, contract content, and oversight of the administration and performance of contracts.

SA 1856. Mr. WARNER (for himself, Mr. ALLEN, Mr. SARBANES, Ms. MIKULSKI, and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. Notwithstanding any other provision of law, the Federal share of the cost of any disaster relief payment made under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for damage caused by Hurricane Isabel shall be 90 percent.

SEC. 3003. Of the funds appropriated by this Act, $500,000,000 shall be available for repair or replacement of Department of Defense infrastructure damaged or destroyed by Hurricane Isabel, related flooding, or other related natural forces.

SEC. 3004. Of the funds appropriated by this Act, $123,000,000 shall be available for repair and restoration of National Parks in areas designated as a disaster area pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for damage caused by Hurricane Isabel.

SEC. 3005. Of the funds appropriated by this Act, $5,000,000 shall be available for repair and replacement of National Aeronautics and Space Administration infrastructure damaged or destroyed by Hurricane Isabel, related flooding, or other related natural forces.

SA 1857. Ms. CANTWELL (for herself, Mr. BINGAMAN, Mr. LEAHY, Mr. JOHNSON, Mr. NELSON of Florida, Mr. GRAHAM of Florida, Mrs. MURRAY, Mr. KENNEDY, Mr. PRYOR, Mr. LAUTENBERG, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, between lines 12 and 13, insert the following:

SEC. 316. (a)(1) In the administration of laws and policies on the period for which members of reserve components of the Armed Forces called or ordered to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, are deployed outside the United States, the deployment shall be considered to have begun on the first day of the active-duty service to which called or ordered and shall be considered to have ended on the last day of the active-duty service to which called or ordered.

(2) Not later than 45 days before the effective date of a modification, supplementation, or supersedure of a policy referred to in paragraph (1) that would extend the deployment of reserve component members, the Secretary of defense—

(A) shall transmit to Congress and the members of the reserve components a notification of the modified policy, supplemental policy, or superseding policy, as the case may be; and

(B) if the Secretary has received from a member of the reserve components a standing request to notify someone in the member's family or the member's employer (or both) of the new policy extending the member's deployment, shall transmit a notification of such policy to the requested recipient or recipients, as the case may be.

(b)(1) Before a member of a reserve component called or ordered to active duty as described in subsection (a)(1) is deployed outside the United States, the Secretary of defense shall inform such member of the date of expected return from overseas for the member.

(2) Not later than 45 days before a previously announced date of expected return from overseas service for a member referred to in paragraph (1) is postponed, the Secretary of Defense—

(A) shall transmit to Congress and that member a notification of the intent to postpone the member's return from overseas service; and

(B) if the Secretary has received from such member a standing request to notify someone in the member's family or the member's employer (or both) of any postponement of the member's employer (or both) of any postponement of the member's date of expected return from overseas service, shall transmit to the requested recipient or recipients, as the case may be, a notification of the intent to postpone the member's return from overseas service.

(c) The Secretary of defense shall prescribe in regulations a process for members of the reserve components of the Armed Forces to submit to the Secretary standing requests for notifications of family members or employers under subsections (a)(2)(B) and (b)(2)(B).

(d) The Secretary of Defense may waive the requirements of subsection (a) or (b) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

SA 1858. Mr. NELSON of Florida proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 2313. Of the amounts appropriated by chapter 2 of this title under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'' under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'', other than amounts available under such heading for security (including public safety requirements, national security, and justice), $10,000,000 shall be available only for the Family Readiness Program of the National Guard.

SA 1859. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) The President shall direct the head of the Coalition Provisional Authority in Iraq, in coordination with the Governing Council of Iraq or a successor governing authority in Iraq, to establish an Iraq Reconstruction Finance Authority. The purpose of the Iraq Reconstruction Finance Authority shall be to obtain financing for the reconstruction of the infrastructure in Iraq by collateralizing the revenue from future sales of oil extracted in Iraq. The Iraq Reconstruction Finance Authority shall obtain financing for the reconstruction of the infrastructure in Iraq through—

(1)(A) issuing securities or other financial instruments; or

(B) obtaining loans on the open market from private banks or international financial institutions; and

(2) to the maximum extent possible, securitizing or collateralizing such securities, instruments, or loans with the revenue from the future sales of oil extracted in Iraq.

(b) It is the policy of the United States that payment of the cost of reconstruction in Iraq, other than payment made with funds made available in this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'' or made available by a foreign country or an appropriate international organization, should be the responsibility of the Iraq Reconstruction Finance Authority.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9 a.m., Tuesday, October 28, 2003, in Room 301 Russell Senate Office Building to conduct a confirmation hearing on four Presidential nominees to the Election Assistance Commission.

The nominees are Paul S. DeGregorio (R) of Missouri (2 year term); Gracia M. Hillman (D) of the District of Columbia (2 year term); Deforest ''Buster'' Soaries (R) of New Jersey (4 year term); and Raymundo Martinez III (D) of Texas (4 year term).

For further information concerning this meeting, please contact Susan Wells at 202–224–6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 15, 2003, at 9:30 a.m., to conduct a markup of S. 811, the ''American Dream Downpayment Act'', of S. 300, the ''Jackie Robinson Congressional Gold Medal bill.'' The committee will also vote on the nominations of Mr. Harvey S. Rosen, of New Jersey, and Ms. Kristin J. Forbes, of Massachusetts, to be members of the Council of Economic Advisors; Ms. Julie L. Myers, of Kansas, to be Assistant Secretary of Commerce for Export Enforcement; and Mr. Peter Lichtenbaum, of Virginia, to be Assistant Secretary of Commerce for Export Administration.

Following the votes, the Subcommittee on Securities and Investment will meet in open session to conduct a hearing on ''The Future of the Securities Markets.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, October 15, at 9:30 to conduct a business meeting to consider legislation S. 1643, S. 1066, S. 1663, and S. 1669, and the nomination of Michael O. Leavitt, to be Administrator of the U.S. Environmental Protection Agency.

The meeting will take place in SD 406, hearing room.

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, October 15, 2003, at 10 a.m., to hear testimony on ''Company Owned Life Insurance.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 15, 2003, at 2 p.m. to hold a hearing on The Middle East Road Map: Overcoming Obstacles to Peace.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, October 15, 2003, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a Hearing on S. 550, the American Indian Probate Reform Act of 2003.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a Judicial Nominations hearing on Wednesday, October 15, 2003, at 10:00 a.m. in the Dirksen Office Building room 226.

Agenda

Panel I: Senators.

Panel II: D. Michael Fisher to be United States Circuit Judge for the Third Circuit.

Panel III: Dale S. Fisher to be United States District Judge for the Central District of California; Gary L. Sharpe to be United States District Judge for the Northern District of New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, October 15, 2003, at 2:00 p.m. on ''Indecent Exposure: Oversight of DOJ's Efforts to Protect Pornography's Victims,'' in the Dirksen Senate Office Building room 226.

Witness List

Panel 1: Mr. John Malcolm, Deputy Assistant Attorney General, Criminal Division, Department of Justice, Washington D.C., Mr. J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice, Washington D.C.; Mr. Lawrence E. Maxwell, Inspector in Charge, Fraud and Dangerous Mail Investigations, United States Postal Inspectors, Washington D.C.; Honorable Mary Beth Buchanan, U.S. Attorney

for the Western District of Pennsylvania, Pittsburgh, PA.

Panel 2: Mr. Bruce A. Taylor, President and Chief Counsel, National Law Center for Children and Families, Fairfax, VA; Mr. Victor Cline, Emeritus Professor, University of Utah, Salt Lake City, UT; Mr. Steve Takeshita, Officer in Charge, Pornography Unit, Organized Crime and Vice Division, Los Angeles Police Department, Los Angeles, CA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, October 15, at 2:30 p.m.

The purpose of the hearing is to receive testimony on S. 943, a bill to authorize the Secretary of the Interior to enter into one or more contracts with the city of Cheyenne, Wyoming, for the storage of water in the Kendrick project; S. 1027 and H.R. 2040, bills to amend the Irrigation Project Contract Extension Act of 1998 to extend certain contracts between the Bureau of Reclamation and certain irrigation water contractors in the States of Wyoming and Nebraska; S. 1058, a bill to provide a cost-sharing requirement for the construction of the Arkansas Valley Conduit in the State of Colorado; S. 1071, a bill to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on a water conservation project within the Arch Hurley Conservancy District in the State of New Mexico, and for other purposes; S. 1307, a bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non Federal water projects, and for other purposes; S. 1308, a bill to authorize the Secretary of the Interior to pursue and complete actions related to the implementation of a U.S. District of a U.S. district court consent decree; S. 1355, a bill to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, and for other purposes; S. 1577, a bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming; H.R. 1284, a bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin Demonstration Project; and S. Res. 183, a resolution commemorating 50 years of adjudication under the McCarran amendment of rights to the use of water.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Darcy Zotter, a fellow on Senator HARKIN's staff, be given floor privileges for the duration of the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 243 introduced earlier today by Senator REED of Rhode Island.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 243) designating the week of October 19, 2003, through October 25, 2003, as National Childhood Lead Poisoning Prevention Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BURNS. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, all with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 243) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 243

Whereas lead poisoning is a leading environmental health hazard to children in the United States;

Whereas according to the Centers for Disease Control and Prevention, 434,000 preschool children in the United States have harmful levels of lead in their blood;

Whereas lead poisoning may cause serious, long-term harm to children, including reduced intelligence and attention span, behavior problems, learning disabilities, and impaired growth;

Whereas children from low-income families are 8 times more likely to be poisoned by lead than are children from high-income families;

Whereas children may be poisoned by lead in water, soil, or consumable products;

Whereas children most often are poisoned in their homes through exposure to lead particles when lead-based paint deteriorates or is disturbed during home renovation and repainting; and

Whereas lead poisoning crosses all barriers of race, income, and geography: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 19, 2003, through October 25, 2003, as ''National Childhood Lead Poisoning Prevention Week''; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate programs and activities.

TRANSFER OF AUTHORITY TO PUBLIC PRINTER

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3229, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3229) to amend title 44, United States Code, to transfer to the Public Printer the authority over the individuals responsible for preparing indexes on the CONGRESSIONAL RECORD, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BURNS. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3229) was read the third time and passed.

CHECK CLEARING FOR THE 21ST CENTURY ACT-CONFERENCE REPORT

Mr. BURNS. Mr. President, I submit a report of the committee of conference on the bill (H.R. 1474), and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1474), to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the proceedings of the House in the RECORD of October 1, 2003.)

Mr. SARBANES. Mr. President, I support the conference report to the Check Clearing for the 21st Century Act or Check 21 Act. This is an important piece of legislation and a high priority for the Federal Reserve Board. I commend Chairman SHELBY for his leadership on this issue. Senators JOHNSON, CARPER, MILLER and BENNETT also played important roles in developing this legislation. The Check 21 Act enjoys broad bipartisan support. the conference report passed the House of Representatives unanimously on October 9th. Earlier this year both Houses of Congress passed similar bills by unanimous vote.

This legislation is designed to allow banks to use electronic images of checks to expedite check collection and processing. Current law requires a bank that receives a deposited check to physically return the check to the

issuing bank unless there is an agreement to provide for alternative presentment. It is important to note that there is no current legal requirement that an issuing bank return the original check to its customer.

The terrorist attacks of September 11, 2001 and the subsequent closure of air traffic by the Federal Aviation Administration exposed a serious weakness in our financial system. The inability of banks to send physical checks for presentment and payment for several days prevented the clearing of close to $50 billion in transactions. This crisis required the Federal Reserve to use extraordinary efforts to prevent a serious disruption in our financial markets.

Under the Check 21 Act, banks will no longer be required to physically transport checks across the nation. Instead, they will be allowed to electronically scan the front and back of each check, create an encrypted, electronic image of each check, and then transmit the images rapidly from one area of the country to another. Consumers who wish to receive copies of their checks for record keeping purposes or who are investigating bank errors or possible fraud may receive printed copies of these electronic images. According to the Federal bank regulatory agencies, they have received few, if any, complaints from bank consumers who currently do not have their original checks returned with their monthly statements and use imaged copies of checks to dispute payments. Moreover, the Check 21 Act will not alter present law requiring banks to maintain copies of checks for seven years.

The widespread adoption of check truncation and electronic imaging will reduce the dependence of the check processing system on transportation and will increase the resiliency of the financial system to terrorist attacks or other unforeseen events. In addition, the banking industry has indicated that the legislation has the potential to make deposited funds available to the consumer more quickly. With increased efficiency through electronic check transmission, banks have also indicated that they will be able to reduce processing time and may be able to more quickly identify check fraud and bank errors. Moreover, in certain cases where a consumer's account is improperly charged, the legislation provides for expedited recrediting of the account.

Important consumer protections were maintained during the development of this check truncation legislation in the Senate. I appreciate Chairman SHELBY's responsiveness to many of my concerns regarding consumer protections and ensuring that consumers enjoy some of the benefits of the legislation. I am also pleased that the House Conferees agreed to incorporate the Senate's consumer protection provisions in the Conference Report.

First, the conference report contains statutory language clarifying that the comparative negligence language in the bill is not intended to reduce the rights of consumers under the Uniform Commercial Code or other applicable state or federal law. The report language in the Senate bill further clarifies that in the absence of fraud or bad faith, the comparative negligence provisions would generally not be applicable to consumer check users.

Second, the Check 21 Act establishes, for the first time, the right of expedited recredit for improper check charges to a consumer's bank account. Pursuant to Section 7 of the legislation, certain consumers are given a right to expedited recredit within 10 days for the amount of a substitute check—under $2,500—that is improperly charged to the consumer's account. Current check law does not mandate a time frame for resolving consumer complaints. A consumer will have 40 days to make a claim after the financial institution mails the periodic statement or makes the substitute check available. Under extenuating circumstances, the financial institution must extend the period for filing a claim by a reasonable amount of time.

Section 7 states that the time for action begins when the financial institutions mails or delivers, by any means agreed to by the consumer, the periodic statement, or the date on which the substitute check is made available to the consumer and Section 12 permits notices to be sent to a consumer by any means agreed to by the consumer. However, this Act does not address how the agreement referred to in sections 7 or 12 may occur. That topic is covered by the Electronic Signatures in Global and National Commerce Act.

Third, the conference report contains a Federal Reserve study on the appropriateness of the time frame and monetary threshold for expedited funds availability. This provision requires the Fed to re-evaluate current practices and may lead to the reduction in the amount of time a bank may hold a deposited check before making the funds available to the consumer.

Lastly, the conference report contains a General Accounting Office study to evaluate an assessment of consumer acceptance of the check truncation process, including whether consumers who were receiving returned checks prior to the enactment of this legislation incurred any new costs; and estimate of the gains in efficiencies made possible by this Act; and a determination of consumers' share of total benefits derived from this Act.

I also want to take a moment to recognize those members of the Banking Committee staff who devoted so many hours to crafting this important and comprehensive legislation. On my staff: Patience Singleton and Aaron Klein and on the staff of Chairman SHELBY: Peggy Kuhn and Doug Nappi.

I look forward to monitoring the implementation of the Check 21 act by the Federal Reserve and the banking industry to ensure that consumers benefit from this legislation.

Mr. BURNS. I ask unanimous consent that the conference report be adopted and the statements relating to the conference report be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, OCTOBER 16, 2003

Mr. BURNS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, October 16. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business for up to 60 minutes, with the first 30 minutes under the control of Senator HUTCHISON or her designee and the second 30 minutes under the control of the minority leader or his designee, provided that following morning business, the Senate resume consideration of S. 1689, the Iraq-Afghanistan supplemental appropriations bill.

I further ask that amendment No. 1818 then be the pending business.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Mr. President, is amendment No. 1818 the Byrd amendment?

The PRESIDING OFFICER. It is.

Without objection, it is so ordered.

MIKE MANSFIELD BIOGRAPHY

Mr. REID. If I could, I want to say on the record here I badly wanted to go to a reception held tonight right across the hall, sponsored by the acting minority leader, Senator BAUCUS, and Congressman REHBERG, because they were going to, at that time, release the biography of one of my favorite Senators of all time, Senator Mansfield.

I apologize to the delegation from Montana for being unable to be there, but we were here on the floor. I do hope the book is a success. If the author of that biography is able to capture even a little bit of the history of this great man, it will be a wonderful book to read, and I am sorry I missed it.

PROGRAM

Mr. BURNS. Mr. President, for the information of all Senators, on Thursday, following morning business, the Senate will resume consideration of Iraq-Afghanistan supplemental appropriations bill. Tomorrow morning the Senate will resume debate on Senator BYRD's amendment No. 1818. It is hoped that we can begin voting on the pending amendments and any other offered amendments at an early time tomorrow morning.

Earlier tonight the Senate agreed to a limited list of amendments. Therefore, Senators should notify the managers if they intend to offer an amendment from that list.

Senators should expect rollcall votes throughout the day and into the evening tomorrow in relation to amendments to the Iraq-Afghanistan appropriations bill.

I want to put a footnote here. I did attend the reception for Senator Mansfield. He was a man of few words. He knew the weight of a word. I was also in the press corps in Montana when he served in this body. I tell you, if the producer told you to fill 5 minutes, it would take 30 questions to do it.

He shall be missed by the State of Montana. He is missed by this country. Now he belongs to history, and that is the way it is supposed to be.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BURNS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:51 p.m., adjourned until Thursday, October 16, 2003, at 9:30 a.m.

NOMINATIONS

Executive nomination received by the Senate October 15, 2003:

DEPARTMENT OF STATE

MARGUERITA DIANNE RAGSDALE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI.

EXTENSIONS OF REMARKS

IN HONOR OF MOTHER TERESA

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Mother Teresa of Calcutta for her lifelong dedication to the poorest of the poor. She did not do it out of obligation, but out of love and goodwill. On October 19, 2003, Mother Teresa will be beatified by Pope John Paul II in Rome.

Mother Teresa dedicated the majority of her life to helping the poorest of the poor in India. While supervising a school in Calcutta, Mother Teresa was faced with the suffering and poverty that was outside her convent walls. These images made such a deep impression on her that, in 1946, she received permission from her superiors to leave the convent school and devote herself to working among the poor in the slums of Calcutta.

In 1950, Mother Teresa, while doing her charity work, founded Missionaries of Charity, an order of nuns dedicated to serving the poor. Originally, the convent began with just 12 sisters; today, it has over 3,000 sisters in over 100 countries worldwide with 517 missions.

Mother Teresa's compassion for the suffering knew no boundaries and has served as an inspiration to the world. She fed the hungry, sheltered the homeless, and cleaned the wounds of those injured; but what is even more important is that she made them feel good, loved, wanted, and gave them back the dignity that poverty had taken away from them.

For her endless amount of volunteer work and selflessness, Mother Teresa was honored with the Nobel Peace Prize in 1979, an honor that she deserved for laboring in loving dedication. She was also acknowledged for her work in 1985 with the Presidential Medal of Freedom and the Lifetime Achievement Award.

Even late in her life, she continued to dedicate her time and energy to those who were in need. Today, I ask my colleagues to join me in honoring Mother Teresa for her selfless devotion and extraordinary contributions to the world community.

PERMANENT AUTHORITY FOR EXEMPTION FOR CERTAIN MEMBERS OF THE ARMED FORCES FROM PAYING SUBSISTENCE CHARGES WHILE HOSPITALIZED

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in support of H.R. 2998, and am proud to say that I am one of 239 Members who have cosponsored this bipartisan legislation. I commend my colleague from Florida, BILL YOUNG, for working with such diligence to bring this important legislation to the floor.

In 1958, Congress initiated a system of charging hospitalized members of the armed forces for subsistence costs. H.R. 2998 will exempt members of the armed forces, hospitalized as a result of armed conflict or engaged in hazardous service, from incurring this charge.

Although the FY 2004 Defense Authorization bill does put this exemption in place for 2004, H.R. 2998 amends Title 10 to make this exemption permanent. It is simply unfair and unjust that this additional burden is placed on the brave men and women who serve with such honor and distinction. This is, truly, the very least we can do for these brave men and women. I urge my colleagues on both sides of the aisle to vote in favor of this important change to Title 10.

REPUBLIC OF CHINA ON TAIWAN'S 92ND NATIONAL DAY ANNIVERSARY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. TOWNS. Mr. Speaker, I rise today to honor one of our largest trading partners, the Republic of China on Taiwan. On October 10, Taiwan celebrated the 92nd anniversary of its National Day. I wish to join my colleagues in the United States Congress in sending best wishes to the twenty-two million residents of this lovely island nation. I also commend President Chen Shui-bian and Vice President Annette Lu as they continue to lead Taiwan to greater economic prosperity at home and greater participation in international activities abroad.

Just like our 4th of July, October 10 marked the beginning of a fantastic story of economic, social and political success that has culminated in Taiwan becoming a vibrant democracy in the Pacific region. These are exciting times in the history of relations between the United States and Taiwan.

Mr. Speaker, in commemoration of the 92nd occasion of the Republic of China's National Day, it is important to remember that Taiwan has a strong relationship with the United States, and we hope this relationship will continue to flourish and grow in the years to come.

MOTHER TERESA: A BEACON OF HOPE FOR OUR TIME

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. ROS-LEHTINEN. Mr. Speaker, on the occasion of her beatification by Pope John Paul II in Rome, Mother Teresa, one of the world's most recognized and admired human rights advocates, deserves this designation because of her dedication, her courage, and her love of all members of society, especially the poorest and most neglected. Throughout her life of tireless service, she inspired countless individuals by her example of unconditional love and devotion to the poorest of the poor. She was a living witness of true compassion and service. In fighting for the dignity of the destitute, she gave the world a moral model that bridged divides of culture and faith.

Mother Teresa taught us that to truly love one another, we must abandon ourselves and our selfish inclinations and give to others. As she so aptly stated: ''By becoming poor ourselves, by loving until it hurts, we become capable of loving more deeply, more beautifully, more wholly.'' Mother Teresa's beautiful pure faith and love have left a rich legacy for people of all faiths and nationalities.

This is clearly illustrated by her words: ''There is joy in transcending self to serve others.'' For Mother Teresa, the importance of her mission was not to achieve fame or fortune, but rather to embrace a life of quiet simplicity which would lead others to a deeper understanding of God and self. Through her dedication to the poor and neglected members of society, she exemplified true humility.

I was honored to be part of the official US delegation traveling with the First Lady to India for her funeral service, an experience which truly inspired me. As I gazed at the throngs of people in attendance, I realized the profound impact that this small, seemingly simple woman had on the entire world. Her message was simple. She sought not for medals or acclaim, but rather to make a tangible difference in the lives of our world's poorest and most downtrodden. She answered God's call, which is a simple one—to love with all one's heart and to act out of love in all that we do.

We have all been enriched by Mother Teresa's example.

IN HONOR OF THE MARYLAND DISTRICT 7 WIN OF THE 2003 BIG LEAGUE WORLD CHAMPIONSHIP

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. HOYER. Mr. Speaker, I rise today to recognize the Maryland District 7 Softball Team—this year's winners of the 2003 Softball Big League World Series.

This softball powerhouse breezed through the tournament to win their fifth championship title in seven years at the Big League Softball World Series. In eight innings, Maryland defeated Puerto Rico in the Championship Game by a score of 3–1. I want my colleagues to know about the hard work ethic and determination these outstanding young athletes possess.

Mr. Speaker, this is a sports success story and fans were thrilled by the championship effort and heart displayed by these young women from Maryland. Mr. Speaker, please join me in congratulating the Maryland District 7 Softball Team on their triumphant season.

The Maryland District 7 Softball Team: Jamie Baden, Lacy Cochran, Kim Fowler, Heather Hall, Heather Holley, Carrie Higdon, Cory Karcesky, Amanda Mitchell, Caryn Moreland, Lindsey Preuss, Kelly Seger, Maris Smith, Danielle Sturman, Jamea Waltersdorff, Abbey Welch, along with coaches Andy Adams, and Mike Kriner and manager Tommy Morrison.

HONORING THE LIFE OF DR. SUZANNE INSOOK AHN

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. HONDA. Mr. Speaker, my colleague EDDIE BERNICE JOHNSON and I would like to pay tribute to the memory of our dear friend and a remarkable woman from Dallas, Dr. Suzanne Insook Ahn.

Dr. Suzanne Insook Ahn was born in Pusan, South Korea and raised in the United States. Dr. Ahn's beginning was very humble. Her father, Chai Ho Ahn, had been scratching out a living for his wife and children. Their community was so impressed with his intellect they collected $143 to send him to a local college to start him on his way to become a doctor. The family patriarch never forgot his neighbors and friends, and until his retirement, he oflen returned to the village loaded with donated pharmaceuticals to treat patients.

Dr. Ahn joined her father a few years later in the U.S., and quickly acclimated to her new home, learning to speak fluent English just eight months after her arrival. She was the top student in her class through junior high school, and participated in many activities including the school debate team. She became an accomplished pianist, and at age 17, she entered the North Texas Beauty Contest and won first alternate. Upon graduation from high school, she decided to pursue pre-medical studies at the University of Texas at Austin. She was also a graduate of the University of Texas Southwestern Medical School.

Dr. Ahn was a co-inventor of 23 U.S. medical patents. She was the founder of a medical division of a Hi-Tech start-up, and served as its president for three years. She was the founder and president of Dallas Summit, a group of Dallas women in decisionmaking positions. Dr. Ahn served on many boards, including the Texas Air Quality Board, National Board of Girls Inc., Women's Center of Dallas, DeGolyer Library of Women of the Southwest, and the board of the Hockaday School.

Dr. Ahn has made it a habit throughout her life to demonstrate that Asian Pacific Americans are not ''foreigners,'' but proud Americans. She especially believed in the democratic process, supporting candidates in their elections and developing close long-lasting relationships with them.

Former Texas Governor Ann Richards appointed Dr. Ahn to the Air Control Board during her governorship. Dr. Ahn also became the youngest person, and only the second woman, ever to be appointed to the Texas State Board of Medical Examiners in its 100-year history.

Dr. Ahn also knew too well about the negative side of political participation. When President Clinton ran for his second term of office, the Republicans accused the Democrats of illegal campaign contributions, specifically from China. Auditors questioned any contributor with an Asian-sounding surname, including Dr. Ahn, about their contributions. She was infuriated and let her feelings be known to the national media.

Appearing on ABC's Nightline, Ahn recounted her own experience: ''The questions that [the auditor] asked were: one, what is your reported income on your tax statement; two, what are your assets; three, are you an American citizen?''

The questions came with threats. The auditor told Ahn that if she did not tell them everything that she would be listed as uncooperative and her name would be released to the press.

''When white men violate campaign finance rules,'' she pointed out, ''they pay a fine and nobody gets hurt. There is no maligning of the entire race. I think there is an incredible double standard here.''

Last year, Ahn made a surprise appearance at the Asian American Journalists Association's national convention meeting in Dallas, where she presented the group with a $100,000 endowment, the largest gift the organization has ever received.

Friends and family will miss Dr. Ahn. She leaves behind her husband, Dr. Steven Hays, a nephrologist, their 17 year-old son, Foster, and 14 year-old daughter, Kimberly.

We are privileged to have had the opportunities to work with Dr. Ahn. What was most amazing about her was the hard work and determination she had in helping others. Her unmatched passion and love for public service will be missed by many. We join the residents of the Dallas/Ft. Worth community in extending our condolences to her family. The Great State of Texas was fortunate to have had Dr. Ahn, and we all have been greatly touched by her courage and life's work.

PERMANENT AUTHORITY FOR EXEMPTION FOR CERTAIN MEMBERS OF THE ARMED FORCES FROM PAYING SUBSISTENCE CHARGES WHILE HOSPITALIZED

SPEECH OF

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 2003

Mr. SCHIFF. Mr. Speaker, I rise today in strong support of House Resolution 2998. Half way around the world, American men and women in the service of this country have once again heeded the call of duty. They bear on their shoulders, the responsibility and commitment to ensure our freedom and all the values that we hold so dear. By taking on this task, they have made countless sacrifices in their own personal lives and safety, and for that, we are deeply indebted.

Earlier this year, I had the opportunity to visit U.S. Army Soldiers at Walter Reed Army Medical Center in Washington, D.C. The soldiers I met are some of the most courageous men and women I've met in my lifetime. I listened to their stories, heard about their families back home and marveled at their dedication, bravery and commitment to serving our country. I hope and pray for their speedy recovery.

I also learned of some troubling information. Apparently, while soldiers are being hospitalized for wounds and injuries sustained while fighting for our country, they are billed for subsistence charges, i.e food costs, that they accumulate during their stay. The current daily rate for this ''subsistence'' charge is $8.10. This may not seem like much, however we must consider that in many cases, wounds may be significant and constitute longer hospital stays. This translates to higher costs that under new law must be paid by the servicemen.

If enacted, this bill would amend current law to prohibit service members injured in training or in combat from being held responsible for paying for their food costs while hospitalized in a military facility.

We must thank our men and women serving overseas for their selflessness and bravery. We should treat them with respect and gratitude. We should not, however, welcome them with a bill for the cost of their food while they were hospitalized. The soldiers have already been asked to sacrifice a great deal—they have endured harsh conditions, separation from loved ones and at times, irreparable wounds and injuries. Thus, it is imperative that we show our utmost appreciation for the work that they do.

During my visit to Walter Reed, I could not help but marvel at the energy, tenacity and humility of these servicemen and women. These are some truly inspiring young men and women, performing with courage and distinction in tough circumstances. I urge my fellow colleagues to support H.R. 2998. We owe it to our troops, to honor their incredible sacrifices, and to let them know that the American people value their efforts and that we all stand behind them.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. KIND. Mr. Speaker, on Tuesday October 7, and Wednesday October 8, 2003, I was overseas on an official congressional delegation trip to Iraq and unable to have my vote recorded on the House floor.

Had I been able to vote I would have voted the following: Rollcall No. 532: ''yes''; Rollcall No. 533: ''yes''; Rollcall No. 534: ''no''; Rollcall No. 535: ''yes''; Rollcall No. 536: ''yes''; Rollcall No. 537: ''yes''; Rollcall No. 538: ''yes''; Rollcall No. 539: ''yes.''

CONGRATULATING CROWN POINT LIONS CLUB ON THEIR 60TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I wish to congratulate the members of the Crown Point Lions Club as they celebrate their 60th anniversary. To commemorate this special occasion, the Crown Point Lions Club will be having an anniversary banquet on October 18, 2003 at the St. Matthias Hall in Crown Point, Indiana.

The Crown Point Lions Club is a part of Lions International, which is the largest service organization in the world and includes over 1.4 million members throughout more than 193 countries. The mission of the Lions Club is ''We Serve,'' and the Crown Point Lions Club has selflessly given their support to the Northwest Indiana community, especially the people of Crown Point, in many ways. The Club has given financial support to 30 local organizations and schools, as well as contributed to seven state, national, and international programs. During Easter and Thanksgiving, the Lions donate food to those in need. They have provided sight and hearing testing machines to many local schools, helped the Crown Point Girls Softball Team get lighting for their field, as well as contributed to the good of the community by providing a Braille computer to a local student who is blind.

Throughout the past 60 years, the members of the Crown Point Lions Club have offered their dedication and support to their noble cause of serving their local community. Each year the Lions Club helps many local students obtain hearing aids and eyeglasses. Also each year they give a $1000.00 scholarship to a local student whose educational concentration is in hearing and sight related areas. This year, the Crown Point Lions Club is helping the community build a pavilion at the Lake County Fairgrounds.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating the members of the Crown Point Lions Club on the 60th anniversary of their noble organization. These giving and selfless individuals continue to dedicate their time and unrelenting efforts to serve their local community, as well as all of Northwest Indiana. It is their great desire for helping others that makes their organization and efforts such a motivating force in the First Congressional District, and I am proud to represent them in Washington, D.C.

TRIBUTE TO MRS. SARAH JOSEPHA HALE

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. BASS. Mr. Speaker, I rise today to pay tribute to the memory of Mrs. Sarah Josepha Hale of Newport, New Hampshire, a community I represent in Congress. As November approaches, I am reminded of Mrs. Hale's outstanding contributions to American society and literary culture, including her lasting legacy as initial sponsor of our national Thanksgiving Day.

Mrs. Hale overcame 19th century social adversity to become the first female editorialist in American History. During her tenure as editor of the American Ladies Magazine and later Godey's Ladies Magazine, Mrs. Hale acted as an advocate for women's right to equality of education, property, and wages. She was also a successful novelist and poet, penning the classic ''Mary Had a Little Lamb,'' as well as a devoted single mother of five children.

During the Civil War, Mrs. Hale took an active role as an advocate for the creation of a ''Day of National Thanksgiving.'' Knowing that President Washington had originally called for a Thanksgiving Day in 1789, she pressed for its reinstatement as a day for all Americans to come together and celebrate as a nation. Following the horrors exhibited at the Battle of Gettysburg, President Lincoln chose to accept her suggestion, and proclaimed the last Thursday in November of each year a day of national celebration.

In this, the 140th year since the Thanksgiving Holiday was established, please let the record reflect our commemoration of Mrs. Hale's achievements. In a period of crucial national challenges, her life of personal service should be a model for all citizens seeking to make positive contributions to our great society, and I am proud to represent her legacy here in Congress.

A PROCLAMATION RECOGNIZING DAN LEACH

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. NEY. Mr. Speaker:

Whereas, Dan Leach has exhibited tremendous courage and heroism in rescuing others; and

Whereas, Dan Leach entered a burning house to rescue the homeowner without any selfish regard for his own well-being; and

Whereas, Dan Leach has been honored with the Ohio Fire Service Citizens Award for Heroism by the 2003 Ohio Fire Service Hall of Fame;

Therefore, I join with the residents of the entire 18th Congressional District in recognizing Dan Leach for his courage, commitment and sacrifice.

CONGRATULATIONS TO MASTER SERGEANT DENNIS TAKESHITA

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. ABERCROMBIE. Mr. Speaker, I want to take this opportunity to congratulate Master Sergeant Dennis Takeshita on his retirement from the Hawaii Air National Guard and thank him for 37 years of outstanding service to our Nation.

Master Sergeant Takeshita served on active duty with the Air Force from 1966 to 1972, and he served in the Hawaii Air National Guard until October 1 of this year. During that time, Master Sergeant Takeshita received many citations and awards for his high level of performance and commitment to duty. He is a veteran of Vietnam and served in Operations Allied Force, Noble Eagle, and Enduring Freedom.

Throughout his years of service Master Sergeant Dennis Takeshita demonstrated a spirit of steadfast patriotism, leadership, and professionalism. He embodies the qualities of honor, love of country, and dedication to the core values of the United States Air Force. He set a high standard of performance that challenges each and every one of us to give our very best in whatever we undertake.

We join today in saluting Master Sergeant Dennis Takeshita for 37 years of dedicated service. Mahalo, Dennis, and best wishes for the future.

VETERANS BENEFIT ACT OF 2003

SPEECH OF

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 2003

Mr. SANDLIN. Mr. Speaker, I rise in support of H.R. 2297, the Veterans Benefits Act of 2003; however, I cannot in good conscience cast my vote for this measure without expressing my serious disappointment in the leadership of this House and its continuing refusal to fulfill the promises this Nation has made to its bravest and most loyal citizens—our veterans. As a result of the War on Terror, we have troops deployed at points all over the world. In the name of freedom and liberty, we are in the process of creating more veterans, yet we cannot do justice by our Nation's current veterans.

I refuse to remain silent while Congress puts forth a bill that does not go nearly far enough to help the men and women who risked life and limb at our government's request. H.R. 2297 does not fulfill the promises that our Nation made to provide for health care, education, housing and burial rights for the brave soldiers who fought our battles. This Republican Congress has paid lip-service to veterans' issues, but they follow up their patriotic rhetoric with legislation that can only be described as an insult. I am disappointed that the President and the Republican leadership of the House have on more than one occasion characterized funding for veterans benefits as a drain on our economy. The so-called Republican leadership refuses to live up to its obligations, including the elimination of the profoundly unfair disabled veterans' tax, also known as Concurrent Receipt.

The Disabled Veterans Tax is shorthand for a practice whereby the retirement pay earned by veterans with service connected disabilities is reduced dollar for dollar by the amount those veterans receive in disability payments. To put it more bluntly, our Nation's veterans—the men and women who fought to preserve the freedoms we all enjoy—are forced to pay their own disability compensation. Veterans with service-connected disabilities are the only Federal employees subject to this offset and are essentially given no additional pay for their sacrifice.

The perpetuation of the Disabled Veterans Tax is just one example of how we have let our veterans down. It is unconscionable that those who have fought for this country are relegated to second class status. The fact of the matter remains that when America makes a promise to those who wear the uniform, that promise should be kept. Military retirement pay is just compensation for a career of honorable service. By contrast, compensation for service-connected disability is designed to assuage the veterans' suffering, pain, and lost future earning power.

I am confident that this bill will get overwhelming support from the Members of this House, because it gives veterans some relief; however, it is not the best that we can do. I will support this bill, because it is right that we provide for the men and women who so valiantly fought for us.

That said, I cannot help but ask why those who so often wrap themselves in the American flag and the language and symbolism of patriotism for political gain refuse to be real patriots and stand up to the President's threat to veto a repeal of the Disabled Veterans Tax.

Why is it that we can spend our country deep into debt by giving tax cuts to the richest one-percent and building infrastructure in foreign lands—while at the same time creating new veterans—but we still can't find sufficient money for education, veterans' health care and an elimination of the Disabled Veterans Tax? There is too much left undone. Sadly, despite its noble goals, this bill leaves many promises unmet and that is just plain wrong. It is time to fulfill our commitment to the Nation's veterans. We can do better than this, and I hope that in the future we will do better than this.

How can America hope to retain its military might if we continually refuse to fulfill our promises to the servicemen and women who came before; the men and women who bravely served our country in its darkest hours, our Nation's veterans? Who will carry the banner of the American ideals and protect this great land, if this government lets fighting men and women fall by the wayside?

Those who fought in two World Wars, in Korea, in Vietnam, in Iraq and every conflict before and in between kept their promise to this great Nation. They served us in the name of freedom, and they served us well. The next time the opportunity to do right by our veterans presents itself, I hope that the Administration and my colleagues on the other side of the aisle will not diminish the greatness of these United States but rather will ensure that their deeds match their rhetoric in helping us keep America's promise to its veterans.

HONORING SSM HEALTH CARE IN WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. BALDWIN. Mr. Speaker, I rise today to honor one of the nation's leading providers of health care. The role of SSM Health Care in Wisconsin and throughout the country is deserving of a prestigious award.

SSM Health Care is being honored as one of the esteemed recipients of the 2002 Malcom Baldridge National Quality Award, the Nation's premier award for performance excellence and quality achievement given by the National Institute of Standards and Technology within the Department of Commerce. This is the first time in history a recipient has been named in the health care category.

SSM Health Care offers a wide range of medical services centered around the values of compassion, respect, excellence, stewardship, and community. We all benefit from SSM Health Care taking such an active role in our community. By engaging in great technological advances, community projects and charity care, as well as a continuous exploration into medical research, SSM Health Care has demonstrated true leadership and exceptional skill.

With the increasing aging population in Wisconsin, SSM Health Care has been an important provider of quality medical services, including acute care and nursing home facilities to my constituents. I join the National Institute of Standards and Technology as they recognize SSM Health Care with the Malcom Baldridge National Quality Award.

HONORING VETERANS ON VETERANS DAY

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mrs. WILSON of New Mexico. Mr. Speaker, it is a tremendous honor for me to recognize and pay tribute to the men and women of New Mexico on Veterans Day who have served in the Armed Forces. This solemn occasion, commemorated by the ceremony at the New Mexico Veterans Memorial on November 11, 2003, celebrates the hearts and souls of our veterans who have chosen to make military service an enduring commitment in their lives. This commitment, borne out of a strong sense of duty and patriotism to our principles and to our citizens, has never wavered. Our service men and women have always accepted the hardships imposed on them by their responsibilities, and have been willing to meet any challenge or risk in order to see their missions accomplished. This unwavering loyalty and willingness to serve our country must be commemorated for future generations to remember, and to know that it is because of our veterans that our country continues to remain strong and free.

This Veterans Day also marks the 50th anniversary of the cessation of hostilities of the Korean War. The Korean War was fought under conditions that could only be described as brutal and harsh. Despite the difficulty of their orders, the terrain and the fighting conditions, our men and women in uniform performed with tremendous courage and dignity. Their actions during conflict stand as a testament to the strength of our Armed Forces, and our country's resolve to overcome oppression and tyranny in the world.

Mr. Speaker, please join me in celebrating these exemplary New Mexicans and the examples of heroism and courage they have displayed by their commitment to America.

TRIBUTE TO RON POAST

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. BALDWIN. Mr. Speaker, I rise today to pay tribute to a person who is a gifted artisan. Mr. Ron Poast is one of our nation's rare makers of the Hardanger fiddles. Mr. Poast's skill in this art has brought him nationwide acclaim.

Ron has recently been awarded the National Heritage Fellowship Award. This very prestigious award was presented to only 16 artists from across the nation.

The Hardanger fiddle is recognized as the national instrument of Norway. Norwegian cultural influences are prevalent in Mr. Poast's hometown of Black Earth, as they are in much of Wisconsin. Ron's passion for the Hardanger was shaped by his Norwegian-American parents and his grandfathers who were both fiddlers. The Hardanger fiddle has a dragonhead scroll, four bowed violin strings, and five sympathetic understrings that produce a unique droning sound. Before shipping each handcrafted fiddle that he makes, Ron carefully ''plays it in'' to make sure that it has the right distinctive sound. In addition to his rare talent with the Hardanger, he also makes fine banjos, violins, mandolins, and guitars.

Ron has received wide recognition for his excellence in this craft. At the national level, he was recognized by the Smithsonian Folklife Festival. The Wisconsin State Strings Museum Hall of Fame named him Master Luthier of the Year in 1992, and former Governor Tommy Thompson nominated Mr. Poast for the National Living Treasure of the United States Award. When I served in the Wisconsin State Legislature, a photograph of Mr. Poast's great craftsmanship graced the cover of the State of Wisconsin Telephone Directory, a listing of thousands of state employees and their agencies. In 2000, Ron was given the opportunity to display his beautiful instruments internationally at the Chiba People's Days festival in Makuhari, Japan.

Mr. Speaker, I join the National Endowment for the Arts in recognizing Mr. Poast's achievements and congratulate him as he accepts the National Heritage Fellowship Award.

QUICK THINKING EIGHT–YEAR–OLD

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mrs. WILSON of New Mexico. Mr. Speaker, today I bring to your attention the heroic actions of Annalisha Labastida, an 8-year-old girl who called 911 and stayed calm while her dad had a seizure on Interstate 40.

While driving with her dad on Interstate 40, young Annalisha took action when her father had a seizure and blacked out. She maneuvered the truck to a safe stop on the side of the freeway and called 911 for help. She was able to give clear and accurate directions to the emergency operator, which allowed Albuquerque Police to respond quickly to the emergency.

Without Annalisha's quick thinking there could have been a major accident where lives

may have been lost. Instead everyone came out okay. No one ever told Annalisha what to do if her dad blacked out but she seemed to know exactly what to do to save his life. The consequences of this event could have been tragic however; Annalisha acted heroically and prevented a disaster.

Mr. Speaker, I ask you to join me and all residents of New Mexico in honoring and thanking Annalisha Labastida.

CELEBRATE 50TH ANNIVERSARY OF THE ANDERSEN LIBRARY AT THE UNIVERSITY OF WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. BALDWIN. Mr Speaker, I rise today to honor and celebrate the 50th anniversary of the Andersen Library at the University of Wisconsin, Whitewater. The library's tradition of excellence well deserves recognition.

Opened on February 25, 1953, the Andersen Library exemplifies the high standards of education valued by the Wisconsin state university system. Throughout its tenure, the library has served the Whitewater community, professors, and students alike in a variety of important capacities. One of the more notable among these capacities has been the library's accumulation of volumes. In 1953, the Andersen library opened its doors with 41,000 volumes. Today, the collection has grown to an impressive 2 million documents including a variety of print, audio-visual, and electronic files. It has been through this accumulation that the outstanding staff has been able to fulfill the library's mission to provide quality research, service, and teaching facilities to the Whitewater community.

Commitment to service is also well demonstrated by the library's annual reception and exhibit of works recognizing UW-Whitewater faculty and staff for their scholarship and creative achievements, Now in its fifteenth year, the program's fascinating exhibits recognize employee work in all media, including print, paint, and photograph.

The library's dedication to service and education is highlighted by the life achievements of its namesake, Harold G. Andersen. Mr. Andersen, a lifelong Whitewater resident and graduate of the class of 1917, was one of the many individuals who committed time and energy to the library's opening. In particular, Mr. Andersen helped move the collection with then-university President Robert C. Williams from the old site to the new library on what I can only imagine was a cold February day.

Perhaps the original dedication program said it best when stating that the Andersen Library was ''planned with an eye to the future.'' Indeed, the library's past, present, and future are vital to the Whitewater community and deserve recognition.

INTRODUCTION OF THE MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. LARSON of Connecticut. Mr. Speaker, Hubert Humphrey once said, ''The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life—the sick, the needy, and the handicapped.'' Right now we are failing this test.

America has over 40 million elderly and disabled Americans who rely on prescription medication to maintain their way of life. Over the past few years, prescription drug costs have skyrocketed and a prescription drug benefit plan for seniors is long overdue. Many seniors are faced with the choice of paying for the medications they need or paying for the food on their table and the heat in their home. This is not a choice they should be forced to make. The Federal Government should not be turning its back on those who have done so much for this country.

A prescription drug benefit should come under the traditional Medicare program that seniors know and are comfortable with, not placed in the hands of HMOs and private insurers. The experience with Medicare+Choice HMOs leaving Connecticut is proof that private insurers will not buy into this program. Few insurers will be willing to buy into this program, at least for an extended period, because drug costs are risky and expensive to cover and because it is not actuararily feasible for them to make a profit. But don't take my word for it, listen to the words of Chip Kahn, former president of the Health Insurance Association of America. He said, ''I don't know of an insurance company that would offer a drug-only policy like that or even consider it.'' He went on to say that it would be like ''insuring against haircuts.''

Prescription drug prices are virtually unregulated in the United States, as opposed to most other nations. Internationally, seniors pay dramatically less for prescription drugs, while pharmaceutical companies are leaving other countries to enjoy the largely unregulated market in the United States. Nations like Canada are no longer developing innovative drugs. In the European Union, health care quality is dimishing and investors are wary of EU pharmaceutical companies because of the uncertainty of profits due to price controls. Thus, American seniors are shouldering the burden of pharmaceutical research and development for the entire world.

The real problem lies in the cost of prescription drugs. American seniors pay drastically more than in any other place in the world. A solution needs to be identified that reduces this burden without stifling the innovative research that sets America's health care industry apart from the rest of the world.

I believe the solution lies in an idea that is already being used by the Federal Government. Prescription drug prices have been successfully lowered for seniors enrolled in the Department of Veterans Affairs health care system. The secretary leverages the power of the VA purchasing population (6.9 million people) to negotiate substanially lower drug prices. The VA also makes heavy use of generic drugs and mail order purchasing. An investigation by the Inspector General of the Department of Health and Human Services in 2001 found that the VA paid, on average, 52 percent less for a list of 24 drugs than did Medicare.

The legislation I am introducing today, the Medicare Prescription Drug Price Negotiation Act, would allow the Secretary of Health and Human Services, in conjunction with the Secretary of Veterans Affairs and the Secretary of Defense, to negotiate the prices of prescription drugs purchased by the Federal Government and by Medicare recipients. By using this successful model, seniors will be able to realize actual savings in their prescription drug costs.

As I noted earlier, the United States is the home of major pharmaceutical innovation, due in part to its largely unregulated market. I think that it is vitally important for the United States to maintain its preeminence in this area and my legislation would require the Secretaries to take into account the goal of promoting the development of breakthrough drugs in negotiations with manufacturers. Pharmaceutical companies should be rewarded for their innovative work and their role in improving the lives of so many Americans. However, American seniors should not be the only ones shouldering this burden. I believe it is incumbent on the Federal Government to step in and provide some relief to seniors, many of who live on fixed incomes, who rely on these drugs to maintain their quality of life.

Additionally, my legislation creates an ombudsman within the Department of Health and Human Services to ensure that savings are being passed along and resolve disputes between the manufacturers, sellers, and purchasers of prescription drugs. Additionally, the Secretary will be required to report to Congress regarding the effectiveness of this act in achieving reduced prices for Medicare beneficiaries.

We now have an opportunity to pass the test Vice President Humphrey handed down to us. My legislation would provide seniors with the relief they need without stifling American innovation and the creation of lifesaving medications. I urge my colleagues to join me in supporting this legislation and treat those in the twilight of life with the respect they deserve.

TRIBUTE TO MOTHER TERESA OF CALCUTTA

HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. HOLDEN. Mr. Speaker, I rise today to honor Mother Teresa of Calcutta and to recognize the many contributions she has made to the world. She knew no limits in her caring for other people. She offered unconditional love while asking for nothing in return.

Born in Albania on August 26, 1910, Mother Teresa decided to become a Roman Catholic sister in 1928. She went on to create a religious order based on caring for the sick, disabled, or dying, whether it was a gutter in Calcutta, under a thatched roof in Africa, or in an apartment complex in Harlem.

Mother Teresa is one of the most magnetic figures in the history of the world. Wherever she went, crowds followed in hope of seeing her or hearing her speak. When she did speak, it was with great humility, employing simple yet moving phrases.

Few people in the history of the world have done more to help their fellow human beings than Mother Teresa. She was truly the ultimate example of what it means to be a caring person. I ask my fellow Members of Congress to join me in formally paying tribute to the many contributions of Mother Teresa.

RECOGNIZING PROFESSOR CLINTON N. HEWITT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. PALLONE. Mr. Speaker, I rise today to call attention to the distinguished Professor Clinton N. Hewitt, a renowned lecturer, author, and community activist. Throughout his professional career he has been committed to serving education and his community alike.

Professor Hewitt is a proud native of Virginia and a graduate of the Virginia Public School System. He holds undergraduate degrees from Virginia State University and Michigan State University. Furthermore, Professor Hewitt has earned a graduate degree in Landscape Architecture at Michigan State University and has completed the Institute of Education Management Program at Harvard University. Currently, Professor Hewitt is a full-time faculty member at the College of Architecture and Landscape Architecture at the University of Minnesota. Before deciding to teach full-time he served as the Associate Vice President for planning at the University of Minnesota for nearly thirty years. It was there that he managed the planning, design, and construction of facilities with funding well over one billion dollars. In addition, Professor Hewitt is the past president of the Society for College and University Planning (SCUP), an organization recognized nationally and internationally as the leader in prompting the practice of comprehension planning in higher education.

Professor Hewitt has been recognized for his achievements on many occasions. He has received SCUP's Founders Award for Distinguished Achievement in Higher Education Planning, as well as its Distinguished Service Award. Professor Hewitt has also received the American Institute of Architecture Minnesota Honor and Special Awards for leading its Minority Scholarship Program in 2000 and the Distinguished Service to Higher Education Planning, Torch and Shield Award. He has been given memberships to Alpha Kappa Mu National Honorary Society, Beta Kappa Chi Honorary Science Society, Kappa Phi Kappa Professional Education Fraternity, and Sigma Lambda Alpha Honor Society in Landscape Architecture. In 1987, Professor Hewitt spread his community service internationally when he was one of eleven delegates of U.S. College and University Facilities Administrators who were invited to visit China to examine common problems and develop facilities management programs.

Beyond Professor Hewitt's extraordinary professional career, he has given back much to his community. He serves on the Board of the University of Minnesota YMCA, the Minnesota Architectural Foundation Board, and the Board of Directors of Hope Community. He is a member of the Minneapolis University Rotary Club, NAACP, and the American Association for Higher Education.

Mr. Speaker, Professor Hewitt has been an asset to the betterment of higher education. His contributions have been great and selfless to those around him. I ask that my colleagues rise and join me in honoring Professor Clinton N. Hewitt.

ADOPTION PROMOTION ACT OF 2003, H.R. 3182

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. TIAHRT. Mr. Speaker, I rise today in strong support of H.R. 3182, the Adoption Promotion Act of 2003. As we approach the holiday season, our thoughts are often filled with happy family memories. Thousands of families across this great country have relied on adoption for added joy in their home. I am pleased to support the Adoption Promotion Act of 2003 and the included incentives for each state to promote adoption and find families for the thousands of children who would prosper with a stable family. As a husband and proud father of three children, I can attest to the joy they have brought, and continue to bring, into my life.

According to the 2000 Census statistics, 19,733 children have been adopted in Kansas, 3 percent of children under 18 years of age. I am pleased that only 4 states have a higher adoption rate.

Adoption is a satisfying choice and one which spans generations. Chuck Knapp, a member of my staff, was adopted. His mother was also adopted, and he and his wife are proud parents of two sons, one of whom is adopted. His example is testament to the benefits of adoption.

We need to do a better job of encouraging adoption and holding each state's adoption agency accountable to timely work applications. We can all be grateful for someone who has come into our lives through this beautiful choice. For me, I have gained a friend and a fabulous member of my staff.

It is with great anticipation that I support this bill for its benefits are greatly needed as America continues to foster her families. I thank Representative Dave Camp for introducing this important bill and I would like to encourage my colleague to join me in voting ''aye'' for H.R. 3182.

HONORING THOMAS HOBBS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. PORTER. Mr. Speaker, I rise today to honor my constituent, Thomas Hobbs, on his receipt of the Bronze Star Medal with Combat V. This long delayed award recognizes the incredible heroism and dedication to service displayed by Thomas Hobbs when he served his country in South Vietnam more than 30 years ago.

In 1970 Thomas Hobbs was serving as a Specialist 4 with Recon Team 1, Company E, 3rd Battalion, 503rd Infantry, 173rd Airborne Brigade. Specialist Hobbs was participating in a multi-team ambush of communist forces in the Suoi Ca Valley when Recon Teams I and 2 of Company E engaged a much larger enemy force. Team 2 was pinned down by enemy fire, with several of its own members wounded. Specialist Hobbs, without thought of his own safety, left the perimeter of Team I to bring aid and additional firepower to Team 2. With his help, Team 2 was able to survive the communist attack. Without his bravery, Team 2 would have been overrun, and the long list of Americans sacrificed in the defense of freedom would have been even longer.

I learned of this act of heroism when I received a letter from Ken Burbank, one of the men in Team 2 whom Thomas Hobbs helped save. For more than 30 years, he had remembered the brave soldier who had come to the aid of his unit that dark and dangerous night, and continued to look for Thomas Hobbs so he could thank him for saving his life. I was pleased to recommend to the Army that they honor Thomas Hobbs for his bravery, and I look forward to being able to present him with his award. All Americans should keep the courage and self-sacrifice of Thomas Hobbs, and the men and women who follow in his footsteps today, in mind when enjoying the freedoms he fought so bravely for.

HONORING DR. MICHAEL ZIRPOLO

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. CUNNINGHAM. Mr. Speaker, it gives me great pleasure to honor Dr. Michael A. ''Mike'' Zirpolo upon his retirement after nearly forty-five years of practicing medicine in the State of California since his graduation from the University of California. Mike has distinguished himself throughout his career as a dedicated family practice physician who has ministered to thousands of his patients, without regard to whether they could afford the necessary patient care by relying on his independent medical judgment as opposed to non medical determinations.

Dr. Zirpolo is nationally known and recognized by both civilian and military pilots for his years of dedication to his additional specialty as a Class I FAA Airmen Medical Examiner, during which he has examined and certified thousands of pilots and ensured the safety of civil aviation by adhering to the highest standards of examination for the certification of pilots.

Dr. Zirpolo has played an important role in air passenger and pilot safety during his medical practice and membership in the Civil Aviation Medical Association, American Academy of Air Traffic Control Medicine and Aerospace Medical Association. He has enjoyed the respect and recognition of many active and retired military pilots during his years of practice for his patriotism. Though he is retiring from his general medical practice, he will continue to devote his medical examination efforts to

the certification and safety of United States' pilots.

I ask my colleagues to join me today in recognizing Dr. Zirpolo's decades of contributions to air traffic and pilot safety, and commend this Doctor and Medical Examiner approach that has marked his exceptional years of practice.

RECOGNIZING THE ACCOMPLISHMENTS OF JEANNINE LORAE MARTINEAU

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. ISSA. Mr. Speaker, I rise today to recognize Jeannine Martineau, a board member in the Lake Elsinore Unified School District and the outgoing President of the California School Boards Association. Jeannine Martineau is an exceptional community leader and citizen of Lake Elsinore.

Ms. Martineau has a distinguished record of service throughout her community and the State of California. She has served on the California School Boards Association for the past 12 years. She was a member of the association's delegate assembly and served as a regional director since 1992. This year Ms. Martineau was named chair of the Cities, Counties, and Schools Partnership.

Jeannine has also been a model of personal involvement. She has been active in many community organizations including the Elsinore Woman's Club, Elsinore Valley Human Services Commission and was named 2003 Tri-County Youth Services Volunteer of the Year.

Mr. Speaker, I would like to personally thank Ms. Martineau for her service to her community and wish her good fortune in the future.

VETERANS BENEFITS ACT OF 2003

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 2003

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in support of H.R. 2297, the Veterans Benefits Act of 2003. This bill contains a number of measures for our Nation's veterans. Among those is a provision that will expand the Montgomery G.I. Bill program, a tried and true program that helps our veterans achieve their education goals. H.R. 2297 strengthens the program by authorizing educational assistance for on-job training in certain self-employment training programs.

Another provision in this bill allows a re-married surviving spouse of a veteran to be buried next to the veteran in a national cemetery, based on the original marriage. An across-the-board prohibition on remarried spouses of veterans' burial eligibility is unfair to many of the dedicated women and men who spent years supporting their veteran spouse. A change in this policy is only fair.

Finally, this bill eliminates the requirement that a prisoner of war be held for 30 days or more to qualify for presumptions of service-connection for psychoses, anxiety disorders, frostbite residuals, and other diseases. Some of our bravest veterans are plagued by these life-changing sicknesses, and they deserve fair and just compensation.

As a member of the House Veterans' Affairs Committee, I strongly support strengthening benefits for our Nation's veterans, who have fought so bravely to protect our country. I am proud to be a cosponsor of H.R. 2297 and urge my colleagues to support its passage today.

CONGRATULATING MAGEE RIETER FOR 11TH STRAIGHT HONOR FROM GENERAL MOTORS

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. KANJORSKI. Mr. Speaker, I rise today to recognize Magee Rieter Automotive Systems of Bloomsburg, Pennsylvania for winning the ''Supplier of the Year'' award for quality and service for the 11th consecutive time from General Motors Corporation. I ask that my colleagues pay tribute to Magee Rieter, its President and Chief Executive Officer Mike Katerman and all the employees for winning this International recognition.

Not only is this the 11th straight award for Magee Rieter and its employees, they now have the distinction of being the only company in all of North America to earn the honor for so many consecutive years. Each year, less than 100 companies out of 30,000 win this distinction. Additionally, only one other company in the world can match this incredible record of quality.

As Mr. Katerman puts it, Magee Rieter manufactures the highest quality fabricated floor carpet and acoustical systems. General Motors is their largest customer.

Mr. Speaker, it is a privilege and honor to represent a company that has been internationally recognized for its commitment to quality, service, technology and its pricing. It is equally rewarding to represent employees who are acclaimed for their hard work and ingenuity.

RECOGNIZING THE 100TH ANNIVERSARY OF THE PENNSYLVANIA STATE NURSES ASSOCIATION

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. HOEFFEL. Mr. Speaker, I rise today to recognize the Pennsylvania State Nurses Association (PSNA) which is celebrating its 100th anniversary on October 17, 2003.

PSNA first met in 1903 with the purpose of supporting Pennsylvania's nurses, and the association quickly worked to establish standards of licensure and education. In its 100 years of service, PSNA has transitioned from a graduate nurses association to a union and finally to a professional organization representing all registered nurses. Through its responses to changing times PSNA has shaped the nursing profession. In its early days, PSNA advocated for the profession and for women. During times of national crisis the organization has provided support to those who needed it. In the days after the tragic events of September 11th PSNA coordinated volunteers willing to provide nursing care to the victims of the terrorist attacks.

Registered Nurses play a vital role in the delivery of quality and effective healthcare. PSNA continues to take a leading role in a changing industry. I congratulate the Pennsylvania State Nurses Association on its 100 years of service and support to Pennsylvania's Registered Nurses, and wish them many more years of continued success.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 2003

Ms. WOOLSEY. Mr. Speaker, I would like to thank the gentlewoman for offering this motion to instruct, and I would like to offer my strong support.

The fact that we are here today debating this motion shows just how offtrack the Energy Conference has gone. When the gentlewoman offered this same language as an amendment to the House Energy bill it passed by voice vote because it was so popular. Now, a conference being led by Republicans is not allowing Democratic conferees to participate. And now they are stripping some of the most important and popular provisions from the bill.

Let's call this what it really is. This ''Inventory'' that members from the other side of the aisle say is so necessary is a sham. In fact, the Minerals Management Service already conducts a survey every 5 years, and the latest assessment was done in 2000. Taking an inventory of what lies beneath the sea floor is not like taking an inventory of office supplies. It requires a careful process that takes into account the delicate ecosystem that the Outer Continental Shelf comprises.

The point of removing this important provision in conference is not to conduct an ''inventory,'' but instead it is to open up the Outer Continental Shelf for big oil companies to drill for oil. We all know where the oil is, and they can't wait to get in there and drill. Such drilling would put our coastal communities at needless risk.

My district is comprised of some of the most beautiful coastline in the world. From Gualala Point to the San Francisco Bay, my constituents depend on this beautiful coastline, and I do not want to see oil on our beaches or animals killed by irresponsible drilling.

Instead of expanding drilling, we should be exploring new ways to create clean and renewable energy sources. I urge conferees to add more funding for developing, implementing, and expanding renewable energy programs instead of senselessly opening up our Outer Continental Shelf to big oil companies.

Mr. Speaker, I urge my colleagues to vote for this motion to instruct. Let's send a clear signal that the Energy conference should not take place in secret and disregard the wishes of the American people.

MARRIAGE PROTECTION WEEK

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. FRANKS. Mr. Speaker, I rise today in support of President Bush's designation of this week as ''Marriage Protection Week.'' I commend the President for his exemplary leadership in the vital effort to preserve and strengthen America's families.

It is with complete respect to the Constitution as—according to George Washington—''the guide which I will never abandon,'' that I feel compelled to speak on behalf of a federal marriage amendment.

Judicial recklessness has become the breeding ground for challenges against the institution of marriage. Recent court decisions, like Lawrence v. Texas have set a dangerous precedent. Sadly, America's courts continue to abuse their power by legislating from the bench, and usurping the will of the people. I am concerned that the state laws that define marriage between a man and a woman are in jeopardy of being struck down by the court's total disregard for the law as it is written.

However, there is good news concerning the sanctity of marriage from my home state of Arizona. Recently, a three-judge court-of-appeals panel in Arizona upheld a 1996 state law that defined marriage as the union of a man and a woman. They said in their decision [and I quote], that ''the fundamental right to marry protected by our federal and state constitutions does not encompass the right to marry a same sex partner.'' Here, the courts simply read the state and federal constitutions as they are written, and applied them without prejudice.

Across the Nation, support for House Joint Resolution 56, ''The Federal Marriage Amendment''—a constitutional amendment defining marriage as a sacred institution between a man and woman—is rapidly growing. A recent poll taken by the Associated Press showed that 54 percent of Americans are in support of a constitutional amendment that would define marriage as a union between a man and a woman. This same poll showed that 53 percent are also opposed to so-called ''civil unions.'' House Joint Resolution 56 is coming close to obtaining 100 cosponsors, and support for the sanctity of marriage is building on both sides of the aisle. I commend my friend and colleague from Colorado, Mrs. MUSGRAVE, for having the courage to introduce H.J. Res. 56. It is my hope, that this body will take a bold stand and defend the definition of marriage as the sacred union of a man and a woman.

Thank you Mr. President, for your leadership.

HONORING MAYOR SAMSON

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the life of Mr. Dave Samson, the late Mayor of Sunny Isles Beach. Mr. Samson was not only an exemplary civic leader, but a great Floridian, and a caring husband, father and grandfather.

Since retiring in 1972 as a business owner in Chicago, Samson promptly moved to South Florida. Always eager to assist his fellow citizens and be active within the community, Samson became involved in many civic affairs, as he assumed the position of president of his condominium association. Eventually, Samson was recognized as the leader of Miami-Dade County's Citizens Advisory Committee. In 1997, Samson led a successful campaign to incorporate the 3-mile-long strip in northeast Miami-Dade County, and he became the founding father of Sunny Isles Beach. He also spearheaded a large-scale movement to remake a sleepy area of low-rise motels built along Collins Avenue in the 1950s into a dream city of soaring condominium towers.

Not to be forgotten, Mayor Samson, the one and only Mayor of Sunny Isles Beach, was devoted to his family, his work, and his community. He was a remarkable man who was still working hard on his city's vision at age 88, up until his death this past weekend.

Mr. Speaker, it is indeed an honor to stand here today and remember the life of an exemplary citizen of South Florida, one who devoted himself to his constituents, friends and family, and always sought a better quality of life for his community. His legacy will surely last a lifetime. Mr. Samson is survived by his wife, Marion, with whom he recently celebrated his 64th wedding anniversary, sons Michael and Stuart, and seven grandchildren.

RECOGNIZING THE PUBLIC SERVICE OF DAN CORSON

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. UDALL of Colorado. Mr. Speaker, I rise today to pay tribute to Dan Corson, who will retire next month as a member of the Boulder, Colorado City Council.

Elected to the Council in 1997, Don has had a notable career in public service.

Dan graduated with a Bachelor of Arts degree in History from Miami University in Ohio, received a Master of Arts degree from the University of Denver, and a Juris Doctor degree from the University of Colorado Law School. He clerked for Judge Luis Rovira in Denver District Court and worked as an attorney in civil litigation.

As a member of Colorado Preservation, Inc., the National Trust for Historic Preservation, Historic Boulder and the Colorado Heritage Area Partnership, Dan has been a strong contributor to saving Colorado's history. Dan also served as a member of the City of Boulder's Planning Board and the City Landmarks Preservation Advisory Board, and shared his expertise to benefit the community and the state.

Dan now serves as the local government liaison for the Colorado Historical Society, working with citizens and local government officials interested in establishing historic preservation commissions by offering technical advice, drafting ordinances and resolutions and offering training regarding conducting meetings, preservation law and design review. Dan also administers grants to both local governments and the Historic Preservation Fund grants from the National Park Service.

Committed to providing progressive leadership on the City Council, Corson worked diligently to forge a strategy to find more affordable housing for Boulder citizens, while tightening the city's budget during difficult economic times. He also supported the largest purchase of open space in the city's history.

With the unique combination of public, private and nonprofit experience, Dan Corson has been an admirable public servant committed to bringing wisdom and innovative ideas to city government.

On behalf of the residents of Boulder, I thank him for his service on the Boulder City Council and wish him well in all his future endeavors.

TRIBUTE TO THE DESPLAINES VALLEY NEWS ON ITS 90TH ANNIVERSARY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to an outstanding organization from my District on the south side of Chicago, Illinois. I would like to honor the Desplaines Valley News in celebrating 90 years of service to its community this year.

Founded as ''the People's Paper'' on October 13, 1913 by A.S. Bushkevitz in Lemont, Illinois, The Desplaines Valley News now serves twelve suburbs southwest of Chicago and provides circulation to the communities of Argo-Summit, Bedford Park, Bridgeview, Brookfield, Countryside, Hodgkins, Indian Head Park, Justice, Lyons, McCook, Willow Springs and the LaGrange Highlands.

This neighborhood newspaper has provided uninterrupted news coverage on local, state, and national events every week for the past nine decades. Since 1986, the John C. Noonan family has been dedicated to publishing the Desplaines Valley News. Currently, the Noonan family distributes the weekly publication to subscribers both through newsprint and the internet.

I would like to pay tribute to the Desplaines Valley News, as it is a shining example of the ideals under which our nation was founded.

Mr. Speaker, I congratulate the Desplaines Valley News for the many years it has provided services to the community and wish them the very best in the years yet to come.

RECOGNITION OF THE BROOKPORT LIBRARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. SHIMKUS. Mr. Speaker, I rise before you today to recognize Brookport Library located in Brookport, Illinois.

I recently visited the Library and wanted to share their story with you.

The Brookport Library was established in 1991 by the Brookport Betterment Committee (BBC) Inc.

The Library was housed in an area of the old Brookport Grade School, which was leased by the school district for $1 per year. With no water or heat, except for a kerosene heater located close to the librarian, the Library remained at this location until 1997.

At this time, the old school building was demolished, and the books, along with everything else, went into storage.

In March of 1998, papers were signed and once more the Library had a home, 103 East Third Street. The old house had charm but it wasn't long before it began bulging at the seams.

In the meantime, some very generous donations were made which were earmarked for a building, and in April 2002, the BBC purchased the building known as the Hohman Building located at the corner of U.S. 45 and Seventh Street.

Following some major remodeling, the Library opened for business on November 4, 2002.

The Library relies solely on donations and volunteers, so if anyone is interested in helping the Brookport Library, please contact the Library or any board member.

I want to especially thank Judy Askew, the chairman; Ann Douglas, secretary/head librarian; Leah Slayden, treasurer; and Rosemary Hohman and Barbara Call for the work they continue to do to make this library such a special place.

REVISED VERSION OF BILL TO FACILITATE ACQUISITION OF MINERAL RIGHTS AT ROCKY FLATS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a revised version of a bill to facilitate the acquisition by the Federal Government of mineral rights or other non-Federal interests in lands that are located within the boundaries of the Rocky Flats site in Colorado.

The bill is cosponsored by my Colorado colleague, Representative BEAUPREZ. It is based on H.R. 2653, which I introduced earlier this year, but includes a number of changes reflecting suggestions by Representative BEAUPREZ. I greatly appreciate his support for this measure.

BACKGROUND

In the 1950's, the Federal Government bought land at Rocky Flats for use as a production facility for nuclear-weapon components. However, the purchase did not include all the mineral rights, some of which remained in private ownership.

Production at Rocky Flats ended more than a decade ago. Since then, the Department of Energy, through its contractors, has been working to have the site cleaned up and closed.

ROCKY FLATS WILDLIFE REFUGE ACT

In 2001, Congress passed legislation I sponsored with Senator WAYNE ALLARD to guide the future of Rocky Flats. Under that legislation—the Rocky Flats National Wildlife Refuge Act of 2001—once the cleanup and closure are accomplished, most of the land at Rocky Flats will be transferred from the Department of Energy to the Department of the Interior and will be managed as a unit of the National Wildlife Refuge System.

The refuge act includes some provisions related to the non-Federal minerals—primarily sand and gravel—at Rocky Flats. It says ''nothing in this [law] limits any valid, existing . . . mineral right'' except for ''such reasonable conditions on access . . . as are appropriate for the cleanup and closure of Rocky Flats and for the management of the refuge.'' And it says that a Memorandum of Understanding (MOU) between DOE and Interior is to ''address the impacts'' mineral rights ''may have on the management of the refuge, and provide strategies for resolving or mitigating these impacts.''

These provisions were included in the refuge act in order to make clear that while these mineral rights are to be respected as private property, future development of the minerals could have adverse effects on the land, wildlife habitat, and other values of the future wildlife refuge. That is why Congress directed the agencies to consider these potential future effects and work to find ways to mitigate those impacts.

So far, however, the Energy and Interior Departments have not been able to agree on what to do about the minerals, and the MOU has not been completed.

I think the best way to handle this would be for the Federal Government to acquire the minerals. However, neither DOE nor Interior has made this a priority, and the current budgetary situation places constraints on such acquisitions.

PURPOSE OF THE BILL

The Udall-Beauprez bill is intended to make it more feasible for the Interior Department to acquire some or all of the minerals. It would do that by giving the Secretary of the Interior two additional methods (either instead of or in addition to purchase for cash) for completing such acquisitions—

(1) by giving ''credits'' that could be used instead of cash to pay for oil and gas leases on the Outer Continental Shelf; and

(2) by allowing federal lands or minerals anywhere in the country to be exchanged for the Rocky Flats minerals (under current law, such exchanges can only occur within the same State—Colorado lands/minerals for other Colorado lands/minerals).

The bill has no compulsory provisions. It would not require that any of the non-Federal interests at Rocky Flats be acquired by the government. It also would not require anyone to accept anything other than cash for any interests that the government may acquire—any transaction involving the new ''credits'' or any exchange could take place only with the concurrence of the party selling minerals to the United States. It would merely provide the Interior Department with new tools—in addition to those it already has—for such acquisitions.

In addition, the bill includes a provision to make clear that the Federal Government cannot expand the Rocky Flats site by obtaining any non-Federal lands or interests in lands that are outside the site's boundaries except with the consent of the owners of those lands or interests.

In developing the original bill, I sought and obtained technical assistance from the Interior Department, gave careful consideration to comments from local governments and others in Colorado, and made revisions to earlier drafts of the legislation in response to points raised in those comments.

Mr. Speaker, this bill—the ''Rocky Flats Minerals Acquisition Act''—is narrow in scope. However, I think it can assist in successful implementation of something that is very important for all Coloradans—the establishment of the Rocky Flats National Wildlife Refuge. I think it deserves the support of every Member of the House.

For the information of our colleagues, here is a short outline of the revised bill:

OUTLINE OF REVISED ROCKY FLATS MINERALS ACQUISITION BILL

BACKGROUND

When the ongoing cleanup of the Rocky Flats site is completed, it will be closed and most of the site will be transferred to the Interior Department for management as a National Wildlife Refuge. Within the site's boundaries there are some privately-owned mineral rights (primarily sand and gravel). Federal acquisition of at least some of these mineral rights would further sound management of the site as a wildlife refuge. However, the current budgetary situation makes it difficult to complete such acquisition.

The purpose of the bill is to provide the Interior Department with two additional tools to assist in the acquisition of mineral rights or other non-Federal property at Rocky Flats:

Authority to provide ''credits'' (instead of or in addition to cash) that could be used for bonus bids or royalties for mineral leases on the Outer Continental Shelf; and

Authority to provide eligible BLM lands (or interests) anywhere in the country in exchange for the interests acquired at Rocky Flats (waiving the current requirement that exchanges must be within the same State).

SECTION-BY-SECTION OUTLINE

Section 1

(1) provides a short title: ''Rocky Flats Minerals Acquisition Act'';

(2) includes findings regarding the status of Rocky Flats and the desirability of Federal acquisition of mineral interests within its boundaries; and

(3) states the bill's purpose as being to facilitate acquisition of non-Federal interests at Rocky Flats by authorizing the Interior Department to use credits or interests in certain public lands—provided that the owners of the acquired lands or interests concur—instead of or in addition to cash.

Section 2

(1) authorizes the Interior Department to use appropriated funds, credits (with the concurrence of the party transferring lands or interests to the United States), exchanged lands or interests therein, or any combination of these, to acquire mineral interests or other non-Federal interests at Rocky Flats;

(2) defines ''credits,'' making clear that they can only be used for bonus bids or royalty payments for oil or gas leases on the Outer Continental Shelf, can be transferred, and must be used within 10 years of their issuance;

(3) specifies that while exchanges can involve BLM lands or interests in any State, only lands or interests identified as suitable for disposal under current law can be transferred to private ownership through such an exchange;

(4) specifies that no lands or interests therein outside the exterior boundaries of Rocky Flats can be acquired by the United States for the purposes of the Rocky Flats National Wildlife Refuge Act except with the consent of the owners of such lands or interests;

(5) provides that interests acquired by the United States under the bill will be managed

as part of the wildlife refuge and cannot be developed or transferred out of Federal ownership; and

(6) specifies that the bill adds to the Interior Department's existing authority and does not reduce any authority the Department already has.

THANK YOU, COLONEL DAN BECK

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. HAYES. Mr. Speaker, I rise today to recognize and thank Colonel Dan Beck for his valuable service to our nation. As he retires from the North Carolina Air National Guard, Colonel Beck's dedication to country and state is exemplary. I am proud and honored to call him a friend.

Graduating from the University of North Carolina at Charlotte Colonel Beck was commissioned in the North Carolina Air National Guard as a Second Lieutenant in 1979. He faithfully served the 145th Civil Engineering Squadron for over a decade and was promoted to the rank of Lieutenant Colonel in 1992. A short time later, Colonel Beck was appointed Commander of the 145th Mission Support Squadron and in 1994 assumed the position of Headquarters 145th Support Group Commander.

Serving an illustrious and impressive military career, Colonel Beck accomplished a great variety of tasks, to include commanding the first Air Force Engineering Deployment into Israel, commanding the North Carolina Joint Air/Army Task Force to Homestead, Florida in support of Hurricane Andrew relief efforts, and presiding over the multi-million dollar acquisition of C–130 H–3 aircraft.

After completing the International Strategic Studies program at Air University-Maxwell Air Force Base in 1997, Colonel Beck was selected as the first member of the North Carolina Air National Guard to participate in the Capitol Hill Fellowship program. Dan served as a Legislative Fellow to Congressman W.G. ''Bill'' Hefner and handled defense, transportation and emergency management issues for Congressman Hefner. While on staff, Colonel Beck learned and experienced first hand how the legislative process works. He became an invaluable asset to Congressman Hefner's staff and has used his knowledge ever since to help me and the entire North Carolina delegation. He has been an effective and true advocate for the North Carolina National Guard, thoroughly understanding the legislative process.

As Colonel Beck's Fellowship came to a close, he returned to his roots and accepted a position with the North Carolina National Guard. In 1999 he became Deputy Chief of Staff to the Adjutant General for Air Force and Air National Guard. Dan has advised on many State and Federal issues and has continued to promote the North Carolina National Guard in Congress, working closely with me and my staff and others.

As Colonel Dan Beck takes the next step forward in his professional career, I wish him, his wife Trudy and two sons Sterling and Cooper all the best. I have enjoyed working with Dan the past several years and thank him deeply for his friendship and service to North Carolina and the United States of America. May God bless Colonel Dan Beck and his family.

A TRIBUTE TO MG ZANNIE O. SMITH, U.S. ARMY

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. McINTYRE. Mr. Speaker, it is with great pleasure that I rise today and honor Major General Zannie O. Smith of the United States Army. On October 16, 2003, Major General Smith retired after serving the people of this great nation for over forty years.

Zannie Smith was a decorated officer, who spent his career ensuring that the freedoms the United States holds dear are protected. Throughout his illustrious career, Major General Smith was honored with the Defense Superior Meritorious Service Award, the Legion of Merit with five Oak Leaf Clusters, the Bronze Star Medal with ''V'' device with two Oak Leaf Clusters, the Air Medal with Oak Leaf Cluster, the Defense Meritorious Service Medal, the Meritorious Service Medal with four Oak Leaf Clusters, the Army Commendation Medal with two Oak Leaf Clusters, the Armed Forces Expeditionary Medal, four awards of the Vietnam Service Medal, and the Good Conduct Medal. He is a Master Parachutist and has been awarded the Ranger Tab, the Combat Infantryman's Badge, and the Air Assault Badge.

After holding a variety of command positions, Major General Smith was assigned to Fort Bragg, North Carolina, as Deputy Commanding General of the XVIII Airborne Corps and Fort Bragg in 2001. Our United States Army would not be as illustrious and formidable without the dedication and determination of Major General Smith. We owe Major General Zannie O. Smith our sincere appreciation for his over forty years of committed service to our nation. His devotion to the people of the United States should serve as an example to us all.

May God bless him and his family, and may God bless this great nation.

RECOGNIZING THE PUBLIC SERVICE OF SPENCER HAVLICK

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. UDALL of Colorado. Mr. Speaker, I rise today to pay tribute to Spencer Havlick, who next month will retire from membership on the Boulder, Colorado, City Council.

Elected to the council in 1982, Spence has had 21 years of distinguished public service.

Born in Oak Park, Illinois and raised in Green Bay, Wisconsin, he received his B.A. Degree from Beloit College, his M.A. from the University of Colorado in limnology and his Ph.D. in environmental planning and water resource management from the University of Michigan.

He became the Assistant Dean and Director of the College of Environmental Design at the University of Colorado in Boulder in 1975. His research and teaching focus on natural hazard mitigation, the citizen's role in the planning process, and the impact of urbanization on the environment. He has written on ecology and design and is preparing another book on transportation management and traffic calming.

He has taught at the University of Michigan and Murdoch University in Western Australia, consulted for the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the National Science Foundation and the U.S. Information Agency.

With this outstanding academic background, Spence has been a champion of the values that embody the spirit of Boulder. His commitment to defending these values made him a distinctive member of the council.

A passionate environmentalist, Spence had a two-decade struggle with transportation problems and worked diligently to promote public transportation, rail service between Denver and Boulder, bicycle paths, city open space and pedestrian walkways.

In his role as professor of environmental design at the University of Colorado, Spence encouraged his students to adopt Boulder's environmental values. He urged students to give up their cars, get more exercise and walk or use alternative transportation.

A top vote getter in all his elections, Spence promoted a strategy to find more affordable housing, worked on growth management, led the effort for the largest purchase of open space in the history of Boulder and worked to streamline the city's budget in tough economic times.

Spence's civic commitment is demonstrated through his service on the City Council Environmental and Transportation Committees, as an Eco-cycle block leader, and as a Commissioner for the Boulder Urban Renewal Authority.

The City Council of Boulder, Colorado, has been fortunate to have had Spencer Havlick as a member for the past 21 years. On behalf of Boulder's residents, I wish him well as he continues to pursue his commitment to a better community and state.

COMMEMORATING THE RETIREMENT OF MR. LARRY L. CRUTSINGER, PRESIDENT AND CHIEF EXECUTIVE OFFICER OF SAN ANTONIO YMCA

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. GONZALEZ. Mr. Speaker, I rise today to commend Mr. Larry L. Crutsinger, the President and Chief Executive Officer of the YMCA for Greater San Antonio and the Hill Country. After thirty-three years of service, Mr. Crutsinger has announced that he is retiring from the YMCA.

I would like to join the YMCA in recognizing him for his service to the YMCA movement and its mission to put Judeo-Christian principles into practice through programs that build a healthy spirit, mind, and body. Through his dedicated service and leadership, Mr. Crutsinger has helped the YMCA establish both local YMCA branches and set national

YMCA precedents in program innovation to meet the changing needs of children, teens, and families in local communities.

The YMCA has become the largest nonprofit provider of after school child care that supports working families with the care, education, and recreation for their children after school and during school holidays. The San Antonio YMCA child care system has been recognized as a model by the Texas Legislature.

Mr. Crutsinger has been honored as one of San Antonio's outstanding creative minds for leadership in the development of programs for children and his advocacy for youth. His charitable career has resulted in the creation of three major branch YMCAs, and the expansion of program services and partnerships to serve over 61,000 members and program participants.

Together, with 900 staff and over 5,000 volunteer members in the YMCA movement, Mr. Crutsinger developed the teams and resources to deliver before and after school Y School age summer day camp sites; two residential camping sites; and nine Y Teen sites in this ten-county region; and all in the effort to build strong kids, strong families and strong communities today and tomorrow.

Mr. Speaker, it is my honor to recognize Larry Crutsinger for his hard work and dedication to the YMCA and the people it has served over the years, and my distinct pleasure to wish him the best in his retirement.

A SPECIAL TRIBUTE TO MRS. AUDREY LOTT ON THE OCCASION OF HER 100TH BIRTHDAY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. GILLMOR. Mr. Speaker, Mrs. Audrey Lott is an incredibly bright woman whose life reflects both the spirit and struggles experienced by African-Americans in the United States. This Saturday, October 18, Mrs. Lott will celebrate her 100th birthday.

Mrs. Lott is the granddaughter of a former slave who was a messenger for General Grant in the Civil War. Mrs. Lott grew up in Washington, DC and attended pharmacology school while in her 20's. For a time, she worked for Simmons Pharmacy at 21st & L Streets in Washington. She left her job after a few years to stay at home and care for her mother. After her mother passed, Mrs. Lott worked as a housekeeper. In fact, Mr. Speaker, she once served tea to Mrs. Bess Truman and Mrs. Eleanor Roosevelt. In the early 1960's, Mrs. Lott moved to Tiffin, Ohio, which is in my congressional district. Her son, Grant C. Taylor, soon followed.

Mrs. Lott and her family have sacrificed much but contributed greatly to the United States. Mrs. Lott is a grand, intelligent lady, an avid reader of a variety of fiction, and a dear, true friend to many. It is in that spirit that I ask my colleagues to join me in paying special tribute to Mrs. Audrey Lott on the occasion of her 100th birthday celebration. Our communities are served well by having such honorable and giving citizens, like Mrs. Lott, who care about their well being and stability. We wish her all the best as we pay tribute to one of our nation's finest citizens.

RECOGNIZING THE PUBLIC SERVICE OF FRANCOISE POINSATTE

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. UDALL of Colorado. Mr. Speaker, I rise today to pay tribute to Francoise Poinsatte, a member of Boulder City Council, as she retires in November from her seat on the Council. I would like to thank her for the many contributions she has made to ensure that the City of Boulder remains a very special place to live.

A graduate of the University of Notre Dame, Francoise received her teaching license in French and Fine Arts from the University of Colorado. She has taught in public schools in the Boulder Valley and in Jefferson and Douglas counties. She has been a member of the Transportation Advisory Board from 1993 to 1994, and has served on the Regional Transportation Task Force from 1997 to 1998.

Elected in 1999, at a time when the City of Boulder faced many challenges, Francoise tackled the issues of economic stability in declining budgetary times. Partnering with other council members, Francoise was able to increase the city's financial reserves from two to fourteen percent to prepare for unexpected financial crises.

As a former teacher, Poinsatte fought to support and expand strong educational and human service programs in the city, while keeping a close eye on the costs and quality of the services provided to the community. She has advocated for social and economic diversity, affordable housing, and improved facilities for the homeless.

Francoise's ongoing commitment to a healthy environment for Boulder's citizens made her a leader on alternative transportation options in the area, which included bike paths, walking trails, well-planned bus routes and citizen-friendly transportation plans. She has contributed to the vitality of downtown Boulder by her dedication to reducing traffic congestion, air pollution, and fuel consumption. Her city has recently been recognized nationally as one of the best workplaces for commuters.

Boulder is also known for being one of the most environmentally friendly cities in the United States, and Francoise and her colleagues on the Council enhanced this reputation through investment in additional open space, recycling programs, and a strong citizen education program. As a member of the Boulder Urban Renewal Authority, she has helped oversee plans for the development of the new St. Julien Hotel at 9th and Canyon, as well as the rejuvenation of Crossroads Mall.

With a keen sense of citizen responsibility and a talent for blending her past experience with a desire to serve the public good, Francoise Poinsatte has been an outstanding member of the Boulder City Council and city government. I ask my colleagues to join me in praising her public service, and I wish her continued success in her future endeavors.

TRIBUTE TO CARL D. ASHLEY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. DAVIS of Illinois. Mr. Speaker, I rise to offer condolences to the family of my good friend Carl D. Ashley. Carl was indeed a role model a good provider, a good husband, a good father, grandfather, uncle, a good friend to all of those who needed a friend, a good citizen and a great American.

Mr. Speaker, as I listened to speaker after speaker at the funeral testify and extol the virtues of Carl, I sat in amazement, young lawyers, doctors and other successful young people talked about the impact Carl had on their lives. He was not a professional teacher and yet he taught, he was not a psychologist and yet he gave counsel, he was not a clergyman and yet he preached a great gospel. He was a lover of people and he displayed that love each and every day of his life.

I met Carl in the early 1960's when we both worked at the post office, a job from which Carl retired. While we did not see each other on a regular basis our friendship maintained itself and bloomed. Carl married a great lady and they were able to raise a wonderful family, taught to achieve, accomplish and to be actively engaged in all aspects of life, including politics, Carl was a judge of election and took his politics seriously.

I extend heartfelt condolences to the family of Mr. Carl D. Ashley and thank God for having been able to know him and to see firsthand his efforts to help make the world a better place in which to live. Carl served his country in Vietnam and continued to serve until his death. May his soul rest in peace.

NATIONAL HISPANIC HERITAGE MONTH

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. ROTHMAN. Mr. Speaker, I rise today in celebration of National Hispanic Heritage Month and in commemoration of the over five hundred years that America has been enriched by Hispanic culture. This year, from September 15th to October 15th, we have the opportunity to honor the myriad contributions the 37 million people of Hispanic origin currently living in the United States have made to our great country, and we have the responsibility and pleasure of recognizing and remembering the many gifts of Hispanic Americans.

An exemplar of the contributions to the culture of our society made by Hispanic Americans is Celia Cruz, the ''Queen of Salsa'' who passed away this July in her home in Fort Lee, New Jersey which is located in my Congressional District. Born in Havana, Cuba, Celia Cruz fled to the United States to free herself from the brutal dictatorship of Fidel Castro. With a genuine love of life and passion for family and friends, Celia Cruz represented the true spirit of Hispanic Americans through her music.

Hispanic Americans comprise 14 percent of the total U.S. population and have contributed

to American society in innumerable ways. From literature and art to business, science, academia and government, Hispanic Americans have significantly and so positively impacted American culture. Among other great examples are Carlos Gutierrez, Chairman and CEO of the Kellogg Company since 2000, NASA Astronaut Ellen Ochoa, and former Secretary of Energy Bill Richardson. Each of these men and women has touched the lives of countless people of all races, religions, and ethnicities across the United States. It is with honor and gratitude, Mr. Speaker, that I ask all my colleagues to join me in celebration of National Hispanic Heritage Month.

RECOGNIZING THE PUBLIC SERVICE OF LISA MORZEL

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. UDALL of Colorado. Mr. Speaker, I rise today to pay tribute to Lisa Morzel, a retiring member of the Boulder, Colorado, City Council for her eight years of service to the Council and the community.

As a research geologist, Lisa has brought a great deal of knowledge about the topography of the Rocky Mountain region to complex land use decisions made by the Boulder City Council. She has also developed some expertise on the geology of Yellowstone National Park and the special volcanic dynamics of this region—especially the floor of Yellowstone Lake.

Her careful consideration of the development of many multi-faceted projects brought important insight to projects such as the development of a National Wildlife Refuge at the Rocky Flats Nuclear Weapons facility, which will benefit the region's citizens for decades to come.

Through a commitment to thoughtful resource allocation, Lisa and the Boulder City Council were able to increase the City's financial reserves from two to fourteen percent, to cover unexpected crises. This was a critical measure, as this will help the City get through this current difficult economic situation.

During her tenure on City Council, Lisa was a partner in creating many improvements for pedestrian access throughout the city. Boulder has one of the most environmentally conscientious communities in the county and with the enhancement of bike paths, hiking trails and open space, the city provides a citizen-friendly environment.

Lisa was also a leader in recycling, and supported creation of the Boulder County Recycling Center and other efforts to promote recycling. Due in part to her efforts nearly half of waste that would otherwise end up in landfills is now recycled.

Lisa is a strong proponent of affordable housing in the city, and encouraged the Council to adopt new policies to ensure an adequate supply of affordable housing in the community.

Lisa has already promised to remain involved in these and other important community issues after her term on Council ends. Her dedication to the city is to be commended. On behalf of Boulder's residents, I applaud Lisa for her years of commitment to public service.

TRIBUTE TO GEN. T. MICHAEL MOSELEY

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. SPRATT. Mr. Speaker, today I am honored and privileged to recognize one of the finest officers in the United States Air Force, recently promoted General T. Michael ''Buzz'' Moseley.

For the past two years, General Moseley has served with distinction in one of the most demanding Air Force positions: Commander, Ninth Air Force, Air Combat Command, which is headquartered in my district in Sumter, South Carolina. In that post he also served as Commander, United States Central Command Air Forces, United States Central Command. During his tenure, he prosecuted two of the most successful air campaigns in modern history, raising the bar for the optimum employment of air and space power in joint armed conflict.

Following the September 11, 2001 terrorist attacks on the United States, General Moseley took command of U.S. Central Command's air component. In this role, he provided air and space power for the Command's 25-nation area of responsibility that reaches from the Horn of Africa, across Iraq and Afghanistan, to the southern states of the former Soviet Union. At the peak of Operation Enduring Freedom, General Moseley directed over 11,000 combat sorties responsible for destroying over 4,600 Taliban and al Q'aeda targets—in support of our nation's war on terror. When U.S. forces had the terrorist organizations and their supporters on the run, the Central Command's focus shifted to sustaining our efforts to bring relief to the long-oppressed Afghani people. In the initial humanitarian phase, nearly 200 airdrop sorties were flown, delivering 2.4 million daily rations and nearly 1,900 tons of blankets and rice.

Following the successes of Operation Enduring Freedom, General Moseley was called upon to provide General Franks, now the former Commander of U.S. Central Command, with air power guidance and expertise as the planning and preparation intensified for military action that would eventually remove the tyrannical regime of Saddam Hussein. From logistics to civil engineering, readiness of personnel to sensitive theater engagement with friendly foreign allies, the air component's methodical preparation for Operation Iraqi Freedom was simply spectacular. The logistical train paved the way for the employment of nearly 30,000 air-to-ground weapons and air refueling offloads totaling more than 417 million pounds of fuel—enough to keep a Boeing 737–300 airborne for almost 12 years. As the logistical buildup steadily progressed, civil engineers and contractors were busy executing over 350 million dollars in facility upgrades at our friendly host nations' airfields, bolstering their ability to support the pending wartime taskings.

Employing thoughtful and polished diplomacy, General Moseley negotiated basing rights at 24 Arabian Gulf airfields and overflight rights for the coalition's 1,800 aircraft and over 1,350 cruise missiles, assets that were pivotal to conducting the air campaign on terms favorable to American and Coalition national security interests. At the peak of hostilities against the former Iraqi regime, nearly 55,000 United States Air Force personnel were deployed under General Moseley's control. These preparatory actions led to the successful execution of the coalition's overwhelming effort to free the people of Iraq from the clutches of Saddam Hussein. In overthrowing the regime, aircraft from our Air Force, Navy, and Marine Corps was coupled with the air power of our coalition allies from the United Kingdom and Australia to execute the most successful air campaign in history. During the course of the 21-day campaign, General Moseley directed 41,000-plus sorties and was responsible for striking nearly 20,000 Iraqi targets—an astounding feat that is a testament to General Moseley's impeccable combat leadership.

To this day, the outstanding men and women of the United States Central Command Air Forces continue to support Operation Enduring Freedom and Operation Iraqi Freedom, promoting and maintaining American interests in the region and reconstructing two pivotal countries where our efforts must not fail. While the majority of our air and space force have returned home from the Middle East and Central Asia, over 17,000 airmen remain deployed. They are serving under the most arduous conditions in Southwest Asia, defending the victories of Operation Enduring Freedom and Operation Iraqi Freedom. The continued sacrifices of these great Americans carries on our Nation's commitment to the security and prosperity of the region.

I was truly pleased with the President's recent nomination and the United States Senate's confirmation of General Moseley for his fourth star. It is exceptionally well-deserved, and I want to offer my congratulations to him; his wife, Jennie; their son, Greg; and their daughter, Tricia. I am proud to represent my fellow South Carolinians—citizens who have understood the meaning of sacrifice since the formation and creation of the United States—in thanking General Moseley and his family for their selfless dedication, commitment, and sacrifice.

General Moseley is a credit to both the United States Air Force and the United States of America. I wish him the best of luck in his assignment as Vice Chief of Staff, Headquarters United States Air Force. I am confident of his continued success in his new position and look forward to seeing him back here in our Nation's capital.

HONORING LATINO SERVICE MEN AND WOMEN DURING NATIONAL HISPANIC HERITAGE MONTH

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in celebration of National Hispanic Heritage Month and to recognize the longstanding contributions that the Latino community has made and continues to make through their participation in the armed forces.

New census data reports that the Hispanic community, which numbers almost 40 million, is now the largest minority group in the United States. As such, Latinos influence everyday

life in the United States through their participation in every sector of our society including business, the arts, sports, government, medicine and education. Of particular significance during these trying times, is the rich history of patriotism and sacrifice that the Latino community has made by serving proudly and with distinction in every major U.S. military conflict and in all branches of our armed services.

From the minutemen of the American Revolution to today's enlisted men and women in Iraq, the Latino community has a deep-rooted tradition of service in the U.S. military. Today there are 109,487 Latinos on active duty, representing approximately 9.5% of all active duty personnel. Latinos represent 9.7 percent of the Army, 10.5 percent of the Navy, 13.9 percent of the Marine Corps, and 3.4 percent of the Air Force.

Latinos have been recognized for their valor and bravery in some of this country's most important military confrontations. One of the greatest sources of pride among the Latino community is the 39 Medals of Honor awarded to Latinos in recognition of their valor. They are the largest single ethnic group, in proportion to the number who served, to earn this prestigious award.

During the American Revolution, soldiers from Spain, Cuba, Mexico, Puerto Rico, and the Dominican Republic fought alongside the colonists for independence. Cuban women donated their jewelry to aid the colonists, helping to finance the Yorktown Campaign.

In World War One, Latino soldiers were decorated with the Medal of Honor, the Distinguished Service Cross, the French Croix de Guerre, the Victory Medal with three bars, and the Purple Heart. During the Second World War, up to 500,000 Latinos served bravely—eleven receiving the Medal of Honor. Of particular mention is the story of Marine PFC Guy ''Gabby'' Gabaldon who single-handedly captured over 1,000 enemy soldiers in the summer of 1944, more than anyone else has in the history of military conflicts.

During the Korean War, the 65th Infantry Regiment—a Puerto Rican regiment—was given special recognition for participating in nine major campaigns, capturing 2,086 enemy soldiers, and killing 5,095 enemy combatants. Individual members of this regiment were awarded four Distinguished Service Crosses and 124 Silver Stars. My family and I had personal acquaintance with a Korean War hero from my neighborhood in Boyle Heights when I was growing up in Los Angeles. Private First Class Eugene Obregon was awarded the Medal of Honor for sacrificing his life to save that of a wounded comrade.

Fourteen Hispanics were awarded the Medal of Honor for bravery during the Vietnam War. Navy Lt. Everett Alvarez became the first American prisoner of war (POW), and remained so for over 8 years, the longest confirmed POW in American history. The last American to leave Vietnam was Senior Master Sergeant Juan J. Valdez, who served at the U.S. Embassy in Saigon and departed by helicopter on April 30, 1975.

When Iran held 52 American hostages in 1980, the Ayatollah offered to release all minorities. Marine Corporals Lopez and Gallegos refused, instead stating, ''I am an American—I am a U.S. Marine, I will be the last one to leave,'' invoking the spirit of American patriotism above all else.

Today, as we wage the war on terror in Afghanistan and Iraq, the Latino community continues to prove its commitment to America by serving proudly and with honor. They remind all of us, that there is no better way to demonstrate devotion to your country than the willingness to make sacrifices for it. Through their service in the armed forces thousands of brave individuals in the Latino community have proven their love and dedication to our American values of liberty and freedom for all.

As we recognize the Latino community during National Hispanic Heritage Month, I want to thank the service men and women, both past and present, for their commitment and sacrifices to our country. They truly embody the spirit of pride and community that Hispanic Heritage Month is designed to celebrate.

RECOGNIZING THE COLORADO PUBLIC INTEREST RESEARCH GROUP

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. UDALL of Colorado. Mr. Speaker, I rise today to pay tribute to Colorado Public Interest Research Group (CoPIRG) on the celebration of its 30th anniversary of operation in Colorado. This outstanding nonprofit organization has been recognized as one of the state's strongest grassroots groups devoted to advocacy, action and results.

In an effort to advocate for Colorado's citizens, CoPIRG's current programs focus on affordable health care, consumer protection, environmental advocacy, and the strengthening of our democracy.

The cost of health care and prescription drugs are soaring and senior citizens and the uninsured are paying a disproportionate share of their incomes for their basic health care needs. CoPIRG, through its surveys, is advocating for Congressional reforms and urging our state government to develop buying pools to benefit those on fixed incomes and without employment most impacted by these spiraling costs.

Coloradans have many areas where they need more personal and consumer protection. Through comprehensive reports each year prior to the holiday-giving season, Public Interest Groups across the nation have targeted unsafe toys in retail stores and on the Internet. For the past 17 years, these reports have led to over 100 recalls and prompted the passage of a federal toy labeling law in 1994.

Investor protections were highlighted last year when CoPIRG advocated for consumer privacy laws to protect credit card numbers from theft. This year, CoPIRG is working to strengthen laws governing the accounting industry in Colorado and increase funds for investigations and other reforms.

Targeting corporate fraud, a CoPIRG backed law helped create an independent oversight system to ensure that audit firms aren't subject to conflicts of interest. Through a research report, consumers can reduce their banking fees through better knowledge of industry charges. In 2001, predatory lending practices were exposed through CoPIRG's research, leading Colorado's Attorney General to file civil suits against offenders, the first such action in the nation. In another national first, Colorado passed a law to provide consumers with free annual credit reports upon request.

On the front lines of environmental and public health protection, CoPIRG has fought to strengthen air standards, reduce pollutants that cause global warming, smog and increase respiratory diseases such as asthma. In a campaign to keep our water clean and safe for drinking and recreation, PIRGs nationally are working to enforce toxic regulations on corporate violators.

In an effort to protect our nation's coastlines, Public Research Interest Groups across the nation are advocating to leave wilderness areas free from oil and gas drilling. As one of the country's largest source of pollution, fossil fuels continue to be harmful to the nation. PIRGs across the country are working to support the use of renewable sources of energy through education and advocacy. With the motto, Reduce, Reuse and Recycle, CoPIRG and other affiliates are building environmentally sound alternatives to keep our nation clean and safe for all its citizens.

Fighting for Colorado's citizens, CoPIRG has partnered with Colorado Common Cause, the League of Women Voters of Colorado, the Colorado Environmental Coalition and other advocacy organizations to direct a county by county effort to expand voter participation through Colorado Citizens' Voice. Using training workshops, the coalition supports citizen involvement in government decisions and works for meaningful reform on critical issues.

Through comprehensive reports and releases, CoPIRG keeps voters informed of campaign contributions, compiles statistics on campaign financing trends and continuously advocates for campaign finance reform and the protection of initiative process in Colorado.

For the past thirty years, Colorado and the Rocky Mountain West has been the proud home of Colorado Public Interest Research Group. For their many accomplishments on behalf of its citizens, we commend their service and wish them many years of future success.

RECOGNIZING AUGUSTINE GALLEGO DURING HISPANIC HERITAGE MONTH

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mrs. DAVIS of California. Mr. Speaker, I rise today in honor of Hispanic Heritage Month, which commemorates the numerous contributions that Latinos make to our country. It is my privilege today to recognize an extraordinary individual who shapes the future every day through his valuable work, San Diego Community College District Chancellor Augustine Gallego.

In his 14 years as Chancellor, Augustine ''Augie'' Gallego has earned a reputation as a national leader in higher education. He is the immediate past chair of the American Council on Education (ACE). Change Magazine recently named him as one of the 21 most influential higher education senior leaders in the United States. Locally, he is known for bringing together business leaders, community members, and politicians to find solutions for challenges within the educational system.

Chancellor Gallego is a positive role model for young people within the Latino community and beyond who are unsure about pursuing post-secondary education. The story of Augie's decision to go to college is inspirational. As a young man, Chancellor Gallego found work digging ditches. One day while digging, he looked up and noticed college students nearby. That moment served as an epiphany; Augie realized he did not have to dig ditches for a living. He decided to attend college.

Chancellor Gallego truly embodies the mission of the San Diego Community College District of providing an accessible, high quality learning experience that responds to the unique needs of local communities and student populations. In his capacity as chief executive officer of one of the largest community college districts in the United States, he led the development of numerous innovative programs, including public and private partnerships to more effectively and efficiently serve students and the community. Among his many accomplishments, Chancellor Gallego has facilitated community college transfer to California's four-year public colleges, and developed opportunities for students to intern and work at local businesses.

All of Chancellor Gallego's endeavors show a profound appreciation, understanding, and passion for community colleges and their role in the economic development, work force training, and education of a community. He respects the unique backgrounds and needs that each student brings to the classroom. The diverse community college population includes ''breakthrough students'' who are the first in their family to go to college, nontraditional students returning to school to obtain skills to help them either re-enter or advance in the labor market and students experiencing financial hardship. Community colleges represent hope and provide opportunities for many in San Diego County. Chancellor Gallego has helped turn those hopes into reality for thousands of San Diegans.

A vocal advocate for students, Chancellor Gallego has brought attention to the impact of California's education budget reductions. Funding decreases translate into increased class size, fewer classes, less financial assistance and, ultimately, lost potential for the community.

As Hispanic Heritage Month draws to a close, I am proud to recognize Chancellor Augustine Gallego's steadfast commitment to improving the quality of education. Through his service in the San Diego Community College District, he has opened the doors of opportunity to a generation of students.

CAPTAIN DURWARD LANG: 50 YEARS OF REMARKABLE SERVICE

HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. ALLEN. Mr. Speaker, in August, 2003, Durward Lang retired as the Captain of the Fire Department of Buxton, Maine. Captain Lang's extraordinary service to the town began a half a century ago. He has held every rank from firefighter to Chief, and has been instrumental in many of the department's progressive changes. His contributions are remarkable in many respects, and reflect the can-do spirit of a man who has given his all to his community.

For example, Durward purchased a used ladder truck on his own, refurbished it in his garage, and gave it to the Town of Buxton for $1. Not to be deterred, when the truck failed to pass inspection in 2000, he served on the committee formed to purchase another ladder truck.

Durward and his wife, Janet, also started the town's emergency dispatch service in their kitchen. They hired people to man the phone 24 hours a day. The service is now the 911 center for the Town. The Langs also ran the town rescue service together, spending many days and nights helping residents in trouble.

Fortunately, Durward has been persuaded to remain in service. Since his retirement as captain, he has served as a fire truck driver. I join the people of Buxton in thanking Durward and Janet Lang for their countless hours of service, and the model of civic involvement that they have established for all to emulate.

RECOGNIZING TAIWAN'S 92ND NATIONAL DAY

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. HINCHEY. Mr. Speaker, as a longtime supporter and proud member of the Taiwan Caucus, I would like to recognize and congratulate Taiwan on its 92nd National Day, which it celebrated on October 10, 2003. Taiwan has made many significant accomplishments during its brief history. It is a true friend to the U.S., and one of our major trading partners.

Taiwan is one of the largest export markets for many U.S. states, including New York. With a population of 23 million, the island of Taiwan is the world's 12th largest economy and our eighth largest trading partner. These economic ties have strengthened our bilateral relationship.

Taiwan is a thriving democracy, supportive of political freedoms and human rights. Its constitution guarantees citizens freedom of assembly, expression and association, freedom of religion, and freedom of the press. Taiwan conducts free and fair elections, and is home to more than 90 political parties.

I applaud Taiwan's commitment to upholding the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and the Declaration and Action Program of the 1993 Vienna Conference on Human Rights. I thank Taiwan for providing humanitarian assistance to Afghan refugees, and for its generous contributions to the International Community. I fully support Taiwan's efforts to rejoin the United Nations and join the World Health Organization.

As we celebrate Taiwan's 92nd National Day, we recognize the strong relationship between our countries and commit ourselves to see this relationship continue to flourish and grow in the years to come.

DEFENSE PRODUCTION REAUTHORIZATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. PAUL. Mr. Speaker, no one questions the need for the Federal Government to obtain the necessary resources to fill its constitutional role of providing for the common defense. However, the federal government must fulfill this duty in a manner that does not conflict in any way with the Constitution or endanger republican government. The Defense Production Reauthorization Act (DPA), which gives almost unchecked power to the executive to interfere in the economy in the name of ''national security,'' fails both of these standards. In fact, when I inquired at the sole hearing the House Financial Services Committee held on this issue as to which section of the Constitution authorized such sweeping grants of power to the Executive, I was greeted by silence from the ''expert'' witnesses!

Under this bill, the President is given authority to void private contracts in order to ensure that federal defense priorities, as determined by the executive, are met. The only limitation on the President's judgment is a requirement that he submits a series of ''findings'' to Congress. The Executive also has what appears to be unchecked authority to use financial incentives such as loan guarantees, direct loans, and purchase guarantees to ensure production of items he determines are in the national interest.

Congress appears to have no ability to perform any real oversight of a Presidential action under the DPA. In fact, my office has been informed by the Congressional Research Service that past Presidents may have invoked the DPA without even submitting the required findings to Congress!

The wide grant of unchecked power to the Executive runs counter to the intent of the drafters of the Constitution. The Founders carefully limited the executive power because they recognized that an executive with unfettered power was a threat to liberty. In recent years we have seen administrations of both parties undermine the Constitutional separation of powers via enhanced reliance on executive orders and unilateral decision-making. The Defense Production Reauthorization Act provides Constitutional blessing to this usurpation of power, and not just in areas clearly related to national defense. For example, the DPA has been used to justify federal interference in the energy market. It is an open question what other exercise of federal power could be justified as related to defense. For example, federal education programs has been justified on the grounds that an educated population is vital to national defense, so perhaps a future president will use DPA to impose a national curriculum!

I am also concerned that this bill violates the Fifth Amendment's takings clause. In particular, DPA allows the government to seize private property by interfering with the performance of private contracts in order to give priority to military production. This action reduces the value of the affected parties' proprietary interests, and thus is a taking, requiring the government to provide just compensation to the affected party. The Fifth Amendment intends to assure that the government does not

unfairly burden one group of citizens in carrying out its constitutional functions. By not providing for just compensation, DPA allows the executive to unfairly burden one group of citizens for costs that the Constitution requires be shared among the entire population.

In conclusion, Mr. Speaker, the Defense Production Act gives the executives unchecked power to meddle in the economy, flying in the face of the original constitutional structure and endangering the very liberty it claims to protect. Therefore, I must oppose this bill.

COMMEMORATING NATIONAL LATINO AIDS AWARENESS DAY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. SOLIS. Mr. Speaker, I stand before you today to recognize October 15 as the first ever National Latino AIDS Awareness Day. On this day, in over 100 cities throughout the United States, Latino leadership will sponsor a variety of activities raising awareness of the state of AIDS among Latinos.

For the past twenty years, AIDS has posed a formidable threat to Latino communities and families. As of December 2001, the Centers for Disease Control and Prevention estimates there have been 149,742 cumulative Latino AIDS cases in the United States. Latinos in the United States have been disproportionately affected by the AIDS epidemic. Although Latinos comprise 14 percent of the population in the United States, they account for 20 percent of all those living with AIDS. Furthermore, Latinos are over represented in the number of new HIV infections and AIDS cases. Two groups in particular, Latinas and Latino youth, have been acutely affected. The rate of Latinas with AIDS as a proportion of all Latino AIDS cases has climbed from 15 percent in 1990 to 23 percent in 2000. Latino teens make up 15 percent of the national teenage population but account for 21 percent of new AIDS cases.

In Los Angeles County, an estimated 52,000 men, women, and children are living with AIDS. In 2000, Latinos comprised 41.8 percent of AIDS cases LA County. A rather heartbreaking reality is that in Los Angeles, nearly half of all newborns with HIV are Latino. And as of December 31, 2001, in my community of the San Gabriel Valley, there are 1,121 people living with AIDS.

As the nation's largest and fastest growing ethnic minority group in the United States, addressing the impact of HIV/AIDS in the Latino community takes on an even greater significance in the overall effort to improve our nation's health. National Latino AIDS Awareness Day is a time for our nation to recognize the needs of communities of color and embark on a more proactive fight against AIDS. We must do more than just talk about AIDS. We need to put real action behind our words and good intentions, particularly by adequately funding programs like the Minority AIDS Initiative and increasing emphasis on disease prevention.

These are starting statistics and we must remember that behind these statistics are human faces and human lives, those of our sisters and brothers, mothers and fathers, and our colleagues and friends. On this first National Latino AIDS Awareness Day, I ask that we remember those who have lost their lives to AIDS, show compassion toward and support for those currently living with the disease, and pray for all families and communities whose lives have been touched in some way.

UNIVERSAL 4-YEAR-OLD KINDERGARTEN TO D.C. AND NATIONWIDE

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. NORTON. Mr. Speaker, I am introducing today the Universal Pre-Kindergarten and Early Childhood Education Act of 2003 (Universal Pre-K) to begin the process of providing universal, public school pre-kindergarten education for every child, regardless of income. The bill is meant to fill the gaping hole in the President's No Child Left Behind law, which requires elementary and secondary school children to meet more rigorous standards while ignoring the preschool years which can best prepare them to do so. My bill would provide a breakthrough in elementary school education by taking a step at the federal level to provide initial funding and, using such funding, to encourage school districts themselves to add a grade to elementary schooling at age four as an option for every child.

The Universal Pre-K Act responds both to the needs of parents for educational childcare and to the new science showing that a child's brain development, which sets the stage for lifelong learning, begins much earlier than previously believed. However, parents who need child care for their pre-K age children are rarely able to afford the stimulating educational environment necessary to ensure optimal brain development. Universal Pre-K would be a part of school systems, adding a new grade for 4-year-olds similar to 5-year-old kindergarten programs now routinely available in the United States. The bill would eliminate some of the major shortcomings of the uneven commercial day care now available and would assure qualified teachers and safe facilities.

Because of decades of refusal by Congress to approve the large sums necessary for universal health coverage, the Universal Pre-K Act encourages school districts across the United States to apply to the Department of Education for grants to establish 4-year-old kindergartens. Grants funded under Title IV of the Elementary and Secondary Education Act (ESEA) would be available to school systems which agree in turn to use the experience acquired with the federal funding provided by my bill to then move forward, where possible, to phase in pre-kindergartens for all children in the school district in regular classrooms with teachers equivalent to those in other grades as part of their annual school district budgets.

The success of high quality Head Start and other pre-kindergarten programs combined with new scientific evidence concerning the importance of brain development in the early years should mandate the expansion of early childhood education for all of our children. Traditionally, early learning programs have been available only to the affluent and to lower income families in programs such as Head Start. The goal of the Universal Pre-K Act is to bring the benefits of educational pre-K within reach of the great majority of American working poor, lower middle class, and middle class families, most of whom have been left out.

In a letter to Congress opposing private school vouchers, City Council Member Kathy Patterson suggested that instead of vouchers, Congress should fund a number of unfunded D.C. public school priorities, including Pre-K education for all 4-year-old children. She said that although universal 4-year-old Pre-K was a top D.C. priority, the city has been able to provide this schooling to only half of its children from local tax revenue.

Compare the cost of day care, most of it offered today with an inadequate educational emphasis, at an average cost of $6,171 per year to the cost of in-state tuition at the University of Virginia, which costs $6,150 per year. Yet, more than 60 percent of mothers with children under age six work. That proportion is rapidly increasing as more mothers enter the labor force, including mothers leaving welfare, who also have no long term access to child care.

Considering the staggering cost of daycare, the inaccessibility of early education, and the opportunity earlier education offers to improve a child's chances in life, four-year-old kindergarten is overdue. The absence of viable options for working families demands our immediate attention.

TRIBUTE TO MILDRED COLEMAN HOLLOWAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to pay tribute to a Texas leader in civil rights, who after 91 years, passed on Friday. Mildred Coleman Holloway.

Throughout her career, Mildred was a trailblazer among African-American women who fought tirelessly for equal rights in an era when blacks were still required to pay a poll tax to vote.

Originally from Waco, Texas, Mildred attended Samuel Huston College, which later merged to become Huston-Tillotson College. For more than 40 years, Mildred was a Democratic Party icon in Texas.

Mr. Speaker, this great leader spent much of her time in Austin fighting for equal opportunity for all people.

She was instrumental in the founding of three politically powerful groups in Austin and the state of Texas, the Texas Coalition of Black Democrats, Black Austin Democrats, and the United Political Organization.

Mildred Coleman Holloway was a trailblazer and champion of minority rights in Texas. She was not just a leader in Texas politics but an inspiration to all of us in the Texas delegation. I am certainly proud to have known her and learned from her example.

I will miss her caring spirit. The people of Texas and her friends and colleagues in Austin and throughout Texas will miss her. Although she is no longer with us, Mildred Holloway will fondly be remembered for her courage, determination, humility, and devotion to public service.

RECOGNIZING THE CRUSADE PROGRAM

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 2003

Mr. PRICE of North Carolina. Mr. Speaker, heart disease is the leading cause of death in the United States—affecting an estimated 62 million Americans. It is increasingly evident that we must become more vigilant in preventing and treating this serious illness. I am pleased today to share with my colleagues a nationwide quality improvement initiative that is headed by researchers at Duke Clinical Research Institute in my district and involves leading cardiologists from around the country, including another prominent research institution in my district, the University of North Carolina at Chapel Hill.

CRUSADE (*C*an *R*apid Risk Stratification of *U*nstable Angina Patients *S*uppress *AD*verse Outcomes with *E*arly Implementation of the ACC/AHA Guidelines) is studying cardiovascular care in hospitals around the nation and adherence to the American Heart Association (AHA) and the American College of Cardiology (ACC) acute coronary syndrome guidelines. These treatment guidelines help doctors who evaluate and treat patients arriving in emergency departments with serious heart conditions, known as unstable angina or non-ST-segment elevation myocardial infarction (heart attack), and those undergoing procedures to clear clogged arteries.

The CRUSADE program has found that many doctors and hospitals are not following the ACC/AHA treatment guidelines and reports significant under-use of other recommended therapies that can improve patient outcomes. CRUSADE has determined that heart patients are faring significantly better at hospitals that follow the guidelines. As Dr. Eric Peterson, the principal investigator for the CRUSADE initiative states, ''Our mission is to not only document non-adherence but to actually change the behavior of healthcare professionals and help patients.''

Historically, national efforts to prevent heart attacks have focused on the 600,000 acute myocardial infarction patients—and over time these initiatives have made a tremendous impact in decreasing mortality rates for patients around the country. I would like to urge the agencies at Department of Health and Human Services that are responsible for research, quality, and hospital-based initiatives to expand our cardiovascular programs to include the early heart attack population that the CRUSADE program seeks to assist. There are approximately 1.4 million patients in the U.S. in this category, and they are at higher risk for death than the smaller number of patients who are treated aggressively and tracked by our current federal programs.

Mr. Speaker, I am proud that researchers at Duke University and UNC-Chapel Hill have undertaken this important fight to save more lives from heart disease, and I congratulate the cardiologists and emergency medicine physicians across the country who are participating in this important program.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 16, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 20

2 p.m.
Aging
To hold hearings to examine confronting family elder abuse.
SD–628

OCTOBER 21

9:30 a.m.
Armed Services
To hold a closed briefing regarding ongoing military operations and areas of key concern around the world.
SR–222

10 a.m.
Finance
To hold hearings to examine tax shelters, and the role of the Federal Government relative to the buying and selling of tax shelters.
SD–G50

Governmental Affairs
Business meeting to consider pending calendar business.
SD–342

Health, Education, Labor, and Pensions
To hold hearings to examine intellectual diversity.
SD–430

Judiciary
To hold hearings to examine criminal terrorism investigations and prosecutions relating to national security.
SD–226

2:30 p.m.
Foreign Relations
International Economic Policy, Export and Trade Promotion Subcommittee
To hold hearings to examine U.S. energy security relating to West Africa and Latin America.
SD–419

OCTOBER 22

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine counterterror initiatives in the terror finance program and organization of terror groups for funding and future U.S. responses.
SD–538

Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430

Indian Affairs
To hold hearings to examine the nomination of David Wayne Anderson, of Minnesota, to be an Assistant Secretary of the Interior; to be followed by a business meeting to consider pending calendar business.
SR–485

Judiciary
To hold hearings to examine the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit.
SD–226

OCTOBER 23

Time to be announced
Health, Education, Labor, and Pensions
To hold hearings to examine pharmacy compounding.
SD–430

9:30 a.m.
Environment and Public Works
Business meeting to consider S. 994, to protect human health and the environment from the release of hazardous substances by acts of terrorism.
SD–406

2 p.m.
Finance
To hold hearings to examine company owned life insurance.
SD–215

OCTOBER 28

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine certain health issues.
SD–430

OCTOBER 29

10 a.m.
Indian Affairs
Business meeting to consider pending calendar business; to be followed by a hearing on the Tribal Self Governance Act Amendments of 2003.
SR–485

Health, Education, Labor, and Pensions
Substance Abuse and Mental Health Services Subcommittee
To hold hearings to examine the New Freedom Commission Report.
SD–430

OCTOBER 30

10 a.m.
Health, Education, Labor, and Pensions
Aging Subcommittee
To hold hearings to examine financial abuse and exploitation.
SD–430

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings to examine S. 1097, to authorize the Secretary of the Interior to implement the Calfed Bay-Delta Program.
SD–366

3 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine Senator Frist's Report on Africa.
SH–902

CANCELLATIONS

OCTOBER 17

9:30 a.m.
Environment and Public Works
Business meeting to consider S. 1066, to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System, S. 1643, to exempt certain coastal barrier property from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Act of 1968, S. 1663, to replace certain Coastal Barrier Resources System maps, S. 1669, to reauthorize the Dingell-Johnson Sport Fish Restoration Act, and the nomination of Michael O. Leavitt, of Utah, to be Administrator of the Environmental Protection Agency.
SD–406

POSTPONEMENTS

OCTOBER 21

10 a.m.
Indian Affairs
To hold hearings to examine S. 1565, to reauthorize the Native American Programs Act of 1974.
SR–485

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report on H.R. 1474, Check Truncation Act.

Senate

Chamber Action

Routine Proceedings, pages S12565–S12634

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1731–1738, S. Res. 243, and S. Con. Res. 73. **Page S12607**

Measures Reported:

S. 1146, to implement the recommendations of the Garrison Unit Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota, with an amendment. (S. Rept. No. 108–165). **Page S12607**

Measures Passed:

National Childhood Lead Poisoning Prevention Week: Senate agreed to S. Res. 243, designating the week of October 19, 2003, through October 25, 2003, as "National Childhood Lead Poisoning Prevention Week". **Pages S12622, S12632**

Public Printer Authority: Senate passed H.R. 3229, to amend title 44, United States Code, to transfer to the Public Printer the authority over the individuals responsible for preparing indexes of the Congressional Record, clearing the measure for the President. **Page S12632**

Emergency Supplemental Appropriations, Iraq and Afghanistan: Senate continued consideration of S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, taking action on the following amendments proposed thereto: **Pages S12574–79, S12579–99**

Adopted:

Ensign Amendment No. 1839, to reduce the amount available for reconstruction in Iraq by the amount that is used to repay bilateral debts owed by Iraq. **Pages S12578–79, S12579–80**

By a unanimous vote of 97 yeas (Vote No. 383), Byrd Amendment No. 1846, to modify the report requirements with respect to the Coalition Provisional Authority. **Pages S12585–89**

Boxer Amendment No. 1844, to require a report on replacing U.S. troops with Iraqi forces or other non-U.S. forces in secure areas of Iraq. **Page S12590**

Feingold Amendment No. 1847, to provide transparency and accountability with respect to the Coalition Provisional Authority. **Page S12589**

Reid (for Corzine) Amendment No. 1851, to require the President to submit periodic reports to Congress on the total projected costs of United States operations in Iraq, including military operations and reconstruction efforts, through fiscal year 2008. **Pages S12589–90**

Graham (SC) Modified Amendment No. 1805, to express the sense of Congress that arbitrary deadlines should not be set for the dissolution of the Coalition Provisional Authority or the transfer of its authority to an Iraqi governing authority. **Pages S12581–82, S12590**

Reid Amendment No. 1836, to express the sense of Congress on damages caused by the regime of Saddam Hussein during the First Gulf War. **Pages S12590–91**

Bingaman Modified Amendment No. 1842, to require reports on the utilization of the National Guard and Reserves. **Pages S12580–81**

By 95 yeas to 2 nays (Vote No. 384), Graham (SC) Modified Amendment No. 1806, to express the sense of Congress that the removal of the Government of Saddam Hussein has enhanced the security of Israel and other United States allies. **Pages S12591–92, S12593–95**

Withdrawn:

Reid/Lincoln Amendment No. 1835, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability. **Page S12577**

Pending:

Byrd Amendment No. 1818, to impose a limitation on the use of sums appropriated for the Iraq Relief and Reconstruction Fund. **Page S12574**

Byrd/Durbin Amendment No. 1819, to prohibit the use of Iraq Relief and Reconstruction Funds for low priority activities that should not be the responsibility of U.S. taxpayers, and shift $600 million from the Iraq Relief and Reconstruction Fund to Defense Operations and Maintenance, Army, for significantly improving efforts to secure and destroy conventional weapons, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles, in Iraq. **Page S12574**

Bond/Mikulski Amendment No. 1825, to provide additional VA Medical Care Funds for the Department of Veterans Affairs. **Page S12574**

Durbin Amendment No. 1837, to ensure that a Federal employee who takes leave without pay in order to perform certain service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page S12574**

Reed/Hagel Amendment No. 1834, to increase the end strength of the Army and to structure the additional forces for constabulary duty. (By 45 yeas to 52 nays (Vote No. 382), Senate failed to table the amendment.) **Pages S12576–77**

Stevens Motion to Reconsider the vote by which the motion to table Reed/Hagel Amendment No. 1834 (listed above) failed. **Page S12577**

Feingold Amendment No. 1852, to enable military family members to take leave to attend to deployment-related business and tasks. **Pages S12592–93**

Daschle Amendment No. 1854, to achieve the most effective means of reconstructing Iraq and to reduce the future costs to the American taxpayer of such reconstruction by ensuring broad-based international cooperation for this effort. **Pages S12595–96**

Feinstein Amendment No. 1848, to require reports on the United States strategy for relief and reconstruction efforts in Iraq, and to limit the availability of certain funds for those efforts pending determinations by the President that the objectives and deadlines for those efforts will be substantially achieved. **Pages S12596–98**

Nelson (FL) Amendment No. 1858, to set aside from certain amounts available for the Iraq Relief and Reconstruction Fund, $10,000,000 for the Family Readiness Program of the National Guard. **Page S12598**

Reid (for Landrieu) Amendment No. 1859, to promote the establishment of an Iraq Reconstruction Finance Authority and the use of Iraqi oil revenues to pay for reconstruction in Iraq. **Pages S12598–99**

During consideration of this measure today, the Senate also took the following action:

By 47 yeas to 49 nays (Vote No. 381), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Corzine/Durbin Amendment No. 1811, to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. **Pages S12574–75**

Chair sustained a point of order against Lincoln Amendment No. 1829, to amend the Internal Revenue Code of 1986 to improve tax equity for military personnel, as being in violation of section 302(f) of the Congressional Budget Act of 1974, and the amendment thus fell. **Pages S12582–85**

Chair sustained a point of order against Reid Amendment No. 1838, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veteran Affairs for their disability, as being in violation of section 302(f) of the Congressional Budget Act of 1974, and the amendment thus fell. **Pages S12577–78, S12591**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, October 16, 2003. **Page S12633**

Check Truncation Act—Conference Report: Senate agreed to the conference report on H.R. 1474, to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, clearing the measure for the President. **Pages S12632–33**

Nominations Received: Senate received the following nomination:

Marguerita Dianne Ragsdale, of Virginia, to be Ambassador to the Republic of Djibouti. **Page S12634**

Executive Communications: **Pages S12603–07**

Executive Reports of Committees: **Page S12607**

Additional Cosponsors: **Pages S12607–09**

Statements on Introduced Bills/Resolutions: **Pages S12609–22**

Additional Statements: **Pages S12601–03**

Amendments Submitted: Pages S12624–31

Notices of Hearings/Meetings: Page S12631

Authority for Committees to Meet: Pages S12631–32

Privilege of the Floor: Page S12632

Record Votes: Four record votes were taken today. (Total—384) Pages S12575, S12577, S12588, S12594

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:51 p.m., until 9:30 a.m., on Thursday, October 16, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S12633–34.)

Committee Meetings

(Committees not listed did not meet)

SECURITIES MARKETS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities and Investment concluded a hearing on the future of the securities markets, focusing on the structure of the U.S. equities markets, with particular regard to their fairness and efficiency, after receiving testimony from William H. Donaldson, Chairman, U.S. Securities and Exchange Commission.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 811, to support certain housing proposals in the fiscal year 2003 budget for the Federal Government, including the downpayment assistance initiative under the HOME Investment Partnership Act, with an amendment in the nature of a substitute;

S. 300, to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of Congress that there should be a national day in recognition of Jackie Robinson; and

The nominations of Harvey S. Rosen, of New Jersey, and Kristin J. Forbes, of Massachusetts, each to be a Member of the Council of Economic Advisers, Julie L. Myers, of Kansas, to be an Assistant Secretary of Commerce for Export Enforcement, Peter Lichtenbaum, of Virginia, to be an Assistant Secretary of Commerce for Export Administration.

WATER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded hearings to examine S. 943, to authorize the Secretary of the Interior to enter into 1 or more contracts with the city of Cheyenne, Wyoming, for the storage of water in the Kendrick Project, Wyoming, S. 1027 and H.R. 2040, bills to amend the Irrigation Project Contract Extension Act of 1998 to extend certain contracts between the Bureau of Reclamation and certain irrigation water contractors in the States of Wyoming and Nebraska, S. 1058, to provide a cost-sharing requirement for the construction of the Arkansas Valley Conduit in the State of Colorado, S. 1071, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on a water conservation project within the Arch Hurley Conservancy District in the State of New Mexico, S. 1307, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects, S. 1308, to authorize the Secretary of the Interior to pursue and complete actions related to the implementation of a U.S. District Court Consent Decree, S. 1355, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, S. 1577, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming, H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project, and S. Res. 183, commemorating 50 years of adjudication under the McCarran Amendment of rights to the use of water, after receiving testimony from Senator Allard; Representative Musgrave; John W. Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and James W. Broderick, Southeastern Colorado Water Conservancy District, Pueblo.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 1066, to correct a technical error from Unit T–07 of the John H. Chafee Coastal Barrier Resources System, with an amendment in the nature of a substitute;

S. 1643, to exempt certain coastal barrier property from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Act of 1968, with amendments;

S. 1663, to replace certain Coastal Barrier Resources System maps;

S. 1669, to reauthorize the Dingell-Johnson Sport Fish Restoration Act; and

The nomination of Michael O. Leavitt, of Utah, to be Administrator of the Environmental Protection Agency.

ROAD MAP TO PEACE

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs met in closed session to receive a briefing to discuss overcoming obstacles to peace relating to the Middle East road map from William J. Burns, Assistant Secretary of State for Bureau of Near Eastern Affairs.

ROAD MAP TO PEACE

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs concluded a hearing on overcoming obstacles to peace relating to the Middle East road map, after receiving testimony from Dennis Ross, Washington Institute for Near East Policy, Washington, D.C.; Rabbi Michael Melchior, former Deputy Foreign Minister, and Dror Etkes, Peace Now, both of Jerusalem, Israel; and Boaz Ganor, International Policy Institute on Counter-Terrorism, Herzlia, Israel.

AMERICAN INDIAN PROBATE REFORM ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 550, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, after receiving testimony from Wayne Nordwall, Director, Western Region, Bureau of Indian Affairs, Department of the Interior; D. Fred Matt, Confederated Salish and Kootenai Tribes of the Flathead Nation, Pablo, Montana; Maurice Lyons, Morongo Band of Mission Indians, Banning, California; Lisa C. Oshiro, California Indian Legal Services, Washington, D.C.; and Austin Nunez, Indian Land Working Group, Albuquerque, New Mexico.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing on the nominations of D. Michael Fisher, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, who was introduced by Senators Specter and Santorum and Representatives Hart and Murphy; Dale S. Fischer, to be United States District Judge for the Central District of California, who was introduced by Senator Feinstein; and Gary L. Sharpe, to be United States District Judge for the Northern District of New York, who was introduced by Senators Schumer and Clinton, after each nominee testified and answered questions in their own behalf.

PORNOGRAPHY VICTIMS

Committee on the Judiciary: Committee concluded a hearing on the oversight of Department of Justice to protect victims of pornography, focusing on enforcement efforts against those who produce and disseminate adult obscenity and child pornography, after receiving testimony from John G. Malcolm, Deputy Assistant Attorney General, Criminal Division, J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, and Mary Beth Buchanan, U.S. Attorney for the Western District of Pennsylvania (Pittsburgh), all of the Department of Justice; Lawrence E. Maxwell, Inspector in Charge, Fraud and Dangerous Mail Investigative Programs, United States Postal Inspection Service; Bruce A. Taylor, National Law Center for Children and Families, Fairfax, Virginia; Victor Cline, University of Utah, Salt Lake City; and Steven Takeshita, Los Angeles Police Department, Organized Crime and Vice Division, Los Angeles, California.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 3290–3304; and 5 resolutions, H. Con. Res. 301–302 and H. Res. 397–399, were introduced.

Page H9477

Additional Cosponsors: Pages H9478–79

Reports Filed: Reports were filed as follows:

H.R. 1899, to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation, (H. Rept. 108–313);

H.R. 1828, to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, amended, (H. Rept. 108–314);

H.R. 1702, to designate the Federal building which is to be constructed at 799 First Avenue in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building" (H. Rept. 108–315);

H.R. 2134, to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures, amended, (H. Rept. 108–316);

H.R. 3118, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia (H. Rept. 108–317);

H.R. 3140, to provide for availability of contact lens prescriptions to patients, amended, (H. Rept. 108–318);

H.R. 3198, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, (H. Rept. 108–319); and

H. Res. 396, providing for consideration of H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004 (H. Rept. 108–320). **Page H9477**

Chaplain: The prayer was offered today by Rev. Ralph Clay, Christ's Community Church in Portsmouth, Ohio. **Page H9385**

Order of Business—Emergency Supplemental Appropriations: Agreed that the period of debate on the subject of emergency supplemental appropriations under the order of the House of Wednesday, October 14, be limited to five hours. **Page H9386**

Order of Business—Permission to address the House: Agreed that at any time on the legislative day of October 15, 2003, Representatives Lewis of California and Obey each be recognized to address the House for 30 minutes. **Page H9385**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing America's Jewish community: H. Con. Res. 106, recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an "American Jewish History Month"; **Pages H9396–98**

Supporting the goals and ideals of College Savings Month: H. Con. Res. 270, supporting the goals and ideals of College Savings Month; **Pages H9398–H9400**

Congratulating the East Boynton Beach, Florida, Little League team as the 2003 U.S. Little League Champions: H. Con. Res. 273, recognizing and congratulating the East Boynton Beach, Florida, Little League team as the 2003 United States Little League Champions; **Pages H9400–01**

Recognizing Inspectors General over the last 25 years: H.J. Res. 70, amended, recognizing Inspectors General over the last 25 years in their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government;

Agreed to amend the title so as to read "Joint Resolution commending the Inspectors General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government during the past 25 years". **Pages H9401–03**

Eddie Mae Steward Post Office Designation Act: H.R. 1883, to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the "Eddie Mae Steward Post Office"; **Pages H9403–04**

Vietnam Veterans Memorial Visitors Center Act: H.R. 1442, amended, to authorize the design and construction of a visitor center for the Vietnam Veterans Memorial; **Pages H9404–07**

Nevada National Forest Land Disposal Act of 2003: H.R. 1092, amended, to authorize the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada;

Agreed to amend the title so as to read "A bill to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada.". **Pages H9407–09**

Irvine Basin Surface and Groundwater Improvement Act of 2003: H.R. 1598, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California; **Pages H9409–10**

Johnstown Flood National Memorial Boundary Adjustment Act of 2003: H.R. 1521, amended, to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania; **Pages H9410–11**

Awarding the Congressional Gold Medal to Dr. Dorothy Height: H.R. 1821, to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation; **Pages H9411–16**

Defense Production Reauthorization Act of 2003: S. 1680, amended, an original bill to reauthorize the Defense Production Act of 1950; **Pages H9416–18**

Syria Accountability and Lebanese Sovereignty Restoration Act of 2003: H.R. 1828, amended, to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military

items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East by a ⅔ yea-and-nay vote of 398 yeas to 4 nays, Roll No. 543; and

Pages H9418–31, H9442–43

Emergency Supplemental Appropriations: The House began debate on the subject of a bill making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004. Further proceedings on the subject will continue tomorrow, October 16. **Pages H9431–40, H9443–64**

Energy Policy Act of 2003—Motion to Instruct Conferees: The House agreed to the Capps motion to instruct conferees on H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people by a yea-and-nay vote of 229 yeas to 182 nays, Roll No. 540. **Pages H9440–41**

Tax Relief, Simplification, and Equity Act—Motion to Instruct Conferees: The House rejected the Crowley motion to instruct conferees on H.R. 1308, Tax Relief, Simplification, and Equity Act by a yea-and-nay vote of 203 yeas to 204 nays, Roll No. 541.

Page H9441

Medicare Prescription Drug Benefit—Motion to Instruct Conferees: The House rejected the Schakowsky motion to instruct conferees on H.R. 1, Medicare Prescription Drug and Modernization Act of 2003 by a yea-and-nay vote of 190 yeas to 218 nays, Roll No. 542. **Pages H9441–42**

Senate Message: Message received from the Senate today appears on page H9385.

Senate Referral: S. 1053 and S.J. Res 18 were ordered held at the desk.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H9479–83.

Adjournment: The House met at 1 p.m. and adjourned at 12 midnight.

Committee Meetings

MEDICAID—EVALUATING COORDINATION CARE

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Evaluating Coordination of Care in Medicaid: Improving Quality and Clinical Outcomes." Testimony was heard from Rhonda Medows, Secretary, Agency for Health Care Administration, State of Florida; Jeffrey Simms, Assistant Director, Division of Medical Assistance, State of North Carolina; Melanie M. Bella, Assistant Secretary, Office of Medicaid Policy and Planning, State of Indiana; and public witnesses.

OVERSIGHT—SENIOR EXECUTIVE SERVICE—ACHIEVING DIVERSITY

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held an oversight hearing entitled "Achieving Diversity in the Senior Executive Service." Testimony was heard from George H. Stalcup, Director, Strategic Issues, GAO; Ronald P. Sanders, Associate Director, Strategic Human Resources Policy, OPM; Carlton M. Hadden, Director, Office of Federal Operations, EEOC; Gail T. Lovelace, Chief Human Capital Officer, GSA; Jo-Anne Barnart, Chief Financial Officer, Patent and Trademark Office, Department of Commerce; Reginald F. Wells, Deputy Commissioner, Human Resources, SSA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: S. 625, Tualatin River Basin Water Supply Enhancement Act of 2003; H.R. 2831, Newlands Project Headquarters and Maintenance Yard Facility Transfer Act; and H.R. 3210, Little Butte/Bear Creek Subbasins Water Feasibility Act. Testimony was heard from Mark A. Limbaugh, Deputy Commissioner, External and Intergovernmental Affairs, Bureau of Reclamation, Department of the Interior; and public witnesses.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Committee on Rules: Granted, by a vote of 9 to 4, an open rule providing one hour of general debate on H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives all points of order against consideration of the bill. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Young and Representatives Kirk, Shays, Manzullo, Pence, Obey, Lantos, Spratt, DeFazio, Tanner, Waters, Deutsch, Stupak,

Faleomavaega, Hastings of Florida, Maloney, Scott of Virginia, Wynn, Harman, Jackson-Lee of Texas, Lee, Sherman, Reyes, Rodriguez, Holt, Larson of Connecticut, Moore, Matheson and Watson.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1087)*

H.R. 659, to amend section 242 of the National Housing Act regarding the requirements for mortgage insurance under such Act for hospitals. Signed on October 3, 2003. (Public Law 108–91)

H.R. 978, to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percentage point relating to periods of receiving disability payments. Signed on October 3, 2003. (Public Law 108–92)

S. 111, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park. Signed on October 3, 2003. (Public Law 108–93)

S. 233, to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System. Signed on October 3, 2003. (Public Law 108–94)

S. 278, to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area. Signed on October 3, 2003. (Public Law 108–95)

H.R. 1925, to reauthorize programs under the Runaway and Homeless Youth Act and the Missing Children's Assistance Act. Signed on October 10, 2003. (Public Law 108–96).

H.R. 2826, to designate the facility of the United States Postal Service located at 1000 Avenida Sanchez Osorio in Carolina, Puerto Rico, as the "Roberto Clemente Walker Post Office Building". Signed on October 10, 2003. (Public Law 108–97).

S. 570, to amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools. Signed on October 10, 2003. (Public Law 108–98).

H.R. 2152, to amend the Immigration and Nationality Act to extend for an additional 5 years the special immigrant religious worker program. Signed on October 15, 2003. (Public Law 108–99).

COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 16, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold a closed briefing on the intelligence portion of the FY04 Emergency Supplemental Appropriations request, 9:30 a.m., S–407, Capitol.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine proposals for improving the regulation of the Housing GSEs, 10 a.m., SD–538.

Committee on Foreign Relations: to hold hearings to examine the pursuit of security and democracy in Afghanistan, 2 p.m., SH–216.

Subcommittee on European Affairs, to hold hearings to examine U.S.-EU Cooperation on regulatory affairs, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine access to postsecondary education in relation to reauthorizing the Higher Education Act, 10 a.m., SD–430.

Committee on Indian Affairs: to hold hearings to examine the Missouri River Master Manual, 10 a.m., SR–485.

Committee on the Judiciary: business meeting to consider S. 1545, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents, S. 1691, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II, and the nominations of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit, George W. Miller, of Virginia, to be a Judge of the United States Court of Federal Claims, Deborah Ann Spagnoli, of California, to be a Commissioner of the United States Parole Commission, and Dora L. Irizarry, to be United States District Judge for the Eastern District of New York, 10 a.m., SD–226.

Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine recent litigations against food companies relative to common sense consumption, 2 p.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 10 a.m., SH–219.

House

Committee on Agriculture, hearing to examine new generation cooperatives and strategies to maximize farm and ranch income, 10 a.m., 1300 Longworth.

Committee on the Budget, hearing on Department of Defense Long-Term Budget Issues, 10 a.m., 210 Cannon.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''The Financial Collapse of HealthSouth,'' 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Reviewing U.S. Capital Market Structure: The New York Stock Exchange and Related Issues,'' 10 a.m., 2128 Rayburn.

Committee on Government Reform, hearing on ''You've Got Mail—But is it Secure? An Examination of Internet Vulnerabilities Affecting Businesses, Governments and Homes,'' 10 a.m., 2154 Rayburn.

Subcommittee on Human Rights and Wellness, hearing entitled ''Castro's Cuba: What is the Proper United States Response to Ongoing Human Rights Violations in Our Hemisphere?'' 3 p.m., 2154 Rayburn.

Committee on House Administration, hearing on the Federal Election Commission Enforcement Procedures, 3 p.m., 1310 Longworth.

Committee on International Relations, hearing on United States Policy in Afghanistan: Current Issues in Reconstruction—Part II, 10:30 a.m., 2172 Rayburn.

Subcommittee on Africa, to mark up H.R. 2760, Resolution of the Ethiopia—Eritrea Border Dispute Act of 2003, 1:30 p.m., 2200 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing on ''The GAO's Recent Report on the Implementation of Executive Order 12630 and the State of Federal Agency Protections of Private Property Rights,'' 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, to mark up H.R. 3261, Database and Collections of Information Misappropriation Act, 3 p.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing on ''Visa Overstays: A Growing Problem for Law Enforcement,'' 1 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands, to hold a hearing on the following bills: H.R. 280, National Aviation Heritage Area Act; H.R. 704, Rim of the Valley Corridor Study Act; H.R. 1399, Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Boundary Revision Act of 2003; H.R. 1594, St. Croix National Heritage Area Study Act; H. R. 1618, Arabia Mountain National Heritage Area Act; H.R. 1862, Oil Region National Heritage Area Act; H.R. 1798, Upper Housatonic Valley National Heritage Area Act; and H.R. 2909, Utah Test and Training Range Protection Act, 2 p.m., 1334 Longworth.

Committee on Science, to mark up the following measures: H. Con. Res. 279, recognizing the significance of the anniversary of the American Association for the Advancement of Science Congressional Science and Engineering Fellowship Program, and reaffirming the commitment to support the use of science in governmental decision-making through such Program; and H. Res. 395, recognizing the importance of chemistry to our everyday lives and supporting the goals and ideals of National Chemistry Week; followed by a hearing on The Future of Human Space Flight, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Is America losing its lead in high-tech: implications for the U.S. defense industrial base?'' 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, oversight hearing on the Transportation Security Administration's Perspective on Aviation Security, 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, hearing entitled ''Handoff or Fumble: Do VA and DOD Provide Seamless Health Care Coverage to Transitioning Veterans?'' 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on Sensitive Counterterrorism Issues, 2 p.m., H–405 Capitol.

Subcommittee on Intelligence Policy and National Security, executive, briefing on Global Intelligence Update, 9 a.m., H–405 Capitol.

Select Committee on Homeland Security, Subcommittee on Emergency Preparedness and Response, hearing on H.R. 3266, Faster and Smarter Funding for First Responders Act of 2003, 4 p.m., 2175 Rayburn.

Subcommittee on Infrastructure and Border Security, hearing entitled ''Plugging the Gaps in Border Security: the One Face at the Border Initiative,'' 1 p.m., 2175 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, October 16

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 1689, Emergency Supplemental Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, October 16

House Chamber

Program for Thursday: Consideration of H.R. 3289, Supplemental Appropriations Act for fiscal year 2004 (open rule, one hour of debate).

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